



Transport (Scotland) Act 1989

1989 CHAPTER 23

PART I

BUS OPERATIONS

Transfer schemes

6 Transfer schemes.

- (1) This section applies to any scheme under section 5(2) of this Act (referred to below in this section as a transfer scheme).
- (2) A transfer scheme may define the property, rights and liabilities to be transferred by the scheme—
 - (a) by specifying the property, rights or liabilities in question; or
 - (b) by referring to all the property, rights and liabilities comprised in the whole or any specified part of the transferor's undertaking;(or partly in one way and partly in the other) and may contain such supplementary, incidental and consequential provisions as may appear to the Group to be necessary or expedient (including in particular, but without prejudice to the generality of that, provision with respect to the consideration to be provided by the transferee for any transfer under the scheme).
- (3) Subject to the following provisions of this section, Schedule 4 to the 1968 Act (supplementary provisions as to certain transfers of property, rights and liabilities) shall apply to any transfer under section 5(2) of this Act; and that section shall have effect subject to the provisions of that Schedule.
- (4) In the said Schedule 4 as it applies by virtue of subsection (3) above—
 - (a) any reference to a transfer by or a vesting by virtue of that Act shall be read as a reference to a transfer by or a vesting by virtue of the transfer scheme in question; and
 - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.

Changes to legislation: There are currently no known outstanding effects for the Transport (Scotland) Act 1989, Cross Heading: Transfer schemes. (See end of Document for details)

- (5) The Secretary of State may by order make modifications in the said Schedule 4 for the purposes of its application to transfers under section 5(2) of this Act; and an order made under this subsection shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Changes to legislation:

There are currently no known outstanding effects for the Transport (Scotland) Act 1989, Cross
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