Scottish Crown Estate Act 2019

2019 asp 1

PART 2

CHANGES IN MANAGEMENT OF SCOTTISH CROWN ESTATE ASSETS

4 Directions requiring delegation of management function

(1) The Scottish Ministers may direct the manager of a Scottish Crown Estate asset to delegate the function of managing the asset to another person mentioned in section 3(2) (c), (d), (e) or (f).

(2) Subsection (1) does not apply where the manager is—
   (a) the Scottish Ministers,
   (b) a Scottish harbour authority,
   (c) a community organisation.

(3) A direction under subsection (1) must—
   (a) be in writing,
   (b) set out—
       (i) the person to whom the function is to be delegated,
       (ii) any terms and conditions on which the function must be delegated.

(4) Before giving a direction under subsection (1), the Scottish Ministers must consult—
   (a) the manager to whom the direction is to be given,
   (b) the person to whom the function is to be delegated,
   (c) such other persons as the Scottish Ministers consider appropriate.

(5) A direction under subsection (1) may—
   (a) be given only with the consent of the person to whom the function is to be delegated,
   (b) be revised or revoked by the Scottish Ministers at any time before they consent to the terms and conditions on which the function is to be delegated under section 5(6)(b).

(6) Subsections (4) and (5)(a) apply to the revision or revocation of a direction under subsection (1) as they apply to such a direction.

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(7) The Scottish Ministers must publish, in such manner as they consider appropriate—

    (a)   any direction given under subsection (1), or revised under subsection (5)(b),

    (b)   notice of any revocation of such a direction under subsection (5)(b).

(8) A direction or revised direction may be published in whole or in part, but the following information must not be withheld from publication—

    (a)   the manager to whom it was given,

    (b)   the asset to which it relates,

    (c)   the person to whom the function is to be delegated.