



National Health Service Reform and Health Care Professions Act 2002

2002 CHAPTER 17

PART 1

NATIONAL HEALTH SERVICE, ETC

Quality

14 Commission for Health Improvement: constitution

- (1) Schedule 2 to the 1999 Act (the Commission for Health Improvement) is amended as follows.
- (2) After paragraph 5 there is inserted—
 - “5A (1) The Secretary of State may direct a Special Health Authority to exercise—
 - (a) his function of appointing the chairman and the other members referred to in paragraph 4(c), and
 - (b) any functions conferred on him by regulations under paragraph 5 in relation to the appointment or tenure of office of the chairman and those other members.
 - (2) The National Assembly for Wales may direct a Special Health Authority to exercise—
 - (a) its function of appointing the member referred to in paragraph 4(b), and
 - (b) any functions conferred on it by regulations under paragraph 5 in relation to the appointment or tenure of office of that member.
 - (3) If the Secretary of State or the Assembly gives such directions, the 1977 Act has effect as if—
 - (a) the directions were directions under section 16D of that Act, and, accordingly,

Status: This is the original version (as it was originally enacted).

- (b) the functions were exercisable by the Special Health Authority under section 16D.”
- (3) In paragraph 7 (employees)—
- (a) in sub-paragraph (2), the words after “Commission” are omitted, and
 - (b) sub-paragraphs (6) and (7) are omitted.
- (4) In paragraph 8 (delegation of functions)—
- (a) the existing text is renumbered as sub-paragraph (1) of that paragraph,
 - (b) in that sub-paragraph (1) (as so renumbered), for “a committee” to the end there is substituted—
 - “(a) a committee, sub-committee, member or employee of the Commission, or
 - (b) any other person.”, and
 - (c) after sub-paragraph (1) there is inserted—
 - “(2) If the Commission arranges for the discharge of any function falling within section 20(1A) of this Act by one or more committees or sub-committees of the Commission, the persons by whom those functions are to be discharged are to be known collectively as “the Office for Information on Health Care Performance”.
 - (3) If the Commission arranges for the discharge of any function as mentioned in sub-paragraph (1)(b), the arrangements may include provision with respect to the payment of remuneration and allowances to, or amounts in respect of, such persons.”
- (5) In paragraph 12—
- (a) in sub-paragraph (1), for “the exercise of its functions” there is substituted “the way in which the Commission has exercised its functions”, and
 - (b) after sub-paragraph (1) there is inserted—
 - “(1A) As soon as possible after the end of each financial year, the Commission must also make a report to the Secretary of State and the National Assembly for Wales on what it has found in relation to NHS bodies and service providers in the course of exercising its functions during the year.
 - (1B) The Secretary of State must lay before Parliament any reports he receives under sub-paragraphs (1) and (1A).
 - (1C) The National Assembly for Wales must publish any report it receives under sub-paragraph (1A).”