



# Historic Environment Scotland Act 2014

## 2014 asp 19

### PART 1

#### HISTORIC ENVIRONMENT SCOTLAND

##### *Functions in relation to property*

#### **5 Power of entry to investigate the historic environment**

- (1) A person authorised in writing by Historic Environment Scotland may at any reasonable time enter any land for the purpose of inspecting the land (including any building or other structure on the land) with a view to identifying and recording any matters of historical, archaeological, architectural or cultural significance or interest.
- (2) But an authorised person may not enter—
  - (a) any land which is occupied unless at least 14 days' notice of the intended entry has been given to the occupier,
  - (b) any building or part of a building occupied as a dwelling house without the consent of the occupier.
- (3) An authorised person may, on entering any land, take with the person—
  - (a) any other person the authorised person considers appropriate, and
  - (b) any equipment or materials required for any purpose for which the power of entry is being exercised.
- (4) A person seeking to enter any land in exercise of the power of entry under this section must, if so required by or on behalf of the owner or occupier of the land, produce evidence of the person's authority before entering.
- (5) A person commits an offence if the person without reasonable excuse intentionally obstructs a person exercising the power of entry under this section.
- (6) A person who commits an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

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

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**Commencement Information**

- II** [S. 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)

**Changes to legislation:**

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