

## FIRST SCHEDULE

### INCIDENTAL PROVISIONS AS TO THE WHITE FISH COMMISSION

#### *Constitution of the Commission*

- 1 The Commission shall be a body corporate, with a common seal and power to hold land without licence in mortmain.
- 2 The functions of the Commission and of its officers and servants shall be deemed to be exercised on behalf of the Crown.
- 3 Every member of the Commission shall hold and vacate office in accordance with the terms of the instrument under which he is appointed; but notwithstanding anything in such an instrument, any member of the Commission may resign his office by a notice given under his hand to the Ministers, and a member of the Commission who ceases to hold office shall be eligible for re-appointment to the Commission :  
Provided that a person shall not hold office as a member of the Commission for more than five years under any one appointment.
- 4 A person shall be disqualified for membership of the Commission, if and so long as he is a member of the Commons House of Parliament.
- 5 It shall be the duty of the Ministers to satisfy themselves, with respect to any person whom they propose to appoint to be a member of the Commission, that that person will have no such financial or commercial interest as is likely to affect him in the discharge of his functions as a Commissioner, and also to satisfy themselves from time to time, with respect to any person who is a member of the Commission, that he has no such interest as aforesaid; and any such person shall, whenever requested by the Ministers so to do, furnish to them such information as they consider necessary for the performance of their duty under this paragraph.

#### *Meetings and Proceedings of the Commission*

- 6 Unless and until the Commission otherwise determines, three shall be a quorum at any meeting of the Commission and the Commission shall have power to act notwithstanding a vacancy among the members thereof.
- 7 If at any meeting of the Commission the votes are equally divided on any question, the person acting as Chairman of the meeting shall have a second or casting vote.
- 8 All acts done at any meeting of the Commission shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment or qualifications of a person purporting to be a member of the Commission, be as valid as if that defect had not existed.
- 9 Minutes shall be kept of the proceedings of the Commission, and any such minutes shall, if signed by a person purporting to have acted as chairman of the meeting to which the minutes relate, or of a meeting at which they were read, be evidence of the proceedings at the first-mentioned meeting, and a meeting to which any such minutes relate shall, unless the contrary is proved, be deemed to have been regularly convened and constituted.
- 10 Subject to the preceding provisions of this Schedule, the Commission shall have power to regulate its own procedure.

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

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*Incidental Duties and Powers of the Commission*

- 11 The Commission shall have an office at which communications and notices will at all times be received, and shall notify to the Ministers the address of that office and any change of that address.
- 12 The Commission may enter into such agreements, acquire such property, and do such things (including the employment from time to time of technical and professional agents), as may, in the opinion of the Commission, be necessary or desirable for the exercise or performance of any of its powers or duties, and may dispose, as it thinks fit, of any property acquired by it.

*The Common Seal*

- 13 The application of the common seal of the Commission to any document shall be attested by at least one member of the Commission and by the person for the time being acting as secretary to the Commission.

*Instruments executed or issued by the Commission*

- 14 Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Commission by any person generally or specially authorised by it for that purpose.
- 15 Any document purporting to be a document duly executed or issued under the seal of the Commission or on behalf of the Commission shall, until the contrary is proved, be deemed to be a document so executed or issued, as the case may be.