

SCHEDULES

SCHEDULE 2

Section 4.

AMENDMENT OF ENACTMENTS CONFERRING NATURE CONSERVATION FUNCTIONS

National Parks and Access to the Countryside Act 1949 (c. 97)

- 1 (1) The National Parks and Access to the Countryside Act 1949 shall be amended as follows.
- (2) In section 15A (meaning of “Nature Conservancy Council”), in paragraph (b) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.
- (3) In section 16(5) (agreements in Scotland for establishing nature reserves), in paragraph (c) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.
- (4) In section 103(2) (procedure as to compulsory acquisition of land), for the words “the Nature Conservancy Council for Scotland” in both places where they occur there shall be substituted the words “Scottish Natural Heritage”.

Deer (Scotland) Act 1959 (c. 40)

- 2 In section 1 of the Deer (Scotland) Act 1959 (constitution of the Red Deer Commission), in subsection (4)(a) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.

Countryside Act 1968 (c. 41)

- 3 In section 15(6A) of the Countryside Act 1968 (definition of Nature Conservancy Council), for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.

Conservation of Seals Act 1970 (c. 30)

- 4 In section 10(5) of the Conservation of Seals Act 1970 (definition of Nature Conservancy Council) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.

Badgers Act 1973 (c. 57)

- 5 (1) Section 9 of the Badgers Act 1973 (power to grant licences) shall be amended as follows.
- (2) In subsection (2) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.

(3) After subsection (4) there shall be inserted the following subsection—

“(4A) The Secretary of State shall consult from time to time with Scottish Natural Heritage as to the exercise of his functions under subsection (1)(e) above; and he shall not grant a licence of any description unless he has been advised by Scottish Natural Heritage as to the circumstances in which, in its opinion, licences of that description should be granted.”

Import of Live Fish (Scotland) Act 1978 (c. 35)

6 In section 1(2) of the Import of Live Fish (Scotland) Act 1978 (consultation before making order to limit import) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.

Animal Health Act 1981 (c. 22)

- 7 (1) The Animal Health Act 1981 shall be amended as follows.
- (2) In section 21(9) (destruction of wildlife on infection, definition of “Nature Conservancy Council”) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.
- (3) In section 22 (powers of entry for section 21), in subsection (7)(a) after the words “Environmental Protection Act 1990” there shall be inserted “or by Scottish Natural Heritage under section 4(7) of the Natural Heritage (Scotland) Act 1991”.

Wildlife and Countryside Act 1981 (c. 69)

- 8 (1) The Wildlife and Countryside Act 1981 shall be amended as follows.
- (2) In section 27(3A) (interpretation of Part I) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.
- (3) In section 27A(b) (construction of references to Nature Conservancy Council) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.
- (4) In section 29(11) (reports to relate to certain areas of special scientific interest) after the word “1990” there shall be inserted the words “or under section 10(2) of the Natural Heritage (Scotland) Act 1991”.
- (5) In section 52 (interpretation of Part II) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.

Inheritance Tax Act 1984 (c. 51)

9 In Schedule 3 to the Inheritance Act 1984 (gifts for national purposes) for the words “Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.

Environmental Protection Act 1990 (c. 43)

- 10 (1) The Environmental Protection Act 1990 shall be amended as follows.
- (2) In section 36(7) (waste disposal licences for certain protected areas) for the words “the Nature Conservancy Council for Scotland” there shall be substituted the words “Scottish Natural Heritage”.
- (3) In section 54(4) (provisions for certain land occupied by waste disposal authorities) in paragraph (e) for the words from “until the date” to the end of the paragraph there shall be substituted the words “Scottish Natural Heritage”.
- (4) In section 128(1) (establishment of new councils) for the word “three” there shall be substituted the word “two”.
- (5) In section 132(3) (cooperation between Nature Conservancy Councils) after the word “section” where it first occurs there shall be inserted the words “or in the Natural Heritage (Scotland) Act 1991 (in so far as it relates to the nature conservation functions of Scottish Natural Heritage)”.