1958 No. 1923 (S. 100)

The Electricity (Consultative Council) (South of Scotland District) Regulations, 1958

Made - - - -	*17th November*, 1958
Laid before Parliament	*24th November*, 1958
Coming into Operation	*25th November*, 1958

In exercise of the powers conferred on me by subsection (12) of section 7A of the Electricity Act, 1947(a), as read with subsection (2) of section 5 of the Electricity Act, 1957(b), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Short title and commencement

1. These regulations may be cited as the Electricity (Consultative Council) (South of Scotland District) Regulations, 1958, and shall come into operation on the 25th day of November, 1958.

Interpretation

2.—(1) In these regulations—

" the Act " means the Electricity Act, 1947, as amended by the Electricity Act, 1957;

" the council " means the Consultative Council for the South of Scotland District established in terms of section 7A of the Act.

(2) The Interpretation Act, 1889(c), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Revocation

3. The Electricity (Consultative Council) (South of Scotland District) Regulations, 1955(d), are hereby revoked.

Appointment and tenure of office

4.—(1) Subject to the provisions of these regulations, and to any conditions which the Secretary of State may intimate in writing at the time of appointment, members of the council shall be appointed for such term not exceeding five years as may be determined by the Secretary of State and notified by him in their respective appointments:

Provided that on the expiration of the term for which he was appointed a member, if eligible, may be re-appointed.

(2) The deputy chairman of the council shall be appointed by the Secretary of State from among the members. The chairman and deputy chairman shall hold office for such period as the Secretary of State may decide but shall be entitled to resign office as chairman or deputy chairman by giving written intimation to the Secretary of State.

(3) Where the chairman of the council, at any time after being notified of the Secretary of State's disapproval thereof, either is engaged in any trade or business or holds any appointment by virtue of which he is or becomes a director or officer of any body corporate or an officer or servant of any

(a) 10 & 11 Geo. 6. c. 54. (b) 5 & 6 Eliz. 2. c. 48.
(c) 52 & 53 Vict. c. 63. (d) S.I. 1955/586 (1955 I, p. 773).

organisation of work people, the Secretary of State may declare the office of that chairman to be vacant; whereupon he shall cease to be a member of the council.

Resignation or removal of members

5.—(1) A member of the council who desires to resign his membership shall give written intimation of his resignation to the Secretary of State.

(2) If any member of the council—

(*a*) has not attended any meeting of the council for a period of six months, unless the Secretary of State is satisfied that his absence was due to illness or other reasonable cause; or

(*b*) has, in the opinion of the Secretary of State, become unfit to continue as a member or incapable of performing his duties;

the Secretary of State may declare that his seat on the council has become vacant.

Meetings

6.—(1) The council shall meet at least once in every period of three months.

(2) The secretary of the council shall call a meeting of the council at any time on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting and signed by one half of the whole number of members of the council for the time being, which meeting shall be held within ten days of receipt of the requisition.

(3) At every meeting of the council the chairman or, in his absence, the deputy chairman shall preside:

Provided that, if by reason of illness, or of a vacancy in the office of chairman or deputy chairman, neither the chairman nor the deputy chairman is able to be present, the council may meet, and the members present shall elect from among themselves a person to act as chairman for that meeting. Any resolutions passed at such a meeting shall be provisional and shall only have effect until the next meeting of the council at which the chairman or deputy chairman is present and shall then cease to have effect unless ratified by that meeting.

(4) At any meeting of the council one half of the whole number of members for the time being shall be a quorum.

(5) The proceedings of the council shall not be invalidated by any vacancy in the membership of the council or by any defect in the appointment or qualification of any member thereof.

Voting

7. All acts of, and all questions coming and arising before, the council shall be done and decided by a majority of the votes of the members of the council present and voting at a meeting of the council, and in the event of an equality of votes, any proposal under consideration shall be deemed to have been rejected.

Minutes

8.—(1) Minutes of the proceedings of a meeting of the council shall be drawn up by or on behalf of the secretary and shall be signed at the meeting by the person presiding thereat or shall be submitted to the next ensuing meeting of the council for approval as a record of the meeting and signed by the person presiding at that next ensuing meeting.

(2) A record of any such minutes specifying the terms of a resolution passed at any meeting, and in the case of a resolution that a representation be made to the Secretary of State or the South of Scotland Board the numbers of votes cast for and against it shall, if signed by the person purporting to be acting as chairman of the meeting to which the minutes relate or of a meeting at which they were submitted for approval, be evidence of those proceedings.

(3) A copy of any part of the minutes of the council shall, if purporting to be certified by the secretary of the council to be a true copy of that part of the minutes, be evidence of the proceedings of the council to which that part of the minutes relates.

(4) A meeting to which any such minutes as aforesaid relate, shall, unless the contrary be proved, be deemed to have been regularly convened and constituted.

Representations and references

9. Where any representation is made to the council by a consumer or other person requiring a supply of electricity in the South of Scotland District or where any matter is referred to the council by the South of Scotland Board, the council shall consider the representation or the matter referred as soon as practicable and in any event before the expiry of three months after the representation is made or the matter referred as the case may be.

Execution of documents

10. Any document requiring to be executed by or on behalf of the council shall be signed by the chairman or by such other member as in any particular case the council may determine, and shall also be signed by the secretary or such other officer of the council as the council may in any particular case determine.

Dated this 17th day of November, 1958.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House
Edinburgh, 1.

EXPLANATORY NOTE

(This Note is not part of these Regulations, but is intended to indicate their general purport.)

These Regulations regulate the vacation of office of chairman, the deputy chairmanship, terms of membership and proceedings of the Consultative Council appointed under the Electricity Act, 1947, as amended by the Electricity Act, 1957, for the South of Scotland District. They contain an additional ground for the vacation of office of chairman.