
STATUTORY INSTRUMENTS

1996 No. 466 (S.35)

NEW TOWNS

The New Town (Glenrothes) (Transfer of Property, Rights and Liabilities) Order 1996

<i>Made</i>	- - - -	<i>28th February 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred on him by section 36D of the New Towns (Scotland) Act 1968(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the New Town (Glenrothes) (Transfer of Property, Rights and Liabilities) Order 1996 and shall come into force on 1st April 1996.

(2) In this Order—

“the council” means The Fife Council, being the council constituted in accordance with Part I of the Local Government etc. (Scotland) Act 1994(2) for the local government area of Fife;

“the development corporation” means the Glenrothes Development Corporation established by the New Town (Glenrothes) (Development Corporation) Order 1948(3).

Transfer of property, rights and liabilities to the council

2. Any property, rights and liabilities of the development corporation shall transfer to and vest in the council on 1st April 1996.

Incidental and supplementary provisions

3. Anything done before 1st April 1996 by, or on behalf of, or in relation to, the development corporation for the purposes of or in connection with the property, rights and liabilities transferred by article 2 of this Order shall, on and after 1st April 1996, be treated as having been done by, or

(1) 1968 c. 16; section 36D was inserted by the Enterprise and New Towns (Scotland) Act 1990 (c. 35), section 33, and amended by Part I of Schedule 5 to that Act.
(2) 1994 c. 39.
(3) S.I.1948/2368.

on behalf of, or in relation to, the council; and, accordingly, without prejudice to that generality, on and after 1st April 1996—

- (a) any legal proceedings by, or in relation to, the development corporation, or to which the development corporation is a party, for the purposes of, or in connection with, the said property, rights and liabilities may be continued by, or in relation to, the council; and, accordingly, references to the development corporation in any process or other document issued, prepared or employed for the purposes of any such proceedings before any court, tribunal or other body shall be taken as referring to the council;
- (b) every contract or agreement whether written or not to which the development corporation is a party for the purposes of, or in connection with, the said property, rights and liabilities shall have effect in relation to such property, rights and liabilities as if the council was the party thereto in place of the development corporation and as if for each reference therein to the development corporation there was substituted a reference to the council;
- (c) every deed, bond, instrument and other document relating to the said property, rights and liabilities shall have effect in relation to such property, rights and liabilities as if, where the development corporation is a party thereto, the council was substituted as that party and as if for each reference therein to the development corporation there was substituted a reference to the council.

4. For all purposes connected with, or arising subsequent to, the transfer to the council of the property, rights or liabilities by article 2 of this Order, the council is to be treated in respect of the property, rights and liabilities so transferred as the same person in law as the development corporation.

5. Nothing in this Order shall have the effect of completing the title of the council to any land transferred by article 2 of this Order, but this is without prejudice to the provisions of section 36D(4) of the New Towns (Scotland) Act 1968.

St Andrew's House,
Edinburgh
28th February 1996

George Kynoch
Parliamentary Under Secretary of State, Scottish
Office

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the transfer of any property, rights and liabilities of the Glenrothes Development Corporation to The Fife Council on 1st April 1996.

Articles 3 to 5 specify certain incidental and supplementary provisions.