

SCHEDULE 2

INCIDENTAL PROVISIONS APPLYING TO THE COMMISSIONERS

Conduct of Meetings

7. The first meeting of the Commissioners after the new constitution date shall be convened as soon as practicable by the chief executive for such a date as he may fix; and he shall make arrangements for notice of that meeting to be sent by post to the Commissioners.

8. The Commissioners shall hold an annual general meeting in March each year.

9.—(1) The Commissioners shall hold not less than ten further meetings per year.

(2) The Chief Executive shall ensure that at least 14 days' notice of meetings is sent to each Commissioner.

10. If, at any meeting of the Commissioners, neither the chairman nor the deputy chairman is present, the commissioners present at the meeting shall elect one of their number to be chairman of the meeting.

11. The quorum for a meeting of the Commissioners shall be four.

12.—(1) Subject to sub-paragraph (2) below, every question of a meeting of the Commissioners or of a committee of the Commissioners shall be decided by a majority present and voting.

(2) If, at any meeting of the Commissioners, there is an equality of votes on any question the chairman of the meeting shall have a second and casting vote.

13.—(1) If a commissioner has any interest, direct or indirect—

(a) in any contract or proposed contract to which the Commissioners are or would be a party or is a director of a company or body which the contract or proposed contract is made or proposed to be made; or

(b) in any other matter with which the Commissioners are concerned,

that commissioner shall declare that interest.

(2) If a commissioner is present at a meeting of the Commissioners or of any committee of the Commissioners at which a contract or other matter in which that commissioner has an interest is to be considered the commissioner shall—

(a) so soon as is practicable after the commencement of that meeting disclose the interest;

(b) not vote on any question with respect to that contract or matter; and

(c) withdraw from the meeting—

(i) at any time if the Commissioners present by resolution so require; and

(ii) while a decision on that contract or matter is being made.

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

(a) which a commissioner has in respect of the payment to the Commissioners of pilotage charges or harbour dues;

(b) which arises in respect of the provision of harbour services or facilities affecting the trading community in general;

(c) which a commissioner has as an employee of a public utility undertaking or as a shareholder, not being a director of a company, unless the commissioner possesses more than five per cent of the issued share capital of that company; or

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(d) which the commissioners present at the meeting by resolution declare to be too remote or which is the subject of a general resolution by the Commissioners to that effect.

(4) The Commissioners shall maintain and regularly update a register of interests declared by each commissioner and shall make the register available for inspection by members of the public at all times during usual office hours.

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