

1972 No. 1879

GAS

The British Gas Corporation Regulations 1972

Made - - - - 1st December 1972
Laid before Parliament 11th December 1972
Coming into Operation 1st January 1973

The Secretary of State, in exercise of his powers under section 1(4) of the Gas Act 1972(a) and all other powers in that behalf enabling him, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as The British Gas Corporation Regulations 1972 and shall come into operation on 1st January 1973.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Appointment and tenure of office

2.—(1) Subject to the provisions of the Gas Act 1972 and of these regulations, a member of the British Gas Corporation (hereinafter referred to as “the Corporation”) shall hold and vacate office in accordance with the terms of the instrument appointing him to his office and shall, on ceasing to be a member, be eligible for re-appointment.

(2) Any member of the Corporation may resign his office by giving to the Secretary of State either three months’ notice in writing or such shorter notice as he may approve.

3. For the purpose of enabling the Secretary of State to satisfy himself—

(a) before he appoints a person to be a member of the Corporation, that that person will have no such financial or other interest as is likely to affect prejudicially the exercise and performance of his functions as a member; and

(b) from time to time with respect to each member, that he has no such interest,

(a) 1972 c. 60.

(b) 1889 c. 63.

every person who is a member or whom the Secretary of State proposes to appoint as a member shall, whenever requested by the Secretary of State to do so, furnish the Secretary of State with such information as the Secretary of State considers necessary for the said purpose.

4.—(1) A member of the Corporation who is in any way directly or indirectly interested in a contract made or proposed to be made by the Corporation, or in a contract made or proposed to be made by a subsidiary of the Corporation, which is brought up for consideration by the Corporation, 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 the member shall not take any part in any deliberation or decision of the Corporation with respect to that contract.

(2) A general notice given at a meeting of the Corporation by a member 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, after the date of the notice, be made with the company or firm, shall, for the purposes of the preceding paragraph, be deemed to be a sufficient disclosure of his interest in relation to any contract so made or proposed to be made.

(3) A member of the Corporation need not attend in person at a meeting of the Corporation in order to make a disclosure which he is required to make under this regulation if he takes reasonable steps to secure that the disclosure is made by a notice which is brought up and read at the meeting.

Vacation of Office

5.—(1) If the Secretary of State is satisfied that a member of the Corporation—

- (a) has been absent from meetings of the Corporation for a period longer than three consecutive months without the permission of the Corporation;
- (b) has become bankrupt or made an arrangement with his creditors;
- (c) is incapacitated by physical or mental illness; or

(d) is otherwise unable or unfit to discharge the functions of a member, the Secretary of State may declare his office as a member to be vacant; and thereupon the office shall become vacant.

(2) In the application of the preceding paragraph to Scotland, for the references in sub-paragraph (b) to a member's having become bankrupt and to a member's having made an arrangement with his creditors there shall be substituted respectively references to sequestration of a member's estate having been awarded and to a member's having made a trust deed for behoof of his creditors or a composition contract.

Quorum

6. The quorum of the Corporation shall be six; and while a member is disqualified from taking part in a decision or deliberation of the Corporation with respect to a matter, he shall be disregarded for the purpose of constituting a quorum of the Corporation for deciding, or deliberating on, that matter.

Minutes of Proceedings

7. Minutes shall be kept of the proceedings of the Corporation, and any such minutes shall, if signed by a person purporting to have acted as chairman of the meeting to which the minutes relate, or of a meeting at which they were read, be evidence of those proceedings; and a meeting to which any such minutes relate shall, unless the contrary is proved, be deemed to have been regularly convened and constituted.

Execution of Instruments

8. The seal of the Corporation shall be authenticated by the signature of the secretary of the Corporation or of some other person generally or specially authorised by the Corporation to act in that behalf.

Proof of Documents

9. Every document purporting to be an instrument executed or issued by or on behalf of the Corporation and to be duly executed under the seal of the Corporation, or to be signed or executed by the Secretary of the Corporation or a person authorised by the Corporation to act in that behalf, shall be received in evidence and be deemed, without further proof, to be so executed or issued unless the contrary is shown.

Dated 1st December 1972.

Peter Emery,
Parliamentary Under Secretary of State,
Department of Trade and Industry.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations relate to the appointment and tenure of office of members of the British Gas Corporation who are appointed by the Secretary of State, to the quorum and minutes of proceedings of the Corporation, and to the execution of instruments by them, and the proof of documents.

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