



Scotland Act 1998

1998 CHAPTER 46

PART V

MISCELLANEOUS AND GENERAL

Supplementary powers

109 Agreed redistribution of property and liabilities.

- (1) Her Majesty may by Order in Council provide—
 - (a) for the transfer to a Minister of the Crown or government department of any property belonging to the Scottish Ministers or the Lord Advocate, or
 - (b) for a Minister of the Crown or government department to have such rights or interests in relation to any property belonging to the Scottish Ministers or the Lord Advocate as Her Majesty considers appropriate (whether in connection with a transfer or otherwise).
- (2) Her Majesty may by Order in Council provide for the transfer to a Minister of the Crown or government department of any liabilities to which the Scottish Ministers or the Lord Advocate are subject.
- (3) An Order in Council under this section may only be made in connection with any transfer or sharing of functions of a member of the [^{F1}Scottish Government] by virtue of section 108 or in any other circumstances in which Her Majesty considers it appropriate to do so for the purposes of this Act.

Textual Amendments

- F1** Words in Act substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), [ss. 12\(2\)\(a\)](#), [44\(5\)](#) (with [s. 12\(3\)](#)); [S.I. 2012/1710](#), [art. 2\(f\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Scotland Act 1998, Section 109.