

*Status: Point in time view as at 29/12/2003.*

*Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2000, SCHEDULE 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 1(3).

#### THE POSTAL SERVICES COMMISSION

##### *Membership*

- 1 (1) The Commission shall consist of the following members—
  - (a) a chairman appointed by the Secretary of State,
  - (b) no fewer than three other persons appointed by the Secretary of State after consulting the chairman, and
  - (c) the chief executive of the Commission.
- (2) The members of the Commission shall be known as the Postal Service Commissioners.
- (3) In this Schedule references to the appointed members of the Commission shall be construed as references to the chairman and to the members appointed under subparagraph (1)(b).

##### *Terms of appointment of members*

- 2 (1) Subject to this Schedule, the appointed members of the Commission shall hold and vacate office in accordance with the terms of their respective appointments.
- (2) The terms of their appointments shall be determined by the Secretary of State.
- 3 (1) An appointment of a person to hold office as chairman or as a member appointed under paragraph 1(1)(b) shall be for a term not exceeding five years.
- (2) A person holding such an office may resign his office by giving notice to the Secretary of State.
- (3) The Secretary of State may remove a person from any such office on the ground of incapacity or misbehaviour.
- (4) Where a person ceases to hold office as chairman or chief executive, he shall cease to be a member of the Commission.
- (5) No person shall be prevented from being a member of the Commission (whether as chairman or otherwise) merely because he has previously been a member of the Commission (whether as chairman or otherwise).

##### *Pay and remuneration of members*

- 4 (1) The Commission shall, if required to do so by the Secretary of State, pay its appointed members such remuneration, and such travelling and other allowances, as the Secretary of State may determine.

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- (2) The Commission shall, if required to do so by the Secretary of State—
- (a) pay to or in respect of any person who is or has been an appointed member of the Commission such pension, allowances or gratuities as the Secretary of State may determine, or
  - (b) make such payments as the Secretary of State may determine towards provision for the payment of a pension, allowance or gratuity to or in respect of such a person.
- (3) Where—
- (a) a person ceases to hold office as chairman or a member appointed under paragraph 1(1)(b), and
  - (b) the Secretary of State determines that there are special circumstances which make it right for that person to receive compensation,
- the Commission shall make a payment to the person by way of compensation of such amount as the Secretary of State may determine.

#### *Staff*

- 5 (1) The Commission shall, after consulting the Secretary of State, appoint a person as chief executive.
- (2) The appointment shall be on such terms and conditions of service as the Minister for the Civil Service may approve.
- (3) The Commission may, with the approval of the Minister for the Civil Service as to numbers and terms and conditions of service, appoint such other staff as it considers appropriate.

#### *Committees*

- 6 (1) The Commission may establish committees and any committee of the Commission may establish sub-committees.
- (2) The members of a committee of the Commission may include persons who are not members of the Commission (and the members of a sub-committee may include persons who are not members of the committee).

#### *Proceedings etc.*

- 7 (1) The Commission may regulate its own procedure (including quorum).
- (2) The validity of anything done by the Commission shall not be affected by a vacancy among its members or by a defect in the appointment of a member.
- 8 (1) The application of the common seal of the Commission shall be authenticated by the signature of the chief executive, another member of the Commission or some other person who has been authorised for that purpose (whether generally or specifically) by the Commission.
- (2) Sub-paragraph (1) does not apply in relation to any document which is or is to be signed in accordance with the law of Scotland.

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- 9 A document purporting to be duly executed under the seal of the Commission, or signed on its behalf, shall be received in evidence and, unless the contrary is proved, be taken to be so executed or signed.

*Delegation*

- 10 (1) Anything authorised or required to be done by the Commission may be done by—
- (a) any member, or member of staff, of the Commission who is authorised by the Commission for that purpose (whether generally or specifically), or
  - (b) any committee of the Commission which has been so authorised.
- (2) In sub-paragraph (1)(b) “committee of the Commission” does not include a committee whose members include any person who is not a member, or a member of staff, of the Commission.

*Supplementary powers*

- 11 (1) The Commission has power to do anything (except borrow money) which is calculated to facilitate, or is incidental or conducive to, the performance of any of its functions.
- (2) That power includes, in particular, the formation of advisory bodies.

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