



# Ancient Monuments and Archaeological Areas Act 1979

1979 CHAPTER 46

## [<sup>F1</sup>PART 1A

INVENTORIES OF GARDENS AND DESIGNED LANDSCAPES AND OF BATTLEFIELDS

### Textual Amendments

**F1** Pt. 1A inserted (S.) (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), ss. 11, 33(2); S.S.I. 2011/174, art. 2, Sch.

### 32A Inventory of gardens and designed landscapes

- (1) [<sup>F2</sup>The Scottish Ministers][<sup>F2</sup>Historic Environment Scotland] must compile and maintain (in such form as [<sup>F3</sup>they think][<sup>F3</sup>it thinks] fit) an inventory of such gardens and designed landscapes as appear to [<sup>F4</sup>them][<sup>F4</sup>it] to be of national importance.
- (2) In subsection (1), references to gardens and designed landscapes are to grounds which have been laid out for artistic effect and, in appropriate cases, include references to any buildings, land, or water on, adjacent, or contiguous to such grounds.
- (3) [<sup>F5</sup>The Scottish Ministers][<sup>F5</sup>Historic Environment Scotland] may, from time to time, modify the inventory so as to—
  - (a) add an entry relating to grounds mentioned in subsection (2);
  - (b) remove an entry relating to such grounds;
  - (c) amend an entry relating to such grounds (whether by excluding anything previously included as part of the grounds or adding anything not previously so included, or otherwise).
- (4) As soon as reasonably practicable after including any grounds in the inventory in exercise of [<sup>F6</sup>their][<sup>F6</sup>its] duty under subsection (1), or modifying the inventory under subsection (3), [<sup>F7</sup>the Scottish Ministers][<sup>F7</sup>Historic Environment Scotland] must—

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- (a) inform—
- (i) the owner of the grounds;
  - (ii) (if the owner is not the occupier) the occupier of the grounds; and
  - (iii) any local authority in whose area the grounds are situated,
- of the inclusion or modification; and
- (b) where the grounds are so included, or the inventory is modified as mentioned in paragraph (a) or (c) of subsection (3), send to any person or any local authority informed under paragraph (a) of this subsection a copy of the entry or, as the case may be, of the amended entry in the inventory relating to the grounds.
- (5) [<sup>F8</sup>The Scottish Ministers][<sup>F8</sup>Historic Environment Scotland] must from time to time publish, in such manner as [<sup>F9</sup>they think][<sup>F9</sup>it thinks] fit, a list of all the gardens and designed landscapes which are for the time being included in the inventory.

#### Textual Amendments

- F2** Words in s. 32A(1) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(a\)\(i\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F3** Words in s. 32A(1) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(a\)\(ii\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F4** Word in s. 32A(1) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(a\)\(iii\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F5** Words in s. 32A(3) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(b\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F6** Word in s. 32A(4) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(c\)\(i\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F7** Words in s. 32A(4) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(c\)\(ii\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F8** Words in s. 32A(5) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(d\)\(i\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F9** Words in s. 32A(5) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 37\(d\)\(ii\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

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

- C1** [S. 32A](#) savings for effects of 2014 asp 19, Sch. 2 para. 37 (S.) (1.10.2015) by [The Historic Environment Scotland Act 2014 \(Saving, Transitional and Consequential Provisions\) Order 2015](#) (S.S.I. 2015/239), arts. 1(1), **10**

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## 32B Inventory of battlefields

- (1) [<sup>F10</sup>The Scottish Ministers][<sup>F10</sup>Historic Environment Scotland] must compile and maintain (in such form as [<sup>F11</sup>they think][<sup>F11</sup>it thinks] fit) an inventory of such battlefields as appear to [<sup>F12</sup>them][<sup>F12</sup>it] to be of national importance.
- (2) In this section, “battlefield” means—
  - (a) an area of land over which a battle was fought; or
  - (b) an area of land on which any significant activities relating to a battle occurred (whether or not the battle was fought over that area).
- (3) Subsections (3) to (5) of section 32A apply to an inventory compiled and maintained under subsection (1) of this section as they apply to an inventory compiled and maintained under subsection (1) of that section; and, for the purposes of that application, references to gardens and designed landscapes, and to grounds referred to by those expressions, are to be construed as references to a battlefield.]

### Textual Amendments

- F10** Words in s. 32B(1) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 38\(a\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F11** Words in s. 32B(1) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 38\(b\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F12** Word in s. 32B(1) substituted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 38\(c\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

### Modifications etc. (not altering text)

- C2** [S. 32B](#) savings for effects of 2014 asp 19, Sch. 2 para. 38 (S.) (1.10.2015) by [The Historic Environment Scotland Act 2014 \(Saving, Transitional and Consequential Provisions\) Order 2015](#) (S.S.I. 2015/239), arts. 1(1), **10**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3A) inserted by [2023 asc 3 Sch. 13 para. 20\(b\)](#)
- s. 1AA-1AE omitted by [2023 asc 3 Sch. 13 para. 21](#)
- s. 7(4A) inserted by [2016 anaw 4 s. 10\(2\)](#)
- s. 33(1A) inserted by [2023 asc 3 Sch. 13 para. 35\(a\)](#)