



# Community Empowerment (Scotland) Act 2015

2015 asp 6

## PART 5

### ASSET TRANSFER REQUESTS

#### *Appeals and reviews*

#### **91 Effect of offers on appeals and reviews**

- (1) Subsection (2) applies where—
  - (a) a community transfer body makes an asset transfer request to a relevant authority,
  - (b) the relevant authority agrees to the request as mentioned in section 85(1)(b), 86(1)(b)(ii), 87(1)(b)(ii) or 88(1)(b),
  - (c) the community transfer body makes an offer as mentioned in section 83(2), and
  - (d) the offer has not been withdrawn.
- (2) The community transfer body may not—
  - (a) make an appeal under section 85 or 88, or
  - (b) apply for a review under section 86 or 87.
- (3) Where an offer as mentioned in section 83(2) is made by a community transfer body after the body has made an appeal, or applied for a review, as mentioned in subsection (2), the appeal or (as the case may be) application for review is to be treated as having been withdrawn by the body.
- (4) A reference in this section to—
  - (a) section 83(2) includes a reference to that section as applied—
    - (i) by section 86(9) and 87(9), and
    - (ii) by virtue of section 89(2),
  - (b) section 85 includes a reference to that section as applied by section 88(3),

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*Status: This is the original version (as it was originally enacted).*

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- (c) section 86 includes a reference to that section as applied by subsection (2) of, and modified in such application by virtue of subsection (4) of, section 89.