

# HEALTH ACT 2006

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 5

#### Appointments Commission

#### *Section 58: Commission to exercise Secretary of State's appointment functions*

273. *Section 58* enables the Secretary of State to direct the Appointments Commission to exercise all or part of his power to appoint the following:
- Chairmen and non-executive members of Strategic Health Authorities, Primary Care Trusts, NHS trusts and Special Health Authorities;
  - Trustees for NHS trusts or Primary Care Trusts;
  - Special trustees to which section 95 of the NHS Act 1977 applies;
  - Chairmen and non-executive members of the statutory bodies listed in Schedule 5 to the Act; and
  - Chairmen and non-executive members of any other body specified in subsection (4) ie. a body which has functions in relation to health, social care or the regulation of professionals working within the health or social care field.
274. *Subsection (5)(a)* makes it clear that the functions of the bodies to which *subsection (4)* refers may include functions which relate to matters other than health, social care or the regulation of professions associated with health and social care and may be exercisable more widely than just in England.
275. This section reproduces with amendments most of section 187 of the Health and Social Care (Community Health and Standards) Act 2003 (“the 2003 Act”).