



Nature Conservancy Council Act 1973

1973 CHAPTER 54

An Act to establish a Nature Conservancy Council.

[25th July 1973]

Commencement Information

II Act partly in force at Royal Assent; Act wholly in force at 1.11.1973, see s. 1(7).

1 The Nature Conservancy Council.

^{F1}(1)

^{F1}(2)

(3) The ^{M1}Science and Technology Act 1965 (in this Act referred to as “the 1965 Act”) shall have effect subject to the amendments set out in Schedule 2 to this Act, being amendments consequential on the establishment of the Council.

^{F1}(4)

^{F1}(5)

^{F1}(6)

^{F1}(7)

^{F1}(8)

(9) The administrative and supplementary provisions contained in Schedule 3 to this Act shall have effect with respect to the Council.

Textual Amendments

F1 S. 1(1)(2)(4)–(8) repealed (1.4.1991) by [Environmental Protection Act 1990](#) (c. 43, SIF 46:4), s. 162(2)(3), [Sch. 16 Pt. VI](#); S.I. 1991/2829, [art.4](#)

Status: Point in time view as at 01/04/1992.

Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

Marginal Citations

M1 1965 c. 4.

F2 2

Textual Amendments

F2 S. 2 repealed (1.4.1992) by [Environmental Protection Act 1990 \(c.43, SIF 46:4\)](#), s. 162(2)(3), [Sch. 16 Pt. VI](#); [S.I. 1991/2829, art.4](#)

3 F3

Textual Amendments

F3 S. 3 repealed and superseded by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), ss. 38, 73, [Sch. 17 Pt. I](#)

F4 4

Textual Amendments

F4 S. 4 repealed (1.4.1992) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(2)(3), [Sch. 16 Pt. VI](#); [S.I. 1991/2829, art.4](#)

5 Short title, repeals and extent.

- (1) This Act may be cited as the Nature Conservancy Council Act 1973.
- (2) The enactments specified in Schedule 4 to this Act are hereby repealed to the extent mentioned in column 3 of that Schedule.
- (3) F5 this Act does not extend to Northern Ireland.

Textual Amendments

F5 Words repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 73, [Sch. 17 Pt. II](#)

Modifications etc. (not altering text)

C1 The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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SCHEDULES

SCHEDULE 1

Section 1.

AMENDMENTS OF ENACTMENTS CONSEQUENTIAL ON TRANSFER OF STATUTORY FUNCTIONS TO COUNCIL

National Parks and Access to the Countryside Act 1949^{M2}

Marginal Citations

M2 1949 c. 97.

- 1 In Part III of the National Parks and Access to the Countryside Act 1949 (nature conservation) for each of the references to the Natural Environment Research Council (which were substituted for references to the Nature Conservancy by the 1965 Act) there shall be substituted a reference to the Nature Conservancy Council.

Modifications etc. (not altering text)

C2 The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 2 (1) For subsection (1) of section 103 of that Act (general provisions as to acquisition of land) there shall be substituted the following subsection—
- “(1) Any power conferred by this Act on the Nature Conservancy Council or a local authority to acquire land compulsorily shall be exercisable in any particular case on their being authorised so to do by the Secretary of State.”
- (2) For each of the references to the Natural Environment Research Council in subsection (2) of that section and for the references in section 106(1) of that Act (supplementary provisions as to byelaws) (all of which were substituted as mentioned in paragraph 1 above for references to the Nature Conservancy) there shall be substituted a reference to the Nature Conservancy Council.

Modifications etc. (not altering text)

C3 The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status: Point in time view as at 01/04/1992.
Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

Textual Amendments

F6 Sch. 1 paras. 3, 5, 7, 12(a)(c) repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 73, [Sch. 17 Pt. II](#)

Deer (Scotland) Act 1959^{M3}

Marginal Citations

M3 [1959 c. 30](#).

4 In section 1(4) of the *Deer (Scotland) Act 1959* (constitution of the Red Deer Commission) for paragraph (a) there shall be substituted the following paragraphs:
—

- “(a) one from nominees of the Nature Conservancy Council ;
- (aa) one from nominees of the Natural Environment Research Council ;”

Modifications etc. (not altering text)

C4 The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

5 **F7**

Textual Amendments

F7 Sch. 1 para. 5 repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 73, [Sch. 17 Pt. II](#) and is expressed to be repealed (E.W.) (25.10.1991) by [Deer Act 1991 \(c. 54\)](#), ss. 17(6), 18(2), [Sch.4](#)

Water Resources Act 1963^{M4}

Marginal Citations

M4 [1963 c.38](#)

F8 6

Textual Amendments

F8 Sch. 1 para. 6 repealed (1.4.1992) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(2)(3), [Sch. 16 Pt. VI](#); S.I. 1991/2829, [art.4](#)

7 **F9**

Status: Point in time view as at 01/04/1992.

Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

Textual Amendments

- F9** Sch. 1 paras. 3, 5, 7, 12(a)(c) repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 73, [Sch. 17 Pt. II](#)

Tees Valley and Cleveland Water Act 1967^{M5}

Marginal Citations

- M5** [1967 c.iv.](#)

- 8 In section 3(1) of the Tees Valley and Cleveland Water Act 1967 (interpretation) for the definition of “research council” there shall be substituted the following definition:— “research council” means the Nature Conservancy Council ;”.

Modifications etc. (not altering text)

- C5** The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Countryside Act 1968^{M6}

Marginal Citations

- M6** [1968 c.41.](#)

- 9 In sections 15(1) (areas of special scientific interest), 37 (protection for interests in countryside) and 46(2) (application of general provisions of National Parks and Access to the Countryside Act 1949^{M7}) of the Countryside Act 1968 for the words “Natural Environment Research Council”, in each place where they occur, there shall be substituted the words “Nature Conservancy Council”.

Modifications etc. (not altering text)

- C6** The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M7** [1949 c.97.](#)

Status: Point in time view as at 01/04/1992.
Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

Conservation of Seals Act 1970^{M8}

Marginal Citations

M8 1970 c.30

F10 10

Textual Amendments

F10 Sch. 1 para. 10 repealed (1.4.1992) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2) (3), **Sch. 16 Pt. VI**; S.I. 1992/2829, **art.4**

Chichester Harbour Conservancy Act 1971^{M9}

Marginal Citations

M9 1971 c.ixx.

11 In section 11(3) of the Chichester Harbour Conservancy Act 1971 (constitution of the Chichester Harbour Conservancy Advisory Council) for paragraph (e) there shall be substituted the following paragraph:—

“(e) one shall be appointed on the nomination of the Nature Conservancy Council ;”.

Modifications etc. (not altering text)

C7 The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Badgers Act 1973^{M10}

Marginal Citations

M10 1973 c.57.

F11 12

Textual Amendments

F11 Sch. 1 para. 12 repealed (1.4.1992) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2) (3), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

Status: Point in time view as at 01/04/1992.

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Medway Ports Authority Act 1973

- 13 In section 93 of the Medway Ports Authority Act 1973 (protection of Nature Conservancy) after the words “Nature Conservancy” there shall be added the word “Council”.

Modifications etc. (not altering text)

- C8** The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 2

Section 1.

AMENDMENTS OF 1965 ACT CONSEQUENTIAL ON ESTABLISHMENT OF COUNCIL

Modifications etc. (not altering text)

- C9** The text of s. 5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 1 In section 1(3) of the 1965 Act (which sets out the objects of the Natural Environment Research Council) the words “and the establishment, maintenance and management of nature reserves” shall cease to have effect.
- 2 For subsection (3) of section 3 of that Act (re-allocation of activities connected with scientific research) there shall be substituted the following subsection:—
- “(3) The Natural Environment Research Council shall carry on the former activities of the National Oceanographic Council.”
- 3 Subsection (4) of the said section 3 shall cease to have effect.

SCHEDULE 3

Section 1.

ADMINISTRATIVE AND SUPPLEMENTARY PROVISIONS RELATING TO COUNCIL

[^{F12}PART I

. . .]

Textual Amendments

- F12** Sch. 3 Pt. I (paras. 1–18) repealed (1.4.1992) (with saving for paragraph 12) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 139, 162(2), Sch. 11 para. 11(1), [Sch. 16 Pt. VI](#); S.I. 1991/2829. art.4

Status: Point in time view as at 01/04/1992.

Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

F13 . . .

Textual Amendments

F13 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F14₁

Textual Amendments

F14 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F15₂

Textual Amendments

F15 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F16₃

Textual Amendments

F16 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F17₄

Textual Amendments

F17 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F18₅

Textual Amendments

F18 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F19₆

Textual Amendments

F19 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

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F20⁷

Textual Amendments

F20 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F21⁸

Textual Amendments

F21 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F22⁹

Textual Amendments

F22 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F23 . . .

Textual Amendments

F23 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F24¹⁰

Textual Amendments

F24 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F25¹¹

Textual Amendments

F25 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F26¹²

Textual Amendments

F26 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

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Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

F27 . . .

Textual Amendments

F27 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F28 13

Textual Amendments

F28 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F29 14

Textual Amendments

F29 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F30 . . .

Textual Amendments

F30 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F31 15

Textual Amendments

F31 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F32 . . .

Textual Amendments

F32 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F33 16

Status: Point in time view as at 01/04/1992.

Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

Textual Amendments

F33 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F34 17

Textual Amendments

F34 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

F35 18

Textual Amendments

F35 Sch. 3 Pt. I (paras. 1-18) repealed (1.4.1992) (with saving for paragraph 12) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 139, 162(2), Sch. 11 para. 11(1), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

PART II

F36 . . .

Textual Amendments

F36 Sch. 3 Pt. II (paras. 19, 20) repealed (1.4.1992) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(2)(3), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

House of Commons Disqualification Act 1957^{M11}

Marginal Citations

M11 1957 c.20

F37 19

Textual Amendments

F37 Sch. 3 Pt. II (paras. 19, 20) repealed (1.4.1992) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(2)(3), **Sch. 16 Pt. VI**; S.I. 1991/2829, **art.4**

Status: Point in time view as at 01/04/1992.

Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

Superannuation Act 1965 ^{M12}

Marginal Citations

M12 1965 c.74

^{F38}20

Textual Amendments

F38 Sch. 3 Pt. II (paras. 19, 20) repealed (1.4.1992) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2)(3), Sch. 16 Pt. VI; S.I. 1991/2829, art.4

PART III

TRANSITIONAL

- 21 (1) The Secretary of State may at any time by order made by statutory instrument make such incidental, consequential transitional or supplementary provision as may appear to him to be necessary or proper for the general or any particular purposes of this Act or in consequence of any of the provisions thereof or for giving full effect thereto, and nothing in any other provision of this Act shall be construed as prejudicing the generality of this sub-paragraph.
- (2) An order under this paragraph may include provision for the transfer of rights, liabilities and obligations to the Council in connection with the transfer to them of functions discharged by the Natural Environment Research Council before the day appointed by section 1(7) above, and may in particular provide—
- (a) for the transfer and management or custody of property, whether real or personal, and in Scotland whether heritable or moveable, held by the Natural Environment Research Council wholly or partly for the purpose of any such function; and
 - (b) for treating anything duly done by that Council in the exercise of any such function before the said appointed day as having been duly done by the Nature Conservancy Council and treating any instrument made before that day by the Natural Environment Research Council, if or so far as it was made in the exercise of any such function, as continuing in force on and after that day until varied or revoked by the Nature Conservancy Council.
- (3) Subject to sub-paragraph (4) below, any agreement, appointment, licence, byelaws, authorisation or other instrument in writing made or granted or treated by virtue of any enactment as having been made or granted by or to or in relation to the Natural Environment Research Council in connection with the discharge of any such function shall, as from the said appointed day, be treated as having been made or granted by, to or in relation to the Nature Conservancy Council.
- (4) Sub-paragraph (3) above is without prejudice to any provision made by an order under this paragraph, but has effect subject to any provision to the contrary made by such an order and in particular may be excluded by such an order from applying either wholly or to any specified extent in any particular case.

Status: Point in time view as at 01/04/1992.

Changes to legislation: There are currently no known outstanding effects for the Nature Conservancy Council Act 1973. (See end of Document for details)

SCHEDULE 4

Section 5.

REPEALS

Modifications etc. (not altering text)

C10 The text of s.5(2), Sch. 1 paras. 1, 2, 4, 8, 9, 11, 13, Sch. 2 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	Section 25.
1965 c. 4.	The Science and Technology Act 1965.	In section 1(3), the words “and the establishment, maintenance and management of nature reserves”. Section 3(4). In Schedule 2, the entries relating to the Protection of Bird Act 1954, the Deer (Scotland) Act 1959 and the Deer Act 1963.

Status:

Point in time view as at 01/04/1992.

Changes to legislation:

There are currently no known outstanding effects for the Nature Conservancy Council Act 1973.