

SCHEDULES

SCHEDULE 5

CHARITABLE PROPERTY ON DISBANDING OF UNITS

PART III

SUCCESSION TO CHARITABLE PROPERTY: SCOTLAND

Power of Lord Advocate to apply to Court of Session

- 12 (1) Where a body of a reserve force has been or is to be disbanded, the Lord Advocate —
- (a) if he has not given a direction under paragraph 9, may; and
 - (b) if he has given such a direction, shall,
- apply by petition to the Court of Session for the court to make an order exercising, with respect to any charitable property which is held for the purposes of the disbanded unit, any of the court's powers relating to a charitable or other permanent endowment.
- (2) On an application under sub-paragraph (1), the court may, subject to any such direction, exercise any such power to make such order as it considers to be appropriate, whether or not that power would normally be exercisable at the instance of the Lord Advocate.