
STATUTORY INSTRUMENTS

2010 No. 1462

**The Newlyn Pier and Harbour
Revision (Constitution) Order 2010**

Disqualification of Commissioners

11.—(1) If the Commissioners are satisfied that a Commissioner (other than the harbour management representative)—

- (a) has been absent from meetings of the Commissioners for a period of six consecutive months without the permission of the Commissioners;
- (b) has become bankrupt or has made an arrangement with his creditors; or
- (c) is incapacitated by physical or mental illness from discharging the functions of a Commissioner,

the Commissioners may by resolution declare the office of that Commissioner to be vacant and on such a resolution coming into effect that office is to become vacant.

(2) If the Commissioners are satisfied that a Commissioner—

- (a) has acted in a manner which has seriously impeded or prejudiced the Commissioners in the performance of their functions;
- (b) has failed to comply with the standards required for the governance of the harbour by the Commissioners;
- (c) has acted in a manner which may bring the Commissioners into disrepute or which is otherwise inappropriate having regard to the functions of the Commissioners; or
- (d) is otherwise unable, unwilling or unfit to discharge adequately the functions of a Commissioner;

the Commissioners may request in writing the resignation of that Commissioner or, by resolution, declare the office of that Commissioner to be vacant and on receipt of the resignation or on such a resolution coming into effect, as the case may be, that office is to become vacant.