

SCHEDULES.

SECOND SCHEDULE

Section 2.

PART I

PROVISIONS WITH RESPECT TO THE CONSTITUTION AND PROCEDURE OF THE RAILWAY ASSESSMENT AUTHORITY AND THE JOINT AUTHORITY

(a) Railway Assessment Authority

- 1 The term of office of the chairman of the Railway Assessment Authority (in this Part of this Schedule referred to as " the Authority ") shall be five years and the term of office of any other member of the Authority shall be such as the Minister may determine, but any member of the Authority may at any time resign his office.
- 2 Any member of the Authority shall be eligible for reappointment at the expiration of his term of office.
- 3 The Authority shall have an official seal which shall be judicially noticed.
- 4 The proceedings of the Authority shall not be invalidated by any vacancy among its members or any defect in the appointment of any member; and, until the contrary is proved, the Authority shall be deemed to have been duly constituted and to have had power to deal with any matters dealt with by it.
- 5 At all meetings of the Authority the chairman, or other member acting as chairman, shall, in the case of an equal division of votes, have a second or casting vote.
- 6 Subject to the provisions of the last preceding paragraph, the Authority may make rules with respect to the procedure at their meetings and with respect to the number of members necessary to constitute a quorum.
- 7 Rules made under the last preceding paragraph may authorise the Authority to sit in two or more divisions for the purpose of dealing with any matters which are to be dealt with by the Authority other than the determination of the net annual value of an undertaking as a whole, or the net annual value of an undertaking as a whole in so far as it is carried on in England; and, where the Authority so sits, the provisions of paragraph 5 of this Part of this Schedule shall apply to the meetings of each division.
- 8 The Authority may appoint a clerk and may appoint or employ valuers and such other persons as they may consider necessary for the purpose of the due discharge of their functions, and may provide such offices as they may consider necessary for that purpose; and they shall pay to any clerk, valuer or person so appointed or employed such remuneration (including in the case of a permanent officer such superannuation allowance or gratuity on retirement) as they may determine.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(b) Joint Authority

- 9 The term of office of the representative of the Authority upon the Joint Authority shall be such as the Minister may determine, but he shall be eligible for re-appointment at the expiration of his term of office, and he may at any time resign his office.
- 10 Paragraphs 3, 4, 5, 6 and 8 of this Part of this Schedule shall apply to the Joint Authority as they apply to the Authority.

PART II

PROVISIONS WITH RESPECT TO THE EXPENSES, ACCOUNTS AND AUDIT OF
THE RAILWAY ASSESSMENT AUTHORITY AND OF THE JOINT AUTHORITY

- 1 The expenses of the Joint Authority shall be apportioned by that Authority between England and Scotland in the same proportions as those in which the aggregate of the net receipts of the companies whose undertakings are carried on in England and in Scotland, as ascertained by that Authority, stands apportioned between those countries at the close of the period of account in which the expenses are chargeable, and the amount so apportioned to England shall be paid to the Joint Authority by the Railway Assessment Authority.
- 2 The expenses of the Railway Assessment Authority, including any sum paid to the Joint Authority in accordance with the preceding paragraph, shall be apportioned by the Railway Assessment Authority in the manner hereinafter provided among the councils of the several counties and county boroughs in England, and the Authority may issue precepts to those councils requiring payment of any amount apportioned upon them under this paragraph, and a council shall pay in accordance with any precept so issued to it the amount thereby demanded out of the rate or fund applicable to the payment of its general expenses.
- 3 For the purposes of the preceding paragraph, the expenses of the Railway Assessment Authority shall be apportioned upon the basis determined by the apportionment scheme made and confirmed in accordance with the provisions of this Act:
- Provided that, if the authority deem it necessary to issue precepts in respect of any expenses before they are in a position to ascertain the values upon the basis of which those expenses would under this paragraph be apportionable, those expenses shall be apportioned by them on the basis of the net annual values (as shewn in the valuation lists in force at the commencement of the financial year in which the precepts are issued) of freight transport hereditaments occupied by any railway company within the several counties and county boroughs.
- 4 The Railway Assessment Authority and the Joint Authority respectively may at any time borrow any sum which they temporarily require for the purpose of defraying any expenses pending the receipt of revenues receivable by them in respect of the period of account in which the expenses are chargeable and may pay interest at a reasonable rate on any sum so borrowed.
- 5 The accounts of the receipts and expenditure under this Act of the Railway Assessment Authority and of the Joint Authority respectively and of the officers of those Authorities shall be made up to such date in each year, and shall be audited by such persons and in such manner, as the Minister may from time to time direct.