

SCHEDULE 1

Instrument of Government

Subsequent Appointments

5.—(1) Subject to paragraph (3) the Corporation is the appointing authority in relation to the appointment of any member of the Corporation other than an LSC member at any time after the appointment by the Secretary of State of the first members.

(2) The Corporation may not make any such appointment before it has made the first determination under clause 4.

(3) If the number of members falls below the number needed for a quorum, the Secretary of State is the appointing authority in relation to the appointment of such number of members as is required for a quorum.

(4) The appointing authority may decline to appoint a person as a local authority or community member if the person does not have the specified skills and experience

(5) The appointing authority may decline to appoint a person as a parent, staff, student, local authority or community member if—

(a) they are satisfied that the person has, within ten years before his appointment would otherwise have taken effect, been removed from office as a member of a further education corporation, or

(b) the appointment of the person would contravene any provision of any rules or bye-laws made under article 21 of the Articles of Government relating to the number of consecutive terms for which a member may hold office, provided that such rules or bye-laws make the same provision for each category of members appointed by the appointing authority.

(6) Except as provided in paragraphs (4) and (5) paragraph (1) shall not entitle the Corporation to decline to appoint any person as a parent, staff, student, local authority or community member unless the person is ineligible to be a member of the Corporation by virtue of clause 8.

(7) Where the office of any appointed member becomes vacant the Corporation (where it is the appointing authority) shall as soon as practicable take all necessary steps to appoint a new member to fill the vacancy.

(8) Nothing in this clause shall entitle the Corporation to request more than one nomination from any of the bodies referred to in clause 2(1)(c) to (g) to fill any particular vacancy.

(9) In this clause “specified skills and experience” means skills and experience (other than professional qualifications) specified by the Corporation as appropriate for members of the Corporation after consultation with the local authorities nominated under clause 2(1)(f) and the voluntary body or bodies nominated under clause 2(1)(g).