

SCHEDULES

SCHEDULE 19

Section 183.

THE GAELIC TELEVISION COMMITTEE: SUPPLEMENTARY PROVISIONS

Status and capacity

- 1 (1) The Committee shall be a body corporate.
- (2) The Committee shall not be treated for the purposes of the enactments and rules of law relating to the privileges of the Crown as a body exercising functions on behalf of the Crown.
- (3) It shall be within the capacity of the Committee as a statutory corporation to do such things and enter into such transactions as are incidental or conducive to the discharge of their functions under section 183 of this Act.

Tenure of office and remuneration

- 2 (1) Subject to sub-paragraph (2), each member of the Committee shall hold and vacate office in accordance with the terms of his appointment.
- (2) Any member of the Committee may at any time resign his office by notice to the Commission.
- (3) The Commission may pay to each member such remuneration and allowances as they may determine.

Disqualification of members of Committee for House of Commons

- 3 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified) there shall be inserted at the appropriate place—

“Comataidh Telebhisein Gaidhlig”.

Proceedings

- 4 (1) Subject to paragraph 5, the quorum of the Committee and the arrangements relating to their meetings shall be such as the Committee may determine.
- (2) The arrangements may, with the approval of the Commission, provide for the discharge, under the general direction of the Committee, of any of the Committee’s functions by a committee or by one or more of the members or employees of the Committee.
- 5 (1) A member who is in any way directly or indirectly interested in any matter that is brought up for consideration at a meeting of the Committee shall disclose the nature of his interest to the meeting; and, where such a disclosure is made—

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- (a) the disclosure shall be recorded in the minutes of the meeting, and
 - (b) (subject to sub-paragraph (2)) the member shall not take any part in any deliberation or decision of the Committee, or of any of their committees, with respect to that matter.
- (2) Sub-paragraph (1)(b) shall not apply in relation to any meeting of the Committee at which all of the other members present resolve that the member's interest should be disregarded for the purposes of that provision.
- (3) For the purposes of sub-paragraph (1), a general notification given at a meeting of the Committee by a member to the effect that he is a member of a specified company or firm and is to be regarded as interested in any matter involving that company or firm shall be regarded as a sufficient disclosure of his interest in relation to any such matter.
- (4) A member need not attend in person at a meeting of the Committee in order to make a disclosure which he is required to make under this paragraph if he takes reasonable steps to secure that the disclosure is made by a notice which is taken into consideration and read at the meeting.
- (5) In this paragraph references to a meeting of the Committee include references to a meeting of any of their committees.
- 6 The validity of any proceedings of the Committee shall not be affected by any vacancy among the members or by any defect in the appointment of a member or by any failure to comply with the requirements of paragraph 5.

Employees of the Committee

- 7 (1) The Committee may appoint such employees as they may determine with the consent of the Commission as to numbers and terms of employment.
- (2) If the Committee determine to do so in the case of any of their employees, the Committee shall pay to or in respect of those employees such pensions, allowances or gratuities, or provide and maintain for them such pension schemes (whether contributory or not), as the Committee may determine.
- (3) The Employers' Liability (Compulsory Insurance) Act 1969 shall not require insurance to be effected by the Committee.

Financial provision

- 8 There shall be defrayed out of the Gaelic Television Fund—
 - (a) any expenses incurred by the Commission—
 - (i) by virtue of paragraph 2,
 - (ii) in paying the salaries of any employees of the Commission whose services have been furnished to the Committee by the Commission, or
 - (iii) in connection with providing the Committee with office accommodation or other facilities;
 - (b) any expenses incurred by the Committee by virtue of paragraph 7; and
 - (c) with the approval of the Commission, any other expenses incurred by the Committee.

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Authentication of Committee's seal

- 9 The application of the seal of the Committee shall be authenticated by the signature of the chairman or of some other person authorised for the purpose.

Presumption of authenticity of documents issued by the Committee

- 10 Any document purporting to be an instrument issued by the Committee and to be duly executed under the seal of the Committee or to be signed on behalf of the Committee shall be received in evidence and shall be deemed to be such an instrument unless the contrary is shown.

Accounts and audit

- 11 (1) The Committee shall keep proper accounts and proper records in relation to the accounts, and shall prepare in respect of each financial year a statement of accounts in such form as the Commission may direct.
- (2) The accounts of the Committee shall be audited by auditors to be appointed by the Committee with the approval of the Commission.
- (3) A person shall not be qualified to be appointed as an auditor in pursuance of subparagraph (2) unless he is a member of one or more of the following bodies—
the Institute of Chartered Accountants in England and Wales;
the Institute of Chartered Accountants of Scotland;
the Chartered Association of Certified Accountants;
the Institute of Chartered Accountants in Ireland;
any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 389(1)(a) of the Companies Act 1985 by the Secretary of State,
but a Scottish firm may be so appointed if each of the partners in the firm is qualified to be so appointed.
- (4) The Committee shall at all reasonable times upon demand made by the Commission or by any persons authorised by them in that behalf—
(a) afford to them full liberty to examine the accounts of the Committee; and
(b) furnish them with all forecasts, estimates, information and documents which they may require with respect to the financial transactions and commitments of the Committee.

Annual reports

- 12 (1) As soon as possible after the end of each financial year, the Committee shall prepare a general report of their proceedings during that year and transmit it to the Commission.
- (2) The report shall have attached to it the statement of accounts for the year and a copy of any report made by the auditors on that statement.
- (3) The Commission shall send a copy of each annual report received by them in accordance with this paragraph to the Secretary of State who shall lay copies of it before each House of Parliament.