

Status: Point in time view as at 12/05/1993.

Changes to legislation: Environmental Protection Act 1990, SCHEDULE 7 is up to date with all changes known to be in force on or before 23 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 7

Section 128.

THE JOINT NATURE CONSERVATION COMMITTEE

Preliminary

- 1 In this Schedule—
- “chairman” means (except in paragraph 2(1) below) the chairman of the committee;
 - “the committee” means the Joint Nature Conservation Committee; and
 - “council” means a council established by section 128(1) of this Act.

Membership

- 2 (1) The committee shall consist of eleven voting members, namely—
- (a) a chairman appointed by the Secretary of State;
 - (b) three members appointed by the Secretary of State;
 - (c) the chairman of each council and one other member of each council appointed by that council; and
 - (d) the chairman of the Countryside Commission;
- and two non-voting members appointed by the Department of the Environment for Northern Ireland.
- (2) The committee may appoint any voting member to be deputy chairman.
- 3 The chairman and the three members appointed by the Secretary of State shall be persons who are not members of any of the councils and shall hold and vacate office in accordance with the terms of their appointments.
- 4 (1) The three members appointed by the Secretary of State shall be persons appearing to the Secretary of State to have experience in or scientific knowledge of nature conservation; and the Secretary of State shall, in determining who to appoint, have regard to any recommendations made to him by the chairman.
- (2) Before appointing such a member the Secretary of State shall consult the chairman and such persons having scientific knowledge of nature conservation as the Secretary of State considers appropriate.

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Remuneration and allowances for members

- 5 (1) The councils shall—
- (a) pay to the chairman such remuneration and allowances; and
 - (b) pay such pension, allowance or gratuity to or in respect of the chairman or make such payments towards the provision of such pension, allowance or gratuity;
- as the Secretary of State may with the approval of the Treasury determine.
- (2) If a person ceases to be chairman and it appears to the Secretary of State that there are special circumstances which make it right that he should receive compensation, the Secretary of State may require the councils to pay to that person a sum of such amount as the Secretary of State may with the approval of the Treasury determine.
- 6 The councils shall pay to the three members appointed by the Secretary of State, and to the non-voting members, such remuneration and allowances as the Secretary of State may with the approval of the Treasury determine.

Staff etc. and expenses

- 7 (1) The councils shall provide the committee with such staff, accommodation and other facilities, and such financial resources, as the councils, after consultation with the committee, consider appropriate for the proper discharge of the functions conferred by section 133(2) and (3) of this Act.
- (2) The expenses of the committee shall be defrayed by the councils in such proportions as the councils may agree.
- (3) In default of agreement between the councils as to any question arising under subparagraph (1) or (2) above the Secretary of State shall determine that question.

Modifications etc. (not altering text)

C1 Sch. 7 para. 7(3) modified (1.7.1999) by [S.I. 1999/672](#), art. 5, [Sch. 2](#)

Proceedings

- 8 (1) The committee may regulate their own procedure (including making provision in relation to the quorum of voting members).
- (2) The proceedings of the committee shall not be invalidated by any vacancy amongst their members or defect in the appointment of any member.

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Delegation of functions

- 9 (1) Anything authorised or required to be done by the committee may be done by any member of the committee, by any council or by any employee of a council who is authorised (generally or specially) for the purpose by the committee.
- (2) Nothing in sub-paragraph (1) above shall prevent the committee from doing anything that another person has been authorised to do.

Annual reports

- 10 (1) The committee shall—
- (a) as soon as possible after 31st March following the date appointed under section 131(3) of this Act make to the Secretary of State a report on their activities down to that date; and
 - (b) make a similar report to him as to each period of twelve months thereafter as soon as possible after its end;
- and a copy of each such report shall be laid before each House of Parliament by the Secretary of State.
- (2) The committee shall, at the same time as they make a report under sub-paragraph (1) above, send a copy of it to each of the councils.

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