



Community Empowerment (Scotland) Act 2015

2015 asp 6

PART 5

ASSET TRANSFER REQUESTS

Key definitions

77 Meaning of “community transfer body”

- (1) In this Part, “community transfer body” means—
- (a) a community-controlled body, or
 - (b) a body mentioned in subsection (2).
- (2) The body is a body (whether corporate or unincorporated)—
- (a) that is designated as a community transfer body by an order made by the Scottish Ministers for the purposes of this Part, or
 - (b) that falls within a class of bodies designated as community transfer bodies by such an order for the purposes of this Part.
- (3) Where the power to make an order under subsection (2)(a) is exercised in relation to a trust, the community transfer body is to be the trustees of the trust.

Commencement Information

- I1** S. 77(1) in force at 23.1.2017 by S.S.I. 2016/363, art. 3(b)
I2 S. 77(2)(3) in force at 13.11.2015 for specified purposes by S.S.I. 2015/358, art. 2, Sch.
I3 S. 77(2)(3) in force at 23.1.2017 in so far as not already in force by S.S.I. 2016/363, art. 3(b)

78 Meaning of “relevant authority”

- (1) In this Part, a “relevant authority” means—
- (a) a person listed, or of a description listed, in schedule 3, or

Changes to legislation: There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Cross Heading: Key definitions. (See end of Document for details)

- (b) a person mentioned in subsection (3).
- (2) The Scottish Ministers may by order modify schedule 3 so as to—
 - (a) remove an entry listed in it,
 - (b) amend an entry listed in it.
- (3) The person is a person—
 - (a) that is designated as a relevant authority by an order made by the Scottish Ministers for the purposes of this Part, or
 - (b) that falls within a class of persons designated as relevant authorities by such an order for the purposes of this Part.
- (4) An order under subsection (3) may designate a person, or a class of persons, only if the person or (as the case may be) each of the persons falling within the class is—
 - (a) a part of the Scottish Administration,
 - (b) a Scottish public authority with mixed functions or no reserved functions (within the meaning of the Scotland Act 1998), or
 - (c) a publicly-owned company.
- (5) In subsection (4)(c), “publicly-owned company” means a company that is wholly owned by one or more relevant authorities.
- (6) For that purpose, a company is wholly owned by one or more relevant authorities if it has no members other than—
 - (a) the relevant authority or (as the case may be) authorities,
 - (b) other companies that are wholly owned by the relevant authority or (as the case may be) authorities, or
 - (c) persons acting on behalf of—
 - (i) the relevant authority or (as the case may be) authorities, or
 - (ii) such other companies.
- (7) In this section, “company” includes any body corporate.

Commencement Information

- I4** S. 78(1)(5)-(7) in force at 23.1.2017 by [S.S.I. 2016/363](#), [art. 3\(b\)](#)
- I5** S. 78(2)(3)(4) in force at 13.11.2015 for specified purposes by [S.S.I. 2015/358](#), [art. 2](#), [Sch.](#)
- I6** S. 78(2)(3)(4) in force at 23.1.2017 in so far as not already in force by [S.S.I. 2016/363](#), [art. 3\(b\)](#)

Changes to legislation:

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