

SCHEDULES

SCHEDULE 6

Section 74.

CONSTITUTION OF HOUSING CORPORATION

Status of Corporation

- 1 (1) The Housing Corporation is a body corporate.
- (2) It is a public body for the purposes of the Prevention of Corruption Acts 1889 to 1916.
- (3) It shall not be regarded—
 - (a) as the servant or agent of the Crown, or
 - (b) as enjoying any status, immunity or privilege of the Crown, or
 - (c) as exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local;and its property shall not be regarded as property of, or held on behalf of, the Crown.

Membership of Corporation

- 2 (1) The members of the Housing Corporation, of whom there shall be not more than fifteen, shall be appointed by the Secretary of State.
- (2) Before appointing a person to be a member of the Corporation the Secretary of State shall satisfy himself that he will have no financial or other interest likely to affect prejudicially the exercise of his functions as member; and the Secretary of State may require a person whom he proposes to appoint to give him such information as he considers necessary for that purpose.
- 3 (1) The members of the Housing Corporation shall hold and vacate office in accordance with the terms of their appointment, subject to the following provisions.
- (2) A member may resign his membership by notice in writing addressed to the Secretary of State.
- (3) The Secretary of State may remove a member from office if he is satisfied that—
 - (a) he has been adjudged bankrupt or made an arrangement with his creditors or (in Scotland) has had his estate sequestrated or has made a trust deed for behoof of his creditors or a composition contract,
 - (b) he is incapacitated by physical or mental illness,
 - (c) he has been absent from meetings of the Corporation for a period longer than three consecutive months without the permission of the Corporation, or
 - (d) he is otherwise unable or unfit to discharge the functions of a member, or is unsuitable to continue as a member.
- (4) The Secretary of State shall satisfy himself from time to time with respect to every member that he has no financial or other interest likely to affect prejudicially the

Status: This is the original version (as it was originally enacted).

exercise of his functions as a member; and he may require a member to give him such information as he considers necessary for that purpose.

Chairman and Deputy Chairman

- 4 (1) The Secretary of State shall appoint one of the members to be Chairman and one to be Deputy Chairman; and the members so appointed shall hold and vacate those offices in accordance with the terms of their appointment, subject to the following provisions.
- (2) The Chairman or Deputy Chairman may resign his office by notice in writing addressed to the Secretary of State.
- (3) If the Chairman or Deputy Chairman ceases to be a member of the Corporation, he also ceases to be Chairman or Deputy Chairman.

Remuneration and allowances

- 5 (1) The Secretary of State may pay the Chairman, Deputy Chairman and members such remuneration as he may, with the consent of the Treasury, determine.
- (2) The Housing Corporation may pay them such reasonable allowances as may be so determined in respect of expenses properly incurred by them in the performance of their duties.

Pensions

- 6 (1) The Secretary of State may, with the consent of the Treasury, determine to pay in respect of a person's office as Chairman, Deputy Chairman or member—
- (a) such pension, allowance or gratuity to or in respect of that person on his retirement or death as may be so determined, or
- (b) such contributions or other payments towards provision for such pension, allowance or gratuity as may be so determined.
- (2) As soon as may be after the making of such a determination the Secretary of State shall lay before each House of Parliament a statement of the amount payable in pursuance of the determination.
- (3) Sub-paragraph (1) does not apply in the case of a member who has been admitted in pursuance of regulations under section 7 of the Superannuation Act 1972 to participate in the benefits of a superannuation fund maintained by a local authority.
- (4) In such a case the Secretary of State shall make any payments required to be made to the fund in respect of the member by the employing authority and may make such deductions from his remuneration as the employing authority might make in respect of his contributions to the fund.

Proceedings of the Corporation

- 7 (1) The quorum of the Housing Corporation and the arrangements relating to its meetings shall, subject to any directions given by the Secretary of State, be such as the Corporation may determine.
- (2) The validity of proceedings of the Corporation is not affected by any defect in the appointment of any of its members.

- 8 (1) Where a member of the Housing Corporation is in any way directly or indirectly interested in a contract made or proposed to be made by the Corporation—
- (a) he shall disclose the nature of his interest at a meeting of the Corporation, and the disclosure shall be recorded in the minutes of the Corporation, and
 - (b) he shall not take any part in any decision of the Corporation with respect to the contract.
- (2) A general notice given by a member at a meeting of the Corporation to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract which may be made with the company or firm is a sufficient disclosure of his interest for the purposes of this paragraph in relation to a contract made after the date of the notice.
- (3) A member need not attend in person at a meeting of the Corporation in order to make any disclosure which he is required to make under this paragraph provided he takes reasonable steps to secure that the disclosure is brought up and read at the meeting.
- 9 (1) The fixing of the Housing Corporation's seal may be authenticated by the signature of the Chairman or of any other person authorised for the purpose.
- (2) A document purporting to be duly executed under the seal of the Corporation shall be received in evidence and be deemed to be so executed unless the contrary is proved.