

SCHEDULES

SCHEDULE 1

Article 3(3).

THE GOVERNORS OF THE ARMAGH OBSERVATORY AND PLANETARIUM

Preliminary

1. Section 19 of the Interpretation Act (Northern Ireland) Act 1954^{F1} shall apply to the Governors, but—

- (a) they shall not dispose of or charge any movable property vested in them if that is inconsistent with any conditions attaching to the property subject to which the property is vested in them;
- (b) they shall not acquire any land, except with the consent in writing of the Department;
- (c) they shall not dispose of any land, except in accordance with Article 9.

F1 1954 c.33 (N.I)

Membership

2.—(1) The Governors shall consist of—

- (a) the Church of Ireland Archbishop of Armagh who shall be chairman of the Governors;
- (b) the dean of the chapter of the Church of Ireland cathedral of Armagh;
- (c) the other members of the chapter of the Church of Ireland cathedral of Armagh;
- (d) one person appointed by the Department;
- (e) one person appointed by the Queen's University of Belfast;
- (f) any persons for the time being appointed under sub-paragraph (2).

(2) The Governors referred to in sub-paragraph (1)(a) to (e) may appoint not more than 3 other persons to be members of the Governors.

3.—(1) An appointed Governor appointed after the coming into operation of this Order shall, subject to sub-paragraphs (2) to (5), hold office for a period of 5 years.

(2) An appointed Governor shall—

- (a) hold and vacate office in accordance with the terms of his appointment; and
- (b) on expiry of his term of office be eligible for re-appointment.

(3) An appointed Governor shall be deemed to have vacated his office and the Governors shall declare his place vacant in the following circumstances—

- (a) where he gives to the chairman of the Governors a notice in writing of his resignation and so informs the body which appointed him a Governor;

Changes to legislation: There are currently no known outstanding effects for the The Armagh Observatory and Planetarium (Northern Ireland) Order 1995. (See end of Document for details)

- (b) where he becomes bankrupt [^{F2}or has had a debt relief order made in respect of him] or makes a composition with his creditors [^{F3}or is the subject of a bankruptcy restrictions order][^{F2}or a debt relief restrictions order] ; or
 - (c) where he is convicted of an indictable offence and sentenced to a term of imprisonment of not less than 3 months.
- (4) Any body entitled to appoint a Governor under paragraph 2(1)(d) or (e) or (2) may remove any Governor so appointed and appoint another Governor in his place.
- (5) Where an appointed Governor dies or ceases to hold office, the body which appointed him a Governor may appoint another in his place.
- (6) In this paragraph “an appointed Governor” means a member of the Governors appointed under paragraph 2(1)(d) or (e) or (2).

F2	Words in Sch. 1 para. 3(3)(b) inserted (7.3.2016) by The Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland) 2016 (S.R. 2016/108), art. 1, Sch. para. 14
F3	Words in Sch. 1 para. 3(3)(b) inserted (13.5.2008) by Insolvency (Disqualification from Office: General) Order (Northern Ireland) 2008 (S.R. 2008/94), arts. 1, 2, Sch. para. 3

4. The Department may, after consultation with the chairman of the Governors, by order made subject to negative resolution amend paragraphs 2 and 3.

5.—(1) Without prejudice to paragraph 2, the Department may appoint a person (in this paragraph referred to as “the nominee”) in relation to the Governors and any committee or sub-committee thereof.

(2) The nominee shall have and may exercise the same rights, powers and privileges as any Governor or any member of any committee or sub-committee of the Governors has or may exercise, except that he shall not vote at any meeting of the Governors or of any such committee or sub-committee.

(3) Section 18(2) of the Interpretation Act (Northern Ireland) 1954^{F4} (except so much thereof as relates to remuneration) shall apply to the appointment of a nominee under sub-paragraph (1).

F4	1954 c. 33 (N.I.)
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Allowances and expenses

6. The Governors may pay travelling and subsistence allowances and other expenses necessarily incurred by members of the Governors and committees and sub-committees thereof in the performance of their functions and such allowances and expenses shall be at such rates or of such amounts as the Department may determine.

Staff

7.—(1) The right of the Governors under section 19(1)(a)(vi) of the Interpretation Act (Northern Ireland) 1954 to employ staff shall—

- (a) in the case of staff of such description as the Department may direct, be subject to the approval of the Department; and
- (b) be exercised subject to any directions which may be given by the Department with respect to the number and terms and conditions of service of persons employed or to be employed by the Governors.

(2) The remuneration of persons employed by the Governors shall be at such rates as the Governors may, with the approval of the Department, determine.

(3) The Governors may, in accordance with arrangements determined by the Department, make provision for the payment on death or retirement of superannuation benefits to or in respect of persons employed by them.

(4) Nothing in the terms of any relevant trusts shall confer on a person employed by the Governors any right to any land, endowment, lodgings or other benefit of any kind.

Committees

8.—(1) In accordance with arrangements approved by the Department, the Governors may appoint such committees as they think fit and may delegate any of their functions to a committee so appointed.

(2) A committee may include persons who are not members of the Governors.

(3) In accordance with arrangements approved by the Department, the Governors may authorise a committee to appoint sub-committees for such purposes as the Governors may approve and a sub-committee so appointed may include persons who are not members of the Governors or of the committee which appointed the sub-committee.

(4) The powers of any committee or any sub-committee appointed under this paragraph shall be exercised in accordance with and subject to any directions given by the Governors.

Procedure

9. The proceedings of the Governors or of any committee or sub-committee thereof shall not be invalidated by any vacancy among the members or by any defect in the appointment of any of the members.

10. Without prejudice to section 19(1)(a)(v) of the Interpretation Act (Northern Ireland) 1954^{F5}, the Governors shall make standing orders for the Governors and their committees and sub-committees relating to—

- (a) the convening of meetings;
- (b) the fixing of the quorum;
- (c) the conduct of business at meetings;
- (d) the disclosure by a member of any pecuniary interest in, or family relationship relevant to, any matter to be discussed at a meeting and the withdrawal by such a member from any discussion on that matter;
- (e) the keeping of minutes, accounts and other records;
- (f) the signing of cheques;
- (g) the custody of deeds and other documents;
- (h) the duties of employees;
- (j) such other matters connected with their business as the Governors think fit.

F5 1954 c. 33 (N.I.)

11. The common seal of the Governors shall, when applied to any document, be authenticated by the signatures of any two members of the Governors authorised by the Governors to act for that purpose.

Changes to legislation: There are currently no known outstanding effects for the The Armagh Observatory and Planetarium (Northern Ireland) Order 1995. (See end of Document for details)

Formation of bodies corporate

12. The Governors may form bodies corporate, but shall only do so with the approval of the Department and subject to such conditions as the Department may specify in granting any such approval.

Schedule 2—Repeals

Changes to legislation:

There are currently no known outstanding effects for the The Armagh Observatory and Planetarium (Northern Ireland) Order 1995.