



Local Government etc. (Scotland) Act 1994

1994 CHAPTER 39

PART IV

MISCELLANEOUS

Roads

147 Provisions consequential on making of special road order.

After section 113 of the ^{M1}Roads (Scotland) Act 1984 there shall be inserted the following section—

“113A Dissolution of certain bodies in consequence of order under section 9.

(1) Where—

- (a) an order under section 9 of this Act transfers to a special road authority a road for the management and maintenance of which a body other than a roads authority was, prior to the coming into force of the order, responsible under any enactment; and
- (b) the functions of that body relate solely to that road,

the Secretary of State may by order (in this section referred to as a “dissolution order”) dissolve the body.

(2) A dissolution order may transfer or provide for the transfer to—

- (a) the special road authority referred to in subsection (1)(a) above; or
 - (b) such other person as the Secretary of State considers appropriate,
- of such of the property, rights and liabilities of the body dissolved by the order as the Secretary of State considers appropriate.

Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Section 147. (See end of Document for details)

- (3) A dissolution order may make provision in connection with the transfer of staff employed by or for the purposes of the body.
- (4) Without prejudice to the generality of subsection (2) above, a dissolution order may make provision regarding liability for the payment of any pensions, allowances or gratuities which would otherwise have been the responsibility of the body.
- (5) A dissolution order may make incidental provision as to the interests, rights and liabilities of third parties with respect to property, rights and liabilities transferred by the order.
- (6) In subsection (5) above the reference to third parties is a reference to persons other than the body and the persons referred to in subsection (2)(a) and (b) above.
- (7) A dissolution order may repeal or amend—
 - (a) any enactment in a private Act; and
 - (b) any provision of an order made under or confirmed by a private Act, which, in consequence of the making of the order, is no longer required or, as the case may be, requires to be amended.”.

Marginal Citations

M1 1984 c. 54.

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