Status: *Point in time view as at 29/11/2004.*
Changes to legislation: *There are currently no known outstanding effects for the Nature Conservation (Scotland) Act 2004, Paragraph 3. (See end of Document for details)*

SCHEDULE 5
PART 2: TRANSITIONAL ARRANGEMENTS

3 Where this paragraph applies in relation to an existing notification—

(a) the notification is to be treated as an SSSI notification given, and confirmed by SNH under paragraph 4 of schedule 1 to this Act, on the day on which this paragraph first applies in relation to the notification,

(b) any operation specified in the notification in pursuance of section 28(4)(b) of the 1981 Act is to be treated, in relation to it, as an operation requiring consent,

(c) any written notice given in relation to the notification for the purposes of section 28(5)(a) of the 1981 Act during the period of 4 months immediately prior to the day on which this paragraph first applies in relation to the notification is, unless SNH has given written intimation to the person who gave the notice of its refusal to consent to the operation specified in it, to be treated as an application under section 16(2) of this Act, and

(d) SNH is to be treated as having given its written consent on an application under section 16(2) of this Act to the carrying out of an operation which is, by virtue of sub-paragraph (b), to be treated as an operation requiring consent if SNH has, on or before the day on which this paragraph first applies in relation to the notification, given its written consent to the carrying out of the operation.

Commencement Information

I1 Sch. 5 para. 3 in force at 29.11.2004 by S.S.I. 2004/495, **art. 2**

Status:
Point in time view as at 29/11/2004.

Changes to legislation:
There are currently no known outstanding effects for the Nature Conservation (Scotland) Act 2004, Paragraph 3.