

## SCHEDULE 8

### Amendments to legislation and related transitional provisions

#### Part 1

##### Primary legislation

###### **The Health Service Commissioners Act 1993**

**15.**—(1) Schedule 1 (the English Commissioner)(1) is amended in accordance with this paragraph.

(2) For paragraph 1 (appointment of Commissioners) substitute the following new paragraphs—

“**1.** Her Majesty may by Letters Patent appoint a person to be the Commissioner.

**1A.** Subject to paragraphs 1C and 1D a person appointed to be the Commissioner shall hold office until the end of the period for which he is appointed.

**1B.** That period must be not more than seven years.

**1C.** A person appointed to be the Commissioner may be relieved of office by Her Majesty at his own request.

**1D.** A person appointed to be the Commissioner may be removed from office by Her Majesty, on the ground of misbehaviour, in consequence of Addresses from both Houses of Parliament.

**1E.** A person appointed to be the Commissioner is not eligible for re-appointment.”.

(3) In paragraph 2 (appointment of acting Commissioners)—

(a) after sub-paragraph (1) insert—

“(1A) A person appointed to act as the Commissioner (“an acting Commissioner”) may have held office as the Commissioner.

(1B) A person appointed as an acting Commissioner is eligible for appointment as the Commissioner unless he has already held office as the Commissioner.”;

(b) in sub-paragraph (2) for the words “under this paragraph” substitute “as acting Commissioner,”; and

(c) for sub-paragraph (3), substitute—

“(3) A person appointed as an acting Commissioner shall, while he holds office, be treated for all purposes, except for the purposes of paragraphs 1, 4 to 10 and this paragraph, as the Commissioner.”.

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(1) The schedule heading was amended by the Government of Wales Act 1998 (c. 38), section 112, and Schedule 10, paragraph 16(2).