

SCHEDULES

SCHEDULE 2

Section 2(3).

THE CONSUMER COUNCIL FOR POSTAL SERVICES

Membership

- 1 (1) The Council shall consist of the following members—
 - (a) a chairman appointed by the Secretary of State,
 - (b) the chairmen of the regional committees established under section 54(4)(a) and the chairman of any committee for England established under section 54(4)(c), and
 - (c) such number of other persons appointed by the Secretary of State as he may from time to time determine.
- (2) The Secretary of State shall consult the chairman of the Council before making an appointment or a determination under sub-paragraph (1)(c).
- (3) In appointing persons under this paragraph or paragraph 2(1)(a), the Secretary of State shall have regard to the desirability of including among the members of the Council one or more persons who—
 - (a) have experience of work among, and the special needs of, disabled people, or
 - (b) have or have had a disability.

Committees

- 2 (1) A regional committee established under section 54(4)(a) and any committee for England established under section 54(4)(c) shall consist of the following members—
 - (a) a chairman appointed by the Secretary of State after consulting the chairman of the Council, and
 - (b) other persons appointed by the Council.
 - (2) A regional committee established under section 54(4)(b) and a regional committee (other than a committee for England) established under section 54(4)(c) shall consist of the following members—
 - (a) a chairman appointed by the Council after consulting the Secretary of State, and
 - (b) other persons appointed by the Council.
 - (3) The number of persons appointed under sub-paragraph (1)(b) or (2)(b) shall not be greater than the number for the time being determined by the Council, with the approval of the Secretary of State, in relation to that committee.
- 3 (1) The Council shall not—
 - (a) establish any committee under section 54(4)(b) or (c) (other than a committee for England),
 - (b) abolish any such committee, or

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- (c) vary the area for which such a committee is established, except with the approval of the Secretary of State and, subject to sub-paragraph (5), after complying with the requirements of sub-paragraphs (2) to (4).
 - (2) If the Council proposes to do anything mentioned in sub-paragraph (1), the Council shall—
 - (a) after consulting the Secretary of State, publish a notice in such manner as the Council considers appropriate for bringing it to the attention of persons likely to be affected by the proposal, and
 - (b) consider any representations made in accordance with the notice (and not withdrawn).
 - (3) The notice shall—
 - (a) describe the proposal, and
 - (b) state the period (not less than two months starting with the date of publication of the notice) within which representations may be made in relation to the proposal.
 - (4) The Secretary of State shall not give his approval under sub-paragraph (1) until after the expiry of the period stated in the notice.
 - (5) The requirements of sub-paragraphs (2) to (4) do not apply to the establishment of any committee within the period of two months beginning with the day on which section 54(4) comes into force.
- 4
- (1) The Council may establish other committees.
 - (2) Any committee of the Council may establish sub-committees.
 - (3) The members of a committee of the Council may include persons who are not members of the Council (and the members of a sub-committee may include persons who are not members of the committee).

Terms of appointment of members

- 5 Subject to this Schedule, the chairman of the Council, chairmen of regional committees established under section 54(4)(a), the chairman of any committee for England established under section 54(4)(c) and other members of the Council shall hold and vacate office in accordance with the terms of their respective appointments.
- 6
- (1) A person holding office as chairman of the Council, chairman of a regional committee established under section 54(4)(a), chairman of any committee for England established under section 54(4)(c) or other member of the Council may resign his office by giving notice to the Secretary of State.
 - (2) The Secretary of State may remove a person from any such office on the ground of incapacity or misbehaviour.
 - (3) Where a person ceases to hold office as chairman of the Council or of a regional committee established under section 54(4)(a) or of any committee for England established under section 54(4)(c), he shall cease to be a member of the Council.
 - (4) No person shall be prevented from being a member of the Council (whether as chairman or otherwise) merely because he has previously been a member of the Council (whether as chairman or otherwise).

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Pay and remuneration of members

- 7 (1) The Council shall pay the chairman and other members of the Council such remuneration, and such travelling and other allowances, as the Secretary of State may determine.
- (2) The Council may—
- (a) with the approval of the Secretary of State, pay any member of a committee or sub-committee who is not a member of the Council such remuneration, and
 - (b) pay any member of a committee or sub-committee such travelling and other allowances,
- as the Council may determine.
- (3) The Council may, with the approval of the Secretary of State—
- (a) pay to or in respect of any person who is or has been a chairman or other member of the Council or of a committee or sub-committee such pension, allowances or gratuities as the Council may, with the approval of the Secretary of State, determine, or
 - (b) make such payments as the Council may, with the approval of the Secretary of State, determine towards provision for the payment of a pension, allowance or gratuity to or in respect of such a person.
- (4) Where—
- (a) a person ceases to hold office as chairman or other member of the Council or of a committee or sub-committee, and
 - (b) the Council, with the approval of the Secretary of State, determines that there are special circumstances which make it right for that person to receive compensation,
- the Council may make a payment to the person by way of compensation of such amount as it may, with the approval of the Secretary of State, determine.

Staff

- 8 (1) The Council shall, after consulting the Secretary of State, appoint a person as principal officer.
- (2) The appointment shall be on such terms and conditions of service as the Secretary of State may approve.
- (3) The Council may, with the approval of the Secretary of State as to numbers and terms and conditions of service, appoint such other staff as it considers appropriate.
- 9 (1) The persons to whom section 1 of the Superannuation Act 1972 applies (persons to or in respect of whom benefits may be provided by schemes under that section) shall include the staff of the Council.
- (2) The Council shall pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of any increase attributable to subparagraph (1) in the sums payable out of money provided by Parliament under the Superannuation Act 1972.

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Proceedings etc.

- 10 (1) The Council may regulate its own procedure (including quorum).
- (2) The validity of anything done by the Council shall not be affected by a vacancy among its members or by a defect in the appointment of a member.
- 11 (1) The application of the common seal of the Council shall be authenticated by the signature of the principal officer, the chairman or a member of the Council, or some other person who has been authorised for that purpose (whether generally or specifically) by the Council.
- (2) Sub-paragraph (1) does not apply in relation to any document which is or is to be signed in accordance with the law of Scotland.
- 12 A document purporting to be duly executed under the seal of the Council, or signed on its behalf, shall be received in evidence and, unless the contrary is proved, be taken to be so executed or signed.

Delegation

- 13 Anything authorised or required to be done by the Council may be done by—
- (a) any member, or member of staff, of the Council who is authorised by the Council for that purpose (whether generally or specifically), or
- (b) any committee of the Council which has been so authorised.

Supplementary powers

- 14 The Council has power to do anything (except borrow money) which is calculated to facilitate, or is incidental or conducive to, the performance of any of its functions.

Accounts and expenses

- 15 The Council shall comply with any notice given to it by the Secretary of State with the approval of the Treasury requiring it to perform duties of a financial nature specified in the notice.
- 16 (1) The Council shall prepare, in respect of each financial year, a statement of accounts giving a true and fair view of the state of affairs and the income and expenditure of the Council.
- (2) The statement of accounts shall comply with any requirement notified to the Council by the Secretary of State with the approval of the Treasury.
- (3) The Council shall send a copy of each statement of accounts prepared under this paragraph to the Secretary of State and to the Comptroller and Auditor General within such period after the end of the financial year to which it relates as the Secretary of State may specify by notice given to the Council.
- (4) The Comptroller and Auditor General shall—
- (a) examine, certify and report on each statement of accounts received by him under sub-paragraph (3), and
- (b) lay a copy of each such statement of accounts, and of his report on it, before each House of Parliament.

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- 17 The Secretary of State may pay such amounts in respect of the expenses of the Council as he may determine.