

SCHEDULES

SCHEDULE 2

Section 8.

THE FOOTBALL LICENSING AUTHORITY: SUPPLEMENTARY PROVISIONS

Status and capacity

- 1 (1) The licensing authority shall be a body corporate.
- (2) The licensing authority shall not be regarded as the servant or agent of the Crown, or as enjoying any status, privilege or immunity of the Crown; and its property shall not be regarded as property of, or property held on behalf of, the Crown.
- (3) The licensing authority shall not be exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local.
- (4) The licensing authority shall have power to do anything which is calculated to facilitate the discharge of its functions, or is incidental or conducive to their discharge.

Appointment and tenure of members

- 2 It shall be the duty of the Secretary of State—
 - (a) to satisfy himself, before he appoints a person to be a member of the licensing authority, that he 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.
- 3 Any person who is, or whom the Secretary of State proposes to appoint to be, a member of the licensing authority shall, whenever requested by the Secretary of State to do so, furnish to him such information as the Secretary of State considers necessary for the performance by him of his duties under paragraph 2 above.
- 4 Subject to the following provisions of this Schedule, a person shall hold and vacate office as a member or the chairman of the licensing authority in accordance with the terms of his appointment.
- 5 A person shall not be appointed as a member of the licensing authority for more than three years at a time.
- 6 A person may at any time resign his office as a member or the chairman of the licensing authority by giving the Secretary of State a signed notice in writing stating that he resigns that office.
- 7 Where a member becomes or ceases to be the chairman, the Secretary of State may vary the terms of his appointment as a member of the licensing authority so as to alter the date on which he is to vacate office as a member.

Status: This is the original version (as it was originally enacted).

- 8 If the Secretary of State is satisfied that a member of the licensing authority—
- (a) has been absent from meetings of the licensing authority for a period longer than three consecutive months without the permission of the licensing authority, or
 - (b) has become bankrupt or made an arrangement with his creditors, or
 - (c) is unable or unfit to discharge the functions of a member,

the Secretary of State may declare his office as a member of the licensing authority vacant, and notify the declaration in such manner as he thinks fit; and thereupon the office shall become vacant.

- 9 A person who ceases to be a member, or ceases to be chairman, of the licensing authority shall be eligible for re-appointment.

Remuneration and pensions of members

- 10 The licensing authority may pay to each member such remuneration and allowances as the Secretary of State may determine.

- 11 The licensing authority may pay, or make provision for paying, to or in respect of any member such sums by way of pensions, allowances or gratuities as the Secretary of State may determine.

- 12 Where a person ceases to be a member 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 licensing authority may make to him a payment of such amount as the Secretary of State may determine.

- 13 The approval of the Treasury shall be required for any determination under paragraphs 10, 11 or 12 above.

*Disqualification of members of licensing authority for
House of Commons and Northern Ireland Assembly*

- 14 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), the following entry shall be inserted at the appropriate place in alphabetical order—

“The Football Licensing Authority”;

and the like insertion shall be made in Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975.

Proceedings

- 15 The quorum of the licensing authority and the arrangements relating to its meetings shall be such as the licensing authority may determine.

- 16 (1) A member of the licensing authority who is in any way directly or indirectly interested in any matter which falls to be considered by the authority shall disclose the nature of his interest at a meeting of the licensing authority and the disclosure shall be recorded in the minutes of the meeting.

- (2) The member shall not take part after the disclosure in any deliberation or decision with respect to the matter.

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

- 17 The validity of any proceedings of the licensing authority 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 16 above.

Inspectors, officers and employees

- 18 The licensing authority may appoint such inspectors as it may determine to perform such functions as are assigned to them by or under this Part of this Act.
- 19 The licensing authority may appoint a secretary and such other officers, and take into their employment such other persons, as it may determine.
- 20 The terms and conditions of appointments under paragraphs 18 and 19 above shall require the approval of the Secretary of State and the consent of the Treasury.
- 21 The licensing authority shall, as regards such of its inspectors, officers and employees as with the approval of the Secretary of State and the consent of the Treasury it may determine, pay to or in respect of them such pensions, allowances or gratuities (including pensions, allowances or gratuities by way of compensation for loss of employment), or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- 22 If an inspector, officer or employee of the licensing authority—
- (a) is a participant in any pension scheme applicable to that employment, and
 - (b) becomes a member of the licensing authority,

he may, if the Secretary of State with the consent of the Treasury so determines, be treated for the purposes of the pension scheme as if his service as a member of the licensing authority were service as an employee of the licensing authority, whether or not any benefits are to be payable to or in respect of him by virtue of paragraph 10 or 11 above.

Accounts and audit

- 23 The licensing authority shall keep proper accounts and proper records in relation to the accounts, and shall prepare for each accounting year a statement of accounts in such form as the Secretary of State, with the approval of the Treasury, may direct.
- 24 The accounts of the licensing authority shall be audited by auditors appointed for each accounting year by the Secretary of State.
- 25 A person shall not be qualified for appointment for the purposes of paragraph 24 above unless he is—
- (a) a member of a body of accountants established in the United Kingdom and recognised for the purposes of section 389(1)(a) of the Companies Act 1985; or
 - (b) a member of the Chartered Institute of Public Finance and Accountancy; but a firm may be appointed if each of its members is qualified to be so appointed.
- 26 A copy of any accounts of the licensing authority which are audited under paragraph 24 above and of the report made on those accounts by the auditors shall be sent by the licensing authority to the Secretary of State as soon as reasonably practicable after it receives them; and the Secretary of State shall lay before Parliament a copy of any accounts or report received by him under this paragraph.
- 27 The Comptroller and Auditor General may inspect any records relating to the accounts.

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

- 28 In paragraphs 23 and 24 above, “accounting year” means the period beginning with the day when the licensing authority is established and ending with the following 31st March, or any later period of twelve months ending with the 31st March.

Authentication of licensing authority’s seal

- 29 The application of the seal of the licensing authority shall be authenticated by the signature of the chairman of the authority or some other person authorised by the authority to act for that purpose and that of one other member.

Presumption of authenticity of documents issued by licensing authority

- 30 Any document purporting to be an instrument issued by the licensing authority and to be sealed in accordance with paragraph 29 above, or to be signed on behalf of the authority, shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.