

## SCHEDULES

### SCHEDULE 1

#### SCOTTISH CONVEYANCING AND EXECUTRY SERVICES BOARD

##### PART I

##### CONSTITUTION, DUTIES, POWERS AND STATUS

###### *Constitution*

- 1 The Scottish Conveyancing and Executry Services Board shall be a body corporate.
- 2 The Board shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the Board's property shall not be regarded as property of, or held on behalf of, the Crown.
- 3 The Board shall consist of—
- (a) a chairman; and
  - (b) not less than 6 nor more than 9 other members,
- appointed by the Secretary of State.
- 4 In making appointments under paragraph 3 above the Secretary of State shall have regard to the desirability of securing—
- (a) that members of the Board have expertise or knowledge of—
    - (i) the provision of conveyancing and executry services;
    - (ii) the financial arrangements connected with the purchase and sale of heritable property;
    - (iii) consumer affairs; and
    - (iv) commercial affairs; and
  - (b) that, so far as is reasonably practicable, the composition of the Board is such as to provide a proper balance between the interests of, on the one hand, qualified conveyancers and executry practitioners and, on the other hand, those who make use of their services.
- 5 (1) Subject to paragraph 6 below, a member of the Board shall hold and vacate office in accordance with his terms of appointment, but a person shall not be appointed a member of the Board for a period of more than 5 years.
- (2) A person who ceases to be a member of the Board shall be eligible for reappointment.
- 6 (1) The chairman or any other member of the Board may resign office by giving notice in writing to the Secretary of State.
- (2) The Secretary of State may terminate the appointment of a member of the Board if satisfied that—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) his estate has been sequestrated or he has made an arrangement with or granted a trust deed for his creditors;
- (b) he is unable to carry out his duties as a Board member by reason of physical or mental illness;
- (c) he is failing to carry out the duties of his appointment;
- (d) he has been convicted of a criminal offence rendering him unsuitable to continue as a member; or
- (e) he is otherwise unable or unfit to discharge the functions of a member of the Board.