

*These notes relate to the Pow of Inchaffray Drainage Commission (Scotland)
Act 2019 (asp 2) which received Royal Assent on 17 January 2019*

POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) ACT 2019

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – The Commission

Heritors' meetings etc.

Section 7 - Heritors' meetings convened by the Commission

18. **Section 7** sets out when the Commission must call a meeting of heritors, and when it may do so. The Commission must call a heritors' meeting when necessary to appoint a Commissioner; before each general business meeting of the Commission (held twice a year); and (where requested to do so by three or more heritors) to consider a resolution to: change the number of Commissioners for each section of the benefited land; alter the boundaries of each section; to include or exclude a ditch from the Pow; or terminate the appointment of a Commissioner. The Commission may call a heritors' meeting for any other purpose at any other time. Before the Commission convenes a heritors' meeting it must give not less than 10 days' notice to heritors and provide them with the details of the meeting, including the agenda. The quorum for such a meeting is three heritors.

Section 8 – Heritor's representative

19. **Section 8** provides that a heritor may, by giving notice to the Clerk, appoint a person to represent the heritor for the purposes of the Act. For example, a heritor who does not live in the Pow area can appoint a local representative to attend meetings and vote for a resolution on the heritor's behalf.

Section 9 – Alterations by heritors

20. **Section 9** provides that where the Act requires a resolution to comply with this section it must be voted for by heritors representing at least 75% of the sum of the chargeable values of all heritors' land.