

## SCHEDULE

### Transfer of Functions from the HCA to the Regulator of Social Housing

## PART 1

### Establishment of the Regulator of Social Housing

#### 16. After section 92K insert—

*“Procedure etc.*

#### **Committees**

**92L.**—(1) The regulator may establish committees and sub-committees.

(2) A committee or sub-committee may include non-members (provided that it includes at least one member).

(3) The regulator may, with the consent of the Secretary of State, pay such remuneration and allowances as it thinks fit to any person who—

- (a) is a member of a committee or sub-committee, but
- (b) is not a member of the regulator.

#### **Procedure**

**92M.**—(1) Subject to the provisions of this Part, the regulator may determine its own procedure and the procedure of any committee or sub-committee.

(2) The regulator must make such arrangements as it thinks appropriate for publishing its procedure.

(3) The validity of any proceedings is not affected by—

- (a) any vacancy of the chair, chief executive or any other member,
- (b) any defect in the appointment of the chair, chief executive or any other member, or
- (c) any contravention of section 92P (members’ interests).

(4) In this section “procedure” includes quorum.

#### **Conflict of interest**

**92N.**—(1) The regulator’s procedure under section 92M must include arrangements for dealing with any conflict of interest of—

- (a) members,
- (b) members of staff, or
- (c) members of committees or sub-committees.

(2) The procedure must oblige a person—

- (a) to declare any financial or other personal interest relevant to the exercise of a function of the regulator, and
- (b) to withdraw from the performance of that function unless the regulator directs otherwise, being satisfied that the interest will not influence performance of the function.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

### **Delegation**

**92O.**—(1) The regulator may delegate any of its functions to—

- (a) a committee,
- (b) a sub-committee,
- (c) a member, or
- (d) a member of staff.

(2) A committee may further delegate to a sub-committee, a member of the regulator, or a member of staff.

### **Members' interests**

**92P.**—(1) A member of the regulator who is directly or indirectly interested in any matter arising at a meeting of the regulator must disclose the nature of that interest to the meeting.

(2) A member of a committee or sub-committee of the regulator who is directly or indirectly interested in any matter arising at a meeting of the committee or sub-committee must disclose the nature of that interest to the meeting.

(3) Where a member has disclosed an interest within subsection (1) or (2)—

- (a) that member must not take part in any deliberation or decision about the matter if it is a contract or agreement of any description, but
- (b) may otherwise take part in any deliberation or decision about the matter unless at least one-third of the other members at the meeting decide that the interests disclosed might prejudicially affect the member's consideration of the matter.

(4) The regulator must prepare and keep up to date a register of members' interests of the interests disclosed under subsection (1) or (2).

(5) The register required by subsection (4) must include the interests of—

- (a) the members of the regulator, and
- (b) all members of committees or sub-committees whether or not falling within paragraph (a).

### **Seal**

**92Q.**—(1) The application of the regulator's seal must be authenticated by a member of the regulator or by some other person authorised (generally or specially) by the regulator for that purpose.

(2) A document purporting to be duly executed under the seal—

- (a) is to be received in evidence, and
- (b) is to be treated as so executed unless the contrary is shown.”.