



Forestry and Land Management (Scotland) Act 2018

2018 asp 8

PART 6

GENERAL AND FINAL PROVISIONS

84 Crown application: powers of entry

- (1) A power of entry conferred—
- (a) by section 45, 51, 52, 53 or 59,
 - (b) by regulations made under section 27(8),
- is exercisable in relation to Crown land only with the consent of the appropriate authority.
- (2) The following table determines what is “Crown land” and who the “appropriate authority” is in relation to each kind of Crown land.

<i>Crown land</i>	<i>Appropriate authority</i>
Land an interest in which belongs to Her Majesty in right of the Crown and which forms part of the Crown Estate	The Crown Estate Commissioners
Land an interest in which belongs to Her Majesty in right of the Crown and to which section 90B(5) of the Scotland Act 1998 applies	The person having the management of the land
Other land an interest in which belongs to Her Majesty in right of the Crown	The office-holder in the Scottish Administration or the Government department having the management of the land
Land an interest in which belongs to Her Majesty in right of Her private estates	The person appointed by Her Majesty in writing under the Royal Sign Manual

Status: This is the original version (as it was originally enacted).

<i>Crown land</i>	<i>Appropriate authority</i>
	or, if no such appointment is made, the Scottish Ministers
Land an interest in which belongs to an office-holder in the Scottish Administration	The relevant office-holder in the Scottish Administration
Land an interest in which belongs to a Government department	The relevant Government department
Land an interest in which is held in trust for Her Majesty for the purposes of the Scottish Administration	The relevant office-holder in the Scottish Administration
Land an interest in which is held in trust for Her Majesty for the purposes of a Government department	The relevant Government department

(3) In this section—

- (a) references to Her Majesty’s private estates are to be construed in accordance with section 1 of the Crown Private Estates Act 1862,
- (b) “Government department” means a department of the Government of the United Kingdom.

(4) It is for the Scottish Ministers to determine any question that arises as to who in accordance with subsection (2) is the appropriate authority in relation to any land (and their decision is final).