

*These notes relate to the Transport (Scotland) Act 2005
(asp 12) which received Royal Assent on 5 August 2005*

TRANSPORT (SCOTLAND) ACT 2005

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Regional Transport

Chapter 3: Supplementary and Consequential Provision

Section 15: Transfer of staff, property, rights and liabilities

48. [Section 15](#) specifies that the regulations governing the protection of employment rights in the event of a transfer of undertaking, as defined in section 15(7), apply whenever the transfer of a function to a Transport Partnership or the Scottish Ministers takes place under sections 2, 10 or 13. These transfers have implications for those people currently engaged in exercising those functions.
49. [Section 15\(5\)](#) and [\(6\)](#) empower the Scottish Ministers, when a transfer of functions takes place, to require, by order, the transfer of any property, rights or liabilities linked to those functions.