

SCHEDULES

SCHEDULE 1

Section 3

THE OLYMPIC DELIVERY AUTHORITY

PART 1

CONSTITUTION

Membership

- 1 (1) The Secretary of State shall, having consulted the Mayor of London—
 - (a) appoint the members of the Olympic Delivery Authority, and
 - (b) appoint one of the members as Chairman.
- (2) The Secretary of State shall aim to ensure that the Authority has neither less than 7 nor more than 11 members at any time.
- (3) In appointing members of the Authority the Secretary of State shall have regard to the desirability of their having experience relevant to—
 - (a) the nature of the Authority's functions, and
 - (b) the places in relation to which they are likely to be exercised.

Tenure

- 2 A person shall hold and vacate office as Chairman or other member of the Authority in accordance with the terms of his appointment (subject to this Schedule).
- 3 The Chairman or another member of the Authority may resign by notice in writing to the Secretary of State.
- 4 The Chairman or another member of the Authority may be removed from office by the Secretary of State on the grounds that—
 - (a) a bankruptcy order has been made against him, his estate has been sequestrated or he has made a composition or arrangement with, or granted a trust deed for, his creditors, or
 - (b) the Secretary of State, having consulted the Mayor of London, thinks that the Chairman or other member is unable, unfit or unwilling to discharge the functions of his office.
- 5 A person who ceases, otherwise than by virtue of paragraph 4, to be Chairman or another member of the Authority may be re-appointed.

Staff

- 6 (1) The Authority shall appoint a chief executive.

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- (2) But the first chief executive shall be appointed by the Secretary of State; and before making an appointment under this sub-paragraph the Secretary of State shall consult—
- (a) either—
 - (i) the Chairman, or
 - (ii) a person whom the Secretary of State intends to appoint as Chairman, and
 - (b) the Mayor of London.
- (3) The Authority—
- (a) may not appoint a person as chief executive without the Secretary of State's approval, and
 - (b) may (subject to paragraph (a)) appoint the Chairman as chief executive.
- (4) The Secretary of State shall consult the Mayor of London before giving approval for the purpose of sub-paragraph (3)(a).
- 7 (1) The Authority shall appoint a finance director.
- (2) The Authority may not appoint a person as finance director without the Secretary of State's approval.
- 8 (1) The Authority shall appoint a director of transport.
- (2) The Authority may not appoint a person as director of transport without the Secretary of State's approval.
- 9 The Authority may appoint other staff.

Committees

- 10 (1) The Authority may establish a committee.
- (2) A committee—
- (a) must include a member of the Authority,
 - (b) may, with the approval of the Secretary of State, include one or more persons who are not members of the Authority, and
 - (c) may not include staff of the Authority.
- 11 (1) A committee of the Authority may establish a sub-committee.
- (2) A sub-committee—
- (a) must include a member of the Authority,
 - (b) must include a member of the committee that established the sub-committee,
 - (c) may include one or more members of other committees,
 - (d) may, with the approval of the Secretary of State, include one or more persons who are members neither of a committee of the Authority nor of the Authority, and
 - (e) may not include staff of the Authority.

Status

- 12 The Authority shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.

Supervision

- 13 In Schedule 2 to the Parliamentary Commissioner Act 1967 (c. 13) (departments, &c. subject to investigation) insert at the appropriate place—
- “Olympic Delivery Authority.”

Disqualification

- 14 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (c. 24) (other disqualifying offices) insert at the appropriate place—
- “Chairman, or member in receipt of remuneration, of the Olympic Delivery Authority.”
- 15 In Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (c. 25) (other disqualifying offices) insert at the appropriate place—
- “Chairman, or member in receipt of remuneration, of the Olympic Delivery Authority.”

PART 2**PROCEEDINGS***Delegation*

- 16 The Authority may delegate a function to—
- (a) a member,
 - (b) an employee,
 - (c) a committee, or
 - (d) any other person.
- 17 Where a function is delegated to a committee, the committee may delegate it to—
- (a) a member of the Authority,
 - (b) an employee of the Authority,
 - (c) a member of the committee,
 - (d) a sub-committee, or
 - (e) any other person.

Secretary of State: guidance and directions

- 18 (1) In exercising its functions the Authority shall—
- (a) have regard to any guidance given by the Secretary of State, and
 - (b) comply with any direction given by the Secretary of State.
- (2) A direction may, in particular—
- (a) require the Authority to accept or assume specified duties, rights or liabilities under contracts,
 - (b) require the Authority to obtain the Secretary of State’s consent before taking action of a specified kind,
 - (c) require the Authority to provide information,

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- (d) relate to the employment of staff, or
- (e) with the consent of the Treasury, relate to—
 - (i) the form of accounts, or
 - (ii) methods and principles for the preparation of accounts.
- (3) Before giving a direction, other than one of a kind described in sub-paragraph (2) (e), the Secretary of State shall, unless he thinks it impracticable because of urgency, consult—
 - (a) the Authority, and
 - (b) the Mayor of London.
- (4) Before giving guidance or a direction which the Secretary of State thinks may affect Scotland otherwise than in respect of a reserved matter (within the meaning of the Scotland Act 1998 (c. 46)) the Secretary of State shall consult the Scottish Ministers.

Self-regulation

- 19 The Authority may, subject to this Schedule—
- (a) regulate its own procedure and that of its own committees and sub-committees (and in particular may specify a quorum for meetings), and
 - (b) enable committees and sub-committees to regulate their own procedure (including, in particular, the specification of a quorum for meetings) subject to any provision made by the Authority.

Conflict of interests

- 20 A member or employee of the Authority who is involved in the exercise of the Authority's functions in relation to land may not participate in deliberations or decisions of the Authority acting as a local planning authority in relation to that land.

Non-discrimination

- 21 In Part II of Schedule 1A to the Race Relations Act 1976 (c. 74) (bodies subject to general non-discrimination duty) insert, at the appropriate place in the list headed "Other bodies, &c."—
- "The Olympic Delivery Authority."

Records

- 22 In Schedule 1 to the Public Records Act 1958 (c. 51) (definition of public records) the following entry shall be inserted at the appropriate place in Part II of the Table at the end of paragraph 3—
- "Olympic Delivery Authority."
- 23 In Part VI of Schedule 1 to the Freedom of Information Act 2000 (c. 36) (public authorities: miscellaneous) at the appropriate place insert—
- "The Olympic Delivery Authority."

Annual report

- 24 (1) As soon as is reasonably practicable after the end of each financial year the Authority shall send to the Secretary of State a report on the exercise of the Authority's functions during the year.
- (2) A report must, in particular, specify any direction given to the Authority under paragraph 18 that had effect during the year to which the report relates.
- (3) The Secretary of State shall lay before Parliament a copy of each report received by him under this paragraph.

Saving

- 25 The validity of proceedings of the Authority, a committee or a sub-committee shall not be affected by—
- (a) a vacancy among its members, or
 - (b) a defect in the appointment of a person as Chairman or member.

PART 3**MONEY***Income*

- 26 (1) The Secretary of State may give financial assistance to the Authority if he thinks that other sources of financial assistance will or may be insufficient for a purpose.
- (2) Financial assistance under sub-paragraph (1)—
- (a) may take the form of grants, loans, guarantees or indemnities, and
 - (b) may be given on conditions (which may include conditions about repayment with or without interest).
- 27 The Authority may accept gifts.

Remuneration, &c.

- 28 (1) The Authority may pay to the Chairman, another member or a member of a committee or sub-committee—
- (a) such remuneration as the Secretary of State may determine, and
 - (b) such travelling and other allowances as the Secretary of State may determine.
- (2) The Authority may pay to or in respect of the Chairman or another member such sums as the Secretary of State may determine by way of, or in respect of, pensions, allowances or gratuities.
- (3) If the Secretary of State thinks that there are special circumstances that make it right for a person ceasing to hold office as Chairman or member of the Authority to receive compensation, the Authority may pay to him such compensation as the Secretary of State may determine.
- 29 (1) The Authority may pay sums to or in respect of a member or former member of staff by way of or in respect of—
- (a) remuneration,

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- (b) allowances,
- (c) pensions,
- (d) gratuities, or
- (e) compensation for loss of employment.

- (2) In Schedule 1 to the Superannuation Act 1972 (c. 11) (employment to which superannuation schemes may extend) in the list of other bodies insert at the appropriate place—

“The Olympic Delivery Authority.”

Other payments

- 30 The Authority may make payments in respect of expenditure (which may include expenditure of a capital nature) by—
- (a) the Authority, or
 - (b) a person to whom it delegates functions under paragraph 16 or 17.

Investment

- 31 The Authority may deposit money in an interest-bearing account (but may not otherwise invest).

Accounts

- 32 (1) The Authority shall—
- (a) keep proper accounting records, and
 - (b) prepare a statement of accounts in respect of each financial year.
- (2) The Authority shall send a copy of a statement under sub-paragraph (1)(b)—
- (a) to the Secretary of State, and
 - (b) to the Comptroller and Auditor General.
- (3) A copy of a statement must be sent under sub-paragraph (2) within such period, beginning with the end of the financial year to which the statement relates, as the Secretary of State may, with the consent of the Treasury, direct.
- (4) The Comptroller and Auditor General shall—
- (a) examine, certify and report on a statement received under this paragraph, and
 - (b) send a copy of the statement and his report to the Secretary of State, who shall lay them before Parliament.

Financial year

- 33 (1) The financial year of the Authority shall be the period of 12 months ending with the 31st March.
- (2) But the first financial year of the Authority shall be the period—
- (a) beginning with the coming into force of section 3, and
 - (b) ending with the following 31st March.