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STATUTORY INSTRUMENTS

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**2006 No. 2913**

**The Scotland Act 1998 (River Tweed) Order 2006**

**PART 1**

**ADMINISTRATION**

**Election of Proprietary Commissioners**

6.—(1) On or before the first Monday in March in each year, a meeting of the proprietors of specified salmon fisheries shall be held within the former burgh of Kelso or at such other place within the district as the Commission may decide for the purpose of electing thirty—eight of their number as proprietary Commissioners.

(2) At every such meeting—

- (a) the proprietors present shall elect one of their number to be the convener; and
- (b) each proprietor present shall have one vote, except that in the case of an equality of votes the convener shall be entitled to a second or casting vote.

(3) Each person elected in accordance with the provisions of paragraph (1) shall hold office as a proprietary Commissioner for the ensuing year unless that person shall previously die, resign, become disqualified or otherwise cease to be a proprietor.

(4) If any vacancy shall arise in the office of a proprietary Commissioner the remaining proprietary Commissioners shall select a proprietor of a specified salmon fishery to fill the vacancy and the person so selected shall be entitled to hold office as a proprietary Commissioner so long only as the Commissioner in whose stead that person is elected would have been entitled to have continued in office.

(5) For the purposes of this article, “proprietor” includes not more than one person authorised by—

- (a) in the case of a fishery in which more than one person has a *pro indiviso* share, such persons; or
- (b) in the case of a fishery in which the rights to that fishery are shared by more than one person in any other way, such persons,

but in neither case does it include, except by virtue of this paragraph, a person whose right to that fishery is so shared.