



Historic Environment (Amendment) (Scotland) Act 2011 2011 asp 3

PART 2

MODIFICATIONS OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

Monuments and associated land under guardianship

7 Control and management of monuments and land under guardianship

(1) The 1979 Act is amended in accordance with this section.

(2) In section 13 (effect of guardianship of ancient monuments)—

(a) after subsection (2) insert—

“(2A) The power conferred by subsection (2) above includes power—

- (a) to control the holding of events in or on the monument;
- (b) to control and manage such events;
- (c) to require payment of a charge in respect of the holding of such events;
- (d) to exclude, restrict or otherwise control public access to the monument in connection with such events.”

(b) after subsection (7) add—

“(8) In subsection (2A) above—

- (a) “events” includes functions and any other organised activities;
- (b) references to the holding of events, in relation to organised activities, are to be construed as references to the carrying out of such activities.”

(3) In section 15 (acquisition and guardianship of land in vicinity of an ancient monument)

(a) in subsection (3), after “and” where it fourth occurs, insert “without prejudice to that generality”,

Status: This is the original version (as it was originally enacted).

- (b) after that subsection insert—
 - “(3A) The power of full control and management of land under guardianship conferred by subsection (3) above includes power—
 - (a) to control the holding of events on associated land;
 - (b) to control and manage such events;
 - (c) to require payment of a charge in respect of the holding of such events;
 - (d) to exclude, restrict or otherwise control public access to associated land in connection with such events.”,
 - (c) after subsection (4) insert—
 - “(4A) Subsections (3), (3A) and (4) are subject to any provision to the contrary in the guardianship deed.”,
 - (d) after subsection (6) add—
 - “(7) In subsection (3A) above—
 - (a) “events” includes functions and any other organised activities;
 - (b) references to the holding of events, in relation to organised activities, are to be construed as references to the carrying out of such activities.”.
- (4) In subsection (1) of section 19 (public access to monuments under public control), after “to” where it first occurs, insert “sections 13(2A) and 15(3A) of this Act and to”.
- (5) Paragraph 6(1) of Schedule 3 (transitional provisions) is repealed.