



# Roads (Scotland) Act 1984

## 1984 CHAPTER 54

### PART IX

#### ACQUISITION, TRANSFER, VESTING AND COMPENSATION

##### *Vesting and transfer*

#### **113 Transfer of property and liabilities in connection with special roads etc.**

- (1) Where provision is made by an order under section 9 or, as the case may be, 12 of this Act—
- for transferring a road from one roads authority to another;
  - for enabling a roads authority to alter a road vested in another; or
  - for authorising or requiring any functions of a [F1local authority] to be exercised by a roads authority,

the order may transfer to the roads authority to whom the road is transferred or, as the case may be, in whom it is vested, or by whom those functions are to be exercised, any property, rights or liabilities (other than loans or loan charges) vested in or incurred by the other authority in connection with the road, or the alteration, or for the purposes of those functions.

- (2) An order transferring property, rights or liabilities under section 9 or 12 of this Act may for that purpose (whether or not the road in question is a trunk road) apply any of the provisions of section 112 of this Act or any of the transitional provisions contained in Schedule 6 to this Act, subject to such modifications as may be specified in the order.
- (3) No order under section 9 or 12 of this Act shall provide for transferring to any authority (except by agreement with that authority) any bridge over or tunnel under the road as distinct from any approaches to the bridge or tunnel.

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**Changes to legislation:** Roads (Scotland) Act 1984, Section 113 is up to date with all changes known to be in force on or before 01 March 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) View outstanding changes

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#### Textual Amendments

- F1** Words in S. 113(1)(c) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 135(7)**; S.I. 1996/323, **art 4(1)(c)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)