

Changes to legislation: There are currently no known outstanding effects for the Water Resources (Scotland) Act 2013, SCHEDULE 3. (See end of Document for details)

SCHEDULE 3

(introduced by section 52)

CROWN LAND

- 1 A power of entry conferred by or under Part 2 or 7 is exercisable in relation to Crown land only with the consent of the appropriate authority.
- 2 (1) In paragraph 1, “Crown land” means land an interest in which—
- (a) belongs to Her Majesty—
 - (i) in right of the Crown, or
 - (ii) in right of Her private estates,
 - (b) belongs to—
 - (i) an office-holder in the Scottish Administration, or
 - (ii) a Government Department, or
 - (c) is held in trust for Her Majesty for the purposes of the Scottish Administration or a Government Department.
- (2) In paragraph 1, “appropriate authority” in relation to land—
- (a) in the case of land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, means the Crown Estate Commissioners,
 - (b) in the case of other land belonging to Her Majesty in right of the Crown, means the office-holder in the Scottish Administration or (as the case may be) Government Department having the management of the land^[F1] or the relevant person],
 - (c) in the case of land belonging to Her Majesty in right of Her private estates, means a person appointed by Her Majesty in writing under the Royal Sign Manual or, if no such appointment is made, the Scottish Ministers,
 - (d) in the case of land—
 - (i) belonging to an office-holder in the Scottish Administration or to a Government Department, or
 - (ii) held in trust for Her Majesty for the purposes of the Scottish Administration or a Government Department,means the relevant office-holder or (as the case may be) Government Department.

Textual Amendments

F1 Words in sch. 3 para. 2(2)(b) inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), [Sch. 5 para. 46\(a\)](#)

- 3 (1) In paragraph 2—
- (a) “Government Department” means department of the Government of the United Kingdom,
 - ^[F2](aa) “relevant person”, in relation to any land to which section 90B(5) of the Scotland Act 1998 applies, means the person who manages that land,]
 - (b) the references to Her Majesty's private estates are to be construed in accordance with section 1 of the Crown Private Estates Act 1862.
- (2) It is for the Scottish Ministers to determine any question that arises as to who in accordance with paragraph 2 is the appropriate authority in relation to any land (and their decision is final).

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Textual Amendments

- F2** Sch. 3 para. 3(1)(aa) inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), [Sch. 5 para. 46\(b\)](#)

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