

## SCHEDULES

### FIRST SCHEDULE

Sections 9, 15.

#### PROVISIONS AS TO CORPORATIONS CONSTITUTED UNDER PART II AND MEMBERS

- 1 In this Schedule "the Corporation" means the Horticultural Marketing Council or any organisation established under section fifteen of this Act.
- 2 The Corporation may act notwithstanding a vacancy among its members, and no act of the Corporation shall be deemed to be invalid by reason only of a defect in the appointment of any of the members.
- 3 The Corporation may appoint such advisory committees as it thinks fit to consider such matters with which the Corporation may be concerned as it may specify and report thereon to the Corporation, and any such committee may comprise persons who are not members of the Corporation.
- 4 (1) In the case of an equality of votes at any meeting of the Corporation the chairman of the meeting shall have a second or casting vote.  
(2) Any application of the seal of the Corporation shall be authenticated by the signature of its chairman or of some member of the Corporation authorised by it to act on his behalf, and of the secretary or some person authorised by the Corporation to act on the secretary's behalf.  
(3) Subject to the foregoing provisions of this Schedule, the Corporation may determine its own quorum and procedure and the quorum and procedure of its committees.
- 5 (1) Each member of the Corporation shall hold and vacate office in accordance with the terms of his appointment; but notwithstanding anything in those terms he may at any time resign his office by notice in writing.  
(2) A person who has held office as a member of the Corporation shall be eligible for reappointment.
- 6 (1) The Corporation—
  - (a) shall pay to each of its members, in respect of his office as such, such remuneration (whether by way of salary or fees) and such allowances as the Ministers may, with the approval of the Treasury, determine in the case of that member ;
  - (b) may pay to members of any advisory committee, not being members of the Corporation, such allowances as the Ministers may, with the approval of the Treasury, determine ; and
  - (c) in the case of any such member of the Corporation as the Ministers may, with the approval of the Treasury, determine, shall pay such pensions or make such payments towards the provision of pensions to or in respect of him as the Ministers may, with the approval of the Treasury, determine.  
(2) The Ministers shall, as soon as possible after the coming into operation of Part II of this Act, lay before each House of Parliament a statement of the remuneration and allowances that are or will be payable to the members of the Corporation under this

paragraph; and if any subsequent determination by the Ministers under this paragraph involves any departure from the terms of the said statement or if a determination of the Ministers under this paragraph relates to the payment of, or to payments towards the provision of, a pension to or in respect of any member of the Corporation, the Ministers shall, as soon as possible after the determination, lay a statement thereof before each House of Parliament.

- 7 A member of the Corporation shall, if he is in any way directly or indirectly interested in a contract made or proposed to be made by the Corporation, disclose the nature of his interest at a meeting of the Corporation as soon as possible after the relevant circumstances have come to his knowledge ; and—
- (a) any disclosure made by a member under this paragraph shall be recorded in the minutes of the Corporation ;
  - (b) the member shall not take part after the disclosure in any deliberation or decision of the Corporation with respect to the contract.;
  - (c) the member shall be disregarded for the purpose of constituting a quorum of the Corporation for any such deliberation or decision.
- 8 (1) The Corporation may appoint a secretary and such other officers and such servants as the Corporation may determine.
- (2) The Corporation shall—
- (a) pay to its officers and servants such remuneration as the Corporation may determine ; and
  - (b) as regards any officers or servants in whose case it may be determined by the Corporation with the approval of the Ministers so to do, pay to or in respect of those officers and servants such pensions, or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- (3) Where any officer or servant employed by the Corporation, being a participant in any pension scheme applicable to his office or employment, becomes a member of the Corporation, he may be treated for the purposes of the pension scheme as if his service as a member of the Corporation were service as an officer or servant employed by the Corporation, and his rights under the scheme shall not be affected by any provision of this Schedule which requires that pensions or payments towards the provision of pensions to be paid or made in the case of members of the Corporation shall be determined by the Ministers with the approval of the Treasury.
- 9 In this Schedule " pension ", in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions, with or without interest thereon or any other addition thereto.