
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 239

**The Historic Environment Scotland Act 2014 (Saving,
Transitional and Consequential Provisions) Order 2015**

PART 4

Modification of enactments

Amendment of the Ancient Monuments (Class Consents) (Scotland) Order 1996

20.—(1) The Ancient Monuments (Class Consents) (Scotland) Order 1996⁽¹⁾ is amended in accordance with paragraph (2).

(2) In the Schedule (classes or descriptions of works for the execution of which scheduled monument consent is granted by virtue of this Order)—

- (a) in class V (works urgently necessary for health or safety) in paragraph (b), for “the Secretary of State” substitute “Historic Environment Scotland”.
- (b) in class VI (works of archaeological evaluation)—
 - (i) in paragraph (a)—
 - (aa) for “the Secretary of State” substitute “Historic Environment Scotland or, as the case may be, the Scottish Ministers”; and
 - (bb) omit “by him”;
 - (ii) in paragraph (b) for “the Secretary of State” in both places where those words occur, substitute “Historic Environment Scotland or, as the case may be, the Scottish Ministers”; and
 - (iii) in paragraph (c) for “the Secretary of State” substitute “Historic Environment Scotland or, as the case may be, the Scottish Ministers”;
- (c) in class VII (certain works executed under agreements under section 17 of the Ancient Monuments and Archaeological Areas Act 1979) omit “between the occupier and the Secretary of State”; and
- (d) in class IX (certain works undertaken by the Royal Commission on the Ancient and Historical Monuments of Scotland), for “the Royal Commission on the Ancient and Historical Monuments of Scotland” in both places where those words occur, substitute “Historic Environment Scotland”.

Amendment of the Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2003

21.—(1) The Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2003⁽²⁾ is amended in accordance with paragraph (2).

⁽¹⁾ S.I. 1996/1507.

⁽²⁾ S.S.I. 2003/453; amended by S.S.I. 2003/621, S.S.I. 2004/400, S.S.I. 2006/110, S.S.I. 2006/130, S.S.I. 2007/533, S.S.I. 2008/217, S.S.I. 2012/30 and S.S.I. 2013/289.

(2) In Part II of the Schedule (conservation bodies prescribed under section 38(4) of the Title Conditions (Scotland) Act 2003: other bodies) insert, at the appropriate place in alphabetical order, “Historic Environment Scotland”.

Amendment of the Transport and Works (Scotland) Act 2007 (Applications and Objections Procedure) Rules 2007

22.—(1) Subject to paragraph (3), the Transport and Works (Scotland) Act 2007 (Applications and Objections Procedure) Rules 2007⁽³⁾ are amended in accordance with paragraph (2).

(2) In column 2 of Schedule 3 (persons to be served with copy application etc), in entries 9, 15 and 16 for “The Scottish Ministers (marked “for the attention of Historic Scotland””, in each case, substitute “Historic Environment Scotland”.

(3) The provisions of Schedule 3 continue to have effect as they did immediately before 1st October 2015 in relation to—

(a) an application for an order under section 1 of the Transport and Works (Scotland) Act 2007⁽⁴⁾; and

(b) a proposal for such an order by the Scottish Ministers by virtue of section 6 of that Act, made before that date.

Amendment of the Disclosure (Persons engaged in the Investigation and Reporting of Crime or Sudden Deaths) (Scotland) Regulations 2011

23.—(1) The Disclosure (Persons engaged in the Investigation and Reporting of Crime or Sudden Deaths) (Scotland) Regulations 2011⁽⁵⁾ are amended in accordance with paragraph (2).

(2) In the Schedule—

(a) omit “Historic Scotland”; and

(b) after “Health and Safety Executive” insert “Historic Environment Scotland”.

(3) S.S.I. 2007/570.

(4) 2007 asp 8.

(5) S.S.I. 2011/146 to which there are amendments which are not relevant to this Order.