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*Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1983, Cross Heading: Membership. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### THE COMMISSION

##### *Membership*

- 3 (1) The Commission shall consist of not less than 8 nor more than 17 members.
- (2) The members shall be appointed by the Secretary of State, who shall appoint one of them to be chairman and may appoint another of them to be deputy chairman.
- (3) In appointing any member, the Secretary of State shall have regard to the desirability of the person's having knowledge or experience of one or more of the following, namely, history, archaeology, architecture, the preservation or conservation of monuments or buildings, town and country planning, tourism, commerce and finance.
- (4) In appointing members, the Secretary of State shall have regard to the desirability of at least one of them having knowledge of local government (as well as knowledge or experience of one or more of the subjects mentioned in sub-paragraph (3)).
- (5) Subject to the following provisions of this paragraph, a chairman, deputy chairman or other member shall hold and vacate office in accordance with the terms of his appointment, but no member shall be appointed for a period of more than 5 years.
- (6) A chairman, deputy chairman or member may resign his office by notice in writing addressed to the Secretary of State.
- (7) If the Secretary of State is satisfied that a member—
- (a) has been absent from meetings of the Commission for a period longer than 3 consecutive months without the consent of the Commission, or
  - (b) has become bankrupt or [<sup>F1</sup>has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has] made an arrangement with his creditors, or
  - (c) is incapacitated by physical or mental illness, or
  - (d) is otherwise unable or unfit to discharge the functions of a member, the Secretary of State may remove him from his office.
- (8) If a chairman or deputy chairman ceases to be a member he shall also cease to be chairman or deputy chairman; and if a chairman or deputy chairman ceases to be chairman or deputy chairman he shall also cease to be a member.
- (9) A person who ceases to be a member, otherwise than by virtue of sub-paragraph (7), or ceases to be chairman or deputy chairman, shall be eligible for re-appointment.

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**Textual Amendments**

- F1** Words in Sch. 3 para. 3(7)(b) inserted (1.10.2012) by The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012 (S.I. 2012/2404), art. 1, **Sch. 2 para. 18** (with art. 5)

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