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SCHEDULES

SCHEDULE 4

Section 111.

PROVISIONS OF SCHEMES FOR THE CONSTITUTION OF ASSOCIATIONS

- 1 (1) A scheme for the constitution of an association (“a scheme”) shall provide—
- (a) for the date of the establishment of the association;
 - (b) for the incorporation of the association by an appropriate name;
 - (c) for appointment as members of the association of naval members, marine members, military members and air force members;
 - (d) for the appointment as members of the association by the Defence Council, after consultation with, and on the recommendation of, the bodies to be represented, of representatives of such of the local authorities wholly or partly within the area for which the association is established as the Defence Council may from time to time determine;
 - (e) for the mode of appointment, dismissal, term of office and rotation of members of the association and the filling of casual vacancies;
 - (f) for the election of a chairman and a vice-chairman or vice-chairmen by the association and for defining their powers and duties;
 - (g) for the appointment by the association, subject to the approval of the Defence Council, of a secretary and other officers and members of the staff of the association;
 - (h) for the procedure to be adopted, including the appointment of committees and the delegation to committees of any of the powers or duties of the association;
 - (i) for enabling flag, general or air officers of any part of Her Majesty’s forces, or officers deputed by them, to attend the meetings of the association, and to speak but not to vote.
- (2) A scheme shall secure that the aggregate number of naval members, marine members, military members and air force members are not less than half of the whole number of members of the association.
- (3) A secretary or other officer or member of the staff who is in the employment of the association by virtue of the provisions of an order made by the Defence Council in exercise of the powers conferred upon the Defence Council by section 119 shall be deemed for the purposes of sub-paragraph (1)(g) above (and the corresponding purposes of the scheme concerned) to have been appointed by the association.
- 2 A scheme for an association in England and Wales or Northern Ireland (but not for an association established for an area that includes Greater London) shall provide—
- (a) for constituting as president of the association the lord-lieutenant of one of the counties or parts of counties for which the association is established, as the Defence Council may from time to time think fit, or, failing any of those lord-lieutenants, such other person as the Defence Council may think fit; and

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- (b) for constituting as vice-presidents of the association the lord-lieutenants of any of those counties or parts of counties (if they are willing to act) and such other persons (if any) as the Defence Council may think fit.
- 3 A scheme for an association in Scotland shall provide—
- (a) in the case where an association area coincides with a local government area or where a local government area contains two or more association areas, for the selection by the Defence Council of the president and vice-presidents of the association from the lord-lieutenants residing in the local government area or from such other persons as the Defence Council may think fit; or
- (b) in the case where an association area falls within two or more local government areas, for the selection by the Defence Council of the president and vice-presidents of the association from the lord-lieutenants residing in those local government areas or from such other persons as the Defence Council may think fit.
- 4 A scheme for an association established for an area including Greater London shall provide for constituting the lord-lieutenant of Greater London or, failing him, such other person as the Defence Council may think fit, president of the association.
- 5 A scheme may provide—
- (a) for the appointment as members of the association by the Defence Council, of representatives of universities whose activities are carried on wholly or partly within the area for which the association is established;
- (b) for the appointment as members of the association by the Defence Council, of persons representing the Army Cadet Force, the Air Training Corps, the Combined Cadet Force and the Sea Cadet Corps;
- (c) for the appointment as members of the association by the Defence Council, of persons representing employers, and persons employed, in the area for which the association is established;
- (d) for the appointment of co-opted members;
- (e) for dividing the area for which the association is established into two or more parts and for establishing sub-associations for any of the parts; and
- (f) for delegating to a sub-association such of the powers and duties of the association as may be approved by the Defence Council and regulating the relations of a sub-association to the association and, where any association has established more than one sub-association, regulating the relations of one sub-association to another.
- 6 A scheme shall provide that of the chairman and the vice-chairman or vice-chairmen at least one shall be a naval or marine member of the association and at least one shall be a military member of the association and at least one an air force member of the association.
- 7 A scheme may contain any consequential, supplemental or transitory provisions which may appear to be necessary or expedient for the purposes of the scheme, and also as respects any matter for which provision may be made by regulations under Part XI and for which it appears desirable to make special provision affecting the association established by the scheme.
- 8 (1) A scheme for an association established for an area including or including any part of the counties of Kent, East Sussex and West Sussex may provide that the Lord Warden of the Cinque Ports shall ex-officio be a member of the association.

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- (2) A scheme for an association established for an area including or including any part of the counties of Devon and Cornwall may provide that the Warden of the Stannaries shall ex-officio be a member of the association.
- 9 (1) The Governor of the Isle of Wight shall ex-officio be a member of an association established for an area including the Isle of Wight.
- (2) The Lieutenant-Governor of the Isle of Man shall ex-officio be a member of an association established for an area including the Isle of Man.
- (3) The Lord Mayor of the City of London shall ex-officio be president of a sub-association established for the City of London.

10 In this Schedule—

“air force member” means one who is a member or former member of Her Majesty’s air forces or who is specially qualified by his interest in and knowledge of matters relating to aviation;

“county” means, in relation to Wales, a preserved county (as defined by section 64 of the ^{M1}Local Government (Wales) Act 1994);

“marine member” means one who is a member or former member of the Royal Marines or the Royal Marines Reserve or who is specially qualified by his interest in and knowledge of matters affecting marine forces;

“military member” means one who is a member or former member of Her Majesty’s military forces or who is specially qualified by his interest in and knowledge of military matters;

“naval member” means one who is a member or former member of the Royal Navy or the Royal Naval Reserve or who is specially qualified by his interest in and knowledge of naval matters.

Marginal Citations

M1 1994 c. 19.

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