

SCHEDULES

SCHEDULE 1

Section 1.

PROVISIONS WITH RESPECT TO THE CORPORATION AND THE MEMBERS THEREOF

Status

- 1 The Corporation shall be a body corporate.
- 2 The Corporation shall not be regarded as the servant or agent of the Crown, or as enjoying any status, immunity or privilege of the Crown, or (subject to any express provision of this Act) as exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local; and the Corporation's property shall not be regarded as property of, or property held on behalf of, the Crown.

Members

- 3 (1) A member of the Corporation shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for re-appointment
- (2) A member may at any time by notice in writing to the Secretary of State resign his office.
- 4 (1) Before appointing a person to be a member of the Corporation the Secretary of State shall satisfy himself that that person will have no such financial or other interest as is likely to affect prejudicially the exercise and performance by him of his functions as a member of the Corporation, and the Secretary of State shall also satisfy himself from time to time with respect to every member of the Corporation that he has no such interest; and a person who is, or whom the Secretary of State proposes to appoint to be, a member of the Corporation shall, whenever requested by the Secretary of State so to do, furnish to him such information as the Secretary of State considers necessary for the performance by the Secretary of State of his duties under this paragraph.
- (2) A member of the Corporation who is in any way directly or indirectly interested in a contract made or proposed to be made by the Corporation, or in a contract made or proposed to be made by a subsidiary of the Corporation which is brought up for consideration by the Corporation, shall disclose the nature of his interest at a meeting of the Corporation; and the disclosure shall be recorded in the minutes of the Corporation, and the member shall not take any part in any deliberation or decision of the Corporation with respect to that contract.
- (3) For the purposes of sub-paragraph (2), a general notice given at a meeting of the Corporation by a member thereof to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with the company or firm shall be regarded as a sufficient disclosure of his interest in relation to any contract so made or proposed to be so made.

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- (4) A member of the Corporation need not attend in person at a meeting of the Corporation 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 brought up and read at the meeting.
- 5 (1) The Corporation—
- (a) shall pay to the members thereof such salaries or fees, and such allowances, as the Secretary of State may determine; and
 - (b) as regards any member in whose case the Secretary of State may so determine, shall pay such pension, allowance or gratuity to or in respect of him or make such payments towards the provision of such a pension, allowance or gratuity as may be so determined;
- and, if a person ceases to be a member of the Corporation and it appears to the Secretary of State that there are special circumstances which make it right that that person should receive compensation, the Secretary of State may require the Corporation to pay to that person a sum of such amount as the Secretary of State may determine.
- (2) The approval of the Minister for the Civil Service shall be requisite to a determination under this paragraph by the Secretary of State and to the imposition thereunder by him of a requirement.
- 6 (1) If the Secretary of State is satisfied that a member of the Corporation—
- (a) has been absent from meetings of the Corporation for a period longer than three consecutive months without the permission of the Corporation ; or
 - (b) has become bankrupt or made an arrangement with his creditors; or
 - (c) is incapacitated by physical or mental illness ; or
 - (d) is otherwise unable or unfit to discharge the functions of a member,
- the Secretary of State may declare his office as a member of the Corporation to be vacant, and shall notify the fact in such manner as the Secretary of State thinks fit; and thereupon the office shall become vacant.
- (2) In the application of this paragraph to Scotland, for the references in head (b) of subparagraph (1) to a member's having become bankrupt and to a member's having made an arrangement with his creditors there shall be substituted respectively references to sequestration of a member's estate having been awarded and to a member's having made a trust deed for behoof of his creditors or a composition contract
- 7 Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (which specifies certain commissions, tribunals and other bodies all members of which are disqualified under that Act) shall be amended by inserting, at the appropriate point in alphabetical order, the words " British Telecommunications ".

Proceedings

- 8 The validity of any proceedings of the Corporation shall not be affected by a vacancy amongst the members thereof or by a defect in the appointment of a member.
- 9 The quorum of the Corporation shall be three; and, while a member is disqualified from taking part in a decision or deliberation of the Corporation with respect to a matter, he shall be disregarded for the purpose of constituting a quorum of the Corporation for deciding, or deliberating on, that matter.

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- 10 Subject to the foregoing provisions of this Schedule, the Corporation shall have power to regulate its own procedure.

Staff

- 11 The Corporation shall appoint a secretary of the Corporation and may appoint such other employees as it may determine.
- 12 (1) Except so far as the Corporation is satisfied that adequate machinery exists for achieving the purposes of this paragraph, being machinery for operation at national level or local level or a level falling between those levels and appearing to the Corporation to be appropriate, it shall be the duty of the Corporation to seek consultation with any organisation appearing to it to be appropriate with a view to the conclusion between it and that organisation of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance, for operation at any such level as aforesaid, of machinery for—
- (a) the settlement by negotiation of terms and conditions of employment of persons employed by the Corporation, with provision for reference to arbitration in default of such settlement in such cases as may be determined by or under the agreements;
 - (b) the promotion and encouragement of measures affecting efficiency, in any respect, in the carrying on by the Corporation of its activities, including in particular, the promotion and encouragement of the training of persons employed by the Corporation; and
 - (c) the promotion and encouragement of measures affecting the safety, health and welfare of persons so employed.
- (2) Nothing in this paragraph shall be construed as prohibiting the Corporation from taking part together with other employers or organisations of employers in the establishment and maintenance of machinery for the settlement of terms and conditions of employment and the promotion and encouragement of measures affecting efficiency in the carrying on of their activities and the promotion and encouragement of measures affecting the Safety, health and welfare of persons employed by them
- 13 (1) Except with the Secretary of State's consent, the Corporation shall not terminate on security grounds the employment of a person employed by it
- (2) In this paragraph, " security grounds " means grounds which are grounds for dismissal from the civil service of Her Majesty in accordance with any arrangements for the time being in force relating to dismissals from that service for reasons of national security.

Fixing of seal and proof of instruments

- 14 The fixing of the seal of the Corporation shall be authenticated by the signature of the secretary of the Corporation or of some other person authorised, either generally or specially, by the Corporation to act for that purpose.
- 15 A certificate signed by the secretary of the Corporation that an instrument purporting to be made or issued by or on behalf of the Corporation was so made or issued shall be conclusive evidence of that fact.
- 16 Every document purporting to be an instrument made or issued by or on behalf of the Corporation and to be duly executed under the seal of the Corporation, or to

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be signed or executed by the secretary of the Corporation or a person authorised by the Corporation to act in that behalf, shall be received in evidence and deemed, without further proof, to be so made or issued unless the contrary is shown.