

## SCHEDULES

### SCHEDULE 14

#### STRATEGIC RAIL AUTHORITY

##### PART IV

##### PROCEDURE

###### *Introductory*

- 18 Subject to the following provisions of this Part, the Authority may regulate its own procedure (including quorum).

###### *Committees and sub-committees*

- 19 (1) The Authority may establish committees and any committee of the Authority may establish sub-committees.
- (2) The members of committees and sub-committees may include persons who are not members of the Authority.

###### *Delegation of functions*

- 20 (1) Anything authorised or required by or under any enactment to be done by the Authority may be done—
- (a) by any member or employee who has been authorised for the purpose, whether generally or specially, by the Authority,
  - (b) by any committee or sub-committee which has been so authorised, or
  - (c) by any wholly owned subsidiary of the Authority which has been so authorised.
- (2) A person may not act in relation to any matter delegated under sub-paragraph (1)(a) if in any way directly or indirectly interested in it.

###### *Members' interests*

- 21 (1) Where any matter brought up for consideration at a meeting of the Authority or a committee or sub-committee is one in which any person who is a member of it is in any way directly or indirectly interested, the person shall disclose the nature of the interest to the meeting; and where such a disclosure is made—
- (a) the disclosure shall be recorded in the minutes of the meeting, and
  - (b) the person shall not take any part in any deliberation or decision with respect to that matter.

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- (2) Sub-paragraph (1) shall only apply to a person not present at a meeting if the person was aware that the matter would be brought up for consideration at the meeting.
- (3) For the purposes of sub-paragraph (1), a general notification given at a meeting of the Authority to the effect that a person—
  - (a) has an interest in a specified company, firm or other organisation, and
  - (b) is to be regarded as interested in any matter involving that company, firm or other organisation,
 shall be regarded as a sufficient disclosure of the interest in relation to any such matter.
- (4) A person need not attend in person at a meeting in order to make a disclosure required under this paragraph if reasonable steps are taken to secure that the disclosure is made by a notice which is read and considered at the meeting.
- (5) The Secretary of State may remove a disability under this paragraph subject to appropriate conditions.
- (6) The power of the Secretary of State under sub-paragraph (5) includes power to remove, either indefinitely or for any period, a disability which would otherwise attach to any person, or persons of any description, by reason of such interests, and in respect of such matters, as may be specified or described by the Secretary of State.
- (7) Nothing in this paragraph precludes any person from taking part in the consideration or discussion of, or voting on, any question whether an application should be made to the Secretary of State for the exercise of the power conferred by sub-paragraph (5).

*Vacancies and defective appointments*

- 22      The validity of any proceedings of the Authority, or of a committee or sub-committee, shall not be affected by a vacancy amongst the members or by a defect in the appointment of a member.

*Minutes*

- 23      (1) Minutes shall be kept of proceedings of the Authority and of committees and sub-committees.
- (2) Minutes of any such proceedings shall be evidence of those proceedings if they are signed by a person purporting to have chaired the proceedings to which the minutes relate or of any subsequent proceedings in the course of which the minutes were approved as a correct record.
- (3) Where minutes of any such proceedings have been signed as mentioned in sub-paragraph (2), those proceedings shall, unless the contrary is shown, be deemed to have been validly convened and constituted.

*Execution and proof of instruments*

- 24      (1) The application of the seal of the Authority shall be authenticated by the signature of any member or employee of the Authority who has been authorised for the purpose, whether generally or specially, by the Authority.

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- (2) Any document which the Authority is authorised or required by or under any enactment to serve, make or issue may be signed on behalf of the Authority by any member or employee of the Authority who has been authorised for the purpose, whether generally or specially, by the Authority.
- (3) Every document purporting to be an instrument made or issued by or on behalf of the Authority and to be duly executed under the seal of the Authority, or to be signed or executed by a person authorised by the Authority for the purpose, shall be received in evidence and be treated, without further proof, as being so made or issued unless the contrary is shown.
- (4) In sub-paragraph (1) the reference to the signature of a person includes a reference to a facsimile of a signature reproduced by any process; and “signed” in sub-paragraphs (2) and (3) shall be construed accordingly.