

SCHEDULE 5 MODIFICATION OF ENACTMENTS

Countryside (Scotland) Act 1967 (c. 86)

- 2 (1) In section 46 (protection and maintenance of rights of way) of the Countryside (Scotland) Act 1967, subsections (1) and (2) have effect as if references to a planning authority and the authority's area included references to a National Park authority and the National Park.
- (2) In the application of subsection (1) of that section to a National Park authority, for the words from the beginning to “to” there is substituted “A National Park authority may”.
- (3) Sections 48 and 48A (country and regional parks) of that Act cease to have effect in respect of any land in a National Park.
- (4) Sub-paragraph (3) does not affect the continued operation of those sections in relation to any country park or regional park in existence on the date when the designation of the National Park takes effect.
- (5) Section 54(1)(d) (byelaws) of that Act ceases to have effect in respect of any part of a country park which is in a National Park.
- (6) Sub-paragraph 5 does not affect any byelaw made under that section prior to the date when the designation of the National Park takes effect.
- (7) In section 54(3) and in the proviso to section 55(1) (byelaws and default powers of Scottish Ministers as to byelaws) of that Act—
- (a) after “with” insert “(a)”, and
 - (b) at the end insert
- “and
- (b) where a byelaw is to apply in any part of a National Park, the National Park authority.”