

## SCHEDULES

### SCHEDULE 5

Section 46.

#### THE WELSH FOURTH CHANNEL AUTHORITY : SUPPLEMENTARY PROVISIONS

##### *Tenure of office of members*

- 1 (1) Subject to sub-paragraphs (2) and (3), the Chairman and every other member of the Welsh Authority shall hold office for such period, not exceeding five years, as may be fixed at the time of his appointment, and shall, on ceasing to be a member, be eligible for re-appointment.
- (2) The Secretary of State may at any time direct by notice in writing, a copy of which shall be laid before each House of Parliament, that any member of the Welsh Authority shall cease to hold office; and any member of the Welsh Authority may at any time resign his office by notice in writing to the Secretary of State.
- (3) If any member of the Welsh Authority dies or ceases to hold office before the expiry of the term for which he was appointed, the term of office of his successor shall be so fixed as to expire at the end of the former term, but the Secretary of State may, if he thinks fit to do so, defer the making of an appointment until the expiry of the former term.

##### *Remuneration and pensions of members*

- 2 (1) The Welsh Authority shall pay to each of their members, in respect of his office as such, such remuneration (whether by way of salary or fees) and such allowances as the Secretary of State may determine in the case of those members respectively; and, in determining the remuneration and allowances to be paid under this sub-paragraph, different provision may be made as regards the Chairman and the other members.
- (2) If any member of the Welsh Authority, other than the Chairman, is employed about the affairs of the Welsh Authority otherwise than as a member of that Authority, the Welsh Authority shall pay to that member (in addition to any remuneration to which he may be entitled in respect of his office as a member) such remuneration, if any, as the Secretary of State may determine.
- (3) The Welsh Authority may pay or make provision for paying to or in respect of any of their members such pensions, allowances or gratuities as the Secretary of State may determine in the case of those members respectively.
- (4) Where a person ceases to be a member of the Welsh Authority otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the Welsh Authority may make to him a payment of such amount as the Secretary of State may determine.
- (5) The approval of the Minister for the Civil Service shall be required for any determination under this paragraph.

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

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- (6) As soon as possible after making a determination under this paragraph, the Secretary of State shall lay a statement thereof before each House of Parliament.

*Capacity and status of Welsh Authority*

- 3 (1) It shall be within the capacity of the Welsh Authority as a statutory corporation to do such things and enter into such transactions as are incidental or conducive to the exercise and performance of their powers and duties under this Act, including the borrowing of money.
- (2) It is declared that the Welsh Authority are not to be treated for the purposes of the enactment and rules of law relating to the privileges of the Crown as a body exercising functions on behalf of the Crown.

*Proceedings*

- 4 (1) The quorum of the Welsh Authority shall be two or such number not less than two as that Authority may from time to time determine.
- (2) The Welsh Authority may act notwithstanding a vacancy among their members.
- 5 (1) A member of the Welsh Authority who is in any way directly or indirectly interested in a contract made or proposed to be made by that Authority shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest at a meeting of that Authority.
- (2) Any disclosure made under sub-paragraph (1) shall be recorded in the minutes of the Welsh Authority, and the member—
- (a) shall not take part after the disclosure in any deliberation or decision of that Authority with respect to that contract, and
- (b) shall be disregarded for the purpose of constituting a quorum of that Authority for any such deliberation or decision.
- 6 Subject to paragraphs 4 and 5, the Welsh Authority may regulate their own procedure.

*Officers and employees of Welsh Authority*

- 7 (1) The Welsh Authority may appoint a secretary and such other officers, and take into their employment such other persons, as they may determine.
- (2) The Welsh Authority shall, as regards any officers or persons employed in whose case it may be determined by that Authority so to do, pay to or in respect of them such pensions, allowances or gratuities, or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- (3) If any officer of or other person employed by the Welsh Authority, being a participant in any pension scheme applicable to his office or employment, becomes a member of the Welsh Authority, he may, if the Secretary of State so determines, be treated for the purposes of the pension scheme as if his service as a member of that Authority were service as an officer of or person employed by that Authority.

*Machinery for settling terms and conditions of employment of Welsh Authority's staff etc.*

- 8 (1) Except so far as the Welsh Authority are satisfied that adequate machinery exists for achieving the purposes of this paragraph, it shall be the duty of the Welsh Authority to seek consultation with any organisation appearing to them to be appropriate with a view to the conclusion between the Welsh Authority and that organisation of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance of machinery for—
- (a) the settlement by negotiation of terms and conditions of employment of persons employed by the Welsh Authority, with provision for reference to arbitration, in default of such settlement, of such cases as may be determined by or under the agreements; and
  - (b) the promotion and encouragement of measures affecting the safety, health, training and welfare of persons employed by the Welsh Authority, and the discussion of other matters of mutual interest to that Authority and such persons.
- (2) The Welsh Authority shall send to the Secretary of State copies of any such agreement and of any instrument varying the terms of any such agreement.

*Authentication of Welsh Authority's seal*

- 9 The application of the seal of the Welsh Authority shall be authenticated by—
- (a) the signature of the Chairman of the Welsh Authority or some other member of the Welsh Authority authorised by that Authority to authenticate the application of their seal and
  - (b) the signature of the secretary of the Welsh Authority or some other officer of the Welsh Authority authorised by that Authority to act in that behalf.

*Presumption of authenticity of documents issued by Welsh Authority*

- 10 Any document purporting to be an instrument issued by the Welsh Authority and to be sealed as aforesaid or to be signed on behalf of the Welsh Authority shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.