

*Status: Point in time view as at 01/10/2015.*

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Historic Environment Scotland Act 2014, PART 1. (See end of Document for details)*

## SCHEDULE 3 FUNCTIONS OF HISTORIC ENVIRONMENT SCOTLAND IN RELATION TO LISTING AND CONSERVATION

### PART 1

#### LISTING OF SPECIAL BUILDINGS

1 The 1997 Act is amended as follows.

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

- C1** Sch. 3 para. 1 savings for effects of commencing S.S.I. 2015/196 (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), **13(1)**

#### Commencement Information

- I1** Sch. 3 para. 1 in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31](#), art. 2, **Sch.**  
**I2** Sch. 3 para. 1 in force at 1.10.2015 by [S.S.I. 2015/196](#), art. 2, **Sch.** (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

#### *Compiling or approving lists of special buildings*

- 2 In section 1 (listing of buildings of special architectural or historic interest)—
- (a) in subsection (1) for “the Secretary of State” substitute “ Historic Environment Scotland ”,
  - (b) in subsection (2) for “the Secretary of State” substitute “ Historic Environment Scotland ”,
  - (c) in subsection (3)—
    - (i) for “the Secretary of State” substitute “ Historic Environment Scotland ”,
    - (ii) for “him” substitute “ it ”,
  - (d) in subsection (4) for “the Secretary of State” substitute “ Historic Environment Scotland ”.

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

- C2** Sch. 3 para. 2 savings for effects of commencing S.S.I. 2015/196 (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), **13(1)**

#### Commencement Information

- I3** Sch. 3 para. 2 in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31](#), art. 2, **Sch.**  
**I4** Sch. 3 para. 2 in force at 1.10.2015 by [S.S.I. 2015/196](#), art. 2, **Sch.** (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

#### *Publication of lists and notification of listing*

- 3 After section 1 insert—

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**“1A Publication of lists and notification of listing etc.**

- (1) Historic Environment Scotland must—
- (a) publish any list compiled or approved under section 1, and any amendments of such a list, and
  - (b) make such lists available for public inspection, in such manner as may be prescribed.
- (2) Historic Environment Scotland must also—
- (a) notify such persons as may be prescribed, and
  - (b) do so in such form and manner, and within such time, as may be prescribed,
- of the inclusion of a building in, the amendment of an entry relating to a building in or the exclusion of a building from such a list.
- (3) The Scottish Ministers may by regulations make further provision for—
- (a) the publication of such lists,
  - (b) the making of such lists available for public inspection,
  - (c) the notification of the inclusion of a building in, the amendment of an entry relating to a building in or the exclusion of a building from such a list.
- (4) Regulations under subsection (3) may in particular provide for planning authorities in whose districts any buildings included in such lists are situated to take any of the steps mentioned in that subsection.”.

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

- C3** Sch. 3 para. 3 savings for effects of commencing S.S.I. 2015/196 (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), **13(1)**

**Commencement Information**

- I5** Sch. 3 para. 3 in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31](#), art. 2, **Sch.**
- I6** Sch. 3 para. 3 in force at 1.10.2015 by [S.S.I. 2015/196](#), art. 2, **Sch.** (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

4 Section 2 (publication of lists) is repealed.

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

- C4** Sch. 3 para. 4 savings for effects of commencing S.S.I. 2015/196 (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), **13(1)**

**Commencement Information**

- I7** Sch. 3 para. 4 in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31](#), art. 2, **Sch.**
- I8** Sch. 3 para. 4 in force at 1.10.2015 by [S.S.I. 2015/196](#), art. 2, **Sch.** (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

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### *Temporary listing*

- 5 In section 3 (temporary listing: building preservation notices)—
- (a) in subsection (2) for “the Secretary of State” substitute “ Historic Environment Scotland ”,
  - (b) in subsection (4)—
    - (i) for “the Secretary of State” substitute “ Historic Environment Scotland ”,
    - (ii) in paragraph (b) for “he” substitute “ it ”,
  - (c) in subsection (6)—
    - (i) for “the Secretary of State” substitute “ Historic Environment Scotland ”,
    - (ii) for “he” substitute “ it ”,
    - (iii) in each of paragraphs (a) and (b) for “the Secretary of State's” in both places substitute “Historic Environment Scotland's”.

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

- C5** [Sch. 3 para. 5](#) savings for effects of commencing S.S.I. 2015/196 (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), **13(1)**

#### **Commencement Information**

- I9** [Sch. 3 para. 5](#) in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31](#), art. 2, **Sch.**
- I10** [Sch. 3 para. 5](#) in force at 1.10.2015 by [S.S.I. 2015/196](#), art. 2, **Sch.** (with transitional provisions and savings in S.S.I. 2015/239, arts. 2-19)

### *Certificate that no intention to list building*

- 6 In section 5A (certificate that building not intended to be listed)—
- (a) in subsection (1)—
    - (i) for “The Scottish Ministers” substitute “ Historic Environment Scotland ”,
    - (ii) for “they do” substitute “ it does ”,
  - (b) in subsection (2)—
    - (i) for “the Scottish Ministers issue” substitute “ Historic Environment Scotland issues ”,
    - (ii) in paragraph (a) for “they” and “them” substitute “ it ”,
  - (c) in subsection (3) for “the Scottish Ministers” substitute “ Historic Environment Scotland ”.

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

- C6** [Sch. 3 para. 6](#) savings for effects of commencing S.S.I. 2015/196 (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), **13(1)**

#### **Commencement Information**

- I11** [Sch. 3 para. 6](#) in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31](#), art. 2, **Sch.**

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**I12** [Sch. 3 para. 6](#) in force at 1.10.2015 by [S.S.I. 2015/196](#), art. 2, [Sch.](#) (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

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