
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 360

The Asset Transfer Request (Appeal Where No Contract Concluded) (Scotland) Regulations 2016

PART 1

Preliminary

Citation, commencement and application

1.—(1) These Regulations may be cited as the Asset Transfer Request (Appeal Where No Contract Concluded) (Scotland) Regulations 2016 and come into force on 23rd January 2017.

(2) These Regulations (other than Parts 4 and 5) apply to appeals under section 83(6) of the Act (appeal where no contract concluded).

(3) These Regulations apply as specified in regulation 11(6) to applications under section 83(8) of the Act (application for direction).

(4) These Regulations apply as specified in regulation 14(5) to applications under section 90(5) of the Act (application for direction).

Interpretation

2. In these Regulations—

“the Act” means the Community Empowerment (Scotland) Act 2015;

“asset transfer request” means the asset transfer request to which the appeal relates;

“community transfer body” means the community transfer body which made the asset transfer request;

“contact address” has the meaning given in regulation 18;

“decision notice” means the notice given by the relevant authority of its decision on the asset transfer request;

“hearing session” means a hearing held or to be held into matters specified in a notice given under rule 1(1) of the Hearing Session Rules;

“Hearing Session Rules” means the rules set out in the schedule;

“relevant authority” means the relevant authority to whom the asset transfer request was made;

“relevant authority’s response” has the meaning given in regulation 4(2)(a);

“review panel” means the persons appointed by the Scottish Ministers under regulation 5(1) to consider the appeal and report to them on it;

“rule” means a rule set out in the schedule;

“specified matters” are, in relation to a request for further written representations or information under regulation 8 or to a particular hearing session, those matters which are set

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out in the notice given under regulation 8(1) or rule 1(1) of the Hearing Session Rules, as the case may be; and

“working day” means every day except—

- (a) Saturday and Sunday;
- (b) 25th and 26th December; and
- (c) 1st and 2nd January.