

**Changes to legislation:** Land Drainage Act 1991, SCHEDULE 2 is up to date with all changes known to be in force on or before 26 April 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 2

Section 1.

#### EXPENSES AND PROCEEDINGS ETC. OF INTERNAL DRAINAGE BOARDS

##### *Payment of expenses etc. of members and officers*

- 1 (1) The relevant Minister may, if he thinks fit, by order authorise an internal drainage board to pay to the chairman of the board, for the purpose of enabling him to meet the expenses of his office, such allowance as may be specified in the order.
- (2) An internal drainage board may pay any reasonable expenses incurred by their members and officers in—
- (a) attending meetings of the board or a committee or sub-committee thereof;
  - (b) carrying out inspections necessary for the discharge of the functions of the board; or
  - (c) attending conferences or meetings convened by one or more internal drainage boards, or by any association of internal drainage boards, for the purpose of discussing matters connected with the discharge of the functions of internal drainage boards;
- and may pay any reasonable expenses incurred by their members or officers in purchasing reports of the proceedings of any such conference or meeting.
- (3) Without prejudice to the other provisions of this Schedule—
- (a) an internal drainage board may enter into a contract with any person under which, in consideration of payments made by the board by way of premium or otherwise, that person undertakes to pay to the board such sums as may be provided in the contract in the event of any member of the board or of any of its committees meeting with a personal accident, whether fatal or not, while he is engaged on the business of the board;
  - (b) any sum received by an internal drainage board under any such contract shall, after deduction of any expenses incurred in the recovery of that sum, be paid by the board to, or to the personal representatives of, the person in respect of whose accident the sum is received;
- and the provisions of the <sup>M1</sup>Life Assurance Act 1774 shall not apply to any such contract.

#### Marginal Citations

**M1** 1774 c. 48.

##### *Payments etc. to staff*

- 2 (1) An internal drainage board may pay to persons employed by them such reasonable remuneration as they think fit.

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- (2) An internal drainage board may provide housing accommodation for persons employed by them (and may, accordingly, acquire land for that purpose under section 62 of this Act).

*Proceedings of internal drainage board*

- 3 (1) An internal drainage board may, with the approval of the relevant Minister, make rules—
- (a) for regulating the proceedings of the board, including quorum, place of meetings and notices to be given of meetings;
  - (b) with respect to the appointment of a chairman and a vice-chairman;
  - (c) for enabling the board to constitute committees; and
  - (d) for authorising the delegation to committees of any of the powers of the board and for regulating the proceedings of committees, including quorum, place of meetings and notices to be given of meetings.
- (2) The first meeting of an internal drainage board shall be held on such day and at such time and place as may be fixed by the relevant Minister; and the relevant Minister shall cause notice of the meeting to be sent by post to each member of the board not less than fourteen days before the appointed day.
- (3) Any member of an internal drainage board who is interested in any company with which the board has, or proposes to make, any contract shall—
- (a) disclose to the board the fact and nature of his interest; and
  - (b) take no part in any deliberation or decision of the board relating to such contract;
- and such disclosure shall be forthwith recorded in the minutes of the board.
- (4) A minute of the proceedings of a meeting of an internal drainage board, or of a committee of such a board, purporting to be signed at that or the next ensuing meeting by a person describing himself as, or appearing to be, the chairman of the meeting to the proceedings of which the minute relates—
- (a) shall be evidence of the proceedings; and
  - (b) shall be received in evidence without further proof.
- (5) Until the contrary is proved—
- (a) every meeting in respect of the proceedings of which a minute has been so signed shall be deemed to have been duly convened and held;
  - (b) all the proceedings had at any such meeting shall be deemed to have been duly had; and
  - (c) where the proceedings at any such meeting are the proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute.
- (6) The proceedings of an internal drainage board shall not be invalidated by any vacancy in the membership of the board or by any defect in the appointment or qualification of any member of the board.

*Annual report*

- 4 (1) An internal drainage board shall—

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- (a) before such date in every year as the relevant Minister may fix, send to that Minister a report of their proceedings during the preceding year; and
  - (b) at the same time send a copy of the report to the [<sup>F1</sup>appropriate supervisory body] and to the council of every county [<sup>F2</sup>, county borough] and London borough in which any part of the board's district is situated.
- (2) Every such report shall be in such form and shall contain particulars with respect to such matters as the relevant Minister may direct.

#### Textual Amendments

- F1** Words in Sch. 2 para. 4(1)(b) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), Sch. 2 para. 337 (with Sch. 7)
- F2** Words inserted in Sch. 2, para. 4(1)(b) (1.4.1996) by 1994 c. 19, s. 22(5), Sch. 11, Pt. II, para. 4(13) (with ss. 54(5)(7), 55(5)); S.I. 1996/396, art.3

#### Accounts

- 5 (1) An internal drainage board shall—
- (a) as soon as the accounts of the board have been audited, send a copy of them to the relevant Minister; and
  - (b) at the same time, send a copy of the accounts to the [<sup>F3</sup>appropriate supervisory body] and to the council of every county [<sup>F4</sup>, county borough] or London borough in which any part of the board's district is situated.
- (2) A copy of the audited accounts of an internal drainage board shall be kept at the office of the board and any person who is liable to pay drainage rates in the board's district shall be entitled, without payment, to inspect and take copies of, or extracts from, that copy.

#### Textual Amendments

- F3** Words in Sch. 2 para. 5(1)(b) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), Sch. 2 para. 337 (with Sch. 7)
- F4** Words in Sch. 2, para. 4(5)(1)(b) (1.4.1996) by 1994 c. 19, s. 22(5), Sch. 11, Pt. II, para. 4(13) (with ss. 54(5)(7), 55(5)); S.I. 1996/396, art.3

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 37(5A)-(5D) inserted by [2016 anaw 3 s. 83\(2\)\(b\)](#)
- s. 37(5A) substituted in earlier affecting provision 2016 anaw 3, s. 83(2)(b) by [2021 c. 30 s. 95\(2\)\(b\)\(i\)](#)
- s. 37(5B)(5C) words substituted in earlier affecting provision 2016 anaw 3, s. 83(2)(b) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)
- s. 37(5D)(5E) substituted in earlier affecting provision 2016 anaw 3, s. 83(2)(b) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)