



# Land Reform (Scotland) Act 2016

## 2016 asp 18

### PART 2

#### THE SCOTTISH LAND COMMISSION

### CHAPTER 1

#### THE COMMISSION

##### *Membership*

## 12 Disqualification from membership

- (1) A person may not be appointed as a member of the Commission if that person is or has been at any time during the previous 12 months—
  - (a) a member of the House of Commons,
  - (b) a member of the Scottish Parliament,
  - (c) a member of the European Parliament,
  - (d) an officer-holder of the Scottish Administration,
  - (e) a councillor of any local authority.
- (2) A person may not be appointed as the Tenant Farming Commissioner if that person is the owner or tenant of land subject to a relevant tenancy.
- (3) In this Part “relevant tenancy” means—
  - (a) a tenancy to which the 1991 Act applies, or
  - (b) a tenancy under sections 4, 5, 5A or 5C of the 2003 Act (new types of tenancy).
- (4) A person's appointment as a member ceases if, during the person's period of appointment, any of subsection (1)(a) to (e) applies to that person.
- (5) A person's appointment as the Tenant Farming Commissioner ceases if, during the person's period of appointment, subsection (2) applies to that person.

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**Changes to legislation:** Land Reform (Scotland) Act 2016, Section 12 is up to date with all changes known to be in force on or before 03 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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#### Commencement Information

- I1** S. 12(1)(2)(3)(a)(4)(5) in force at 1.11.2016 by S.S.I. 2016/250, reg. 2(1)(2), **sch. 1** (with reg. 3)
- I2** S. 12(3)(b) in force at 1.11.2016 for specified purposes by S.S.I. 2016/250, reg. 2(1)(2), **sch. 1** (with reg. 3)

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I. 2017/299, regs. 5-14, by [S.S.I. 2017/370](#) reg. 34