

SCHEDULES

SCHEDULE 4

PROVISIONS SUPPLEMENTING SECTIONS 5 TO 13

PART II

TRANSITIONAL PROVISIONS AND SAVINGS

Directors of Associated British Ports

- 10 (1) The persons who immediately before the appointed day were members of the British Transport Docks Board shall continue to hold office on and after that day as directors of Associated British Ports as if appointed by the Holding Company on that day for a period corresponding to the unexpired period of their existing appointments and on the same terms, as to remuneration and otherwise, as applied to those appointments, but subject to paragraph 3 of Schedule 2 and to the Holding Company's power of removal.
- (2) The repeal by this Act of the entries for the British Transport Docks Board in Part II of Schedule 1 to the House of Commons Disqualification Act 1975 and Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 does not affect the operation of those provisions in relation to directors of Associated British Ports holding office by virtue of appointments made before the appointed day.

Chairman and deputy chairman

- 11 The persons who immediately before the appointed day were chairman and vice-chairman of the British Transport Docks Board hold office on and after that day, so long as they remain directors, as chairman and deputy chairman, respectively, of the directors of Associated British Ports as if elected by the directors under paragraph 5 of Schedule 2 for a period corresponding to the unexpired period of their appointments.

Accounts and annual report

- 12 (1) For the purposes of sections 24 and 27(8) of the Transport Act 1962 (accounts and annual report) the accounting year of the British Transport Docks Board then current shall be taken to end with the day before the appointed day.
- (2) No amendment or repeal made by this Act affects the operation of those sections in relation to periods before the appointed day.

Status: This is the original version (as it was originally enacted).

Profits attributable to periods before the appointed day

- 13 (1) The profits of Associated British Ports out of which payments may be made under section 11(1) include accumulated profits attributable to periods before the appointed day.
- (2) Dividends paid by subsidiaries of Associated British Ports on or after the appointed day shall be taken into account in ascertaining the profits of Associated British Ports out of which payments may be made under section 11(1), notwithstanding that they are paid wholly or partly out of profits of the subsidiary attributable to periods before the appointed day.
- (3) For the purposes of section 39 of the Companies Act 1980 (profits available for distribution) sums received by the Holding Company under section 11(1) shall be regarded as profits of the period in which they are received notwithstanding that they are paid by Associated British Ports out of accumulated profits attributable to periods before the appointed day.

Charges

- 14 Any charges in force immediately before the appointed day in respect of services or facilities provided by the British Transport Docks Board shall as from that day be deemed—
- (a) in the case of ship, passenger and goods dues within the meaning of the Harbours Act 1964, to have been imposed under section 26 of that Act;
 - (b) in the case of other charges, to have been imposed under paragraph 20 of Schedule 3.

Debts owed by harbour authorities to Secretary of State

- 15 This Act does not affect any liability of a harbour authority in respect of a debt owed by them to the Secretary of State by virtue of section 41 of the Docks and Harbours Act 1966 (power to transfer part of commencing capital debt and other debts by harbour revision order or harbour reorganisation scheme) or by virtue of any local Act.

Instruments issued by the British Transport Docks Board

- 16 Nothing in this Act affects the operation of paragraph 5 of Schedule 1 to the Transport Act 1962 as respects any document issued before the appointed day and purporting to be an instrument issued by the British Transport Docks Board.

Local and private enactments

- 17 This Act does not affect the operation of local or private enactments relating to Associated British Ports or any of its harbours, except where—
- (a) express provision is made to that effect; or
 - (b) an amendment or repeal is made of a provision of a public general Act which is incorporated with or applied by such an enactment.