



# Nature Conservation (Scotland) Act 2004

## 2004 asp 6

### PART 2 **S**

#### CONSERVATION AND ENHANCEMENT OF NATURAL FEATURES

### CHAPTER 3 **S**

#### LAND MANAGEMENT ORDERS

### 34 Appeals in connection with land management orders and related orders **S**

- (1) Any owner or occupier of land to which a land management order relates who is aggrieved by—
  - (a) a decision of the Scottish Ministers to make a land management order or an order under section 32(3), or
  - (b) the terms or conditions of such an order,may appeal to the Scottish Land Court.
- (2) An appeal under subsection (1) must be lodged not later than 28 days after the date on which the Scottish Ministers gave notice to the appellant of the decision being appealed.
- (3) The Scottish Land Court must determine an appeal under subsection (1) on the merits rather than by way of review and may do so by—
  - (a) affirming the order in question,
  - (b) directing the Scottish Ministers to amend the order in such manner as the Court may specify,
  - (c) directing the Scottish Ministers to revoke the order,
  - (d) making such other order as it thinks fit.

#### **Modifications etc. (not altering text)**

- C1** Pt. 2 Ch. 3 applied (with modifications) by S.I. 1994/2716, regs. 19, 21 (as substituted (29.11.2004) by [Conservation \(Natural Habitats, &c.\) Amendment \(Scotland\) Regulations 2004 \(S.S.I. 2004/475\)](#), regs. 1(1), **9** (with regs. 20-21))

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**Changes to legislation:** There are currently no known outstanding effects for the Nature Conservation (Scotland) Act 2004, Section 34. (See end of Document for details)

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**Commencement Information**

**II** S. 34 in force at 29.11.2004 by [S.S.I. 2004/495](#), [art. 2](#)

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There are currently no known outstanding effects for the Nature Conservation (Scotland) Act 2004, Section 34.