

ELIZABETH II



1965 CHAPTER xliii

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to the Corporation of the Trinity House of Leith.

[22nd December 1965]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936, and it is requisite that the said 1936 c. 52. Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation
of Order in
schedule.

2. This Act may be cited as the Corporation of the Trinity House of Leith Order Confirmation Act 1965. Short title.

SCHEDULE

CORPORATION OF THE TRINITY HOUSE OF LEITH

Provisional Order to change the name of the Corporation of the Master and Assistants of the Trinity House of Leith to the Corporation of the Trinity House of Leith; to reconstitute and confer new powers upon the Corporation; and for other purposes.

Whereas—

(1) The Corporation of the Master and Assistants of the Trinity House of Leith in the city and royal burgh of Edinburgh, formerly known by the name of “The Corporation of Shipmasters of the Trinity House of Leith” and before that by the name of “The Corporation of Master Mariners of the Trinity House of Leith”, has from time immemorial existed as a body corporate and was so constituted and confirmed by Royal Charter granted by His late Majesty King George the Third dated the 29th day of June in the thirty-seventh year of his reign:

1820 c. xxxvii.

1824 c. xxxix.

(2) By an Act passed in the Session held in the first year of the reign of His late Majesty King George the Fourth and intituled “An Act for the Regulation of the Corporation of the Master and Assistants of the Trinity House of Leith”, as amended by a further Act passed in the Session held in the fifth year of the said reign intituled “An Act to alter and amend ‘An Act for the Regulation of the Corporation of the Master and Assistants of the Trinity House of Leith’”, the constitution, powers and privileges of the Corporation were enlarged, confirmed and defined and further provision was made with respect to the management, administration and distribution of the funds of the Corporation:

(3) The constitution and general powers of the Corporation under the said Royal Charter and Acts are in many respects out of date, unsuitable and insufficient in the circumstances now prevailing and it is expedient that the said Royal Charter should be partially revoked and the said Acts repealed and that the Corporation, while remaining incorporated, should be reconstituted with such objects, powers and procedures as are provided in this Order:

(4) It is also expedient that the name of the Corporation should be changed as provided in this Order:

1936 c. 52

(5) The purposes aforesaid cannot be effected without an order of the Secretary of State confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act, 1936:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary of State orders as follows:—

1. This Order may be cited as the Corporation of the Trinity House Short title.
of Leith Order, 1965.

2. This Order shall commence and have effect on the 18th December, Commencement
1965. of Order.

3. In this Order, unless there be something in the context repugnant Interpretation.
to such construction, the following words and expressions shall have
the meanings hereinafter respectively assigned to them, that is to say:—

“ Act of 1820 ” means the Act passed in the Session held in the 1820 c. xxxvii.
first year of the reign of His late Majesty King George the
Fourth and intituled “ An Act for the Regulation of the
Corporation of the Master and Assistants of the Trinity
House of Leith ”;

“ Act of 1824 ” means the Act passed in the Session held in the 1824 c. xxxix.
fifth year of the reign of His late Majesty King George the
Fourth and intituled “ An Act to alter and amend ‘ An Act
for the Regulation of the Corporation of the Master and
Assistants of the Trinity House of Leith ’ ”;

“ byelaws ” means the byelaws of the Corporation for the time
being in force in accordance with the provisions of this
Order;

“ Chairman ” means the Chairman of the Committee of
Management for the time being elected as provided in this
Order;

“ Charter ” means the Royal Charter granted by His late Majesty
King George the Third and dated the 29th day of June in
the thirty-seventh year of his reign, whereby the rights and
privileges of the Corporation were confirmed;

“ Clerk ” means the Clerk of the Corporation for the time being
or any person or firm appointed to discharge the duties of that
office;

“ Committee ” means the Committee of Management of the
Corporation constituted and appointed as provided in this
Order;

“ Corporation ” means the Corporation of the Trinity House of
Leith;

“ existing ” means existing immediately before the commencement
of this Order;

“ Members ” means the Members of the Corporation for the
time being but does not include Honorary Members, and
“ former Members ” means persons (other than Honorary
Members) who have been but are no longer Members of the
Corporation;

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“ seaman ” means a person who is, or has at any time been, employed or engaged in any capacity on board any ship, and includes a master, mate, pilot or apprentice duly indentured and registered.

Partial
 revocation
 of Royal
 Charter and
 repeal of Acts.

4.—(1) Except as provided in subsection (2) of this section the Charter is hereby revoked.

(2) Subject to the provisions of this Order, the provisions of the Charter incorporating the Corporation and providing for the common seal of the Corporation and other matters as set forth in translation in the schedule to this Order are hereby continued in force.

(3) The Act of 1820 and the Act of 1824 are hereby repealed.

Change of
 name of
 Corporation.

5.—(1) The name of the Corporation shall be changed to, and the Corporation shall be known as, the “ Corporation of the Trinity House of Leith ”.

(2) The change of name of the Corporation effected by this section shall not affect the powers, rights and privileges granted to, or vested in, and the duties and obligations imposed on, the Corporation or any other authority or person whose designation may be affected by the change.

(3) For any reference to the Corporation by its former name in any Act, decree, order, award, regulation or byelaw there shall be substituted a reference to the Corporation by its new name, and any reference to the Corporation by its former name in any deed, contract or document (including any will, codicil or other testamentary writing or bequest), whether executed before or after the commencement of this Order, shall be deemed to be a reference to the Corporation by its new name, and, in particular and without prejudice to the foregoing generality, any bequest which would take effect in favour of the Corporation by its former name under the will or other mortis causa writing of any person, whether dying before or after the commencement of this Order, and which may not have then taken effect, shall be deemed to have been made to the Corporation by its new name and shall take effect in favour of the Corporation as fully and effectually as it would have taken effect if this Order had not been confirmed.

(4) Any legal or other proceedings begun before the change of name effected by this section by or against the Corporation, or other authority or person whose designation may be affected by the change, may be carried on with the substitution of the new name or designation for the former name or designation but otherwise as if no change had been made.

Objects of
 Corporation
 and
 application
 of funds.

6.—(1) The objects of the Corporation, and the purposes for which the funds of the Corporation (including any interest, profits and annual sums accruing to, or exigible by, the Corporation) may be applied, are as follows:—

(a) The maintenance and repair and, if necessary, the rebuilding of the existing building known as the “ Trinity House of Leith ”, or any building which may at any time be provided in substitution for that building and be known by that name, and of any other building for the time being belonging to the Corporation;

- (b) The management and administration of the Corporation;
- (c) The management and administration as a maritime museum of the said existing building known as the "Trinity House of Leith", or any building which may at any time be provided in substitution for that building and be known by that name, or any part of that building or any such building;
- (d) The support and relief of Members and the wives, widows, children or other dependents of Members or former Members, being persons or the dependents of persons who are now in, or may hereafter fall into, indigent circumstances;
- (e) The support and relief of any seamen who are not Members and the wives, widows, children or other dependents of such seamen, being persons or the dependents of persons who are now in, or may hereafter fall into, indigent circumstances;
- (f) The support of, or the making of contributions for, such charitable purposes as the Corporation may think fit, whether for the benefit of seamen or other persons;
- (g) The good and utility of the Corporation.

(2) The further objects of the Corporation, and the purposes for which only the interest, profits and annual sums accruing to, or exigible by, the Corporation may be applied, are as follows:—

- (h) The payment of annuities to Members and the widows of former Members;
- (i) The payment of allowances to the children of Members and former Members; and
- (j) The payment of allowances in respect of funeral expenses on the deaths of Members and the widows of former Members.

(3) The objects of the Corporation set out in the foregoing paragraphs in subsections (1) and (2) of this section shall not be limited by reference to the order in which such paragraphs occur.

7. Without prejudice to the generality of the provisions of section 6 (Objects of Corporation and application of funds) of this Order, and in addition to any other powers conferred upon the Corporation by this Order or otherwise, the Corporation may—

General powers of Corporation.

- (a) accept and receive legacies, bequests, gifts, grants, annuities, collections, allowances and other benefits, and undertake and perform any services or conditions attached to the receipt thereof;
- (b) raise or borrow money for the purposes of the Corporation and secure the same and any interest thereon upon any property of the Corporation;
- (c) publish literature, advertise and make appeals and conduct such other lawful activities as are in the opinion of the Committee desirable with a view to raising funds for the Corporation, or making known its existence, purposes or work, or otherwise assisting the carrying on, or the extension of, the activities of the Corporation;

- (d) appoint any person (whether incorporated or not) to accept and hold in trust for the Corporation any property which belongs to the Corporation or in which it is interested, and to execute and do all such deeds, acts and things as may be requisite in relation to any such trust and to provide for the remuneration of any such trustee or trustees;
- (e) compromise any debts owing to, or claims made by or against, the Corporation;
- (f) do all such other things as are incidental or as the Committee may think conducive to the attainment of the objects of the Corporation.

Trinity House
of Leith.

8. The title to the area of ground in Kirkgate, Leith, on part of which is erected the existing building known as the "Trinity House of Leith", together with the pertinents of the said area of ground, shall continue to be vested in the Corporation, and the Corporation may at any time sell, burden or let or otherwise dispose of the said property or any part thereof, whether for valuable consideration or not, as the Committee think fit:

Provided that after a sale by the Corporation of the said property or any part thereof the Corporation may then or at any time thereafter, in whole or in part, apply the free proceeds thereof in or towards the purchase of another building or the construction of a new building to be known in either case as the "Trinity House of Leith" or add the said proceeds to the funds of the Corporation.

Disposal of
objects
held for
maritime
museum and
other purposes

9.—(1) The Corporation may sell or otherwise dispose of or hire or lend any object or work of art vested in them for the purposes of their maritime museum or other purposes which, in the opinion of the Committee, is not required for exhibition or use in such museum or otherwise in connection with the objects of the Corporation.

(2) Where any such object or work of art has become vested in the Corporation by virtue of a gift or bequest—

- (a) the Committee shall, if reasonably practicable, consult with the donor thereof or his executors or trustees before exercising the powers conferred by this section; and
- (b) the powers conferred by this section to sell or otherwise dispose of such object or work of art shall not, during a period of thirty-five years commencing on the date on which the said object or work of art became so vested, be exercisable as respects that thing without the consent of the donor thereof or his executors or trustees unless after reasonable inquiry such donor or his executors or trustees cannot be found.

Byelaws.

10.—(1) The byelaws of the Corporation in force immediately before the commencement of this Order shall, after the commencement of this Order, be the byelaws of the Corporation except so far as the same may be altered by the provisions of this Order or may hereafter be altered or revoked by any new byelaws.

(2) The Committee shall have power from time to time to make, alter and revoke byelaws with respect to the administration of the affairs of the Corporation.

(3) A printed copy of the byelaws purporting to be certified by the Chairman to be the byelaws for the time being in force shall be admissible in all proceedings as prima facie evidence thereof without further proof.

11. Subject to the provisions of this Order and the byelaws—

Qualifications
for
membership of
Corporation.

(1) the persons eligible for admission as Members of the Corporation by the Committee as provided in this Order shall be such persons as the Committee may from time to time determine;

(2) the Committee may admit as Honorary Members of the Corporation such persons as may, by reason of their public eminence or public or private merits, be deemed worthy of admission, but such Honorary Members shall not be liable to pay any contributions to the Corporation or be entitled to derive any pecuniary advantage by virtue of such membership of the Corporation or to vote at meetings of the Corporation.

12. Meetings of Members of the Corporation shall be held at such times, and shall be summoned, and their proceedings shall be regulated and conducted, in such manner, as shall be provided in the byelaws.

Meetings of
Members of
Corporation.

13.—(1) Subject to the provisions of this Order and the byelaws, the government, management and administration of the Corporation and its affairs shall be vested in a Committee of Management which shall consist of the whole number of Members of the Corporation and such other persons (hereinafter referred to as "appointed members of the Committee") as may be appointed at the Annual Meeting of the Committee.

Committee of
Management.

(2) The appointed members of the Committee may include persons other than seamen but, unless the Committee otherwise determines, shall reside or work in, or be otherwise connected with, or interested in the welfare of, the Port and Harbour of Leith.

(3) Subject to the provisions of subsection (4) of this section the appointed members of the Committee shall hold office for a term of two years but shall be eligible for reappointment.

(4) If at any time the number of members of the Committee falls below seven, the remaining members of the Committee shall forthwith, and in accordance with the provisions of subsections (2), (5) and (6) of this section, appoint such number of persons as may be necessary to make the number up to at least seven, and those persons shall hold office until the next Annual Meeting of the Committee.

(5) There shall at all times be included in the membership of the Committee, whether as Members of the Corporation or appointed members of the Committee, at least four persons who hold a certificate of competency as master of a foreign-going ship within the meaning of Part II of the Merchant Shipping Act, 1894.

1894 c. 60.

(6) If at any time the number of Members of the Corporation in the Committee falls below four, the appointed members of the Committee shall include at least two of the following persons if they are willing to serve as such members:—

the Minister for the time being of South Leith Parish Church;
the Minister for the time being of North Leith Parish Church;
the Rector for the time being of Leith Academy;
the Principal for the time being of Leith Nautical College;
the Law Agent or one of the partners of the firm acting as Law Agents (as the case may be) for the time being of the Corporation.

(7) At all meetings of the Committee any three members thereof personally present shall form a quorum.

Master,
Assistant
Master and
Deputy
Master of
Corporation.

14.—(1) The Master of the Corporation shall be elected from among the Members of the Corporation at the Annual Meeting of the Committee.

(2) The person holding office as the Master of the Corporation at the commencement of this Order shall continue in office until the conclusion of the Annual Meeting of the Committee next held after the commencement of this Order and shall then be eligible for re-election.

(3) Except as provided in subsection (2) of this section, the Master of the Corporation shall retire at the conclusion of the Annual Meeting of the Committee held in the third year next following that in which he was elected but shall be eligible for re-election.

(4) In the event of a vacancy occurring at any time in the office of Master of the Corporation otherwise than by the expiry of the then current term of office specified in subsection (3) of this section such vacancy may be temporarily filled as soon as may be by the election by the Committee of a Member of the Corporation as Master of the Corporation, and the person so elected shall hold office until the expiry of the then current term of office specified in the said subsection and shall then be eligible for re-election.

(5) An Assistant Master of the Corporation and a Deputy Master of the Corporation shall be elected from among the Members of the Corporation at the Annual Meeting of the Committee and the provisions of subsections (2), (3) and (4) of this section shall apply in relation to the Assistant Master of the Corporation and the Deputy Master of the Corporation as they apply in relation to the Master of the Corporation.

Chairman of
Committee of
Management.

15. The Master of the Corporation shall be the Chairman of the Committee, but, if there shall be no Master (other than on a temporary vacancy occurring in that office), the following provisions of this section shall have effect:—

(a) The Chairman shall be elected at the Annual Meeting of the Committee and shall retire at the conclusion of the Annual Meeting of the Committee in the year next following that in which he was elected but shall be eligible for re-election.

(b) In the event of a vacancy occurring at any time in the office of Chairman otherwise than by the expiry of the then current term of office specified in paragraph (a) of this section such vacancy shall be temporarily filled as soon as may be by the election by the Committee of a member of the Committee as Chairman, and the person so elected shall hold office until the expiry of the then current term of office specified in the said paragraph and shall then be eligible for re-election.

16.—(1) The Committee shall meet at least once in each quarter of a year, and the meeting held in the quarter beginning on the 1st day of January shall be the Annual Meeting of the Committee. Meetings of
Committee of
Management.

(2) All meetings of the Committee shall be authorised by the Committee or, failing any direction by the Committee, by the Chairman, and shall be called by notice issued by the Clerk and delivered or posted to each member of the Committee at his address last known to the Clerk not less than fourteen days before the date of the meeting:

Provided that members of the Committee to a number not less than two-thirds of all the members of the Committee known to the Clerk to be in the United Kingdom for the time being may authorise a meeting of the Committee, other than the Annual Meeting of the Committee, and such meeting may be called by notice so issued and so delivered or posted not less than two days before the date of the meeting.

(3) The Chairman of the Committee shall, if present and willing, preside at any meeting of the Committee, but, if the Chairman is not present, or is unwilling to act, at any such meeting, the Assistant Master of the Corporation, if present and willing, and, failing him, the Deputy Master of the Corporation, if present and willing, and, failing him, any Member of the Corporation appointed by the majority vote of the Committee at the meeting, or, if there is no Member of the Corporation present and willing to act at the meeting, any appointed member of the Committee so appointed as aforesaid, shall preside at the meeting.

17.—(1) When a vote is required to be taken at any meeting of the Corporation or of the Committee or any sub-committee thereof, the vote shall, unless otherwise provided in the byelaws, be taken by, and decided on, a show of hands. Voting at
meetings.

(2) The person presiding at the meeting shall in all cases of equality of votes have both a deliberative vote and a casting vote.

18. Proceedings of the Committee, or of any sub-committee thereof, shall not be invalidated or be illegal in consequence of there being any vacancy in the membership of the Committee or sub-committee (as the case may be) at the time of such proceedings or in consequence of any informality in the appointment of any member of the Committee or sub-committee as the case may be. Validity of
proceedings.

General
powers of
Committee of
Management.

19.—(1) Without prejudice to the generality of the provisions of subsection (1) of section 13 (Committee of Management) of this Order, the Committee may exercise the following powers on behalf of the Corporation:—

- (a) The making of byelaws and the alteration or revocation of the existing byelaws referred to in section 10 (Byelaws) of this Order or any new byelaws;
- (b) The determination, by means of the byelaws, of the qualifications for membership of the Corporation and the admission of persons as Members of the Corporation;
- (c) The determination and charging of sums payable by Members on admission to membership of the Corporation and of sums payable by Members thereafter;
- (d) The admission of Honorary Members of the Corporation;
- (e) The determination, by means of the byelaws, of the qualifications for entitlement to annuities payable to Members and the widows of former Members;
- (f) Subject to the provisions of subsection (2) of this section, the determination of the classes of persons to whom such annuities are payable and of the amounts of the annuities so payable and the payment of such annuities;
- (g) Subject to the provisions of subsection (2) of this section, the determination of the qualifications for entitlement to allowances payable to the children of Members and former Members and of the amounts of the allowances so payable and the payment of such allowances;
- (h) Subject to the provisions of subsection (2) of this section, the determination of the qualifications for entitlement to allowances payable in respect of funeral expenses on the deaths of Members and the widows of former Members and of the amounts of the allowances so payable and the payment of such allowances;
- (i) The determination of the persons to whom any sums payable for the support and relief of indigent Members and other persons in pursuance of paragraphs (d) and (e) of subsection (1) of section 6 (Objects of Corporation and application of funds) of this Order should be paid and of the amounts of any sums so payable and the payment of such sums;
- (j) The determination of sums payable to members of the Committee for attendance at meetings of the Committee, or of any sub-committee thereof, and the payment of such sums;
- (k) The payment of remuneration to any member of the Committee for any work undertaken by him on behalf of the Corporation;
- (l) The appointment and removal of the Clerk and other officers and servants of the Corporation (who may be or include members of the Committee or the Law Agent or a member of the firm of Law Agents of the Corporation), and the payment of remuneration or other benefits to, or on behalf of, such persons according to the terms of their appointment;

- (m) Subject as provided in subsection (3) of this section, the prescribing, by means of the byelaws, and the administration of penalties on Members for failure to pay any sums due by them to the Corporation or for failure to observe any provision of the byelaws;
- (n) The administration of charities and the making of contributions for charitable purposes for the benefit of seamen or others;
- (o) The management, administration, control and disposal of the existing building known as the "Trinity House of Leith", or any building which may at any time be provided in substitution for that building and be known by that name, and of any other buildings or other heritable property of the Corporation.

(2) (a) Subject as provided in paragraph (b) of this subsection, no reduction shall be made in the amounts of the annuities payable to Members or to the widows of former Members, or in the amounts of the allowances payable to the children of Members and former Members, or in the amounts of the allowances payable in respect of funeral expenses on the deaths of any Members and the widows of former Members, except with the consent of all Members of the Corporation for the time being entitled to any annuity signified at a meeting of the Committee of which not less than four weeks' notice stating the proposed reduction shall have been given.

(b) Where such notice has been duly given in accordance with the provisions of subsection (2) of section 16 (Meetings of Committee of Management) of this Order, a Member for the time being entitled to any annuity who shall not be present at the meeting at the time when the proposed reduction is under consideration and who does not before the date of the meeting give notice in writing to the Chairman that he does not consent to the reduction proposed in the notice of the meeting shall be deemed to have consented thereto:

Provided always that no reduction shall be made in the amounts of the annuities payable to the widows of former Members except with the consent of the Master of the Corporation duly signified in writing.

(3) The penalties which may be prescribed under paragraph (m) of subsection (1) of this section for failure to pay any sum due by a Member to the Corporation, or for failure to observe any provision of the byelaws, may include the suspension for a fixed period of all rights and benefits to which the Member in default is entitled by virtue of his membership, including, in the case of failure to pay any such sum, suspension of financial benefits and, in any case, suspension of the right of access as a Member to the building at any time known as the "Trinity House of Leith", and any such period of suspension of rights or benefits may from time to time be continued or reduced or terminated:

Provided that the power to suspend, or to continue or reduce or terminate the period of suspension of, the rights or benefits of a Member shall not be exercised except with the consent of not less than two-thirds of all the members of the Committee.

Powers of investment.

20. The funds belonging to, or held by, the Corporation, or any part or parts of such funds, may be invested by the Committee in any manner in which they think fit as if the Corporation were absolute beneficial owners of such funds.

Annuities to be alimentary.

21. The annuities payable and to become payable to the Members and to the widows of former Members shall be held and deemed to be alimentary and shall not be assignable by them or liable to be arrested or otherwise affected or attached by their creditors, but shall be payable to each Member or widow entitled to the same upon his or her own receipt notwithstanding any assignation, arrestment or attachment, and such receipt shall sufficiently exonerate the Corporation.

Accounts.

22.—(1) The Committee shall cause regular books to be kept under their inspection and full accounts to be made up annually, as at the 17th day of December in each year, of the capital stock of the funds belonging to, or held by, the Corporation and of the receipts and payments on revenue account in the year ending on that date.

(2) The accounts shall be audited by a qualified accountant or firm of qualified accountants appointed by the Committee and shall be submitted to the Annual Meeting of the Committee next held after the said 17th day of December.

(3) For the purposes of this section the expression “qualified accountant” means a person who is a member, or in the case of a firm all the partners wherein are members, of one or more of the following bodies:—

the Institute of Chartered Accountants of Scotland;

the Institute of Chartered Accountants in England and Wales;

the Association of Certified and Corporate Accountants;

the Institute of Chartered Accountants in Ireland;

any other body of accountants established in the United Kingdom and for the time being recognised, for the purposes of paragraph (a) of subsection (1) of section 161 of the Companies Act, 1948, by the Board of Trade.

1948 c. 38.

Execution of deeds.

23. All deeds and other instruments requiring to be executed by the Corporation shall be validly executed if signed (either with or without the common seal of the Corporation being impressed) by the Chairman and any two other members of the Committee without witnesses.

Saving for Edinburgh Corporation.

24. Nothing in this Order shall derogate from the rights, liberties, privileges and immunities of the Lord Provost Magistrates and Council of the City and Royal Burgh of Edinburgh.

Costs of Order.

25. The costs, charges and expenses of, and incidental to, the preparing, obtaining and confirming of this Order, or otherwise in relation thereto, shall be paid out of the funds of the Corporation.

SCHEDULE

PROVISIONS OF ROYAL CHARTER

GEORGE, by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith—to all honourable men to whom our present letters shall come Greeting.

WHEREAS considering THAT George Smith, Peter Couper, Andrew Cassell, John Hay, Robert Liddell, George Ritchie, Barry Sarsfield, Robert Mudie, James Story, Thomas Grindlay, William Thomson, senior, John Laurie, senior, David Ross, John Samson, David Wishart and William Smith, all master mariners in Leith and in the Sheriffdom of Edinburgh in that part of Great Britain called Scotland, by their Petition have humbly represented to Us that they and certain other persons are members of a Society which now is, and beyond the memory of man has been, known by the name of the Corporation of Master Mariners of Trinity House of Leith in the Sheriffdom of Edinburgh aforesaid, and which enjoyed several grants, liberties, privileges and freedoms according to and by virtue of certain letters of gift, which were manifestly made and granted to the said Society or Corporation by several of our Royal Predecessors: and THAT the said Society or Corporation is, and from its institution has been, a very great benefit not only to the individual members of the same and a source of relief to many poor master mariners and sailors, and their widows and orphans, but also has greatly benefited the commerce and navigation of these Kingdoms in general, and especially that of the said Scotland and said Port of Leith in particular: and THAT the Petitioners intend and humbly conceive to promote, increase and sustain the same: and THAT, if the rights and privileges of the said society or corporation previously granted by Royal Charter be confirmed by us, and if it graciously please us to constitute the Petitioners, together with such other persons as may henceforth be duly admitted members of the said society or corporation, as one body corporate or politic under the name and denomination 'Master and Assistants of the Trinity House of Leith', in the sheriffdom of Edinburgh, having perpetual succession, with the privilege of using a Common Seal, of suing and being sued in their corporate capacity, of acquiring and holding real and personal estate, and of making their own bye-laws, and exercising all other usual and necessary powers and privileges, then the benefits to our Petitioners, and others, their widows and orphans, and to the commerce and navigation of the whole Kingdom arising from the same will increase and augment: and considering THAT we desire, by giving all due and proper encouragement to the said society or corporation, to promote, increase and further the commerce and navigation of these Kingdoms, and all other proposed benefits for which the said society or corporation was first instituted: THEREFORE We, in conformity with the said humble petition, by virtue of Our Royal Prerogative, special Grace, certain Knowledge, and free Will, have granted, constituted, declared and ordained, as by the tenor of these presents we grant, constitute, declare and ordain THAT the said George Smith, Peter Couper, Andrew Cassels [sic], John Hay, Robert Liddell, George Ritchie, Barry Sarsfield, Robert Mudie, James Strong [sic], Thomas Grindlay, William Thomson, senior,

SCH.
—cont.

John Laurie, senior, David Ross, John Samson, David Wishart, and William Smith shall be one body corporate or politic called by the name and style of the Master and Assistants of Trinity House of Leith, in the sheriffdom of Edinburgh, and We, on behalf of ourselves, our heirs and successors, by these same presents erect, make, ordain, constitute, declare and confirm them by the same name of Master and Assistants of Trinity House of Leith, in the sheriffdom of Edinburgh, one corporate body politic in fact and name: and ordain THAT they shall have the said name of Master and Assistants of the Trinity House of Leith, in the sheriffdom of Edinburgh, henceforth in perpetual succession, and they and their successors under the same name, and in all time coming, as one corporate politic body shall be capable both in fact and in law not only of having, holding, occupying, possessing, enjoying and retaining all and each the usual accustomed liberties, privileges, rights and benefits whatsoever that the said society or corporation or their predecessors lawfully had or enjoyed, or presently hold or enjoy, under the same or any other name or names of the said society or corporation, but also, under the same name, of having and holding, buying, acquiring, receiving, obtaining, possessing and enjoying lands, tenements, hereditaments, goods, property, debts, possessions, and other like things, and also of making over, alienating, disposing, giving, granting, assigning, relieving and demitting or lending money on real, heritable or personal securities, and of holding, taking and receiving donations, bequests, and gifts, and also of performing each and every act and acts, deed and deeds, transaction and transactions whatsoever thereto appertaining and requiring to be done and effected and we ordain also THAT it shall be permitted to the said Master and Assistants of Trinity House of Leith in the sheriffdom of Edinburgh, and their successors, by a majority vote of the members present at any general meeting, to make or cause to be made for their use, a Common Seal, for retention and use in all causes, transactions, affairs and occasions: And THAT it is and shall be lawful to themselves and their successors by a majority as aforesaid, to break and change, and at their will and pleasure to alter and renew the same, as often as may seem proper and expedient to them, and their successors, by the majority as aforesaid: AND WE for Us, Our heirs and successors by these same presents further grant and confirm to the Master and Assistants of Trinity House of Leith in the sheriffdom of Edinburgh, as to such corporate or politic body as aforesaid, the House called Trinity House, with all parts and pertinents belonging thereto, and all other lands, buildings, houses, tenements and hereditaments with the several and respective parts, pendicles, pertinents and advantages respectively belonging thereto, and all privileges, perquisites, contributions, profits, and personal positions whatsoever, that the said society or corporation by themselves or by any person or persons in trust for them had previously held, enjoyed or possessed lawfully, or in which, or in any part of which, the said society or corporation, or any person or persons on their behalf up to this time, have been lawfully seised or possessed, or which the said society or corporation now lawfully, receive, have and hold, possess and enjoy, or are lawfully entitled.

AND WE for Us, Our heirs and successors by these same presents ordain and declare that these Our Letters Patent shall be considered

and taken as valid and effective in law and for all purposes according to their intent and meaning, and shall be accepted, interpreted and understood in the sense most favourable and beneficial to the greatest good of the said society or corporation, any error in reading, fault, uncertainty or imperfection in these Our Letters Patent notwithstanding, and We, for Us, Our heirs and successors agree, assent and consent with the said society or corporation, Master and Assistants of Trinity House of Leith, that We, Our heirs and successors from time to time and in all time coming shall give and grant to the said society or corporation and their successors all other such privileges, powers, things and affairs humbly asked, petitioned and requested by them, so as to make these presents and the purpose and meaning of the same more effective, and that these are granted by right by Us, Our heirs and successors, and that it shall be lawful that such as is justly proposed or devised and petitioned by the said society or corporation and their advocates through the Lord Advocate or Solicitor General for Scotland of Our heirs and successors at any time in all time coming shall be approved.

SCH.
—cont.

In testimony of which we have ordered the Seal appointed under the Treaty of Union to be kept and made use of in place of the Great Seal of Scotland to be appended hereto, at Our Court at St. James, the 29 day of June A.D. 1797 and Our Reign 37.

Per signaturum manu S.D.N. Regis Supra Scriptam.



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Corporation of the Trinity House of Leith Order Confirmation Act 1965

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SCHEDULE

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