

## **Temporary Revision to the Rules of the Waterways Ombudsman Scheme**

- A. The British Waterways Board ('the Board') recognises the declared intention of Her Majesty's Government to transfer the business of the Board in England and Wales to a new charitable body, using powers anticipated to be provided by the Public Bodies Bill currently before Parliament at Westminster.
- B. The Board further recognises that the Scottish Executive intends that the business of the Board in Scotland remain under the control of the Board pending the outcome of a consultation on proposals for its transfer to another public body.
- C. The Board considers that the future of the Waterways Ombudsman Scheme in its present form is uncertain pending further progress on the above proposals and that pending resolution of that uncertainty it is desirable to retain in post the present Waterways Ombudsman.
- D. The Board further considers than changes to the present membership of the Waterways Ombudsman Committee (including the filling of the current vacancy) is not desirable pending such uncertainty.

The Board therefore RESOLVES that with immediate effect and until 30 June 2012 the Rules of the Waterways Ombudsman Scheme ('the Rules') shall be revised with the following effect:

- 1. Any appointment to the Waterways Ombudsman Committee (including that of the Chairman) due to expire before 30 June 2012 under the provisions of paragraph 4 of the Rules may instead continue until that date.
- 2. The period of service of Ms Hilary Bainbridge as Waterways Ombudsman may, with her consent, continue until 30 June 2012 notwithstanding the provisions of paragraphs 9 and 10 of the Rules or the terms of any appointment by the Committee made thereunder.
- 3. The Chairman of the Waterways Ombudsman Committee need not appoint a person to the current vacant non-aligned position on the Committee under the provisions of Rule 2(c) until such time as he considers it necessary or appropriate but such that (i) there shall not be a vacancy after 30 June 2012, and (ii) if he considers it likely that the Committee will seek to appoint the successor to Ms Bainbridge before that date, he will make the appointment to the vacancy on the Committee in sufficient time to enable the new member to engage fully in the appointment process for her successor.
- 4. These revisions to the Rules may be revoked by the Board or any successor to the Board in England & Wales at any time but to the effect that any term of appointment extended by these provisions shall not expire before three months from the date of such revocation or 30 June 2012 whichever is the earlier.