

SCHEDULE 2

FURTHER PROVISIONS RELATING TO TRUSTEES

Proceedings of the Trustees and Committees and Declaration of Interests

14. The acts and proceedings of the Trustees, or of any committee of the Trustees, are not invalidated by any defect in the appointment, or the qualification for appointment, of any person as a trustee, or as Chairman or Vice-Chairman of the Trustees or as a member of a committee of the Trustees.

15. The quorum required for a meeting of the Trustees is five.

16.—(1) If a trustee has any financial or other interest, direct or indirect—

- (a) in any contract or proposed contract to which the Trustees are or would be a party or is a director of a company or body with which the contract or proposed contract is made or proposed to be made, or
- (b) in any other matter with which the Trustees are concerned,

that trustee must declare such interest.

(2) A trustee who is present at a meeting of the Trustees or of any committee of the Trustees at which a contract, proposed contract or other matter in which he has such an interest is to be considered must—

- (a) as soon as is practicable after the commencement of that meeting disclose that interest;
- (b) not vote on any question with respect to that contract, proposed contract or matter; and
- (c) withdraw from the meeting—
 - (i) while a decision on that contract, proposed contract or matter is being made, and
 - (ii) at any other time if required by a resolution of the Trustees.

(3) This paragraph does not apply to any interest—

- (a) which a trustee has in respect of the payment to the Trust of harbour dues; or
- (b) which arises in respect of the provision of harbour services or facilities affecting the trading community in general; or
- (c) which a trustee has as an employee of a public utility undertaking or as a shareholder, not being a director, of a company, unless that trustee possesses more than five per cent of the issued share capital of that company; or
- (d) which the Trustees present at the meeting by resolution declare to be too remote.

17. In the absence or incapacity of the Chairman the person for the time being holding office as the Vice-Chairman of the Trustees has and may exercise all the functions of the Chairman.

18. If at any meeting of the Trustees neither the Chairman nor the Vice-Chairman are present the trustees present at that meeting must choose one of their number to chair the meeting.

19.—(1) Subject to article 12 of the 1989 Order, every question at a meeting of the Trustees or of a committee of the Trustees shall be decided by a majority vote of the trustees present and voting.

(2) At any meeting of the Trustees or of a committee of the Trustees where there is an equality of votes on any question the chairman of that meeting has a second or casting vote.

Authentication of the Seal and other Documents

20.—(1) The application of the seal of the Trustees must be authenticated by the signature of—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) the Chairman of the Trustees or another trustee authorised by the Trustees to authenticate the application of the seal; and
 - (b) the Harbour Master or a person authorised by the Trustees to act instead of the Harbour Master for that purpose.
- (2) The Trustees may authorise a person to act instead of the Harbour Master under this paragraph whether or not the Harbour Master is absent or incapable of acting.
- (3) Any notice, licence or other document given or issued by the Trustees is, unless the contrary intention is expressed, sufficiently authorised if signed by the Harbour Master or a duly authorised officer of the Trustees.