

# National Trust for Scotland Order Confirmation Act, 1961

9 & 10 ELIZ. 2 Ch. xx

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## ARRANGEMENT OF SECTIONS

### Section

1. Confirmation of Order in schedule.
2. Short title.

## SCHEDULE

### NATIONAL TRUST FOR SCOTLAND

1. Short and collective titles.
2. Interpretation.
3. Subscriptions, etc., of ordinary members.
4. Provisions as to byelaws.
5. Amendment of section 21 of Order of 1935.
6. Costs of Order.



CHAPTER xx

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1936, relating to the National Trust for Scotland.

[19th July, 1961]

**W**HEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act, 1936, and it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation  
of Order in  
schedule.
2. This Act may be cited as the National Trust for Scotland Order Confirmation Act, 1961. Short title.

## SCHEDULE

## NATIONAL TRUST FOR SCOTLAND

*Provisional Order to amend the provisions of the National Trust for Scotland Orders, 1935 to 1952, and to make further provision with respect to the National Trust for Scotland for Places of Historic Interest or Natural Beauty.*

Whereas the National Trust for Scotland for Places of Historic Interest or Natural Beauty (in this Order called "the National Trust for Scotland") was incorporated by the National Trust for Scotland Order, 1935:

And whereas by the National Trust for Scotland Order, 1938, by the National Trust for Scotland Order, 1947, and by the National Trust for Scotland Order, 1952, the purposes of the National Trust for Scotland were extended and further powers were conferred on the National Trust for Scotland:

And whereas the National Trust for Scotland was established for the general purpose of promoting the permanent preservation for the benefit of the nation of lands and buildings in Scotland of historic or national interest or natural beauty and also of articles and objects of historic or national interest and, as regards lands, for the preservation (so far as practicable) of their natural aspect and features and animal and plant life and, as regards buildings, for the preservation (so far as practicable) of their architectural and historic features and contents so far as of national or historic interest:

And whereas it is expedient that the provisions contained in the National Trust for Scotland Order, 1935, with respect to the qualifications of persons to be ordinary members of the National Trust for Scotland should be amended and that the provisions contained in this Order with respect thereto should be enacted:

And whereas it is expedient that the other provisions contained in this Order should be enacted:

26 Geo. 5 &  
1 Edw. 8 c.52.

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act, 1936:

Now therefore in pursuance of the powers contained in the said Act the Secretary of State orders as follows:—

Short and  
collective  
titles.

1.—(1) This Order may be cited as the National Trust for Scotland Order, 1961.

(2) This Order shall be construed as one with the National Trust for Scotland Orders, 1935 to 1952, and this Order and the National Trust for Scotland Orders, 1935 to 1952, may be cited together as the National Trust for Scotland Orders, 1935 to 1961.

2. In this Order the several words and expressions to which meanings are assigned by the National Trust for Scotland Order, 1935, shall have the same respective meanings and "the Order of 1935" means the National Trust for Scotland Order, 1935. Interpretation.

3.—(1) The minimum amount of the annual subscription required for qualification as an ordinary member of the National Trust for Scotland shall be the sum of ten shillings or such other sum as the National Trust for Scotland may by resolution from time to time determine and an ordinary member of the National Trust for Scotland shall be a person who in any year has paid not less than the sum of ten shillings or not less than such other sum as the National Trust for Scotland may by resolution have determined as aforesaid. Subscriptions,  
etc., of ordinary  
members.

(2) Nothing in the last foregoing subsection shall affect the status of any person as an ordinary member of the National Trust for Scotland during the remainder of the year in respect of which his annual subscription was paid (whether paid before or after the passing of any such resolution as aforesaid) if, at the time when his annual subscription was paid, it was not less than the minimum annual subscription then required for qualification as an ordinary member of the National Trust for Scotland.

(3) Paragraph (c) of section 14 (Constitution of National Trust for Scotland) and section 15 (Subscriptions) of the Order of 1935 are hereby repealed and section 16 (As to liability of members) of the Order of 1935 shall be read and have effect as if the words "the annual subscription of such member or of" were omitted therefrom.

4.—(1) Except as provided in section 35 (Byelaws as to buildings) of the Order of 1935, subsections (3), (4) and (5), and (7) to (13) inclusive of section 301, section 302 and section 303 of the Local Government (Scotland) Act, 1947, shall, with any necessary modifications, apply to byelaws made under section 33 (Byelaws) of the Order of 1935 as if the National Trust for Scotland were the town council of a burgh and as if the Secretary of the National Trust for Scotland was the town clerk of the burgh. Provisions as  
to byelaws.  
10 & 11 Geo. 6  
c. 43.

(2) The confirming authority for the purpose of byelaws made by the National Trust for Scotland under the powers of section 33 (Byelaws) of the Order of 1935 shall be the Secretary of State.

(3) Section 34 (Provisions applicable to Byelaws) of the Order of 1935 is hereby repealed.

5. Section 21 (Powers and proceedings of Council) of the Order of 1935 shall have effect as if after the words "the rotation of members of the Council" occurring in subsection (2) of the said section there were inserted the words "the eligibility of members of the Council for re-election the". of section 21  
of Order of  
1935.

6. The costs, charges and expenses of and incidental to the preparation, obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the National Trust for Scotland out of the funds of the National Trust for Scotland. Costs of  
Order.

Ch. xx

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