

2006 No. 111

TRANSPORT

**The Transfer of Property, Rights and Liabilities from the
Strathclyde Passenger Transport Authority and the Strathclyde
Passenger Transport Executive to the West of Scotland Transport
Partnership Order 2006**

<i>Made</i> - - - -	<i>7th March 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>8th March 2006</i>
<i>Coming into force</i> - -	<i>1st April 2006</i>

The Scottish Ministers, in exercise of the powers conferred by sections 15(5) and 52(4) of the Transport (Scotland) Act 2005(a) and all other powers enabling them in that behalf hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Transfer of Property, Rights and Liabilities from the Strathclyde Passenger Transport Authority and the Strathclyde Passenger Transport Executive to the West of Scotland Transport Partnership Order 2006 and shall come into force on 1st April 2006.

Interpretation

2. In this Order—

“the transfer date” means 1st April 2006;

“the West of Scotland Transport Partnership” means the West of Scotland Transport Partnership established by the Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005(b).

Property, rights and liabilities transferring to the West of Scotland Transport Partnership

3.—(1) Where there has been a transfer of statutory functions relating to transport by virtue of the Transfer of Functions from the Strathclyde Passenger Transport Authority and the Strathclyde Passenger Transport Executive to the West of Scotland Transport Partnership Order 2006(c), all associated property, rights and liabilities of the Strathclyde Passenger Transport Authority or the Strathclyde Passenger Transport Executive shall be transferred to the West of Scotland Transport Partnership with effect from the transfer date.

(a) 2005 asp 12.
(b) S.S.I. 2005/622.
(c) S.S.I. 2006/106.

(2) Where there has been a transfer of statutory functions relating to the provision or regulation of rail services by virtue of the Transfer of Rail Functions To The Scottish Ministers Order 2005(a), all associated property, rights and liabilities of the Strathclyde Passenger Transport Authority or the Strathclyde Passenger Transport Executive shall be transferred to the West of Scotland Transport Partnership with effect from the transfer date.

Transitional and saving provision

4.—(1) The transfer, by virtue of this Order, of any property, rights or liabilities of the Strathclyde Passenger Transport Authority or the Strathclyde Passenger Transport Executive to the West of Scotland Transport Partnership shall not affect the validity of anything done (or having effect as if done) by or in relation to the Strathclyde Passenger Transport Authority or the Strathclyde Passenger Transport Executive before the date on which the transfer takes effect.

(2) Anything (including legal proceedings) which, at the time when that transfer takes effect, is in the process of being done by or in relation to the Strathclyde Passenger Transport Authority or the Strathclyde Passenger Transport Executive may, so far as it relates to any property, rights or liabilities transferred, be continued by or in relation to the West of Scotland Transport Partnership.

(3) Anything done (or having effect as if done) by or in relation to the Strathclyde Passenger Transport Authority or the Strathclyde Passenger Transport Executive for the purposes of or in connection with any property, rights or liabilities transferred to the West of Scotland Transport Partnership by virtue of this Order shall, if in force at the time when that transfer takes effect, have effect as if done by or in relation to the West of Scotland Transport Partnership in so far as that is required for continuing its effect after that time.

TAVISH SCOTT
A member of the Scottish Executive

St Andrew's House,
Edinburgh
7th March 2006

(a) S.S.I. 2005/598.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the transfer of all property, rights and liabilities of the Strathclyde Passenger Transport Authority and the Strathclyde Passenger Transport Executive associated with transfers of statutory functions relating to transport to the West of Scotland Transport Partnership and to the Scottish Ministers (in relation to the transfer of rail functions).

Article 3 makes provision that all property, rights and liabilities associated with the transferred functions shall be transferred to the West of Scotland Transport Partnership.

Article 4 makes general transitional and savings provisions in relation to the transfer of the property, rights and liabilities.

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