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SCHEDULE 1

Article 7

FORM OF DECLARATION BY MEMBERS

INVERNESS HARBOUR TRUST

INVERNESS HARBOUR ACTS AND ORDERS 1808 to (2002)

DECLARATION

I, (FULL NAME) do solemnly declare:

(1) that I will faithfully and impartially, according to the best of my skill and judgement, execute all the powers and authorities vested in me as a member of Inverness Harbour Trust by virtue of the Inverness Harbour Acts and Orders 1808 to (2002).

(2) that I have read and understood the notes entitled ("Note for Guidance of members on the Disclosure of Financial and Other Interests" and "Duties of Members") and that I will comply with the requirements as to the disclosure of such interests, laid down by paragraph 16 of Schedule 2 to the Inverness Harbour Revision Order (2002), and in particular that:-

- (a) I have disclosed to the Senior Official details of every financial or other interest such as is mentioned in those notes;
- (b) I will in future notify the Senior Official of any alteration of those interests, of any new interest, such as is mentioned in those notes, which I may acquire.

Made and signed in Inverness on the _____)
 _____ day of _____)
 _____) _____)
 (signature)

Witness by the _____)
 Senior Official _____)
 as a member of Inverness Harbour Trust _____)
 (signature)

Note:- Where the declaration is to be made by the Senior Official the Form shall be amended, so that for references to "Senior Official", there are substituted references to "the Chairman".

SCHEDULE 2

Article 11

INCIDENTAL PROVISIONS RELATING TO THE TRUST

Appointment of chairman and vice-chairman of the Trust

1. There shall be a chairman of the Trust who shall be appointed by the Trustees from among their number.
2. The chairman in office at the new constitution date shall, subject to paragraph 7 below, and unless he resigns his office as chairman, or ceases to be a member, continue in office as chairman until his initial term of office as a member has expired.

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3. Subject to paragraph 7 below, every chairman subsequently appointed under paragraph 1 above, shall, unless he resigns his office as chairman or ceases to be a member hold office for a period of three years.

4. There shall be a vice-chairman of the Trust who shall be appointed by the Trustees from among their number.

5. The first vice-chairman holding office after the new constitution date shall be appointed as soon as practicable after that date and, subject to paragraph 7 below shall, unless he resigns his office as vice-chairman or ceases to be a member, continue in that office until his term of office has expired.

6. Subject to paragraph 7 below, every vice chairman subsequently appointed under paragraph 4 above shall, unless he resigns his office or ceases to be a member, hold office for a period of three years.

7. If the Trustees are satisfied that the chairman or vice-chairman should cease to hold his office as such, they may terminate his office as such and appoint another member to be the chairman or vice-chairman during the remainder of the term for which the former chairman or vice-chairman was appointed.

8.—(1) On a casual vacancy occurring in the office of chairman or vice-chairman of the Trust, the vacancy shall be filled by the Trustees of a meeting held as soon as practicable after the vacancy occurs.

(2) A member appointed under this paragraph to fill a casual vacancy in the office of chairman or vice-chairman shall, unless he resigns that office or ceases to be a member, hold that office during the remainder of the term for which the chairman or vice chairman whom he replaces was appointed.

Meetings of Trustees

9.—(1) The first meeting of the Trust after the new constitution date shall be convened as soon as practicable by the Chairman for such date as he may fix, and he shall make arrangements for notice of that meeting to be sent by post to each of the other members.

(2) The Trust shall meet on at least a minimum of ten times during the year in accordance with an agreed schedule of meetings which shall endeavour to evenly space these meetings throughout the year.

Vacation of office by members

10. A member (other than an ex-officio member referred to in article 3(1)(b) above) may resign his office at any time by notice in writing given to the chairman of the Trust or, if that member is the chairman, the vice-chairman.

Re-appointment of members

11.—(1) Subject to the provisions of this Schedule, a vacating member shall be eligible for re-appointment as a member unless he has been disqualified from office under article 9 above.

(2) A vacating member shall not be eligible for re-appointment as a member where, immediately before that date in question, he has held office for three consecutive terms unless he is chairman of the Authority.

(3) A chairman of the Trust shall not be eligible for re-appointment as a member where immediately before the date in question, he has held office as a member for four consecutive terms.

(4) For the purposes of this paragraph “term” does not include:—

- (a) a term referred to in article 5(1)(a) or (b) above;
- (b) the remainder of a term during which the member was appointed to fill a casual vacancy under article 8 above; or
- (c) any term served by the member prior to the new constitution date.

Re-appointment of Chairman

12.—(1) Chairman of the Trust shall not be eligible for re-appointment as the chairman where, immediately before the date in question, he has served as a chairman for three consecutive terms.

(2) For the purposes of this paragraph, “term” does not include:—

- (a) the remainder of a term during which the member was appointed to fill a casual vacancy in the office of chairman under paragraph 8 above, or
- (b) any term served by the member as a chairman prior to the new constitution date.

Committees

13. The Trustees may, consistent with their duties and subject to such conditions as they think fit, delegate any of their functions to a committee of the Trust.

14. The acts and proceedings of the Trust, or of any committee of the Trust, shall not be invalidated by any vacancy in their number or by any defect in the appointment, or the qualification for appointment, of any person as a member, or as a chairman or vice-chairman, of the Trust or committee.

15. The quorum required for a meeting of the Trust shall be five.

16. If a member is in any way directly or indirectly interested in any contract or proposed contract to which the Trustees are, or would be, a party and is present at a meeting of the Trust or of any committee of the Trust at which that contract is the subject of consideration, he shall as soon as practicable after the commencement of the meeting disclose that fact at the meeting and shall not take part in any deliberation or decision of the Trustees or committee with respect to that contract.

17. The person for the time being holding office as vice-chairman shall have and may exercise in the absence or incapacity of the chairman all powers of the chairman.

18. If at any meeting of the Trust neither the chairman nor the vice-chairman are present the members present at the meeting shall choose one of their number to be the chairman of the meeting.

19.—(1) Every question at a meeting of the Trustees or of a committee of the Trust shall be decided by a majority vote of the members present and voting.

(2) If at any meeting of the Trust or of a committee of the Trustees there is an equality of votes on any question the chairman of the meeting shall have a second or casting vote which he may exercise for or against the status quo.

Authentication of documents

20. Deeds and documents requiring to be executed on behalf of the Trustees shall be executed in accordance with the Requirements of Writing (Scotland) Act 1995, Schedule 2, paragraph 5.

Remuneration of members

21. The Trust may pay to the chairman and other members such salary, allowances and expenses as the Trustees from time to time determine.

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General

22. Subject to the provisions of this Schedule, the procedure and business of the Trust and of any committee of the Trust shall be regulated in such manner as the Trustees may from time to time determine.

SCHEDULE 3

REVOCATIONS

Chapter or number	Title	Extent of Revocation
1899 – (Che)	Inverness Harbour Act, 1899	Section 39
1911 – 1&2 Geo5 (Ch.Cxxi)	Inverness Harbour Order	Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 34, 35, 41, 91, Last sentence of 92, 94, 95, 105