



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

STANDING ORDERS OF THE SCOTTISH LAND COMMISSION BOARD AND COMMITTEE MEETINGS

The Scottish Land Commission (the Commission) is established by the Land Reform (Scotland) Act 2016. The Commission is composed of five Land Commissioners and one Tenant Farming Commissioner. The Commission's functions are set out in the Land Reform (Scotland) Act 2016. In delivering these functions the Commission is guided by its Strategic Plan and Programme of Work.

Contents

- 1.0 The Board
- 2.0 General Meetings
- 3.0 The Chair Person
- 4.0 Quorum
- 5.0 Attendance at meetings
- 6.0 Public Attendance
- 7.0 Board Papers
- 8.0 Minutes of meetings
- 9.0 Remuneration, Allowances and Pensions
- 10.0 Declarations of Interest
- 11.0 Suspension or Alteration of the Standing Orders

1.0 The Board

1.1 The Land Commissioners and the Tenant Farming Commissioner are appointed by Ministers under the terms of the Land Reform (Scotland) Act 2016. Ministers select one of the Commissioners to chair the Commission. The Land Commissioners and the Tenant Farming Commissioner together comprise the Board of the Scottish Land Commission. Under section 18 (2) of the Land Reform (Scotland) Act 2016 the Commission may regulate its own procedure.

1.2 This paper sets out the procedures which apply to meetings of the Board and of its committees. These standing orders are in addition to any requirements set out in the Land Reform (Scotland) Act 2016 Act and any further Acts of Parliament or guidance from Scottish Ministers.

1.3 All members of the Commission will be bound by the provisions of Model Code of Conduct for Members of Devolved Public Bodies issued by the Standards Commission for Scotland.

2.0 General meetings

2.1 All meetings shall be called Commissioners' Meetings.

2.2 The Commission may convene a Commissioners Meeting whenever it thinks fit; and if a meeting has been requested in writing by two or more of the Commissioners to the Chair, the meeting must be held within 28 days of this request. No less than 4 Commissioners meetings will take place each year.

2.3 All Commissioners and the Accountable Officer must be invited to attend all meetings no less than 14 days prior to the date of the meeting. Exceptionally, the Chair of the Commission may convene a special meeting without giving the usual notice where there are matters of particular urgency.

2.4 Exceptionally, if a Board decision is required urgently and it is not possible to convene a meeting, the matter will be dealt with through correspondence. The decision to do this will be made by the Chair of the Commission. In such circumstances the decision will be ratified at the next Board meeting.

3.0 The Chair

3.1 The Chair of the Commission, who has been appointed by Scottish Ministers, shall act as Chair of each meeting of the Commission.

3.2 If the Chair is not able to be present at a meeting, they should give at least 7 days notice and appoint an alternative Commissioner to chair the meeting in their absence. If the Chair is unable to arrange this, the Commissioners present at the meeting shall elect from amongst themselves a person to chair the meeting.

3.3 The Chair of the meeting shall endeavour to achieve consensus wherever possible but, if necessary, questions arising shall be decided by being put to a vote of the Commissioners. In the event of an equal number of votes for and against any resolution at a Commission meeting, the Chair of the meeting shall have a casting vote as well as a deliberative vote.

4.0 Quorum

4.1 The quorum for a Commissioners' Meeting shall be 3 Commissioners. No business shall be dealt with at any meeting unless a quorum is present (either physically or by audio-visual means). Participation will usually be in person, but exceptionally (with the agreement of the Chair of the meeting) individual Members may participate by telephone or video-conference. In such circumstances, such Members will be deemed to be present for the purpose of that meeting.

4.2 If a resolution is to be made, no less than 50% of the total number of Commissioners must agree to it. Therefore, if only the quorum is present at a particular meeting, all present must come to a unanimous decision in order to pass the resolution.

5.0 Attendance at meetings

5.1 Commissioners should endeavour to attend all meetings.

5.2 When a Commissioner is unable to attend a meeting, that person should inform the Chair of this, if possible in writing (by email), as soon as is practically possible once they become aware they will be unable to attend a meeting.

5.3 If a Commissioner is absent from meetings for a period exceeding 6 months without the permission of the Commission, Scottish Ministers may revoke the appointment of that person.

6.0 Public Attendance

6.1 Commissioners meetings are open to the public unless there is a good reason to the contrary. The meeting dates and agenda will be published on the Commission's website together with contact details for members of the public who wish to attend. Members of the public wishing to attend should notify the office beforehand so that appropriate access arrangements can be ensured. The assumption is that business should be held in public where possible but the Chair of the meeting may designate items of business as confidential following a resolution by the Board stating the reason for confidentiality.

7.0 Meeting Papers

7.1 Papers for Commissioners Meetings will be circulated to Commissioners at least 7 days in advance of the meeting. Where relevant, updated or additional information may be tabled by the agreement of the Chair of the meeting.

8.0 Minutes of meetings

8.1 The Chair will ensure minutes are taken of the proceedings of all Commissioners' Meetings and of all meetings of sub-committees, including the names of those present, and all business transacted at such meetings. Any such minutes of a meeting, if approved either by the Chair of such meeting, or by the Chair of the next succeeding meeting, shall be sufficient evidence without any further proof of the facts therein stated.

8.2 Draft minutes of the meetings shall be circulated within 10 working days of the meeting taking place to the members of the Commission, the Chair and the Accountable Officer. Minutes shall be approved at the subsequent Commissioner's meeting.

8.3 Minutes of the Commissioners' meetings will be published on the Commission's website once approved.

9.0 Remuneration, Allowances and Pensions

9.1 Remuneration, allowances and pensions payable to members of the Commission are determined by Scottish Ministers.

10.0 Declaration of Interests

10.1 The Commission holds a register of Members' interests, available for public inspection. The rules on registration and declaration of interests are set out in the Members' Code of Conduct.

10.2 A Commissioner who has a direct or indirect interest in a matter being considered at a meeting of the Board or a committee of the Commission, must disclose the nature of the interest to the meeting. Any disclosure of interest must be recorded in the minutes of the meeting.

10.3 Anyone declaring an interest should consider the objective test in the Code of Conduct and where appropriate leave the meeting for the item under discussion. Any removal from the meeting, and at what stage in proceedings, should be recorded in the minute of the meeting.

11.0 Suspension or Alteration of the Standing Orders

11.1 Any amendment or suspension can only be made by the members of the Land Commission Board, on the agreement of at least 4 Commissioners. Notwithstanding this provision, no standing order may be suspended or amended if this would contravene any statutory provision or direction made by Scottish Ministers.

**Scottish Land Commission
November 2017**