



*At the Court at Buckingham Palace*

THE 12th DAY OF JUNE 2014

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The Public Appointments Order in Council 2013 (“the 2013 Order”) makes provision for an independent Commissioner to monitor the procedures adopted by appointing authorities (Ministers of the Crown and others) when making appointments to public bodies.

It is desirable to revoke the 2013 Order and make further provision in relation to these matters.

Her Majesty is pleased, by and with the advice of Her Privy Council, to order as follows:-

*Citation commencement and revocation*

1.—(1) This Order may be cited as the Public Appointments Order in Council 2014 and comes into force on the day after the day on which it is made.

(2) The Public Appointments Order in Council 2013 is revoked.

*Interpretation*

2.—(1) The Interpretation Act 1978(a) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if the Order listed in Article 1(2) was an enactment for the purposes of section 16(1) of that Act.

(2) In this Order:

“appointing authority” means, in relation to a public appointment—

- a) a Minister of the Crown or, as the case may be, the Welsh Ministers, the First Minister for Wales or the Counsel General;
- b) the National Health Service Trust Development Authority where an appointment is made by it on behalf of a Minister of the Crown, or the Welsh Ministers, the First Minister for Wales or the Counsel General;
- c) in relation to the UK Commission for Employment and Skills, a Minister of the Crown or, as the case may be, the Scottish Ministers, the Northern Ireland Ministers or the Welsh Ministers, the First Minister for Wales or the Counsel General;

“audit” means the carrying out of any review by or on behalf of the Commissioner of the appointment procedures and practices followed by appointing authorities in making appointments;

“Commissioner” means the person appointed for the time being by Her Majesty in Council to be Her Majesty’s Commissioner for Public Appointments for the purposes of this Order;

“public appointment” means any appointment (including any re-appointment or extension of an appointment) made by, or on the recommendation of, an appointing authority to a public body or public office;

“public body” means any body that falls under the Schedule;

“public office” means any office that falls under the Schedule.

(3) Where a provisional appointment is to be made before a body or office exists in law or before a body or office has been specified as a public body or public office for the purposes of this Order, the Minister for the Cabinet Office may notify the Commissioner that the appointment is to be treated as if it were a public appointment to a public body or public office for the purposes of this Order.

#### *Functions of the Commissioner*

**3.—**(1) The Commissioner shall, in the manner the Commissioner considers best calculated to promote economy, efficiency, effectiveness, diversity and equality of opportunity in the procedures for making public appointments, exercise the Commissioner’s functions with the object of maintaining the principle of selection on merit in relation to public appointments.

(2) The Commissioner shall prescribe and publish a code of practice on the interpretation and application by appointing authorities of the principle of selection on merit for public appointments and shall adopt and publish from time to time such additional guidance to appointing authorities as the Commissioner shall think fit.

(3) The Commissioner shall audit public appointment policies and practices pursued by appointing authorities to establish whether the code of practice is being observed by appointing authorities.

(4) The Commissioner may require appointing authorities to publish such summary information as may be specified relating to selection for public appointment.

(5) The Commissioner may from time to time conduct an inquiry into the policies and practices followed by an appointing authority in relation to any public appointment or description of public appointment.

(6) The Commissioner may recruit and train public appointment assessors for the purpose of advising and assisting an appointing authority in relation to any public appointment.

(7) For the purposes of paragraphs (3) and (5), appointing authorities must provide the Commissioner with any information the Commissioner reasonably requires.

#### *Additional functions*

**4.—**(1) The Commissioner may, at the request of a Minister of the Crown, carry out such additional functions relating to appointments (whether public or otherwise) as may be agreed between the Minister and the Commissioner.

(2) Public appointment assessors recruited in accordance with article 3(6) may advise and assist in relation to appointments falling under paragraph (1) of this article.

#### *Commissioner’s Annual Report*

**5.** The Commissioner shall publish an annual report which shall include—

- (a) information as to the application by appointing authorities of the principle of selection on merit and as to the observance by such authorities of the code of practice, and
- (b) an account of the audit of public appointment procedures and practices.

#### *Exercise of the Commissioner’s powers and duties*

**6.—**(1) Any power or duty of the Commissioner may be exercised by an officer of the Commissioner authorised for that purpose by the Commissioner.

(2) The Commissioner may from time to time, and to such extent as the Commissioner thinks fit, authorise any person to perform any function under article 3(3) or 4.

*Richard Tilbrook*

# SCHEDULE

Article 2(2)

## **Bodies and Offices Regulated by the Commissioner for Public Appointments**

### **Cabinet Office**

#### *Public bodies*

Advisory Committee on Business Appointments  
Big Lottery Fund  
Boundary Commission for England  
Boundary Commission for Wales  
Charity Commission for England and Wales  
Committee on Standards in Public Life  
House of Lords Appointments Commission  
Office of the Registrar of Consultant Lobbyists  
Security Vetting Appeals Panel  
Senior Salaries Review Body  
Statistics Board

### **Department for Business, Innovation and Skills**

#### *Public bodies*

Advisory, Conciliation and Arbitration Service (Acas)  
Arts and Humanities Research Council  
Biotechnology and Biological Sciences Research Council  
British Business Bank plc  
British Hallmarking Council  
Capital for Enterprise Ltd  
Competition Markets Authority, with the exception of the Chief Executive  
Competition Service  
Construction Industry Training Board  
Council for Science and Technology  
Economic and Social Research Council  
Engineering and Physical Sciences Research Council  
Engineering Construction Industry Training Board  
Film Industry Training Board for England and Wales  
Higher Education Funding Council for England  
Independent Assessors for Student Finance Appeals and Complaints  
Industrial Development Advisory Board  
Low Pay Commission  
Medical Research Council  
Natural Environment Research Council  
Office for Fair Access  
Post Office Ltd, Chair appointment only  
Regulatory Policy Committee  
Science and Technology Facilities Council  
Student Loans Company Ltd  
Technology Strategy Board  
UK Commission for Employment and Skills  
UK Green Investment Bank  
United Kingdom Atomic Energy Authority

#### *Public offices*

Groceries Code Adjudicator

## **Department for Education**

### *Public bodies*

Office for Standards in Education, Children's Services and Skills  
Office of Qualifications and Examinations Regulation  
School Teachers' Review Body  
Social Mobility and Child Poverty Commission

### *Public offices*

Chair of the Information Standards Board  
Children's Commissioner for England  
Her Majesty's Chief Inspector of Education, Children's Services and Skills  
Members of Professional Misconduct Panels for Teachers

## **Department for Communities and Local Government**

### *Public bodies*

Audit Commission for Local Authorities and the National Health Service in England  
Building Regulations Advisory Committee  
Homes and Communities Agency  
Leasehold Advisory Service (LEASE)  
Valuation Tribunal Service

### *Public offices*

The Housing Ombudsman  
Local Government Ombudsman

## **Department for Culture, Media and Sport**

### *Public bodies*

Arts Council England  
British Broadcasting Corporation  
British Library  
British Museum  
Commission for Equality and Human Rights  
English Heritage  
Gambling Commission  
Geffrye Museum  
Historic Royal Palaces  
Horniman Public Museum and Public Park Trust  
Horserace Betting Levy Board  
Imperial War Museum  
National Gallery  
National Heritage Memorial Fund  
National Lottery Commission  
National Maritime Museum  
National Museum of Science and Industry  
National Museums Liverpool  
National Portrait Gallery  
Natural History Museum  
Office of Communications (OFCOM)  
Olympic Delivery Authority  
Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest  
Royal Armouries  
Sianel Pedwar Cymru (S4C)  
Sport England  
Sports Ground Safety Authority  
Tate  
Theatres Trust  
Treasure Valuation Committee

UK Sport  
United Kingdom Anti-Doping Ltd  
Victoria and Albert Museum  
VisitBritain  
Visit England  
Wallace Collection

### **Department for Environment, Food and Rural Affairs**

#### *Public bodies*

Advisory Committee on Pesticides  
Advisory Committee on Releases to the Environment  
Agriculture and Horticulture Development Board  
Broads Authority  
Conservation Board for the Chilterns Area of Outstanding Natural Beauty  
Conservation Board for the Cotswolds Area of Outstanding Natural Beauty  
Consumer Council for Water  
Covent Garden Market Authority  
Environment Agency  
Forestry Commissioners, with the exception of executive members  
Independent Agricultural Appeals Panel  
Joint Nature Conservation Committee  
Marine Management Organisation  
National Forest Company  
National Park authorities, with the exception of parish members  
Natural England  
Regional Flood and Coastal Committees, with the exception of board members  
Royal Botanic Gardens Kew  
Science Advisory Council  
Sea Fish Industry Authority  
Veterinary Products Committee  
Water Services Regulation Authority (OFWAT)

### **Department for International Development**

#### *Public bodies*

CDC Group plc  
Commonwealth Scholarship Commission  
Independent Commission for Aid Impact

### **Department for Transport**

#### *Public bodies*

British Transport Police Authority  
Civil Aviation Authority, with the exception of executive members  
Disabled Persons Transport Advisory Committee  
HS2 Ltd  
Office of Rail Regulation  
Passenger Focus

### **Department for Work and Pensions**

#### *Public bodies*

Health and Safety Executive  
Independent Living Fund (2006)  
Industrial Injuries Advisory Council  
National Employment Savings Trust  
Office for Nuclear Regulation  
Pensions Advisory Service  
Pension Protection Fund  
Pensions Regulator

Remploy Limited  
Social Security Advisory Committee

*Public offices*

Pensions Ombudsman  
Pension Protection Fund Ombudsman

**Department of Energy and Climate Change**

*Public bodies*

Civil Nuclear Police Authority  
Coal Authority  
Committee on Climate Change  
Committee on Radioactive Waste Management  
Fuel Poverty Advisory Group  
Gas and Electricity Markets Authority  
National Nuclear Laboratory  
Nuclear Decommissioning Authority  
Nuclear Liabilities Financing Assurance Board  
Nuclear Liabilities Fund

**Department of Health**

*Public bodies*

Administration of Radioactive Substances Advisory Committee  
Advisory Committee on Clinical Excellence Awards  
British Pharmacopoeia Commission  
Care Quality Commission  
Commission on Human Medicines  
Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment  
Food Standards Agency  
Health and Social Care Information Centre  
Health Education England  
Health Research Authority  
Human Fertilisation and Embryology Authority  
Human Tissue Authority  
Independent Reconfiguration Panel  
Monitor  
National Institute for Health and Care Excellence  
NHS Blood and Transplant Authority  
NHS Business Services Authority  
NHS Commissioning Board  
NHS Litigation Authority  
NHS Pay Review Body  
NHS Trusts  
NHS Trust Development Authority  
Review Body on Doctors' and Dentists' Remuneration

**Export Credits Guarantee Department**

*Public bodies*

Export Guarantees Advisory Council

**Foreign and Commonwealth Office**

*Public bodies*

Great Britain-China Centre  
Marshall Aid Commemoration Commission  
Westminster Foundation for Democracy

## **HM Treasury**

### *Public bodies*

Court of Directors of the Bank of England, with the exception of the Governor and Deputy Governors  
Crown Estate Commissioners, with the exception of executive members  
Financial Conduct Authority, with the exception of executive members  
National Savings and Investments  
Royal Mint Advisory Committee on the Design of Coins, Medals, Seals and Decorations  
UK Financial Investments (UKFI)

## **Home Office**

### *Public bodies*

Advisory Council on the Misuse of Drugs  
Animals in Science Committee  
Disclosure and Barring Service  
Gangmasters Licensing Authority  
Independent Police Complaints Commission  
Migration Advisory Committee  
National Crime Agency Remuneration Review Body  
National DNA Database Ethics Group  
Office of the Immigration Services Commissioner  
Police Advisory Board for England and Wales  
Police Negotiating Board  
Security Industry Authority  
Technical Advisory Board (for the Regulation of Investigatory Powers Act 2000), with the exception of Agency Members

### *Public offices*

Appointed person under the Proceeds of Crime Act 2002  
Independent Chief Inspector of Borders and Immigration  
Commissioner for the Retention and Use of Biometric Material  
Her Majesty's Inspectors of Constabulary  
Independent Monitor of the Disclosure and Barring Service  
Independent Reviewer of Terrorism Legislation  
Members of the Visiting Committee of any immigration removal centre or short-term holding facility  
Surveillance Camera Commissioner

## **Ministry of Defence**

### *Public bodies*

Advisory Committee on Conscientious Objectors  
Armed Forces Pay Review Body  
Central Advisory Committee on War Pensions  
Defence Nuclear Safety Committee  
Defence Scientific Advisory Council  
Independent Board of Visitors for Military Corrective Training Centre  
Independent Medical Expert Group  
National Employer Advisory Board  
Nuclear Research Advisory Council  
Oil and Pipelines Agency  
Review Board for Government Contracts  
Royal Air Force Museum  
Scientific Advisory Committee on the medical implications of less lethal weapons  
Single Source Regulations Office  
Veterans Advisory and Pensions Committees

### *Public offices*

Service Complaints Commissioner



## **Ministry of Justice**

### *Public bodies*

Administrative Justice Forum, Chair  
Advisory Committees on Justices of the Peace in England and Wales  
Advisory Council on National Records and Archives  
Advisory Panel on Public Sector Information  
Children and Family Court Advisory and Support Service  
Civil Justice Council  
Civil Procedure Rule Committee  
Criminal Cases Review Commission  
Criminal Procedure Rule Committee  
Family Justice Board, Chair  
Family Justice Council  
Family Procedure Rule Committee  
Independent Advisory Panel on Deaths in Custody  
Independent Monitoring Board of any prison or young offender institution  
Insolvency Rules Committee  
Judicial Appointments Commission  
Judicial Pension Board, independent Chair and independent members  
Law Commission  
Legal Services Board  
Parole Board, with the exception of the Chair and judicial members  
Prison Service Pay Review Body  
Probation Trusts  
Sentencing Council for England and Wales  
Tribunal Procedure Committee  
Youth Justice Board for England and Wales

### *Public offices*

Assessor of Compensation for Miscarriages of Justice  
Commissioner for Victims and Witnesses  
Court of Protection Visitors  
Her Majesty's Chief Inspector of Prisons for England and Wales  
Her Majesty's Chief Inspector of Probation  
Information Commissioner  
Judicial Appointments and Conduct Ombudsman  
Multi-Agency Public Protection Arrangements Lay Advisers  
Non-Judicial Members of Review Bodies of the Judicial Conduct Investigations Office  
Persons appointed by the Lord Chancellor under section 2 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012  
President of the National Council for Independent Monitoring Boards  
Prisoner Escort and Custody Services Lay Observers  
Prisons and Probation Ombudsman

## **Northern Ireland Office**

Boundary Commission for Northern Ireland  
Equality Commission for Northern Ireland  
Northern Ireland Human Rights Commission  
Parades Commission for Northern Ireland

## **Scotland Office**

Boundary Commission for Scotland

## **Welsh Government**

Advisory Panel on Substance Misuse  
Agricultural Dwelling House Advisory Committee

Agricultural Wages Committee  
All Wales Medicines Strategy Group  
Arts Council of Wales  
Brecon Beacons National Park Authority  
Care Council for Wales  
Careers Choices Dewis Gyrfa  
Community Health Councils  
Higher Education Funding Council for Wales  
Independent Appeal Panel for Farmers  
Local Government Boundary Commission for Wales  
Local Health Boards  
National Health Service Trusts  
National Library of Wales  
National Museum Wales  
Natural Resources Wales  
Pembrokeshire Coast National Park Authority  
Royal Commission on the Ancient and Historical Monuments of Wales  
Snowdonia National Park Authority  
Sports Council for Wales  
Welsh Industrial Development Advisory Board

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order replaces the Public Appointments Order in Council 2013. It sets out the duties and powers of the Commissioner for Public Appointments (“the Commissioner”).

The principal provisions of the Order are:

Article 3, which sets out the functions of the Commissioner, and provides for the issue of a code of practice on the interpretation and application of the principle of selection on merit and for the audit of selection policies and practices. Article 3(7) requires appointing authorities to provide the Commissioner with information required by him in relation to an audit or an inquiry.

Article 4, which enables the Commissioner to undertake additional functions relating to appointments at the request of a Minister of the Crown.

Article 5, which requires the Commissioner to publish an annual report.

Article 6, which allows the delegation of any power of the Commissioner to any officer of the Commissioner. The Commissioner may also authorise any person to perform the functions of auditing selection practices and policies or any additional functions relating to appointments at the request of a Minister of the Crown under Article 4.

The Schedule lists the public bodies and public offices, appointments to which are public appointments for the purposes of the Order.

The following table shows the bodies that were listed in Schedule 2 to the 2013 Order, but which do not appear in the Schedule to this Order.

Department for Business, Innovation and Skills	British Nuclear Fuels plc Competition Commission, with the exception of the secretary to the Commission National Consumer Council (known as Consumer Focus) Office of Fair Trading, with the exception of the Chief Executive Royal Mail Holdings plc
Department for Communities and Local Government	West Northamptonshire Development Corporation
Department for Culture, Media and Sport	Olympic Lottery Distributor Registrar of Public Lending Right
Department for Environment, Food and Rural Affairs	Agricultural Dwelling House Advisory Committees Agricultural Wages Board for England and Wales Agricultural Wages Committee for England Committee on Agricultural Valuation Internal Drainage Boards
Department for Work and Pensions	Equality 2025
Home Office	Serious Organised Crime Agency, with the exception of the Director General
Ministry of Defence	Advisory Group on Military Medicines