

SCHEDULES

SCHEDULE 1

Section 1(3).

THE AUTHORITY: SUPPLEMENTARY PROVISIONS

Status and capacity

- 1 (1) The Authority shall be a body corporate.
- (2) The Authority 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 Authority as a statutory corporation to do such things and enter into such transactions as are incidental or conducive to the exercise of their functions under this Part, including the borrowing of money.

Appointment of members

- 2 (1) All the members of the Authority (including the chairman and deputy chairman who shall be appointed as such) shall be appointed by the Secretary of State.
- (2) A person shall be disqualified for being appointed or being a member of the Authority so long as he is a governor of the BBC or a member of the IBA or the Welsh Authority.
- (3) Before appointing a person to be a member of the Authority, 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 discharge by him of his functions as member of the Authority; and the Secretary of State shall also satisfy himself from time to time with respect to every member of the Authority that he has no such interest.
- (4) Any person who is, or whom the Secretary of State proposes to appoint to be, a member of the Authority shall, whenever requested by the Secretary of State to do so, furnish to him such information as the Secretary of State considers necessary for the performance by him of his duties under sub-paragraph (3) above.

Tenure of office

- 3 (1) Subject to the following provisions of this Schedule, a person shall hold and vacate office as a member or as chairman or deputy chairman of the Authority in accordance with the terms of his appointment.
- (2) A person shall not be appointed as a member of the Authority for more than five years at a time.
- (3) A person may at any time resign his office as a member or as chairman or deputy chairman.

Status: This is the original version (as it was originally enacted).

Remuneration and pensions of members

- 4 (1) The Authority may pay to each member such remuneration and allowances as the Secretary of State may determine.
- (2) The Authority may pay or make provision for paying to or in respect of any member such sums by way of pensions, allowances or gratuities as the Secretary of State may determine.
- (3) Where a person ceases to be a member otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the Authority may make to him a payment of such amount as the Secretary of State may determine.
- (4) The approval of the Treasury shall be required for any determination under this paragraph.

*Disqualification of members of Authority for House
of Commons and Northern Ireland Assembly*

- 5 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 in alphabetical order) the following entry—
- “The Cable Authority”;
- and the like insertion shall be made in Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975.

Proceedings

- 6 (1) The quorum of the Authority and the arrangements relating to their meetings shall be such as the Authority may determine.
- (2) The arrangements may, with the approval of the Secretary of State, provide for the discharge, under the general directions of the Authority, of any of the Authority's functions by a committee or by one or more of the members, officers or employees of the Authority.
- 7 (1) A member of the Authority who is in any way directly or indirectly interested in a licence granted or proposed to be granted by the Authority shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest at a meeting of the Authority.
- (2) Any disclosure under sub-paragraph (1) above shall be recorded in the minutes of the Authority, and the member shall not take part after the disclosure in any deliberation or decision of the Authority with respect to the licence.
- 8 The validity of any proceedings of the Authority 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 7 above.

Officers and employees of Authority

- 9 (1) The Authority may appoint a secretary and such other officers, and take into their employment such other persons, as they may determine.

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

- (2) The Authority shall, as regards any officers or persons employed in whose case it may be determined by the Authority so to do, pay to or in respect of them such pensions, allowances or gratuities, or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- (3) If any officer of or other person employed by the Authority, being a participant in any pension scheme applicable to his office or employment, becomes a member of the Authority, he may, if the Secretary of State so determines, be treated for the purposes of the pension scheme as if his service as a member of the Authority were service as an officer of or person employed by the Authority.

Authentication of Authority's seal

- 10 The application of the seal of the Authority shall be authenticated by—
- (a) the signature of the chairman or deputy chairman of the Authority or some other member of the Authority authorised by the Authority to authenticate the application of their seal; and
 - (b) the signature of the secretary of the Authority or some other officer of the Authority authorised by the Authority to act in that behalf.

Presumption of authenticity of documents issued by Authority

- 11 Any document purporting to be an instrument issued by the Authority and to be sealed as aforesaid or to be signed on behalf of the Authority shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.