

SCHEDULES

SCHEDULE 1

Section 1(5).

THE SEA FISH INDUSTRY AUTHORITY

Status

- 1 The Authority shall be a body corporate.
- 2 Except as provided in sections 2(5), 3(6) and 16(1) of this Act the Authority shall not be regarded as acting on behalf of the Crown and neither it nor its members, officers or servants shall be regarded as Crown servants.

Members

- 3 A member of the Authority shall hold and vacate office in accordance with the terms of the instrument under which he is appointed ; but a person shall not hold office as a member of the Authority for more than three years under any one appointment.
- 4 A member of the Authority may resign by a notice in writing to any of the Ministers.
- 5 The Ministers may terminate the appointment of a member of the Authority if they are satisfied that—
 - (a) in a period of six months beginning not more than nine months previously he has, without the consent of the other members of the Authority, failed to attend the meetings of the Authority ;
 - (b) he is an undischarged bankrupt or has made an arrangement with his creditors or is insolvent within the meaning of paragraph 9(2)(a) of Schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970 ;
 - (c) he is by reason of physical or mental illness or for any other reason incapable of carrying out his duties ; or
 - (d) he has been convicted of such criminal offence, or his conduct has been such, that it is not in the Ministers' opinion fitting that he should remain a member.
- 6 A person who ceases or has ceased to be a member shall be eligible for re-appointment.
- 7 The Ministers shall pay to the members of the Authority such remuneration and allowances as they may with the approval of the Minister for the Civil Service determine.
- 8 The Ministers may, with the approval of the Minister for the Civil Service—
 - (a) pay or make arrangements for the payment of pensions, superannuation allowances or gratuities to or in respect of any person who is or has been a member of the Authority ;
 - (b) pay compensation to any person who ceases to be a member of the Authority otherwise than on the expiry of his term of office where the

Status: This is the original version (as it was originally enacted).

Ministers consider that there are special circumstances making it right that compensation should be paid.

9 It shall be the duty of the Ministers to satisfy themselves from time to time that the persons appointed under section 1(3) of this Act continue to have no such financial or commercial interests as are there mentioned; and any such person shall, when requested by the Ministers so to do, furnish to them such information as they may reasonably require for the performance of that duty.

10 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 and Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified under those Acts) there shall be inserted at the appropriate place in alphabetical order—
 “The Sea Fish Industry Authority”.

Officers and servants

- 11 (1) The Authority may make arrangements for providing pensions, superannuation allowances or gratuities to or in respect of any of its officers or servants ; and such arrangements may include the establishment and administration, by the Authority or otherwise, of one or more pension schemes.
- (2) If an officer or servant of the Authority becomes a member of the Authority and was by reference to his employment by the Authority a participant in a pension scheme maintained by it for the benefit of its officers or servants—
- (a) the Authority may determine that his service as a member shall be treated for the purposes of the scheme as service as an officer or servant of the Authority whether or not any benefits are to be payable to or in respect of him by virtue of paragraph 8 above ; but
- (b) if the Authority determines as aforesaid, any discretion as to the benefits payable to or in respect of him which the scheme confers on the Authority shall be exercised only with the consent of the Ministers given with the approval of the Minister for the Civil Service.

Proceedings

12 The quorum for meetings of the Authority shall be determined by the Ministers and where any business falls to be transacted by a meeting attended only by members appointed under section 1(3) of this Act a separate quorum may be determined for such meetings.

13 If at any meeting of the Authority the votes are equally divided on any question, the person acting as chairman of the meeting shall have a second or casting vote.

14 The validity of any proceedings of the Authority shall not be affected by any vacancy among the members or by any defect in the appointment of a member.

15 (1) If a member of the Authority has any pecuniary interest, direct or indirect, in any contract or proposed contract and is present at a meeting of the Authority at which the contract is the subject of consideration, he shall at the meeting, as soon as practicable after the commencement thereof, disclose the fact and shall not take part in the consideration or discussion of, or vote on any question with respect to, the contract.

 (2) A general notice given in writing by a member of the Authority to the officer designated by it for the purpose to the effect that he is a member or director or in the

Status: This is the original version (as it was originally enacted).

employment of a specified company or other body, or that he is a partner or in the employment of a specified person, shall, unless and until the notice is withdrawn, be deemed to be a sufficient disclosure of his interest in any contract or proposed contract relating to that company or other body or to that person which may be the subject of consideration after the date of the notice.

- (3) Any disclosure made under sub-paragraph (1) above shall be recorded in the minutes of the meeting at which it is made ; and any notice given under sub-paragraph (2) above shall be recorded in a book to be kept for the purpose.
- 16 (1) For the purpose of assisting the Authority in the discharge of its functions the Authority may appoint committees consisting of or including persons who are not members of the Authority.
- (2) The Authority may defray the reasonable expenses incurred in the execution of their duties by members of such committees who are not members of the Authority.
- 17 Subject to paragraphs 12 to 16 above and section 16(2) of this Act, the Authority may regulate its own procedure.

Execution of instruments etc.

- 18 The application of the common seal of the Authority to any document shall be attested by at least one member of the Authority and by the person for the time being acting as secretary to the Authority.
- 19 Any document purporting to be a document duly executed or issued under the seal of the Authority or on behalf of the Authority shall, until the contrary is proved, be deemed to be a document so executed or issued.