

SCHEDULES

SCHEDULE 2

Section 3

THE DELIVERY AUTHORITY

Board of directors

- 1 (1) The Delivery Authority is to have a board of directors consisting of—
 - (a) a chair appointed by the Sponsor Body,
 - (b) at least 4 persons appointed by the Delivery Authority as non-executive directors,
 - (c) up to 2 persons appointed by the Sponsor Body as non-executive directors, and
 - (d) at least 2 persons appointed by the Delivery Authority as executive directors.
- (2) A person may be appointed as chair only with the consent of the House Commissions.
- (3) A person may not be appointed as a director of the Delivery Authority if the person is—
 - (a) a member of either House of Parliament,
 - (b) a Minister of the Crown,
 - (c) a member of either of the House Commissions,
 - (d) a member of the Sponsor Body, or
 - (e) a member of the Estimates Commission.
- (4) But sub-paragraph (3)(a) and (d) does not apply in relation to the appointment of a person within sub-paragraph (1)(c).
- (5) The number of non-executive directors appointed by the Delivery Authority must be greater than the number of executive directors.
- (6) A person who is an executive director is a member of the Delivery Authority's staff.
- (7) A person may be appointed as a director of the Delivery Authority only—
 - (a) if the Sponsor Body consents to the appointment, and
 - (b) in the case of a non-executive director, if the person has been selected on merit on the basis of fair and open competition.

The chair and non-executive directors: term of office

- 2 (1) The chair and the non-executive directors are to be appointed for a fixed term of not more than 3 years.
- (2) The person responsible for setting fixed terms for the chair and the non-executive directors must have regard to the desirability of securing that appointments do not all expire at the same time.

Status: This is the original version (as it was originally enacted).

- (3) The reference in sub-paragraph (2) to the person responsible for setting fixed terms is a reference to—
- (a) the Sponsor Body, in the case of the chair and any non-executive directors appointed by the Sponsor Body, and
 - (b) the Delivery Authority, in the case of non-executive directors appointed by the Delivery Authority.
- (4) The previous appointment of a person as the chair or as a non-executive director does not affect the person's eligibility for re-appointment.

Removal

- 3 (1) The Sponsor Body may by notice in writing remove the chair from office.
- (2) Before giving a notice under sub-paragraph (1) the Sponsor Body must obtain the consent of the House Commissions.
- (3) The Delivery Authority may by notice in writing remove any other director from office.
- (4) Before giving a notice under sub-paragraph (3) the Delivery Authority must obtain the consent of the Sponsor Body.
- 4 (1) A person ceases to be a director of the Delivery Authority on becoming—
- (a) a member of either House of Parliament,
 - (b) a Minister of the Crown,
 - (c) a member of either of the House Commissions, or
 - (d) a member of the Sponsor Body.
- (2) But sub-paragraph (1)(a) and (d) does not apply in the case of a director within paragraph 1(1)(c).

Validity of acts

- 5 The validity of any act of the Delivery Authority is not affected—
- (a) by a vacancy on the board of directors, or
 - (b) by a defect in the appointment of a person as a director of the Delivery Authority.

Staff

- 6 The Delivery Authority may appoint staff on such terms and conditions (including as to remuneration and allowances) as the Delivery Authority may determine.

Statement of required resources

- 7 (1) The Delivery Authority must, before the beginning of each financial year, prepare a statement setting out the resources it requires for the year in order to exercise its functions.
- (2) The Delivery Authority must send each statement to the Sponsor Body.
- (3) The Sponsor Body must review each statement and may approve or reject it.

- (4) If the Sponsor Body rejects a statement, sub-paragraphs (1) to (3) apply again.
 - (5) A statement that has been approved by the Sponsor Body is to be reflected in the estimate prepared by the Sponsor Body for the financial year to which the statement relates (see paragraphs 3, 6 and 8 of Schedule 4).
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- (1) The Delivery Authority may prepare a supplementary statement for a financial year setting out—
 - (a) any additional resources it requires for the year in order to exercise its functions, or
 - (b) any reduction in the resources it requires for the year for that purpose.
 - (2) The Delivery Authority must send a supplementary statement to the Sponsor Body.
 - (3) The Sponsor Body must review a supplementary statement and may approve or reject it.
 - (4) A supplementary statement that has been approved by the Sponsor Body is to be reflected in a supplementary estimate prepared by the Sponsor Body for the financial year to which the statement relates (see paragraphs 5, 7 and 9 of Schedule 4).

Accounts and audit

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- (1) The Delivery Authority must keep proper accounts and proper records in relation to them.
 - (2) The Delivery Authority must prepare a statement of accounts for each financial year.
 - (3) The Sponsor Body’s accounting officer must, after consulting the Delivery Authority, appoint one of the Delivery Authority’s executive directors to be the Delivery Authority’s accounting officer.
 - (4) The Delivery Authority’s accounting officer is to have, in relation to the Delivery Authority’s accounts and finance, the responsibilities that are from time to time specified by the Sponsor Body’s accounting officer.
 - (5) The reference in sub-paragraph (4) to responsibilities includes—
 - (a) responsibilities in relation to the signing of accounts;
 - (b) responsibilities for the propriety and regularity of the Delivery Authority’s finances;
 - (c) responsibilities for the economy, efficiency and effectiveness with which the Delivery Authority’s resources are used.
 - (6) The Delivery Authority must send a copy of the statement of accounts for a financial year to the Comptroller and Auditor General as soon as practicable after the end of that year.
 - (7) The Comptroller and Auditor General must—
 - (a) examine, certify and report on the statement of accounts, and
 - (b) send a copy of the certified statement and of the report to the Sponsor Body as soon as practicable.
 - (8) The Sponsor Body must, in respect of each financial year, lay before Parliament a copy of the certified statement and report sent under sub-paragraph (7)(b).

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- (9) The Delivery Authority is exempt from the requirements of Part 16 of the Companies Act 2006 (audit) and its balance sheet must contain a statement to that effect.
- 10 (1) If the executive director who is the Delivery Authority’s accounting officer is unable to discharge the responsibilities of accounting officer, the Delivery Authority must nominate a member of its staff to be the accounting officer for as long as the executive director is unable to discharge those responsibilities.
- (2) If there is no accounting officer, the Delivery Authority must nominate one of its executive directors to be the accounting officer until an accounting officer is appointed.
- (3) A nomination under this paragraph requires the consent of the Sponsor Body’s accounting officer.

Freedom of information

- 11 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices which are public authorities) at the appropriate place insert—
- “The company formed under section 3 of the Parliamentary Buildings (Restoration and Renewal) Act 2019.”