

Status: Point in time view as at 15/07/2003.

Changes to legislation: There are currently no known outstanding effects for the Transport Act 1962, Part I. (See end of Document for details)

SCHEDULES

FIRST SCHEDULE

THE BOARDS . . . ^{F1} AND THE HOLDING COMPANY

Textual Amendments

F1 Words repealed by [Transport Act 1968 \(c. 73\)](#), [Sch. 18 Pt. I](#)

PART I

THE FOUR BOARDS

Modifications etc. (not altering text)

C1 [Pt. I](#) extended by [Transport Act 1968 \(c. 73\)](#), [Sch. 1 para. 6](#)

- 1 Each Board shall be a body corporate with perpetual succession and a common seal.
- 2 Each Board may act notwithstanding a vacancy among its members.
- 3 The quorum of the Railways Board shall be five, and the quorum of each of the other Boards shall be three and, subject as aforesaid, the Boards may regulate their own procedure.
- [^{F1}4 The application of the seal of any Board shall be authenticated by the signature of the secretary of the Board or some other person authorised by the Board, either generally or specially, to act for that purpose.]

Textual Amendments

F1 [Para. 4](#) substituted by [Transport Act 1968 \(c. 73\)](#), [s. 52\(4\)](#)

- 5 Every document purporting to be an instrument issued by any of the Boards and to be sealed as aforesaid, or to be signed on behalf of any Board, shall be received in evidence and be deemed to be such an instrument without further proof unless the contrary is shown.
- 6 (1) A member of any Board shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for re-appointment.
[^{F2}(2) Any member appointed by the Minister may at any time by notice in writing to the Minister resign that member's office.
(3) In the case of the British Waterways Board any member appointed by the Scottish Ministers may by notice in writing to them resign that member's office.]

Status: Point in time view as at 15/07/2003.

*Changes to legislation: There are currently no known outstanding effects
 for the Transport Act 1962, Part I. (See end of Document for details)*

Textual Amendments

F2 Sch. 1 para. 6(2)(3) substituted for Sch. 1 para. 6(2) (1.4.2001) by S.I. 2000/3251, arts. 1(2)(b), 2, **Sch. 2 para. 2(32)(a)** (with transitional provisions and savings in art. 4)

- 7 (1) Before appointing a person to be a member of any Board, the Minister shall satisfy himself that that person will have no such financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of a Board, and the Minister shall also satisfy himself from time to time with respect to every member of any of the Boards that he has no such interest; and any person who is, or whom the Minister proposes to appoint to be, a member of a Board shall, whenever requested by the Minister so to do, furnish to him such information as the Minister considers necessary for the performance by the Minister of his duties under this paragraph.

[^{F3}(1A) Sub-paragraph (1) above applies to any appointment made by the Scottish Ministers of a member of the British Waterways Board as if any reference (however expressed) to the Minister is read as a reference to the Scottish Ministers.]

- (2) A member of any Board who is in any way directly or indirectly interested in a contract made or proposed to be made 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 Board, and the member shall not take any part in any deliberation or decision of the Board with respect to that contract.
- (3) For the purposes of the last foregoing sub-paragraph a general notice given at a meeting of a Board by a member of the Board to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with that company or firm, shall be regarded as a sufficient disclosure of his interest in relation to any contract so made.

A member of a Board need not attend in person at a meeting of the Board in order to make any 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 brought up and read at the meeting.

Textual Amendments

F3 Sch. 1 para. 7(1A) inserted (1.4.2001) by S.I. 2000/3251, arts. 1(2)(b), 2, **Sch. 2 para. 2(32)(b)** (with transitional provisions and savings in art. 4)

- 8 (1) Each Board—
- (a) shall pay to the members thereof such salaries or fees, and such allowances, as the Minister may, with the approval of [^{F4}the Minister for the Civil Service], determine, and
- [^{F5}(b) the references to the approval of the Treasury (which, by virtue of Articles 2(1)(c) and 3(2) of the Minister for the Civil Service Order 1968 ^{F6} are to have effect as if they were references to the Minister for the Civil Service) are omitted.]

and if a person ceases to be a member of a Board, otherwise than on the expiration of his term of office, and it appears to the Minister that there are special circumstances which make it right that that person should receive compensation the Minister may, with the approval of [^{F4}the Minister for the Civil Service], require the Board to pay

Status: Point in time view as at 15/07/2003.

Changes to legislation: There are currently no known outstanding effects for the Transport Act 1962, Part I. (See end of Document for details)

to that person a sum of such amount as the Minister may with the approval of [^{F4}the Minister for the Civil Service] determine.

[^{F7}(1A) Sub-paragraph (1) above applies to any member of the British Waterways Board appointed by the Scottish Ministers as if–

- (a) any reference (however expressed) to the Minister is read as a reference to the Scottish Ministers; and
- (b) the references to the approval of the Treasury are omitted.]

(2) The Minister shall, as soon as possible after the first appointment [^{F8}by the Minister]of any person as a member of a Board, lay before each House of Parliament a statement of the salary or fees and of the allowances that are or will be payable under this paragraph; and, if any subsequent determination by him under this paragraph involves a departure from the terms of that statement, or if a determination by him under this paragraph relates to the payment of, or of payment towards the provision of, a pension to or in respect of, a member of the Board, the Minister shall, as soon as possible after the determination, lay a statement thereof before each House of Parliament.

[^{F9}(2A) The Scottish Ministers shall, as soon as possible after the first appointment by the Scottish Ministers of any person as a member of the British Waterways Board, lay before the Scottish Parliament a statement of the salary or fees and of the allowances that are or will be payable under this paragraph; and, if any subsequent determination by them under this paragraph involves a departure from the terms of that statement, or if a determination by them under this paragraph relates to the payment of, or of payment towards the provision of, a pension to or in respect of, a member of the British Waterways Board, the Scottish Ministers shall, as soon as possible after the determination, lay a statement thereof before the Scottish Parliament.]

(3) So much of sub-paragraph (1) of this paragraph as requires that the pensions, if any, which are to be paid in the case of members of a Board are to be determined by the Minister with the approval of [^{F4}the Minister for the Civil Service][^{F10}or, in the case where sub-paragraph (1) above is applied by sub-paragraph (1A), by the Scottish Ministers]shall not apply in relation to any pension payable apart from the provisions of this paragraph.

Textual Amendments

- F4** Words substituted by virtue of S.I. 1968/1656, arts. 2(1)(c), 3(2)
- F5** Sch. 1 para. 8(1)(b) substituted (1.4.2001) by S.I. 2000/3251, arts. 1(2)(b), 2, Sch. 2 para. 2(32)(c)(i) (with transitional provisions and savings in art. 4)
- F6** S.I. 1968/1656.
- F7** Sch. 1 para. 8(1A) inserted (1.4.2001) by S.I. 2000/3251, arts. 1(2)(b), 2, Sch. 2 para. 2(32)(c)(ii) (with transitional provisions and savings in art. 4)
- F8** Words in Sch. 1 para. 8(2) inserted (1.4.2001) by S.I. 2000/3251, arts. 1(2)(b), 2, Sch. 2 para. 2(32)(d) (with transitional provisions and savings in art. 4)
- F9** Sch. 1 para. 8(2A) inserted (1.4.2001) by S.I. 2000/3251, arts. 1(2)(b), 2, Sch. 2 para. 2(32)(e) (with transitional provisions and savings in art. 4)
- F10** Words in Sch. 1 para. 8(3) inserted (1.4.2001) by S.I. 2000/3251, arts. 1(2)(b), 2, Sch. 2 para. 2(32)(f) (with transitional provisions and savings in art. 4)

Status:

Point in time view as at 15/07/2003.

Changes to legislation:

There are currently no known outstanding effects for the Transport Act 1962, Part I.