

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2005 No. 442**

**The Mental Welfare Commission for Scotland (Procedure and Delegation of Functions) (No. 2) Regulations 2005**

**Procedure**

3.—(1) The procedure of the Commission and of any committee or sub committee shall be conducted in accordance with these Regulations and standing orders made under regulation 4.

(2) At every meeting of the Commission and of any committee or sub-committee, the convener, if present, shall preside.

(3) If the convener is absent from any meeting the vice-convener, if present, shall preside and, if the convener and vice-convener are both absent, the members of the Commission, committee or sub committee as the case may be present at the meeting shall elect from among themselves a person to act as convener for that meeting.

(4) All acts of, and all questions coming or arising before, the Commission or a committee or sub committee shall be done and decided by a majority of the members of the Commission, committee or sub committee present and, where there is no clear majority, the person presiding at the meeting may call for a formal vote by those members present and, in the case of an equality of votes, that person shall have a second or casting vote.

(5) The procedure of the Commission or of any committee or sub committee shall not be invalidated by any vacancy in its membership or by any defect in the appointment of a member of the Commission, committee or sub committee, as the case may be.

(6) If it is necessary or expedient to do so, any meeting of the Commission or of any committee or sub committee may be adjourned to another day, time and place.