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**Changes to legislation:** There are currently no known outstanding effects for the Historic Environment Scotland Act 2014, Paragraph 5. (See end of Document for details)

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SCHEDULE 4  
FUNCTIONS OF HISTORIC ENVIRONMENT SCOTLAND  
IN RELATION TO THE MARINE ENVIRONMENT

- 5 In section 84 (failure to comply with duties) after subsection (3) insert—
- “(3A) In relation to a Historic MPA if, in the opinion of Historic Environment Scotland, a public authority has failed—
- (a) to act in accordance with advice or guidance given by Historic Environment Scotland under section 80A,
  - (b) to comply with any of its duties under section 82(2) or 83(3) or (4),
- Historic Environment Scotland may request from the authority an explanation in writing for the failure.
- (3B) Historic Environment Scotland must send a copy of a request by it under subsection (3A) to the Scottish Ministers.
- (3C) On receiving a request under subsection (3A), the public authority must—
- (a) provide Historic Environment Scotland with the requested explanation for the failure,
  - (b) send a copy of the explanation to the Scottish Ministers.”.

**Commencement Information**

- II** Sch. 4 para. 5 in force at 1.10.2015 by S.S.I. 2015/196, art. 2, Sch. (with transitional provisions and savings in S.S.I. 2015/239, arts. 2-19)

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