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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2017 No.**

**The Crown Estate Scotland (Interim Management) Order 2017**

**Application of the Crown Estate Act 1961**

**20.**—(1) In its application to Crown Estate Scotland (Interim Management) by virtue of, and as modified by, section 36(7) of the Scotland Act 2016(1), the Crown Estate Act 1961 is further modified as follows.

(2) Section 2 (reports and accounts of Crown Estate Scotland (Interim Management)) applies as if—

(a) in subsection (4), for paragraph (b) there were substituted—

“(b) the gross annual income received, and the expenses incurred, from or in connection with mining leases or the working of mines or minerals shall be carried or charged as to capital account and as to income account in such proportions as the Scottish Ministers direct.”;

(b) after that subsection there were inserted—

“(4A) A direction under subsection (4)(b) must—

(a) be in writing, and

(b) be published (as soon as practicable after it is communicated to Crown Estate Scotland (Interim Management)).

(4B) The Scottish Ministers may revise or revoke a direction under subsection (4)(b).

(4C) Subsection (4A) applies to the revision or revocation of a direction under subsection (4)(b) as it applies to such a direction.

(4D) Subsection (4E) applies where Crown Estate Scotland (Interim Management) carries a sum (“the transferred sum”) from its income account to its capital account.

(4E) Crown Estate Scotland (Interim Management) may subsequently carry one or more sums (“repayment sums”) from its capital account to its income account provided that the total amount of the repayment sums is not greater than the amount of the transferred sum.

(4F) Subsection (4G) applies where the Scottish Ministers make a loan to Crown Estate Scotland (Interim Management) under article 17(1) of the Crown Estate Scotland (Interim Management) Order 2017.

(4G) Crown Estate Scotland (Interim Management) must make any repayments of the loan, and any payments of interest on the loan, from the account to which it carries the sum received under the loan.”.

(3) Section 3 (general provisions as to course of management) applies as if—

(a) in subsection (4)—

(i) the word “either” were omitted;

(ii) after paragraph (a) there were inserted—

- “(aa) in the name of Crown Estate Scotland (Interim Management) in an interest-bearing account;”;
- (b) after subsection (5) there were inserted—
- “(5A) Subsection (5) is subject to article 17 of the Crown Estate Scotland (Interim Management) Order 2017 (grants and loans to Crown Estate Scotland (Interim Management)).”.