

ACT 514
OCCUPATIONAL SAFETY AND HEALTH ACT 1994

SECOND SCHEDULE [Section 10]

1. The members of the Council shall hold office for a term of three years or for such shorter period as the Minister may specify and shall be eligible for reappointment for a maximum of two terms.

2. (1) A member of the Council may at any time-

(a) resign from the Council by a notice in writing to the Minister; or

(b) be removed from the Council by the Minister for permanent incapacity or other sufficient cause,

and upon such resignation or removal the term for which he was appointed shall be deemed to have expired.

(2) Where any question arises as to whether any incapacity or cause exists or whether any incapacity is temporary or permanent or any cause is sufficient, the decision of the Minister shall be final.

3. (1) The following persons shall be disqualified from being appointed to or being members of the Council:

(a) a person who has been found or is declared to be of unsound mind;

(b) a bankrupt;

(c) a person who has been convicted of any offence involving fraud, dishonesty or moral turpitude, or any offence relating to occupational safety and health under any law made thereunder; or

(d) a person who is otherwise unable or incapable of performing the functions as a member of the Council.

(2) A member of the Council appointed under subsection 9(1) shall cease to be a member-

(a) if he fails to attend three consecutive meetings of the Council without the permission in writing of the Chairman;

(b) if he becomes disqualified under subparagraph (1); or

(c) if his appointment is revoked by the Minister.

4. (1) The Minister shall summon the first meeting of the Council and thereafter the Council shall meet not less than once in three months at such place as the Chairman may appoint.

(2) The Chairman shall call a meeting of the Council on the request of any two members of the Council and such request shall be in writing with the reason therefor.

(3) At any meeting of the Council the Chairman shall preside, and in his absence the members

shall elect one of their numbers to preside over the meeting.

(4) The quorum of the Council shall be six.

(5) If on any question to be determined by the Council there is an equality of votes, the Chairman or, in the case where the Chairman is absent, the member presiding over the meeting, shall have a casting vote.

(6) Subject to subparagraphs (3), (4) and (5) the Council shall determine its own procedure.

(7) The Council shall cause proper records of its proceedings to be kept.

5. There shall be paid such allowances to members of the Council for attending meetings of the Council as the Minister may determine.

6. A member of the Council who has a pecuniary interest whether direct or indirect in any matter to be considered by the Council shall declare the nature of that interest at every meeting at which the matter is considered.

7. No member of the Council shall incur any personal liability for any loss or damage caused by any act or omission in administering the affairs of the Council unless the loss or damage was occasioned intentionally or through recklessness or gross negligence.