

## SCHEDULES

### SCHEDULE 1

#### THE NATIONAL CONSUMER COUNCIL

##### PART 1

##### MEMBERS OF THE COUNCIL

###### *Membership*

- 1 (1) The Council is to consist of the following members—
  - (a) a chairman (“the Council Chairman”) appointed by the Secretary of State,
  - (b) the chairman of each territorial committee, and
  - (c) such other members as may be appointed by the Secretary of State.
- (2) In this Schedule—
  - (a) references to executive members of the Council are to the members of the Council appointed from the staff of the Council, and
  - (b) references to non-executive members of the Council are to the members of the Council who are not executive members.
- (3) The Council Chairman must be a non-executive member of the Council.
- (4) The persons appointed under sub-paragraph (1)(c) may include one or both of the following—
  - (a) a member of the Consumer Panel established by the Financial Services Authority under the Financial Services and Markets Act 2000 (c. 8) nominated for the appointment by that Panel after consultation with the Council Chairman and the Financial Services Authority;
  - (b) a member of the Consumer Panel established by the Office of Communications under the Communications Act 2003 (c. 21) nominated for the appointment by that Panel after consultation with the Council Chairman and the Office of Communications.
- (5) Nothing in sub-paragraph (4) prevents the Secretary of State from appointing under sub-paragraph (1)(c) a person who is a member of either Panel but is not the subject of a nomination for the purposes of sub-paragraph (4).
- (6) A person may be appointed under sub-paragraph (1)(c) only if—
  - (a) in the case of an appointment of a non-executive member, the Secretary of State has consulted the Council Chairman about the appointment;
  - (b) in the case of an appointment of an executive member, the person has been nominated by the Council Chairman for appointment to the Council.

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*Status: This is the original version (as it was originally enacted).*

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- (7) In making appointments to the Council under sub-paragraph (1)(c) the Secretary of State must secure that a majority of the members of the Council are non-executive members.
- (8) In making appointments to the Council, the Secretary of State must have regard to the desirability of including among the members of the Council one or more persons with experience of work among, and the special needs of, disabled persons.

*Terms of appointment and tenure of members*

- 2 Subject to this Schedule, a member of the Council—
  - (a) is to hold and vacate office in accordance with the terms and conditions of the member's appointment, and
  - (b) may resign or be removed from office in accordance with those terms and conditions.
- 3 (1) The Council may pay, or make provision for paying—
  - (a) its non-executive members such remuneration as the Secretary of State may determine, and
  - (b) any of its members such travelling and other allowances as the Secretary of State may determine.
 (2) The Council 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.
- 4 (1) A non-executive member must be appointed for a fixed period.
- (2) The period for which a non-executive member is appointed must not exceed 5 years.
- (3) A person who has held office as a non-executive member may be re-appointed as a non-executive member, once only, for a further period (whether consecutive or not) not exceeding 5 years.
- 5 (1) A person ceases to be a member of the Council if—
  - (a) in the case of the Council Chairman, the person ceases to hold that office or becomes a member of the staff of the Council;
  - (b) in the case of a member within paragraph 1(1)(b), the person ceases to be the chairman of a territorial committee;
  - (c) in the case of any other non-executive member, the person becomes a member of the staff of the Council;
  - (d) in the case of an executive member, the person ceases to be a member of the staff of the Council;
  - (e) in the case of a non-executive member appointed by virtue of a nomination within paragraph 1(4), the person ceases to be a member of the Panel which made the nomination.

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- (2) The Secretary of State may remove any person from office as chairman or another member of the Council on the grounds that the person is unable, unfit or unwilling to discharge the functions of the office.

6 Where—

- (a) a non-executive member ceases to be a member otherwise than on the expiry of the member's 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 Council may make a payment to that person of such amount as the Secretary of State may determine.