



# William Simpson's Home (Transfer of Property etc.) (Scotland) Act 2010

## 2010 asp 12

**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 9th June 2010 and received Royal Assent on 27th July 2010**

An Act of the Scottish Parliament to transfer the property, rights, interests, employees and liabilities of the Trustees of William Simpson's Asylum to a successor company limited by guarantee and to dissolve the Trustees; and for connected purposes.

### **1 Transfer of property, rights, interests, employees and liabilities**

- (1) All property, rights, interests, employees and liabilities of the transferor are transferred to and vest in the transferee.
- (2) The Transfer of Undertakings (Protection of Employment) Regulations 2006 ([S.I. 2006/246](#)) apply to the transfer of property, rights, interests, employees and liabilities by subsection (1), whether or not they would so apply apart from this subsection.

### **2 Dissolution and repeal**

- (1) The transferor is dissolved.
- (2) The [Simpson's Asylum Act 1864 \(27 & 28 Victoria, c.1\)](#) (the "1864 Act") is repealed.

### **3 Supplementary provisions**

- (1) In every existing contract to which the transferor is a party or in which the transferor is referred to, references to the transferor are to be construed as references to the transferee.
- (2) Any property, right, interest or liability in respect of which but for this Act—
  - (a) delivery or possession, or
  - (b) intimation of its assignation,would be required in order to complete title to it, shall transfer to and vest in the transferee by virtue of this Act as if at the date on which the transfer of the property, right, interest or liability by this Act takes effect the transferee had taken delivery or

possession of the property, right, interest or liability in question or, as the case may be, had made intimation of its assignation.

- (3) This Act shall be deemed to be, and may be used as, a general disposition, conveyance or, as the case may be, assignation of such property in favour of the transferee.
- (4) Any legal proceedings, applications to any authority or other proceedings for the resolution of a dispute by or against the transferor which are pending or current immediately before this Act comes into force may be continued by or against the transferee.

#### **4 Interpretation**

In this Act—

“transferee” means a company incorporated for the purposes of this Act by the transferor under the Companies Acts as a company limited by guarantee under the name William Simpson’s (Registered Number SC377149) and having its registered office at Caledonian Exchange, 19A Canning Street, Edinburgh, EH3 8HE,

“transferor” means the Trustees of William Simpson’s Asylum incorporated by Act of Parliament by virtue of the 1864 Act (charity number SC000485) and having its registered office c/o Lindsays, Caledonian Exchange, 19A Canning Street, Edinburgh, EH3 8HE.

#### **5 Short title and commencement**

- (1) This Act may be cited as the William Simpson’s Home (Transfer of Property etc.) (Scotland) Act 2010.
- (2) This Act, other than this section, comes into force two months after it has received Royal Assent.