

These notes relate to the Management of Offenders etc. (Scotland) Act 2005 (asp 14) which received Royal Assent on 8 December 2005

MANAGEMENT OF OFFENDERS ETC. (SCOTLAND) ACT 2005

EXPLANATORY NOTES

INTRODUCTION

Integrated Management Of Offenders

Section 9 – Transfer of property to community justice authority

70. Subsection (1) contains provision for the transfer of property from local authorities or Scottish Ministers to a community justice authority to facilitate discharge of that authority's function.
71. Subsection (2) provides for the appropriate transfer of property, following a revocation of a Section 8 transfer order, from a community justice authority to the body which assumes responsibility for that function where the property in question is wholly or mainly used for the purpose of exercising of the function.
72. Subsection (3) provides that such transfers of property under subsection (1) or (2) will not trigger any rights of pre-emption or other similar rights.
73. Subsection (4) clarifies that rights and liabilities pertaining to the property, other than those covered by section 8(3) (right of pre-emption and similar rights), transfer with the property.