



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART IX

ACQUISITION, TRANSFER, VESTING AND COMPENSATION

Vesting and transfer

114 Transfers of officers and property in connection with lighting and bus shelters, etc.

- (1) This section applies where, by virtue of section 35 or 49 of this Act, a function which was, before the commencement of this Act, exercisable by a district council (whether or not concurrently with another local authority) is exercisable by a local roads authority.
- (2) An officer of a district council who, in the period immediately before the coming into force of this Act, was wholly or mainly employed in duties pertaining, irrespective of how his office or employment was formally described, to a function referred to in subsection (1) above, shall be transferred into the employment of the local roads authority; but such transfer shall not affect any legal right or entitlement of the officer.
- (3) Subject to any such agreement as is provided for in subsection (4) below, any heritable or moveable property of a district council which is wholly or mainly used, or held, by the council in relation to the discharge of a function referred to in subsection (1) above shall transfer to and vest in the local roads authority.
- (4) If or in so far as the district council and the local roads authority agree that property shall not be transferred by subsection (3) above, that subsection shall have no effect as regards the property; but the property shall no longer be used or held by the district council in relation to the discharge of a function referred to in subsection (1) above.
- (5) Any dispute between a district council and a local roads authority as to whether or when a transfer falls to take place under subsection (2) or (3) above or as to any other matter concerning such a transfer shall be determined by arbitration by a single

Status: Point in time view as at 01/02/1991.

Changes to legislation: Roads (Scotland) Act 1984, Section 114 is up to date with all changes known to be in force on or before 28 July 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)

arbiter appointed in default of agreement by the Court of Session, or the sheriff, on the application of either party.

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