



# National Parks (Scotland) Act 2000

## 2000 asp 10

### *General*

#### **16 Directions and guidance**

- (1) The Scottish Ministers may give a National Park authority directions of a general or specific character as to the exercise of the authority's functions; and the authority must comply with those directions.
- (2) Before giving an authority directions under subsection (1) the Scottish Ministers must consult the authority.
- (3) The Scottish Ministers may give guidance in relation to the exercise of functions by National Park authorities.
- (4) Guidance under subsection (3) may be given in respect of authorities generally or a particular authority; and in exercising its functions an authority must have regard to any guidance applicable to it.
- (5) Before giving guidance under subsection (3) the Scottish Ministers must consult each authority to which the guidance is to apply.
- (6) A draft of any guidance proposed to be given under subsection (3) is to be laid before the Parliament and the guidance must not be given until after the period of 40 days beginning with the day on which the draft was so laid.
- (7) If within that period the Parliament resolves that the proposed guidance should not be given, the Scottish Ministers must not give the guidance.
- (8) In calculating any period of 40 days for the purposes of subsection (6) or (7), no account is to be taken of any time during which the Parliament is in recess for more than 4 days.
- (9) The Scottish Ministers must publish any guidance given under subsection (3).

#### **17 Agency arrangements and joint operations**

- (1) A National Park authority may arrange for any of its functions to be exercised on its behalf by a local authority or another National Park authority; and the local authority or other National Park authority may exercise those functions accordingly.

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*Status: Point in time view as at 08/09/2000.*

*Changes to legislation: There are currently no known outstanding effects for the National Parks (Scotland) Act 2000, Cross Heading: General. (See end of Document for details)*

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- (2) A local authority or other public body may arrange for any of its functions, so far as exercisable in relation to a National Park, to be exercised on its behalf by a National Park authority; and the National Park authority may exercise those functions accordingly.
- (3) In subsection (2), “functions” does not include—
  - (a) a function of making subordinate legislation,
  - (b) any function conferred by this Act.
- (4) Two or more National Park authorities may arrange to exercise any of their functions jointly.
- (5) An arrangement under subsection (4) may provide for the exercise of the functions in question by a joint committee of the authorities or by an officer of one of them.
- (6) An arrangement under subsection (4) providing for the exercise of functions by a joint committee may provide for persons who are not members of any of the authorities making the arrangement to be members of the committee, but a majority of the members of the committee must be members of such an authority.
- (7) The authorities making the arrangement must pay to a member of a joint committee appointed by virtue of subsection (6) such remuneration and allowances (if any) as the Scottish Ministers may determine.
- (8) Such a joint committee must comply with directions given to it by the authorities making the arrangement.
- (9) An arrangement under this section does not affect the responsibility of the authority or body making the arrangement for the exercise of its functions.

## **18 Delegation of functions by the Scottish Ministers**

- (1) The Scottish Ministers may make arrangements for any of their functions, so far as exercisable in relation to a National Park, to be exercised on their behalf by the National Park authority; and the National Park authority may exercise those functions accordingly.
- (2) An arrangement under subsection (1) does not affect the responsibility of the Scottish Ministers for the exercise of their functions.
- (3) In this section, “functions” does not include—
  - (a) a function of making, confirming or approving subordinate legislation,
  - (b) any function conferred by this Act.

## **19 Use of resources**

A National Park authority must make proper arrangements to ensure that it uses resources economically, efficiently and effectively.

## **20 Advisory groups**

- (1) Each National Park is to have one or more National Park Advisory Groups, with the function of advising the National Park authority on any matter relating to the functions of the authority.

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- (2) The membership and procedure of an Advisory Group are to be such as the National Park authority determines.
- (3) The National Park authority may pay to members of an Advisory Group such expenses and allowances as the authority may determine.

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