

*These notes relate to the Historic Environment (Amendment) (Scotland)
Act 2011 (asp 3) which received Royal Assent on 23 February 2011*

HISTORIC ENVIRONMENT (AMENDMENT) (SCOTLAND) ACT 2011

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 2 – Modifications of the Ancient Monuments and Archaeological Areas Act 1979

Section 6 – Works affecting scheduled monuments: enforcement

New section 9O – Interdicts restraining unauthorised works on scheduled monuments

46. New section 9O sets out that whether or not Scottish Ministers have exercised any of their powers under this Act they may restrain or prevent any actual or apprehended breaches of the controls provided by the Act by applying for an interdict.
47. Subsection (2) of section 6 of the Act amends section 6 of the 1979 Act to give persons duly authorised by the Scottish Ministers rights of entry to ascertain whether a scheduled monument enforcement notice, stop notice or temporary stop notice should be served or has been complied with, or whether offences in relation to a scheduled monument under specified provisions of the 1979 Act have been committed.