

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Crofters (Scotland) Act 1955 (repealed 5.1.1994), FIRST SCHEDULE. (See end of Document for details)

SCHEDULES

FIRST SCHEDULE U.K.

PROVISIONS AS TO THE CROFTERS COMMISSION

Constitution of the Commission

- 1 The Commission shall be a body corporate and shall have a common seal.

- 2 Every member of the Commission shall hold and vacate office in accordance with the terms of the instrument under which he is appointed; but notwithstanding anything in such an instrument any member of the Commission may resign his office by a notice given under his hand to the Secretary of State, and a member of the Commission who ceases to hold office shall be eligible for re-appointment to the Commission.

F1

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Textual Amendments

F1 Sch. 1 para. 3 repealed by [House of Commons Disqualification Act 1957 \(c. 20\)](#), **Sch. 4 Pt. I**

- 4 The Secretary of State shall pay to the members of the Commission such remuneration and such allowances as he may, with the approval of the Treasury, determine.

[^{F2}(4A) The Secretary of State shall, in the case of any member of the Commission to whom he may with the approval of the Minister for the Civil Service determine that this paragraph applies, pay such pension, allowance or gratuity to or in respect of the member on his retirement or death, or make such payments towards the provision of such a pension, allowance or gratuity, as he may, with the like approval, determine.

(4B) If a person ceases to be a member of the Commission and it appears to the Secretary of State that there are special circumstances which makes it right that that person should receive compensation he may, with the approval of the said Minister, pay to that person a sum of such amount as he may, with the like approval, determine.]

Textual Amendments

F2 Paras. 4A, 4B, inserted by [Crofting Reform \(Scotland\) Act 1976 \(c. 21\)](#), **s. 18**

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Meetings and Proceedings of the Commission

- 5 The quorum of the Commission shall be three or such larger number as the Commission may from time to time determine.
- 6 The proceedings of the Commission shall not be invalidated by any vacancy in the membership of the Commission or by any defect in the appointment of any member thereof.
- 7 If at any meeting of the Commission the votes are equally divided on any question, the person acting as chairman of the meeting shall have a second or casting vote.
- 8 The Commission shall refer to one or more of their number for report and recommendation such matters as may be determined by the Commission and shall delegate to one or more of their number such of the functions conferred on the Commission by this Act, to such extent and subject to such conditions or restrictions, as may with the approval of the Secretary of State be so determined.
- 9 In any application or other proceeding coming before them the Commission may order that the evidence shall be taken on oath.
- 10 Subject to the foregoing provisions of this Schedule, the Commission shall have power to regulate their own procedure.

Office, Officers and Servants

- 11 The Commission shall have an office in the crofting counties at which communications and notices will at all times be received.
- 12 The Secretary of State may provide the services of such officers and servants as the Commission may require.

Instruments executed or issued by the Commission

- 13 The application of the seal of the Commission to any document shall be attested by at least one member of the Commission and by the person for the time being acting as secretary to the Commission.
- 14 Every document purporting to be an instrument issued by the Commission and to be sealed and attested as aforesaid or to be duly signed on behalf of the Commission shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.

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