

SCHEDULE 2

INCIDENTAL PROVISIONS RELATING TO THE COMMISSIONERS

Proceedings of Commissioners and committees

16.—(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 with 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,

the Commissioner must 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 the Commissioner has an interest is to be considered the Commissioner must—

- (a) as soon as is practicable after the commencement of that meeting disclose that 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 require that Commissioner to do so; and
 - (ii) while a decision on that contract or matter is being made.

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

- (a) which a Commissioner has in respect of the payment to the Commissioners of 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
- (d) which the Commissioners present at the meeting by resolution declare to be too remote.