

## SCHEDULES

### SCHEDULE 1

Section 1.

#### THE TOURIST BOARDS

##### *Incorporation and status*

- 1 Each of the Tourist Boards (in this Schedule referred to as “the Board”) shall be a body corporate having perpetual succession and a common seal.
- 2 The Board shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown or as exempt from any tax, duty, levy or other charge whatsoever, and its property shall not be regarded as the property of, or property held on behalf of, the Crown.

##### *Membership*

- 3 A member of the Board shall hold and vacate his office in accordance with the terms of his appointment.
- 4 Any member of the Board may at any time by notice in writing to the relevant Minister resign his office.
- 5 (1) If the relevant Minister is satisfied that a member of the Board—
  - (a) has been absent from meetings of the Board for a period longer than three consecutive months without the permission of the Board; or
  - (b) has become bankrupt or made an arrangement with his creditors; or
  - [<sup>F1</sup>(ba) has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986); or]
  - (c) is incapacitated by physical or mental illness; or
  - (d) is otherwise unable or unfit to discharge the functions of a member,the relevant Minister may declare his office as a member of the Board to be vacant and shall notify the fact in such manner as he thinks fit; and thereupon the office shall become vacant.
- (2) In the application of this paragraph to Scotland, for the references in the last foregoing sub-paragraph to a member’s having become bankrupt and to a member’s having made an arrangement with his creditors there shall be substituted respectively references to sequestration of a member’s estate having been awarded and to a member’s having made a trust deed for behoof of his creditors or a composition contract.
- [<sup>F2</sup>(3) In this paragraph, references to a member of the Board do not, in so far as sub-paragraph (1)(ba) applies, include persons who are members of VisitScotland.]

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*Changes to legislation: There are currently no known outstanding effects for the  
 Development of Tourism Act 1969, SCHEDULE 1. (See end of Document for details)*

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### **Textual Amendments**

- F1** Sch. 1 para. 5(1)(ba) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 4(2)** (with art. 5)
- F2** Sch. 1 para. 5(3) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 4(3)** (with art. 5)

### *Remuneration*

- 6 The Board shall pay to its members such salaries, fees or allowances as the relevant Minister may determine.
- 7 The Board shall, as regards any members in whose case the relevant Minister may so determine, make provision for, or pay to or in respect of them, such pensions or gratuities as may be so determined.
- 8 If a person ceases to be a member of the Board and it appears to the relevant Minister that there are special circumstances which make it right that that person should receive compensation, the Minister may require the Board to pay to that person a sum of such amount as the Minister may determine.
- 9 The relevant Minister shall, as soon as possible after the first appointment of any person as a member of the Board, lay before each House of Parliament a statement of the sums that are or will be payable to or in respect of that member under paragraph 6 of this Schedule; and if any subsequent determination by the relevant Minister under that paragraph involves a departure from the terms of that statement, or if the relevant Minister makes a determination under paragraph 7 or 8 of this Schedule, he shall, as soon as possible after the determination, lay a statement before each House of Parliament of the sums that are or will be payable in consequence of that determination.

### *Staff*

- 10 The Board may appoint such officers and servants as it may, with the consent of the relevant Minister as to numbers and remuneration, determine.
- 11 The Board shall, in the case of such of its officers and servants as the relevant Minister may determine, pay such pensions or gratuities to or in respect of them as may be so determined, make such payments towards the provision of such pensions or gratuities as may be so determined or provide and maintain such schemes (whether contributory or not) for the payment of such pensions or gratuities as may be so determined.

### *Proceedings*

- 12 The validity of any proceedings of the Board shall not be affected by any vacancy among the members or by any defect in the appointment of any member.
- 13 The quorum of the Board and the arrangements relating to meetings of the Board shall be such as the Board may determine.
- 14 A member of the Board who is in any way directly or indirectly interested in a transaction or project of the Board shall disclose the nature of his interest at a meeting of the Board; and the disclosure shall be recorded in the minutes of the

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*Changes to legislation:* There are currently no known outstanding effects for the Development of Tourism Act 1969, SCHEDULE 1. (See end of Document for details)

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Board, and the member shall not take any part in any deliberation or decision of the Board with respect to that transaction or project.

15 The fixing of the seal of the Board shall be authenticated by the signature of the secretary of the Board or of some other person authorised either generally or specially by the Board to act for that purpose.

16 Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be a document so executed.

*Requirement of approval of Minister for the Civil Service*

17 The approval of [<sup>F3</sup>the Treasury] shall be required for the making by the relevant Minister of any determination under paragraph 6, 7, 8 or 11 of this Schedule, for the imposition by him of any requirement under the said paragraph 8 and for the giving by him of any consent under paragraph 10 of this Schedule.

**Textual Amendments**

**F3** Words substituted by virtue of S.I. 1981/1670, arts. 2, 3(5)

**Modifications etc. (not altering text)**

**C1** Sch. 1 para. 17: certain functions continued (1.7.1999) by S.I. 1999/672, art. 2, Sch. 1

*Interpretation*

18 In paragraphs 3 to 9 of this Schedule, references to a member of the Board do not include, in the case of the British Tourist Authority, references to persons who are members thereof by virtue of section 1(2)(b) of this Act.

**Changes to legislation:**

There are currently no known outstanding effects for the Development of Tourism Act 1969, SCHEDULE 1.