



Community Empowerment (Scotland) Act 2015

2015 asp 6

PART 5

ASSET TRANSFER REQUESTS

Key definitions

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
 - (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.

Status: This is the original version (as it was originally enacted).

- (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.