

SCHEDULE 1

(introduced by section 1(2))

THE POW OF INCHAFFRAY DRAINAGE COMMISSION

Functions

- 1 (1) The functions of the Commission are to—
- (a) maintain, repair and renew the Pow,
 - (b) control fauna and flora within—
 - (i) the Pow,
 - (ii) the affected land,
 - (c) carry out improvements to the Pow and protective works,
- in so far as the Commission considers necessary or desirable to maintain effective drainage of the benefited land.
- (2) Where an improvement to the Pow involves widening, or lowering the bed of, a watercourse under a bridge, the Commission must carry out any works necessary to protect the bridge's foundations.

General powers

- 2 (1) The Commission may do anything which appears to the Commission—
- (a) to be necessary or expedient for the purpose of, or in connection with, the performance of its functions, or
 - (b) to be otherwise conducive to the performance of its functions.
- (2) In particular, the Commission may—
- (a) enter into contracts,
 - (b) borrow money.

Appointment etc. of Clerk

- 3 The Commission—
- (a) must appoint a Clerk of the Commission on such terms as it thinks fit,
 - (b) may appoint a Commissioner as Clerk,
 - (c) may pay the Clerk's fees and expenses, and
 - (d) may replace the Clerk at any time.

Committees

- 4 (1) The Commission may, subject to such conditions and procedures as it determines, delegate any of its functions to a committee comprising Commissioners.
- (2) Where the Commission delegates functions to a committee, a reference in this Act to the "Commission" includes, except where the context otherwise requires, reference to the committee.

Advisers and other services

- 5 The Commission may obtain advice, assistance or any other service from any person who, in the opinion of the Commission, is qualified to give it.

6 The Commission may pay to that person fees and expenses.

Proceedings etc.

7 Subject to the provisions of this Act, the Commission may regulate its own procedure.

8 The validity of any act of the Commission is not affected by—
 (a) a defect in the appointment of a Commissioner,
 (b) a vacancy in the office of Commissioner.

Finances, accounts and audit

9 The Commission must—
 (a) ensure that the resources of the Commission are used economically, efficiently and effectively,
 (b) keep proper accounts and accounting records, and
 (c) prepare annual accounts for each assessment year and have them audited.

10 If requested by a heritor, the Commission must provide the heritor with a copy of the audited accounts in printed or electronic form.

11 The Commission may charge a reasonable fee for providing a copy of the audited accounts under paragraph 10.

Execution of documents

12 A document is validly executed by the Commission by signature on behalf of the Commission by—
 (a) two Commissioners, or
 (b) one Commissioner and the Clerk.