

## SCHEDULES

### SCHEDULE 1

#### ADDITIONAL PROVISIONS WITH RESPECT TO THE POLICYHOLDERS PROTECTION BOARD

##### *Powers and procedure, etc.*

- 7 (1) The Board may invest any funds held by them which appear to them to be surplus to their requirements for the time being—
- (a) in any investment for the time being falling within Part I, Part II or Part III of Schedule 1 to the Trustee Investments Act 1961 ; or
  - (b) in any investment approved for the purpose by the Secretary of State.
- (2) Subject to sub-paragraph (1) above, the Board shall have power to do anything incidental or conducive to the proper performance of their functions under this Act
- (3) Without prejudice to the generality of sub-paragraph (2) above, the measures open to the Board under any provision of this Act which authorises or requires the Board to take any measures appearing to them to be appropriate for any purpose include in particular—
- (a) the making of payments to any person, on such terms (including terms requiring repayment, in whole or in part) and on such conditions as the Board think fit;
  - (b) the giving of guarantees or indemnities to or in favour of any person; and
  - (c) the making of any other agreement or arrangement with or for the benefit of any person.
- 8 Subject to the provisions of this Schedule, the Board shall have power to regulate their own procedure.
- 9 (1) Subject to sub-paragraph (2) below, a member or an alternate member of the Board who is in any way directly or indirectly interested (whether as being a member or policyholder of an insurance company or in any other manner whatsoever) in any matter falling to be considered by the Board shall disclose the nature of his interest at a meeting of the Board and the disclosure shall be recorded in the minutes of the meeting; and the member or the alternate member in question shall not take part in any deliberation or decision of the Board with respect to that matter.
- (2) Sub-paragraph (1) above shall not apply in relation to any interest of a member or alternate member arising from any connection with an insurance company where the only connection of the company in question with the matter under consideration arises from the fact that it has agreed or may agree to take a transfer of all or any part of the insurance business of a company in liquidation or of a company which is a company in financial difficulties within the meaning of section 16 above.
- (3) A notice given by a member or alternate member at a meeting of the Board to the effect that he is a member or a policyholder of a specified insurance company and is to be regarded as interested in any matter affecting that company which falls to be

*Status: This is the original version (as it was originally enacted).*

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considered by the Board after the date of the notice shall, for the purposes of subparagraph (1) above, be a sufficient disclosure of his interest in any such matter.

- (4) A member or alternate member need not attend in person at a meeting of the Board in order to make a disclosure which he is required to make under this paragraph if he takes reasonable steps to secure that the disclosure is made by a notice which is taken into consideration and read at such a meeting.
- 10       The validity of any proceedings of the Board shall not be affected by any vacancy among the members or by any defect in the appointment of a member or of an alternate member or by any failure to comply with the requirements of paragraph 9 above.