

**Changes to legislation:** There are currently no known outstanding effects for the Parliamentary Buildings (Restoration and Renewal) Act 2019, PART 2. (See end of Document for details)

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1

#### THE PARLIAMENTARY WORKS SPONSOR BODY

##### Textual Amendments

- F1** [Sch. 1](#) ceases to have effect (1.1.2023) by virtue of [The Parliamentary Works Sponsor Body \(Abolition\) Regulations 2022 \(S.I. 2022/1360\)](#), regs. 1, **9(2)(a)** (with reg. 11)

### PART 2

#### POWERS, PROCEDURE, REPORTING ETC

##### *Status*

- 15 (1) The Sponsor Body is not to be regarded—  
(a) as a servant or agent of the Crown, or  
(b) as enjoying any status, immunity or privilege of the Crown.  
(2) The members and staff of the Sponsor Body are not to be regarded as Crown servants.

##### *Powers*

- 16 The Sponsor Body may do anything that is calculated to facilitate the carrying out of its functions or is incidental or conducive to the carrying out of those functions.

##### *Staff*

- 17 (1) The Sponsor Body must appoint a person to be its chief executive officer.  
(2) The chief executive officer is a member of the Sponsor Body's staff and is to be appointed on terms and conditions determined by the Sponsor Body.  
(3) The Sponsor Body may appoint other staff on terms and conditions determined by the Sponsor Body.  
(4) In determining terms and conditions of appointment under sub-paragraph (2) or (3) (including as to remuneration and allowances), the Sponsor Body must have regard to the desirability of keeping the terms and conditions broadly in line with those applying to staff in the House Departments (within the meaning of the House of Commons (Administration) Act 1978).
- 18 (1) In the Superannuation Act 1972, in Schedule 1 (kinds of employment to which a scheme under section 1 of that Act can apply), in the list of other bodies, at the appropriate place insert— “ The Parliamentary Works Sponsor Body. ”

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- (2) The Sponsor Body must pay to the Minister for the Civil Service, at such times as the Minister may direct, such sums as the Minister may determine in respect of any increase attributable to this paragraph in the sums payable out of money provided by Parliament under the Superannuation Act 1972.

*Transfer of property etc to the Sponsor Body*

- 19 (1) The Leader of the House of Commons may make one or more schemes providing for the transfer to the Sponsor Body of qualifying property, rights and liabilities of—
- (a) the House of Commons Commission, or
  - (b) the Corporate Officer of the House of Commons.
- (2) The Leader of the House of Lords may make one or more schemes providing for the transfer to the Sponsor Body of qualifying property, rights and liabilities of the Corporate Officer of the House of Lords.
- (3) The Leader of the House of Commons and the Leader of the House of Lords may jointly make one or more schemes providing for the transfer to the Sponsor Body of qualifying property, rights and liabilities held or incurred jointly by the Corporate Officer of the House of Commons and the Corporate Officer of the House of Lords.
- (4) “Qualifying property, rights and liabilities” means property, rights and liabilities that the Sponsor Body considers it necessary to be transferred to it in connection with the Parliamentary building works.
- (5) The things that may be transferred under a transfer scheme include—
- (a) property, rights or liabilities that could not otherwise be transferred;
  - (b) property acquired, or rights and liabilities arising, after the making of the scheme.
- (6) If the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246) do not apply in relation to a transfer, a transfer scheme must make equivalent provision.
- (7) A transfer scheme may—
- (a) create rights, or impose liabilities, in relation to property or rights transferred;
  - (b) make provision about the continuing effect of things done by the transferor in respect of anything transferred;
  - (c) make provision about the continuation of things (including legal proceedings) in the process of being done by, on behalf of or in relation to the transferor in respect of anything transferred;
  - (d) make other consequential, supplementary, incidental or transitional provision.
- (8) A transfer scheme may provide—
- (a) for modifications to the scheme by agreement between the person making the scheme and the person (or persons) affected by the modifications;
  - (b) for modifications to have effect from the date when the original scheme came into effect.
- (9) Before making a transfer scheme, the person making the scheme must consult—

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- (a) in the case of a scheme under sub-paragraph (1), the Corporate Officer of the House of Commons;
- (b) in the case of a scheme under sub-paragraph (2), the Corporate Officer of the House of Lords;
- (c) in the case of a scheme under sub-paragraph (3), both those Corporate Officers.

(10) In this paragraph—

- (a) “transferor”, in relation to a transfer scheme, means the person or persons for the transfer of whose qualifying property, rights or liabilities the scheme provides;
- (b) references to rights and liabilities include rights and liabilities relating to a contract of employment.

#### *Committees*

- 20 (1) The Sponsor Body may establish committees.
- (2) A committee established under sub-paragraph (1) may establish one or more sub-committees.
- (3) A committee or sub-committee may consist of or include persons who are neither members, nor members of staff, of the Sponsor Body.

#### *Delegation*

- 21 The Sponsor Body may delegate functions to a committee, sub-committee, member or member of staff.

#### *Delegation and contracting out of pension functions*

- 22 (1) Section 1(2) of the Superannuation Act 1972 (delegation of functions relating to civil service superannuation schemes by Minister for the Civil Service to another officer of the Crown etc) has effect as if the reference to an officer of the Crown other than a Minister included a reference to the Sponsor Body's chief executive officer.
- (2) A pension function conferred on the chief executive officer by virtue of sub-paragraph (1) may be carried out by—
- (a) a person authorised by the chief executive officer, or
  - (b) an employee of a person so authorised.
- (3) “Pension function” means a function of administering schemes made under section 1 of the Superannuation Act 1972, and from time to time in force.
- (4) The chief executive officer may under sub-paragraph (2) authorise a person to exercise pension functions—
- (a) to their full extent or to a specified extent;
  - (b) in all cases or in specified cases;
  - (c) unconditionally or subject to specified conditions.
- (5) An authorisation under sub-paragraph (2)—

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- (a) is to be treated for all purposes as given by virtue of an order under section 69 of the Deregulation and Contracting Out Act 1994 (contracting out of functions of Ministers and office-holders), and
- (b) may be revoked at any time by the Sponsor Body or the chief executive officer.

#### *Procedure*

- 23 (1) The Sponsor Body may (subject to this Schedule) determine its own procedure and the procedures of its committees and sub-committees.
- (2) No proceedings of the Sponsor Body, or of its committees or sub-committees, are invalidated by a vacancy or a defective appointment.
- 24 (1) The quorum for a meeting of the Sponsor Body is 5 members, who must include at least 2 external members and at least 2 Parliamentary members.
- (2) The Clerk of the Parliaments and the Clerk of the House of Commons, or their representatives, may attend and participate in meetings of the Sponsor Body.
- (3) The Sponsor Body may nominate an external member to chair a particular meeting of the Sponsor Body if—
  - (a) the office of chair is vacant, or the chair is suspended from office under paragraph 11(3), and no interim chair has been appointed under paragraph 14, or
  - (b) the chair is unable, unfit or unwilling to perform the chair's functions (whether because of illness or otherwise).

#### *Accounts and audit*

- 25 (1) The Sponsor Body must keep proper accounts and proper records in relation to them.
- (2) The Sponsor Body must prepare a statement of accounts for each financial year in accordance with directions given to it by the Treasury.
- (3) The directions that the Treasury may give under sub-paragraph (2) include, for example, directions as to—
  - (a) the content and form of the statement of accounts,
  - (b) the methods and principles to be applied in preparing it, and
  - (c) the additional information (if any) that is to be provided for the information of Parliament.
- (4) The chief executive officer is to be the Sponsor Body's accounting officer (but see paragraph 26).
- (5) The accounting officer is to have, in relation to the Sponsor Body's accounts and finance, the responsibilities that are from time to time specified by the Sponsor Body.
- (6) The reference in sub-paragraph (5) to responsibilities includes—
  - (a) responsibilities in relation to the signing of accounts;
  - (b) responsibilities for the propriety and regularity of the Sponsor Body's finances;
  - (c) responsibilities for the economy, efficiency and effectiveness with which the Sponsor Body's resources are used;

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- (d) responsibilities in relation to the appointment of the Delivery Authority's accounting officer.
- (7) The Sponsor Body must send a copy of the statement of accounts for a financial year to the Comptroller and Auditor General as soon as practicable after the end of that year.
- (8) The Comptroller and Auditor General must—
  - (a) examine, certify and report on the statement of accounts, and
  - (b) send a copy of the certified statement and of the report to the Sponsor Body as soon as practicable.
- (9) The Sponsor Body must, in respect of each financial year, lay before Parliament a copy of the certified statement and report sent under sub-paragraph (8)(b).
- 26 (1) If the chief executive officer is unable to discharge the chief executive officer's responsibilities as accounting officer, the Sponsor Body must nominate a member of its staff to be the accounting officer for as long as the chief executive officer is so unable.
- (2) If the office of chief executive officer is vacant, the Sponsor Body must nominate a member of its staff to be the accounting officer for as long as the office of chief executive officer remains vacant.

#### *Report*

- 27 (1) At least once in every calendar year, the Sponsor Body must prepare and lay before Parliament a report about the carrying out of the Parliamentary building works and the progress that has been made towards completion of those works.
- (2) A report under this paragraph must in particular include information about persons to whom contracts in respect of the carrying out of the Parliamentary building works have been awarded, in particular—
  - (a) their size, and
  - (b) the areas in which they operate.
- (3) The Sponsor Body must publish each report prepared under this paragraph in whatever way the Sponsor Body considers appropriate.

#### *Documentary evidence*

- 28 (1) The application of the seal of the Sponsor Body must be authenticated by the signature of—
  - (a) a member of the Sponsor Body, or
  - (b) another person authorised for that purpose by the Sponsor Body.
- (2) A document purporting to be duly executed under the Sponsor Body's seal or signed on its behalf—
  - (a) is to be received in evidence, and
  - (b) is to be taken to be executed or signed in that way, unless the contrary is shown.
- (3) Sub-paragraphs (1) and (2) do not extend to Scotland.

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*Freedom of information*

- 29 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices which are public authorities) at the appropriate place insert— “ The Parliamentary Works Sponsor Body. ”]

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