

**Changes to legislation:** Enterprise Ulster (Northern Ireland) Order 1973, SCHEDULE 1 is up to date with all changes known to be in force on or before 07 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 1

Article 3(3).

#### ENTERPRISE ULSTER

### PART I

#### THE CONSTITUTION OF THE CORPORATION

1. The Corporation shall consist of—
  - (a) a Chairman appointed by the Minister;
  - (b) not less than seven nor more than eleven other members appointed by the Minister of whom—
    - (i) two shall be appointed after consultation with such organisation representative of employers as appears to the Minister to be appropriate;
    - (ii) two shall be appointed after consultation with such organisation representative of workers as appears to the Minister to be appropriate.
- 2.—(1) A member of the Corporation shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to hold his office, be eligible for re-appointment.  
(2) Any member may at any time by notice in writing to the Minister resign his office.
3. The Minister may, by notice in writing addressed to a member, terminate his appointment as a member of the Corporation if of the opinion that he is unfit to continue in office or incapable of performing his duties as a member.
4. The proceedings of the Corporation or any committee thereof shall not be invalidated by any vacancy in the membership of the Corporation or committee or by any defect in the appointment of any of its members.

### PART II

#### SUPPLEMENTARY PROVISIONS AS TO THE CORPORATION

##### *Remuneration*

5. The Corporation may pay—
  - (a) to the Chairman and to the other members of the Corporation appointed under paragraph 1( b), such remuneration and such allowances for expenses;
  - (b) to persons attending meetings of the Corporation or any committee thereof, such allowances for expenses (including compensation for loss of remunerative time); and
  - (c) to persons who are not members of the Corporation but who at the invitation of the Corporation or any committee thereof act as advisers at meetings of the Corporation or

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committee held to consider matters on which those persons are specially qualified or otherwise, such fees,  
as the Ministry with the approval of the Ministry of Finance may determine.

#### *Procedure*

**6.—(1)** The Corporation may constitute one or more committees to which it may delegate such of its functions as it may specify.

(2) The functions and proceedings of any committee constituted under sub-paragraph (1) shall be exercised subject to, or regulated in accordance with, any directions of the Corporation.

(3) Such a committee may consist exclusively of persons who are members of the Corporation, or partly of such persons and partly of persons who are not members of the Corporation but who appear to the Corporation to be suitably qualified for service on the committee.

(4) A member of such a committee who is not a member of the Corporation shall have the same exemption from personal liability as if he were a member of the Corporation.

**7.** The Ministry and, if the Ministry thinks fit in a particular case or class of cases, such other Ministries as it may specify may each appoint one person to attend the meetings of the Corporation and of committees of the Corporation, and any person so appointed shall be entitled to take part in the proceedings of the meetings and receive copies of all documents distributed to the members, but shall have no vote.

#### *Restrictions affecting members*

**8.—(1)** A member of the Corporation who is in any way, directly or indirectly, interested in a contract made or proposed to be made by the Corporation shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest at a meeting of the Corporation; and the disclosure shall be recorded in the minutes of the Corporation, and the member shall not take part in any deliberation or decision of the Corporation with respect to that contract.

(2) Where under sub-paragraph (1) a member is prohibited from taking part in any deliberation or decision, that member shall be disregarded for the purpose of constituting a quorum of the Corporation for any such deliberation or decision.

(3) A member of the Corporation need not attend in person at a meeting of the Corporation in order to make any disclosure which he is required to make under this paragraph if he takes reasonable steps to secure that the disclosure is made by a notice which is brought up and read at the meeting.

*Para.9(1) rep. by 1975 c.25;*

*Para.9(2) rep. by 1996 NI 7*

#### *The seal*

**10.** The seal of the Corporation shall be authenticated by the signature of the Chairman or some other member of the Corporation authorised by the Corporation to act for that purpose.

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### *Execution of contracts and instruments not under seal*

**11.** Any contract or instrument which, if entered into or executed by an individual would not require to be<sup>F1</sup> executed as a deed] may be entered into or executed on behalf of the Corporation by any person generally or specially authorised by the Corporation to act for that purpose and any document purporting to be such a contract or instrument shall be deemed to be such a contract or instrument until the contrary is proved.

<b>F1</b> 2005 NI 7
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### *Borrowing*

**12.** The Corporation may borrow, by way of temporary loan or overdraft from a bank or otherwise, any sum which it may temporarily require for the purpose of defraying expenses pending the receipt of revenues receivable by the Corporation; but—

- (a) the total amount for the time being outstanding on foot of such borrowings shall not exceed such sum as the Ministry may with the approval of the Ministry of Finance specify in writing to the Corporation;

*Para.(b) rep. by 1995 NI 16*

### *Staff*

**13.—(1)** The number of persons employed by the Corporation who fall within a class specified by the Ministry for the purposes of this paragraph shall be determined by the Corporation subject to the approval of the Ministry.

(2) The Corporation shall not determine the remuneration of any person or class of persons employed by the Corporation otherwise than with the approval of the Ministry and the Ministry of Finance.

(3) The Corporation may pay to persons employed by it such allowances for expenses incurred in connection with the business of the Corporation as the Ministry with the approval of the Ministry of Finance may determine.

(4) The Corporation may, in the case of such persons employed by it as may be determined by the Corporation with the approval of the Ministry and the Ministry of Finance, pay to or in respect of them such pensions, allowances or gratuities, or provide and maintain for them such pension schemes (whether contributory or not) or contributory or other pension arrangements as may be so determined.

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**Commencement Orders yet to be applied to the Enterprise Ulster (Northern Ireland) Order 1973**

Commencement Orders bringing legislation that affects this Order into force:

- [S.R. 2015/230 art. 2 commences \(2009 c. 3 \(N.I.\)\)](#)