

## SCHEDULES

### SCHEDULE 5

#### THE BOARD OF THE PENSION PROTECTION FUND

##### PART 1

##### MEMBERS OF THE BOARD

###### *Appointment of chairman*

- 1 The chairman of the Board is to be appointed by the Secretary of State.

###### *Appointment of ordinary members*

- 2 (1) The appointments of the first five ordinary members are to be made by the Secretary of State.
- (2) Subsequent appointments of ordinary members are to be made by the Board, subject to sub-paragraph (4).
- (3) In making any appointment by virtue of sub-paragraph (2) the Board must act in accordance with any procedure for making such appointments that may be prescribed.
- (4) If, at any time, there are less than five ordinary members, the Secretary of State must appoint such number of ordinary members as is required to bring the number of ordinary members to five.

###### *Terms of appointment*

- 3 (1) The chairman and the ordinary members appointed by the Secretary of State are to be appointed on such terms and conditions as are determined by the Secretary of State.
- (2) The ordinary members appointed by the Board are to be appointed on such terms and conditions as are determined—
- (a) in the case of a non-executive member, by the chairman with the approval of the Secretary of State, and
  - (b) in the case of an executive member, by the Chief Executive.
- (3) This paragraph is subject to paragraph 7 (remuneration of members).

###### *Tenure of members*

- 4 (1) Subject to the following provisions, the chairman and any ordinary member—
- (a) is to hold and vacate office in accordance with the terms and conditions of his appointment, and

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*Status: This is the original version (as it was originally enacted).*

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(b) may resign or be removed from office in accordance with those terms and conditions.

(2) A person must cease to be a member of the Board where—

- (a) in the case of the chairman, he ceases to hold that office or becomes a member of the staff of the Board;
- (b) in the case of any other non-executive member, he becomes a member of the staff of the Board;
- (c) in the case of an ordinary member who is an executive member, he ceases to be a member of the staff of the Board.

5 Where a person ceases to be employed as Chief Executive, he ceases to be a member of the Board.

6 No person is to be prevented from being a member of the Board (whether as chairman or otherwise) merely because he has previously been such a member.

*Remuneration etc of members*

7 The Board may pay, or make provision for paying, its non-executive members such remuneration as the Secretary of State may determine.

8 The Board may—

- (a) pay to or in respect of any person who is or has been a non-executive member such pension, allowances or gratuities as the Secretary of State may determine, or
- (b) make such payments as the Secretary of State may determine towards provision for the payment of a pension, allowance or gratuity to or in respect of such a person.

9 Where—

- (a) a non-executive member ceases to be a member otherwise than on the expiry of his term of office, and
- (b) it appears to the Secretary of State that there are circumstances which make it right for that person to receive compensation,

the Board may make a payment to that person of such amount as the Secretary of State may determine.

*Interpretation of Part 1*

10 In this Part “ordinary member” has the same meaning as in section 108.