



New Towns (Scotland) Act 1968

1968 CHAPTER 16

Transfer of property and undertakings of development corporations, and their dissolution

[^{F1}36D Transfer orders.

- (1) At any time after a winding up order has been made the Secretary of State may by order (a “transfer order”), made by statutory instrument and subject to annulment in pursuance of a resolution by either House of Parliament, provide for the transfer of any property, rights and liabilities of a development corporation to any person, including (without prejudice to this generality) Scottish Enterprise, . . . ^{F2F3} . . . a local authority or a statutory undertaker.
- (2) A transfer order may#
 - (a) transfer the property, rights and liabilities on such terms (which may include transfer either with or without consideration) as the Secretary of State may provide in the order,
 - (b) include provisions amending any enactment relating to Scottish Enterprise, . . . ^{F2F3} . . . a local authority or a statutory undertaker for the purpose, or in consequence, of any transfer made to any such body by virtue of subsection (1) above, and
 - (c) contain any such incidental, consequential, supplementary or ancillary provisions as the Secretary of State thinks necessary or expedient for the purposes of the order.
- (3) Any property, right or liability transferred to any person by a transfer order shall vest in that person on such date as may be specified in the order.
- (4) If a person to whom any land is transferred by a transfer order wishes to complete his title to the land by expediting a notarial instrument or notice of title or otherwise, the order shall be deemed to be and may be used as a general disposition or assignation of the land in his favour.]

Changes to legislation: There are currently no known outstanding effects for the New Towns (Scotland) Act 1968, Section 36D. (See end of Document for details)

Textual Amendments

- F1** Ss. 36–36H substituted for sections 36 and 36A by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\)](#), **s. 33**
- F2** Words repealed by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\)](#), s. 38(2), **Sch. 5 Pt. I**
- F3** Words in s. 36D(1)(2)(b) repealed (1.11.2001) by [2001 asp 10, s. 112](#), **Sch. 10 para. 1(b)**; S.S.I. 2001/397, **art. 2(2)** (subject to transitional provisions in arts. 3-7)

Changes to legislation:

There are currently no known outstanding effects for the New Towns (Scotland) Act 1968, Section 36D.