

SCHEDULES

SCHEDULE 17

Section 66(5).

THE OCCUPATIONAL PENSIONS BOARD

Preliminary

- 1 The Occupational Pensions Board ("the Board") shall have perpetual succession and a common seal.

Membership

- 2 Subject to the following provisions of this Schedule, a person shall hold and vacate office as chairman, deputy chairman or other member of the Board in accordance with the terms of the instrument appointing him.
- 3 A person may at any time resign office as chairman, deputy chairman or other member of the Board by giving to the Secretary of State written notice of resignation signed by that person.
- 4 (1) If a member of the Board becomes or ceases to be chairman or deputy chairman, the Secretary of State may vary the terms of the instrument appointing him to be a member so as to alter the date on which he is to vacate office.
- (2) If the chairman or deputy chairman ceases to be a member, he shall cease to be chairman or deputy chairman, as the case may be.
- 5 (1) If the Secretary of State is satisfied that a member of the Board—
- (a) has been absent from meetings of the Board for a period longer than 3 consecutive months without the Board's permission ; or
 - (b) has become bankrupt or made an arrangement with his creditors,
- the Secretary of State may remove that member.
- (2) In the application of sub-paragraph (1) above to Scotland, for the references to a member's having become bankrupt and to his 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 his having made a trust deed for behoof of his creditors or a composition contract.
- (3) Without prejudice to the foregoing provisions, the Secretary of State may remove a member of the Board on the ground of incapacity or misbehaviour.

Expenses; remuneration etc. of members

- 6 The expenses of the Board, to such an amount as may be approved by the Minister for the Civil Service, shall be paid by the Secretary of State.
- 7 There may be paid as part of the expenses of the Board—

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- (a) to all or any of the members of the Board, such salaries or other remuneration and travelling and other allowances ;
- (b) to persons attending their meetings at the request of the Board, such travelling and other allowances (including compensation for loss of remunerative time); and
- (c) to persons from whom the Board may decide to seek advice, as being persons considered by the Board to be specially qualified to advise them on particular matters, such fees, as the Secretary of State may with the consent of the Minister for the Civil Service determine.

8 The Secretary of State may with the consent of the Minister for the Civil Service provide for the payment of pensions, allowances or gratuities to or in respect of such members of the Board as may be so determined.

9 Where a person ceases to be a member of the Board otherwise than on the expiration of his term of office and it appears to the Secretary of State that there are circumstances which make it right for that person to receive compensation, the Secretary of State may with the consent of the Minister for the Civil Service make to that person a payment of such amount as the Secretary of State may determine with the consent of that Minister.

Proceedings

10 (1) The quorum of the Board and the arrangements relating to their meetings shall be such as the Board may determine.

(2) Subject to regulations made by the Secretary of State under section 66(7) and section 67(4) of this Act, the procedure of the Board, in relation to the discharge of any of their functions, shall be such as the Board may determine.

11 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 a member.

12 (1) Where the Board give a decision on any matter dealt with by them by means of a formal hearing, or on review, it shall be their duty to furnish a statement, either written or oral, of the reasons for the decision if they are requested, on or before the giving or notification of the decision, to state their reasons.

(2) Any statement by the Board of their reasons for a decision, whether the statement is given by them in pursuance of this paragraph or otherwise, shall be taken to form part of the decision and accordingly to be incorporated in the record.

Staff etc.

13 (1) The Secretary of State may make available to the Board the services of such officers and servants of his department as he may consider appropriate for the proper discharge of the functions of the Board.

(2) The Board may authorise any member, or any officer or servant of the Secretary of State's department, to perform on the Board's behalf such of their functions (including the power to give an authorisation for the purposes of this paragraph) as may be specified in the authorisation.

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Fees

- 14 Regulations made by the Secretary of State may authorise the Board to charge fees for their services in respect of the modification of an occupational pension scheme on an application made in that behalf under section 64 of this Act, including services in connection with the drawing up of any order of the Board made on application.

Instruments and contracts

- 15 The fixing of the common seal of the Board shall be authenticated by the signature of the secretary of the Board or some other person authorised by them to act for that purpose.
- 16 A document purporting to be duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.