

*Status: Point in time view as at 03/07/1992.*

*Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1980. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 1(4).

#### THE TRUSTEES OF THE NATIONAL HERITAGE MEMORIAL FUND

##### *Status*

- 1 The Trustees shall not be regarded as acting on behalf of the Crown and neither they nor their officers or servants shall be regarded as Crown servants.
- 2 <sup>F1</sup>Section 40 of the <sup>M1</sup>General Rate Act 1967 (relief for charities and other organisations)]<sup>F1</sup>Sections 43(6), 45(6) and 47 of the Local Government Finance Act 1988], section 4 of the <sup>M2</sup>Local Government (Financial Provisions etc.) (Scotland) Act 1962 (corresponding provisions for Scotland) and Article 41 of the <sup>M3</sup>Rates (Northern Ireland) Order 1977 (corresponding provisions for Northern Ireland) shall apply to any hereditament, lands and heritages occupied by the Trustees for the purposes of this Act as they apply to a hereditament, lands and heritages occupied by trustees for a charity.

##### **Textual Amendments**

- F1** Words “Sections 43(6), 45(6) and 47 of the Local Government Finance Act 1988” substituted (E.W.) for “Section 40 of the General Rate Act 1967 (relief for charities and other organisations)” by [S.I. 1990/776](#), arts. 2(2), 8, [Sch. 3 para. 20](#)

##### **Marginal Citations**

- M1** 1967 c. 9.  
**M2** 1962 c. 9.  
**M3** [S.I. 1977/2157](#).

##### *Tenure of office of trustee*

- 3 (1) Subject to the provisions of this paragraph, a member of the body constituted by section 1(2) of this Act (in this Schedule referred to as “a trustee”) shall hold and vacate his office in accordance with the terms of his appointment.
- (2) A person shall not be appointed a trustee for more than three years.
- (3) A trustee may resign by notice in writing to the Prime Minister.
- (4) The Prime Minister may terminate the appointment of a trustee if he is satisfied that—
- (a) for a period of six months beginning not more than nine months previously he has, without the consent of the other trustees, failed to attend the meetings of the trustees;

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- (b) he is an undischarged bankrupt or has made an arrangement with his creditors or is insolvent within the meaning of paragraph 9(2)(a) of Schedule 3 to the <sup>M4</sup>Conveyancing and Feudal Reform (Scotland) Act 1970;
- (c) he is by reason of physical or mental illness, or for any other reason, incapable of carrying out his duties; or
- (d) he has been convicted of such a criminal offence, or his conduct has been such, that it is not in the Prime Minister's opinion fitting that he should remain a trustee.

(5) A person who ceases or has ceased to be a trustee may be re-appointed.

**Marginal Citations**

**M4** 1970 c. 35.

*Tenure of office of chairman*

- 4 (1) Subject to the provisions of this paragraph, the chairman of the Trustees shall hold and vacate his office in accordance with the terms of his appointment.
- (2) The chairman may resign his office by notice in writing to the Prime Minister.
- (3) A trustee who ceases or has ceased to be chairmen may be reappointed to that office.
- (4) If the chairman ceases to be a trustee he shall also cease to be chairman.

VALID FROM 04/03/1998

*[<sup>F2</sup>Remuneration]*

**Textual Amendments**

**F2** S. 4A and crossheading inserted (4.3.1998) by 1997 c. 14, s. 2(a); S.I. 1997/292, art.2

- [<sup>F3</sup>4A There may be paid out of the Fund to a trustee such remuneration, on such terms and conditions, as the Secretary of State may approve.]

**Textual Amendments**

**F3** Sch. 1 para. 4A and crossheading inserted (4.3.1998) by 1997 c. 14, s. 2(a); S.I. 1998/292, art.2

*Expenses and allowances*

- 5 (1) All administrative and other expenses incurred by the Trustees in discharging their functions under this Act shall be defrayed out of the Fund.
- (2) There may be paid out of the Fund to a trustee such allowances as [<sup>F4</sup>the Secretary of State] may with the consent of the Minister for the Civil Service approve.

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#### Textual Amendments

**F4** Words in [Sch. 1 para. 5\(2\)](#) substituted (3. 7. 1992) by [S.I. 1992/1311, art. 12\(2\)](#), [Sch. 2 para. 5\(2\)\(a\)](#).

#### Modifications etc. (not altering text)

**C1** For the reference to the Minister for the Civil Service there is substituted a reference to the Treasury by [S.I. 1981/1670, arts. 2\(1\)\(c\)](#), 3(5)

### Staff

- 6 The Trustees may, after consultation with [<sup>F5</sup>the Secretary of State], appoint such officers and servants as they think fit but the number appointed shall require the approval of [<sup>F5</sup>the Secretary of State] and the remuneration to be paid, any provisions as to superannuation and the other terms and conditions of service shall require the approval of [<sup>F5</sup>the Secretary of State] given with the consent of the Minister for the Civil Service.

#### Textual Amendments

**F5** Words in [Sch. 1 para. 6](#) substituted (3. 7. 1992) by [S.I. 1992/1311, art. 12\(2\)](#), [Sch. 2 para. 5\(2\)\(a\)](#).

#### Modifications etc. (not altering text)

**C2** For the reference to the Minister for the Civil Service there is substituted a reference to the Treasury by [S.I. 1981/1670, arts. 2\(1\)\(c\)](#), 3(5)

### Proceedings

- 7 (1) Subject to the provisions of this Act—
- (a) the Trustees shall discharge their functions in accordance with such arrangements as they may determine; and
  - (b) those arrangements may provide for any function to be discharged under the general direction of the Trustees by a committee or committees consisting of three or more trustees.
- (2) Anything done by a committee under the arrangements shall, if the arrangements so provide, have effect as if done by the Trustees.
- (3) The validity of any proceedings of the Trustees shall not be affected by any vacancy among the trustees or by any defect in the appointment of a trustee.
- (4) The arrangements made under this paragraph may include provisions specifying a quorum for meetings of the Trustees and any committee; and until a quorum is so specified in relation to meetings of the Trustees the quorum for such meetings shall be such as may be determined by [<sup>F6</sup>the Secretary of State].

#### Textual Amendments

**F6** Words in [Sch. 1 para. 7\(4\)](#) substituted (3. 7. 1992) by [S.I. 1992/1311, art. 12\(2\)](#), [Sch. 2 para. 5\(2\)\(a\)](#).

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Section 18(5).

## SCHEDULE 2

## REPEALS

Chapter	Short title	Extent of repeal
9 & 10 Geo. 6. c. 64.	The Finance Act 1946.	Section 48.
1 & 2 Eliz. 2. c. 34.	The Finance Act 1953.	Sections 50 and 51. Section 50(2).
1 & 2 Eliz. 2. c. 49.	The Historic Buildings and Ancient Monuments Act 1953.	Section 7.
1969 c. 22.	The Redundant Churches and other Religious Buildings Act 1969.	Section 6.
1975 c. 7.	The Finance Act 1975.	In Schedule 12, paragraph 7.

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