

SCHEDULES

SCHEDULE 1

Article 4(2).

THE LAGANSIDE CORPORATION

Status

1.—(1) The Corporation shall be a body corporate to which, subject to the provisions of this Schedule, section 19 of the Interpretation Act (Northern Ireland) 1954(1) shall apply.

(2) Except as provided by any agreement under Article 14(1), the Corporation shall not be regarded as the servant or agent of the Crown or as enjoying any status, privilege or immunity of the Crown and the Corporation's property shall not be regarded as the property of, or property held on behalf of, the Crown.

Constitution of Corporation

2.—(1) The Corporation shall consist of not fewer than seven nor more than ten members appointed by the Head of the Department from among persons who appear to him to have experience in any field of activity which he considers is relevant to the discharge of the functions of the Corporation.

(2) Of the members appointed under sub-paragraph (1)—

(a) one shall be appointed after consultation with the Belfast Harbour Commissioners; and

(b) one shall be appointed after consultation with the Belfast City Council.

(3) The Head of the Department shall appoint one of the members as chairman and may appoint another as deputy chairman.

Appointment and tenure of office of members

3. It shall be the duty of the Head of the Department—

(a) to satisfy himself, before he appoints a person to be a member of the Corporation, that that person will have no such financial or other interest as is likely to affect prejudicially the performance of his functions as a member; and

(b) to satisfy himself from time to time with respect to each member that he has no such interest;

and a person who is a member or whom the Head of the Department proposes to appoint as a member shall, whenever requested by the Head of the Department to do so, furnish the Head of the Department with such information as he may specify with a view to carrying out his duty under this paragraph.

4.—(1) Subject to this paragraph a member of the Corporation shall hold and vacate office in accordance with the terms of his appointment.

(1) 1954 c. 33 (N.I.)

Status: This is the original version (as it was originally made).

- (2) A member shall hold office for a fixed term not exceeding five years.
 - (3) A member may resign his office by giving to the Head of the Department a signed notice in writing to that effect.
 - (4) The Head of the Department may by notice in writing remove a member from office.
 - (5) A member who ceases to hold office shall be eligible for re-appointment to the Corporation.
- 5.—(1) Where a member becomes or ceases to be the chairman or deputy chairman, the Head of the Department may vary the terms of the instrument appointing him a member.
- (2) If the chairman or deputy chairman ceases to be a member, he shall cease to be chairman or deputy chairman, as the case may be.

Remuneration, etc. of members

6. The Corporation may pay to each member such remuneration and such allowances as the Department may, with the approval of the Department of Finance and Personnel, determine and where a member of the Corporation is in the employ of any other person, the Corporation may make to that other person in consideration of the services to the Corporation of that member such payments as the Department may, with the approval of the Department of Finance and Personnel, determine.

Disqualification of members of the Corporation for Northern Ireland Assembly

7. In Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975(2) (bodies of which all members are disqualified) there shall be inserted, at the appropriate place in alphabetical order,—
“The Liganside Corporation.”.

Proceedings

8. The quorum of the Corporation and the arrangements relating to meetings of the Corporation shall be such as the Corporation may determine.
- 9.—(1) A member who is in any way directly or indirectly interested in any matter which falls to be considered by the Corporation shall disclose the nature of his interest at a meeting of the Corporation and the disclosure shall be recorded in the minutes of the meeting.
- (2) Where such a disclosure is made by any member in relation to any matter, he shall not take part in any deliberation or decision of the Corporation with respect to the matter if the Corporation decides that the interest in question might prejudicially affect the member’s consideration of the matter.
- (3) For the purposes of this paragraph a notice given by a member at a meeting of the Corporation to the effect that he is a member of a specified body corporate or firm and is to be regarded as interested in any matter concerning the body or firm which falls to be considered by the Corporation after the date of the notice shall be a sufficient disclosure of his interest.
- (4) A member need not attend in person at a meeting of the Corporation in order to make a disclosure which he is required to make under this paragraph, if he takes reasonable steps to secure that the disclosure is made by a notice which is taken into consideration and read at such a meeting.
10. The validity of any proceedings of the Corporation shall not be affected by any vacancy among the members or by any defect in the appointment of a member or by any failure to comply with the requirements of paragraph 9.

(2) 1975 c. 25

The seal

11. The common seal of the Corporation shall, when applied to a document, be attested by the signature of a member of the Corporation, or of an officer of the Corporation authorised by it to act for the purposes of this paragraph.

Execution of contracts and instruments not under seal

12. Any contract or instrument which, if entered into or executed by an individual, would not require to be under seal may be entered into or executed on behalf of the Corporation by any person generally or specially authorised by the Corporation to act for that purpose.

Committees

13.—(1) In connection with the exercise of its functions, the Corporation may establish such committees as appear to it to be appropriate, and, subject to sub-paragraphs (2) and (3), the composition of such a committee and the terms on which its members hold office shall be determined by the Corporation.

(2) Persons who are not members of the Corporation shall not, except with the approval of the Head of the Department, be appointed as members of any committee established under this paragraph.

(3) The Corporation may pay to members of any committee established under this paragraph who are not members of the Corporation such travelling and other allowances, including compensation for loss of remunerative time, as the Department may, with the approval of the Department of Finance and Personnel, determine.

(4) The Corporation may, with the approval of the Head of the Department, delegate to a committee established under this paragraph such of its functions as the Corporation may determine.

(5) Paragraphs 8 to 10 shall apply to any committee of the Corporation as they apply to the Corporation.

Investigation by Commissioner for Complaints

14. In Part II of Schedule 1 to the Commissioner for Complaints Act (Northern Ireland) 1969⁽³⁾ (public bodies subject to investigation) there shall be inserted at the appropriate place in alphabetical order—

“The Laganside Corporation”.

Staff

15.—(1) The Corporation may appoint—

- (a) a chief executive; and
- (b) such other officers and servants,

on such terms as to remuneration and conditions of service as the Department, with the approval of the Department of Finance and Personnel, may determine.

(2) The Corporation shall not appoint a person under paragraph (1)(a) without the approval of the Department.

(3) 1969 c. 25 (N.I.)

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

(3) The Corporation may make provision for the payment of such pensions, allowances and expenses to or in respect of such persons appointed under sub-paragraph (1) as the Corporation may, with the approval of the Department and the Department of Finance and Personnel, determine.

Accounts and audit

16.—(1) The Corporation shall keep proper accounts and other records in relation to them.

(2) The accounts and records shall show, in respect of the financial year to which they relate, a true and fair view of the Corporation's activities.

(3) The Corporation shall prepare in respect of each financial year a statement of accounts complying with any requirement which the Department has (with the approval of the Department of Finance and Personnel) notified in writing to the Corporation relating to—

- (a) the information to be contained in the statement;
- (b) the manner in which the information is to be presented; and
- (c) the methods and principles according to which the statement is to be prepared.

(4) Subject to any requirement notified to the Corporation under sub-paragraph (3), in preparing any statement of accounts in accordance with that sub-paragraph the Corporation shall follow, with respect to each of the matters specified in heads (a) to (c) of that sub-paragraph, such course as may for the time being be approved by the Department with the consent of the Department of Finance and Personnel.

17.—(1) The Corporation's accounts and statements of accounts shall be audited by an auditor to be appointed annually by the Department in relation to the Corporation.

(2) A person shall not be qualified for appointment under sub-paragraph (1) unless he is qualified for appointment as auditor of a company under Article 397 of the Companies (Northern Ireland) Order 1986⁽⁴⁾.

(3) A person shall not be qualified for appointment under sub-paragraph (1) if the person is—

- (a) a member, officer or servant of the Corporation,
- (b) a partner of, or employed by, a member, officer or servant of the Corporation, or
- (c) a body corporate.

18. As soon as the accounts and statement of accounts of the Corporation for any financial year have been audited, the Corporation shall send to the Department a copy of the statement, together with a copy of any report made by the auditor on the statement or on the accounts.

Annual report

19.—(1) As soon as possible after the end of each financial year, the Corporation shall make to the Department a report dealing generally with the Corporation's operations during the year, and shall include in the report a copy of its audited statement of accounts for that year.

(2) The Department shall lay a copy of the report before the Assembly.

Information

20. Without prejudice to paragraph 19, the Corporation shall provide the Department with such information relating to its undertaking as the Department may require, and for that purpose shall

(4) 1986 NI 6

permit any person authorised by the Department to inspect and make copies of the accounts, books, documents or papers of the Corporation and shall afford such explanation of them as that person or the Department may reasonably require.