

Schedule 1

[Sections 20, 26 and 40]

Provisions relating to the board, the council and governing councils

1. Vacation of office

- (1) The office of a member becomes vacant if —
 - (a) the term of the member expires;
 - (b) the member resigns by written notice addressed to the Minister;
 - (c) the member is an undischarged bankrupt or a person whose property is subject to an arrangement under the laws relating to bankruptcy;
 - (d) the member is convicted of an indictable offence; or
 - (e) the appointment of the member is terminated under subclause (2).
- (2) The Minister may at his or her discretion terminate the appointment of a member at any time.

2. Leave of absence

The Minister may grant leave of absence to a member on such terms and conditions as the Minister determines.

3. Meetings

- (1) The chairperson is to preside at any meeting at which the chairperson is present.
- (2) If the chairperson, and in the case of a governing council the deputy chairperson, is not present at a meeting the members present are to elect one of their number to preside at the meeting.
- (3) A quorum for a meeting is at least one half of the number of members or if a quorum cannot be present at a meeting because of the operation of clause 5, a quorum for that meeting is such number of members as the Minister may determine.
- (4) Any question arising at a meeting is to be decided by a majority of the votes of the members present and in the event of an equality of votes the chairperson, or the person presiding, is to have a casting as well as a deliberative vote.

4. Disclosure of interests

- (1) A member who has a material personal interest in a matter being considered or about to be considered by the body of which he or she is a member must, as soon as possible after the relevant facts have come

to the member's knowledge, disclose the nature of the interest at a meeting of the body.

Penalty: \$10 000.

- (2) The circumstances in which a person has a material personal interest in a matter being considered or about to be considered by a body include a case where an entity with which the member is associated may benefit from the body's decision on the matter.
- (3) A disclosure under subclause (1) is to be recorded in the minutes of the meeting.

5. Voting by interested members

A member who has a material personal interest in a matter, within the meaning in clause 4, that is being considered by the body of which he or she is a member —

- (a) must not vote whether at a meeting or otherwise —
 - (i) on the matter; or
 - (ii) on a proposed resolution under clause 6 in respect of the matter, whether relating to that member or a different member;
- and
- (b) must not be present while —
 - (i) the matter; or
 - (ii) a proposed resolution of the kind referred to in paragraph (a)(ii),
- is being considered at a meeting.

6. Clause 5 may be declared inapplicable

Clause 5 does not apply if the body has at any time passed a resolution that —

- (a) specifies the member, the interest and the matter; and
- (b) states that the members voting for the resolution are satisfied that the interest should not disqualify the member from considering or voting on the matter.

[Schedule 2 has not come into operation².]

[Schedules 3 and 4 omitted under the Reprints Act 1984 s. 7(4)(e).]