

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

**PART 5**

OTHER MATTERS IN RELATION TO LISTING

24 The 1997 Act is further amended as follows.

**Commencement Information**

- I1** Sch. 3 para. 24 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.  
**I2** Sch. 3 para. 24 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)

*Compensation*

25 In section 26(1) (compensation for loss or damage caused by service of building preservation notice) for “the Secretary of State” substitute “ Historic Environment Scotland ”.

**Commencement Information**

- I3** Sch. 3 para. 25 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.  
**I4** Sch. 3 para. 25 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)

*Application of 1997 Act to land and works of planning authorities*

26 In section 73 (application of 1997 Act to land and works of planning authorities)—  
 (a) in subsection (1) for “sections 1(1) and (3) and 2” substitute “ section 1(1) and (3) ”,  
 (b) in subsection (4) “section 2(2) and” is repealed.

**Commencement Information**

- I5** Sch. 3 para. 26 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.  
**I6** Sch. 3 para. 26 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)

*Powers of entry*

27 In section 76 (rights of entry)—  
 (a) in subsection (1) for “the Secretary of State” substitute “ Historic Environment Scotland ”,  
 (b) in subsection (2) for “the Secretary of State” in both places substitute “ Historic Environment Scotland ”,

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*Changes to legislation: There are currently no known outstanding effects for the  
Historic Environment Scotland Act 2014, PART 5. (See end of Document for details)*

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- (c) in subsection (3) for “the Secretary of State” substitute “ Historic Environment Scotland ”.

**Commencement Information**

- I7** Sch. 3 para. 27 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.  
**I8** Sch. 3 para. 27 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)

*Building preservation notices*

- 28 In schedule 2 (lapse of building preservation notice) in paragraph 1(b) for “the Secretary of State” substitute “ Historic Environment Scotland ”.

**Commencement Information**

- I9** Sch. 3 para. 28 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.  
**I10** Sch. 3 para. 28 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)

**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment Scotland Act 2014, PART 5.