

## SCHEDULES

### SCHEDULE 1

Section 2(4).

#### CONSTITUTION ETC. OF THE AGENCY

##### *Status*

1 The Agency is a body corporate.

##### *Tenure of office of members of the Agency*

- 2 (1) A person appointed as chairman or deputy chairman or as one of the other members shall hold and vacate office in accordance with the terms of his appointment and, on ceasing to hold that office, is eligible for re-appointment.
- (2) The terms of appointment of the chairman, deputy chairman and other members shall be determined by the appropriate authorities acting jointly.
- 3 (1) The person holding office as chairman or deputy chairman—
- (a) may resign his office by giving notice to any of the appropriate authorities (and on doing so ceases to be a member of the Agency); and
  - (b) may be removed from office by the appropriate authorities acting jointly if they are satisfied that he is eligible to be removed under paragraph 4.
- (2) A member other than the chairman or deputy chairman—
- (a) may resign his office by giving notice to the authority by which he was appointed; and
  - (b) may be removed from office by that authority if it is satisfied that he is eligible to be removed under paragraph 4.
- 4 A person may be removed from office as chairman, deputy chairman or other member only if—
- (a) he has been adjudged bankrupt, has had his estate sequestrated or has made a composition or arrangement with, or granted a trust deed for, his creditors; or
  - (b) he is failing to carry out the duties of his office or is otherwise unable or unfit to carry out those duties.

##### *Remuneration, pensions, etc. of members of the Agency*

- 5 (1) The Agency shall pay its members such remuneration, and such travelling and other allowances, as may be determined by the appropriate authorities acting jointly.
- (2) The Agency shall, if so required by the appropriate authorities acting jointly—
- (a) pay such pensions, allowances or gratuities as may be determined by the appropriate authorities acting jointly,

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- (b) make such payments as may be so determined towards provision for the payment of pensions, allowances or gratuities, or
  - (c) provide and maintain such schemes (whether contributory or not) as may be so determined for the payment of pensions, allowances or gratuities,
- to or in respect of persons who are or have been members.

- 6 If, when a person ceases to hold office as a member, the appropriate authorities acting jointly determine that there are special circumstances which make it right that he should receive compensation, the Agency shall pay to him a sum by way of compensation of such amount as may be so determined.

#### *Disqualification*

- 7 (1) In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies whose members are disqualified) there shall be inserted at the appropriate place the words “The Food Standards Agency.”
- (2) In Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies whose members are disqualified) there shall be inserted at the appropriate place the words “The Food Standards Agency.”

#### *Staff*

- 8 (1) The Agency may, with the approval of the Minister for the Civil Service as to numbers and terms and conditions of service, appoint such staff as it may determine.
- (2) Sub-paragraph (1) is subject to section 3 in the case of the chief executive and the directors for Wales, Scotland and Northern Ireland.

#### *Proceedings etc.*

- 9 (1) The Agency may regulate its own procedure (including quorum) and shall, in particular, establish and maintain a system for the declaration and registration of private interests of its members.
- (2) The entries recorded in the register of members' interests shall be published by the Agency.
- 10 The validity of any proceedings of the Agency is not affected by a vacancy amongst its members or by a defect in the appointment of a member.
- 11 A document purporting to be—
- (a) duly executed under the seal of the Agency, or
  - (b) signed on behalf of the Agency,
- shall be received in evidence and shall, unless the contrary is proved, be taken to be so executed or signed.

#### *Delegation of powers*

- 12 (1) Anything authorised or required to be done by the Agency (including the exercise of the power conferred by this paragraph) may be done by any member of the Agency who, or any committee (or sub-committee) of the Agency which, is authorised for the purpose by the Agency, whether generally or specially.

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- (2) Sub-paragraph (1) does not affect the rule of law by virtue of which functions of the Agency may be carried out through members of its staff.