

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Countryside (Scotland) Act 1967, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

CONSTITUTION AND PROCEEDINGS OF THE COMMISSION

- 1 The Commission shall be a body corporate and shall have a common seal.
- 2
 - (1) Subject to the provisions of this paragraph, a member of the Commission, and the chairman shall hold and vacate office as such in accordance with the terms of his appointment.
 - (2) A member may by notice in writing addressed to the Secretary of State resign his membership, and the chairman may by the like notice resign his office as such.
 - (3) The Secretary of State may remove a person from membership if satisfied that he—
 - (a) has had his estate sequestrated or has made a trust deed for behoof of his creditors or a composition contract;
 - (b) is incapacitated by physical or mental illness;
 - (c) has been absent from meetings of the Commission for a period longer than six consecutive months otherwise than for a reason approved by the Secretary of State; or
 - (d) is otherwise unable or unfit to discharge the function of a member, or is unsuitable to continue as a member.
 - (4) If the chairman ceases to be a member of the Commission he shall cease to be chairman.
 - (5) A person who ceases to be a member or ceases to be chairman shall be eligible for re-appointment.
- 3
 - (1) The Commission may pay to any of the members of the Commission such remuneration and such reasonable allowances in respect of—
 - (a) expenses properly incurred in the performance of their duties,
 - (b) loss of remunerative time, or
 - (c) additional expenses (other than as aforesaid) necessarily incurred by them for the purpose of enabling them to perform their duties, being expenses to which they would not otherwise have been subject,as the Secretary of State may, with the approval of the Treasury, determine.
 - (2) The Commission may pay such pension, allowance or gratuity to or in respect of any member of the Commission . . . ^{F1} or make such payments towards the provision of such a pension, allowance or gratuity, as the Secretary of State may, with the approval of the Treasury, determine.

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[^{F2}(3) Where a person ceases to be a member otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the Commission may make to him a payment of such amount as the Secretary of State may, with the consent of [^{F3}the Treasury] determine].

Textual Amendments

- F1** Words repealed by [Countryside \(Scotland\) Act 1981 \(c. 44, SIF 46:1\)](#), **Sch. 2**
F2 [Sch. 1 para. 3\(3\)](#) added [Countryside \(Scotland\) Act 1981 \(c. 44, SIF 46:1\)](#), **s. 13(1)**
F3 Words substituted by virtue of [S.I. 1981/1670](#) arts 2(1)(d), 3(5)

- 4 The Commission—
- (a) may appoint such officers and servants and pay to them such remuneration and allowances as the Commission may, with the approval of the Secretary of State and the Treasury, determine, and
 - (b) shall, in the case of such of their officers and servants as may be determined by the Commission with the approval of the Secretary of State, pay to or in respect of them such pensions or gratuities, or provide and maintain for them such pension schemes (whether contributory or not) as may be so determined.
- [^{F4}(c) may pay to or in respect of any of its officers or servants who suffers loss of office or employment otherwise than on retirement such pension, allowance or gratuity by way of compensation as the Secretary of State may, with the consent of [^{F5}the Treasury], determine]

Textual Amendments

- F4** [Sch. 1 para. 4\(c\)](#) added by [Countryside \(Scotland\) Act 1981 \(c. 44, SIF 46:1\)](#), **s. 13(2)**
F5 Words substituted by virtue of [S.I. 1981/1670](#), **arts. 2(1)(d)**, 3(5)

- 5 Subject to the following provisions of this Schedule, the Commission shall have power to regulate their own procedure (including the manner in which matters subject to the determination of the Commission are to be determined by or on behalf of the Commission), and that of any committee appointed by them.
- 6 The quorum at meetings of the Commission shall be four or such larger number as the Commission may from time to time determine, and if at any meeting of the Commission the votes are equally divided on any question, the person acting as chairman of the meeting shall have a second or casting vote.
- 7 The proceedings of the Commission shall not be invalidated by any vacancy in the membership of the Commission or by any defect in the appointment of any member thereof.

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- 8 (1) If a member of the Commission has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, and is present at a meeting of the Commission at which the matter is the subject of consideration, he shall disclose the fact, and he shall not take part in the consideration or discussion of, or vote on, any question with respect to the matter, but he may nevertheless be taken into account for the purpose of constituting a quorum.
- (2) A general notice given in writing by a member of the Commission to the officer designated by the Commission to receive it, stating that he is a member of or in the employment of a specified company or other body, or that he is a partner or in the employment of a specified person, or that he has an interest in any specified land, shall, unless and until the notice is withdrawn, be deemed to be a sufficient disclosure of his interest in any matter relating to that company, body or person or land which may be the subject of consideration after the date of the notice.
- (3) Any disclosure made under sub-paragraph (1) of this paragraph shall be recorded in the minutes of the meeting at which it is made; and any notice given under sub-paragraph (2) thereof shall be recorded in a book to be kept for the purpose.
- 9 The application of the seal of the Commission to any document shall be attested by at least one member of the Commission and by the person for the time being acting as secretary of the Commission.
- 10 Every document purporting to be an instrument issued by the Commission and to be sealed and attested as aforesaid or to be signed on behalf of the Commission shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.

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