

## SCHEDULES

### SCHEDULE 1

Sections 1 and 2.

#### THE WHITE FISH AUTHORITY AND THE SCOTTISH COMMITTEE

#### PART I

##### THE WHITE FISH AUTHORITY

###### *Constitution of the Authority*

- 1 The Authority shall be a body corporate, with a common seal.
- 2 Every member of the Authority shall hold and vacate office in accordance with the terms of the instrument under which he is appointed ; but a person shall not hold office as a member of the Authority for more than five years under any one appointment.
- 3 Any member of the Authority may resign his office by a notice given under his hand to the Ministers and the Secretary of State concerned with the sea fishing industry in Wales.
- 4 A member of the Authority who ceases to hold office shall be eligible for reappointment.
- 5 It shall be the duty of the Ministers and the said Secretary of State to satisfy themselves, with respect to any person whom they propose to appoint to be a member of the Authority, that that person will have no such financial or commercial interest as is likely to affect him in the discharge of his functions as such a member, and also to satisfy themselves from time to time, with respect to any person who is a member of the Authority, that he has no such interest as aforesaid ; and any such person shall, whenever requested by the Ministers and the said Secretary of State 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 Authority*

- 6 Unless and until the Authority otherwise determine, three shall be a quorum at any meeting of the Authority.
- 7 The Authority shall have power to act notwithstanding a vacancy among the members thereof.
- 8 If at any meeting of the Authority the votes are equally divided on any question, the person acting as chairman of the meeting shall have a second or casting vote.
- 9 All acts done at any meeting of the Authority shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment or

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- qualifications of a person purporting to be a member of the Authority, be as valid as if that defect had not existed.
- 10 Minutes shall be kept of the proceedings of the Authority, 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.
- 11 (1) If a member of the Authority has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, and is present at a meeting of the Authority at which the contract or other matter is the subject of consideration, he shall at the meeting, as soon as practicable after the commencement thereof, disclose the fact, and shall not take part in the consideration or discussion of, or vote on any question with respect to, the contract or other matter.
- (2) A general notice given in writing by a member of the Authority to the officer designated by them for the purpose to the effect that he is a member or in the employment of a specified company or other body, or that he is a partner or in the employment of a specified person, shall, unless and until the notice is withdrawn, be deemed to be a sufficient disclosure of his interest in any contract, proposed contract or other matter relating to that company or other body or to that person, which may be the subject of consideration after the date of the notice.
- (3) Any disclosure made under sub-paragraph (1) above shall be recorded in the minutes of the meeting at which it is made ; and any notice given under sub-paragraph (2) above shall be recorded in a book to be kept for the purpose.
- 12 Subject to paragraphs 1 to 11 of this Schedule, the Authority shall have power to regulate its own procedure.

*Incidental Duties and Powers of the Authority*

- 13 The Authority shall have an office at which communications and notices will at all times be received, and shall notify to the Ministers and to the Secretary of State concerned with the sea fishing industry in Wales the address of that office and any change of that address.
- 14 The Authority 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 Authority, be necessary or desirable for the exercise or performance of any of their powers or duties and may dispose, as they think fit, of any property acquired by them.
- 15 The Authority may with the approval of the Minister for the Civil Service make arrangements for providing pensions to or in respect of any of their officers or servants, and any such arrangements may include the establishment and administration, by the Authority or otherwise, of a pension scheme with or without a pension fund, and may provide for receipts and expenses of the Authority attributable to their establishment and administration of a pension scheme being dealt with under the scheme instead of being paid into and out of the White Fish Industry Fund.

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### *Application of Seal*

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

### *Instruments executed or issued by the Authority*

- 17 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 Authority by any person generally or specially authorised by them for that purpose.
- 18 Any document purporting to be a document duly executed or issued under the seal of the Authority or on behalf of the Authority shall, until the contrary is proved, be deemed to be a document so executed or issued, as the case may be.

## **PART II**

### THE SCOTTISH COMMITTEE

#### *Constitution etc. and Expenses of the Scottish Committee*

- 19 Paragraphs 2 to 12 of this Schedule shall apply in relation to the Scottish Committee with the substitution of references to the committee for references to the Authority and with the omission from paragraph 3 of the words " and the Secretary of State concerned with the sea fishing industry in Wales " and from paragraph 5 of the words " and the said Secretary of State " in both places where they occur.
- 20 The Scottish Committee may for the purpose of giving advice to the Authority incur on the Authority's behalf such expenses as may be generally or specially authorised by the Authority, and any such expenses, as well as expenses incurred by the committee in exercising any of the Authority's functions, shall be deemed for the purposes of this Act to be expenses of the Authority.

#### *The Scottish Seal*

- 21 In addition to the common seal above referred to, the Authority shall have a seal (hereafter in this Schedule referred to as " the Scottish seal ") for use in any case where a document is to be sealed on their behalf by the Scottish Committee.
- 22 Paragraph 16 of this Schedule shall not apply to the Scottish seal, and the application of the Scottish seal to any document shall be attested by at least one member of the Scottish Committee and by the person for the time being acting as secretary to the committee.