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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 40**

The Transfer of Property etc. (Scottish  
Court Service) Order 2010

**Determination of disputes**

5.—(1) Any question as to whether or to what extent any property or liability transfers to the Scottish Court Service by virtue of this Order shall be determined by the Scottish Ministers.

(2) Any dispute as to—

- (a) whether any and, if so, how much compensation is payable by virtue of paragraph 20(7) of schedule 3 to the Act as a result of any transfer of property by this Order;
- (b) the person to whom or by whom such compensation shall be paid,

is to be determined by arbitration; and, where there is no agreement as to who is to be appointed as arbiter, by an arbiter appointed by the President of the Chartered Institute of Arbitrators.