

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1959 (repealed 18.11.1996), FIRST SCHEDULE. (See end of Document for details)*

## SCHEDULES

### FIRST SCHEDULE

#### PROVISIONS AS TO THE RED DEER 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 reappointment to the Commission.
- [<sup>F1</sup>2A If the Secretary of State is satisfied that the chairman of the Commission—
- (a) has had his estate sequestrated or has made a trust deed for behoof of his creditors or a composition contract with his creditors;
  - (b) is incapacitated by reason of physical or mental illness;
  - (c) has been absent from meetings of the Commission for a period of more than 3 consecutive months without the permission of the Commission or of the Secretary of State; or
  - (d) is otherwise unable or unfit to discharge the functions of a member of the Commission, or is unsuitable to continue as the chairman,
- the Secretary of State shall have power to remove him from his said office.]

#### Textual Amendments

**F1** Paras. 2A—2C inserted by [Deer \(Amendment\) \(Scotland\) Act 1982 \(c. 19\), s. 5](#)

- 2B Where a person ceases to be chairman of the Commission otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for that person to receive compensation, the Secretary of State may make to that person a payment of such amount as the Secretary of State may, with the approval of the Treasury, determine.
- 2C The Secretary of State may make such provision, if any, as he may, with the approval of the Treasury, determine for the payment of pensions to or in respect of chairmen of the Commission.

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**Textual Amendments**  
F2 Sch.1 para.3 repealed by House of Commons Disqualification Act 1975 (c. 24), Sch.3

4 The Secretary of State shall pay—  
    (a) to the Chairman of the Commission such remuneration and such allowances, and  
    (b) to the other members of the Commission such allowances as he may with the approval of the Treasury determine.

5 The Commission may pay to the members of any panel appointed in pursuance of section two of this Act the like allowances as are payable by the Secretary of State to members of the Commission under the last foregoing paragraph.

*Meetings and Proceedings of the Commission*

6 The quorum of the Commission shall be five or such larger number as the Commission may from time to time determine.

7 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.

8 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.

9 Subject to the foregoing provisions of this Schedule, the Commission shall have power to regulate their own procedure and that of any panel appointed by them.

*Office, Officers and Servants*

10 The Commission shall have an office at which communications and notices will be received.

11 The Secretary of State may provide the services of such officers and servants as the Commission may require.

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*Instruments executed or issued by the Commission*

- 12 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 of the Commission.
  
- 13 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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