



Scotland Act 1998

1998 CHAPTER 46

PART II

THE SCOTTISH ADMINISTRATION

Property and liabilities

59 Property and liabilities of the Scottish Ministers

- (1) Property may be held by the Scottish Ministers by that name.
- (2) Property acquired by or transferred to the Scottish Ministers shall belong to, and liabilities incurred by the Scottish Ministers shall be liabilities of, the Scottish Ministers for the time being.
- (3) In relation to property to be acquired by or transferred to, or belonging to, the Scottish Ministers or liabilities incurred by the Scottish Ministers, references to the Scottish Ministers—
 - (a) in any title recorded in the Register of Sasines or registered in the Land Register of Scotland, or
 - (b) in any other document,shall be read in accordance with subsection (2).
- (4) A document shall be validly executed by the Scottish Ministers if it is executed by any member of the Scottish Executive.

60 Transfers to the Scottish Ministers

- (1) Subordinate legislation may provide—
 - (a) for the transfer to the Scottish Ministers of any property belonging to a Minister of the Crown or government department, or
 - (b) for the Scottish Ministers to have such rights or interests in relation to any property belonging to a Minister of the Crown or government department

Status: This is the original version (as it was originally enacted).

as the person making the legislation considers appropriate (whether in connection with a transfer or otherwise).

- (2) Subordinate legislation may provide for the transfer to the Scottish Ministers of any liabilities to which a Minister of the Crown or government department is subject.
- (3) Subordinate legislation under this section may only be made in connection with any transfer or sharing of functions of a Minister of the Crown by virtue of section 53, 63 or 89 or in any other circumstances in which the person making the legislation considers it appropriate to do so for the purposes of this Act.

61 Property and liabilities of the Lord Advocate and the First Minister

- (1) Property may be held by the Lord Advocate by that name.
- (2) Property acquired by or transferred to the Lord Advocate shall belong to, and liabilities incurred by the Lord Advocate shall be liabilities of, the Lord Advocate for the time being.
- (3) In relation to property to be acquired by or transferred to, or belonging to, the Lord Advocate or liabilities incurred by the Lord Advocate, references to the Lord Advocate—
 - (a) in any title recorded in the Register of Sasines or registered in the Land Register of Scotland, or
 - (b) in any other document,shall be read in accordance with subsection (2).
- (4) Any rights and liabilities acquired or incurred by the First Minister shall be rights or (as the case may be) liabilities of the First Minister for the time being.

62 Transfers to the Lord Advocate

- (1) Subordinate legislation may provide—
 - (a) for the transfer to the Lord Advocate of any property belonging to a Minister of the Crown or government department, or
 - (b) for the Lord Advocate to have such rights or interests in relation to any property belonging to a Minister of the Crown or government department as the person making the legislation considers appropriate (whether in connection with a transfer or otherwise).
- (2) Subordinate legislation may provide for the transfer to the Lord Advocate of any liabilities to which a Minister of the Crown or government department is subject.
- (3) Subordinate legislation under this section may only be made in connection with the Lord Advocate becoming a member of the Scottish Executive or having any retained functions or in any other circumstances in which the person making the legislation considers it appropriate to do so for the purposes of this Act.