



# Reorganisation of Offices (Scotland) Act 1939

## 1939 CHAPTER 20

### **2 Reorganisation of the General Board of Control.**

- (1) As from the appointed day the General Board of Control for Scotland shall consist of a Chairman and not more than seven other Commissioners, of whom at least two shall be medical Commissioners and one shall be a legal Commissioner.
- (2) No person shall be appointed a medical Commissioner unless he is a duly qualified medical practitioner, and no person shall be appointed legal Commissioner unless he is, and has been for a period of at least five years, either a member of the Faculty of Advocates or a solicitor.
- (3) The Commissioners shall be appointed by His Majesty on the recommendation of the Secretary of State and shall hold office during His Majesty's pleasure.
- (4) The Chairman, and the medical and legal Commissioners shall receive out of moneys provided by Parliament such remuneration as the Secretary of State with the consent of the Treasury may from time to time determine.
- (5) The Commissioners (including the Chairman) holding office on the appointed day shall cease to be members of the Board, provided that the paid Commissioners holding office on the said day shall be deemed to have been appointed as medical Commissioners in pursuance of this section, but shall not be in any worse position as regards tenure of office, remuneration or superannuation than they would have been if this Act had not passed.
- (6) References in any enactment passed before this Act to a paid Commissioner and to the two paid Commissioners shall be construed respectively as references to a medical Commissioner and to the medical Commissioners.
- (7) It shall be lawful for the Secretary of State to regulate the duties of the Commissioners or any of them.
- (8) Sections thirteen and sixteen of the Lunacy (Scotland) Act, 1857, (which relate respectively to the appointment of the secretary and of a clerk to the Board), shall

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*Status: This is the original version (as it was originally enacted).*

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cease to have effect, and the powers conferred by section one of the Lunacy Board (Scotland) Salaries and Clerks Act, 1900, with regard to the appointment of clerks shall extend to the appointment of the secretary.