



# Management of Offenders etc. (Scotland) Act 2005

2005 asp 14

## *Community justice authorities*

### **9 Transfer of property to community justice authority**

- (1) For the purpose of facilitating the discharge by a community justice authority of that authority's functions, a local authority or the Scottish Ministers may transfer property to that authority.
- (2) If by virtue of the revocation of an order under section 8 a function ceases to be exercisable by a community justice authority, that authority must, if requested to do so by whomever is to exercise the function in consequence of the revocation, transfer to that person any property held by it wholly or mainly for the purpose of exercising the function.
- (3) Where transfer under subsection (1) or (2) occurs, no right of pre-emption or other similar right operates or becomes exercisable.
- (4) Subject to subsection (3), on the transfer of property under subsection (1) or (2), such rights and liabilities of the transferor as pertain to the property are transferred with it.