

SCHEDULES

SCHEDULE 4

Section 50.

THE DEPOSIT PROTECTION BOARD

Constitution

- 1 (1) The Board shall consist of three ex officio members, namely—
- (a) the Governor of the Bank for the time being, who shall be the chairman of the Board;
 - (b) the Deputy Governor of the Bank for the time being; and
 - (c) the Chief Cashier of the Bank for the time being;
- and such ordinary members as shall from time to time be appointed under sub-paragraph (2) below.
- (2) The Governor of the Bank shall appoint as ordinary members of the Board—
- (a) three persons who are directors, controllers or managers of contributory institutions; and
 - (b) persons who are officers or employees of the Bank.
- (3) Each ex officio member of the Board may appoint an alternate member, being an officer or employee of the Bank, to perform his duties as a member in his absence.
- (4) Each ordinary member of the Board may appoint an appropriately qualified person as an alternate member to perform his duties as a member in his absence; and for this purpose a person is appropriately qualified for appointment as an alternate—
- (a) by a member appointed under paragraph (a) of sub-paragraph (2) above, if he is a director, controller or manager of a contributory institution; and
 - (b) by a member appointed under paragraph (b) of that sub-paragraph, if he is either an officer or an employee of the Bank.
- (5) Ordinary and alternate members of the Board shall hold and vacate office in accordance with the terms of their appointment.

Expenses

- 2 The Board may pay to its members such allowances in respect of expenses as the Board may determine.

Proceedings

- 3 (1) The Board shall determine its own procedure, including the quorum necessary for its meetings.
- (2) The validity of any proceedings of the Board shall not be affected by any vacancy among the ex officio members of the Board or by any defect in the appointment of any ordinary or alternate member.

Status: This is the original version (as it was originally enacted).

- 4 (1) The fixing of the common seal of the Board shall be authenticated by the signature of the chairman of the Board or some other person authorised by the Board to act for that purpose.
- (2) A document purporting to be duly executed under the seal of the Board shall be received in evidence and deemed to be so executed unless the contrary is proved.

Accounts, audit and annual report

- 5 (1) The Board may determine its own financial year.
- (2) It shall be the duty of the Board—
- (a) to keep proper accounts and proper records in relation to the accounts; and
 - (b) to prepare in respect of each of its financial years a statement of accounts showing the state of affairs and income and expenditure of the Board.
- (3) A statement of accounts prepared in accordance with sub-paragraph (2)(b) above shall be audited by auditors appointed by the Board and the auditors shall report to the Board stating whether in their opinion the provisions of sub-paragraph (2) above have been complied with.
- (4) A person shall not be qualified to be appointed as auditor by the Board under sub-paragraph (3) above unless—
- (a) he is a member of, or a Scottish firm in which all the partners are members of, one or more bodies of accountants established in the United Kingdom and for the time being recognised for the purposes of section 389(1)(a) of the Companies Act 1985; or
 - (b) he is for the time being authorised to be appointed as auditor of a company under section 389(1)(b) of that Act as having similar qualifications obtained outside the United Kingdom.
- (5) It shall be the duty of the Board, as soon as practicable after the end of each of its financial years, to prepare a report on the performance of its functions during that year.
- (6) It shall be the duty of the Board to publish, in such manner as it thinks appropriate, every statement of account prepared in accordance with sub-paragraph (2)(b) above and every report prepared in accordance with sub-paragraph (5) above.