

Status: Point in time view as at 01/10/2012.

Changes to legislation: Police and Fire Reform (Scotland) Act 2012, Cross Heading: Property transfer schemes: general is up to date with all changes known to be in force on or before 17 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 5 TRANSFER OF CONSTABLES, STAFF AND PROPERTY ETC.

Property transfer schemes: general

- 19 (1) This paragraph applies in relation to a scheme under paragraph 17 or 18.
- (2) The scheme must specify a date (the “transfer date”) on which the transfer is to take effect.
- (3) The scheme may—
- (a) specify different dates in relation to different property, rights, liabilities and obligations,
 - (b) make different provision in relation to different cases or classes of case.
- (4) The scheme may make provision for the creation of rights, or the imposition of liabilities or obligations, in relation to the property, rights, liabilities or obligations transferred by virtue of the scheme.
- (5) The scheme may make provision requiring the person to whom property is transferred by the scheme to comply with requirements or conditions specified by the Scottish Ministers in relation to the property.
- (6) A requirement or condition specified under sub-paragraph (5) may include in particular—
- (a) a requirement that the property may not be disposed of unless the Scottish Ministers consent,
 - (b) a condition in relation to use of the property.
- (7) A certificate issued by the Scottish Ministers that any property, right, liability or obligation has, or has not, been transferred by virtue of a police property transfer scheme is conclusive evidence of the transfer or the fact that there has not been a transfer.
- (8) The scheme may make provision about the continuation of legal proceedings.
- (9) The scheme may include such incidental, consequential, supplementary, transitional, transitory or saving provision as the Scottish Ministers consider appropriate.

Commencement Information

II Sch. 5 para. 19 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, Sch.

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