

*These notes relate to the Land Reform (Scotland) Act 2003
(asp 2) which received Royal Assent on 25 February 2003*

LAND REFORM (SCOTLAND) ACT 2003

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Part 1 Access Rights

Section 29: Powers to protect natural heritage and cultural heritage etc.

118. Subsection (1) confers a power to Scottish Natural Heritage to put up and maintain notices to protect the natural heritage of land in respect of which access rights are exercisable. Section 32 provides that the “natural heritage” of land includes its flora and fauna, its geological and physiographical features and its natural beauty and amenity.
119. Subsection (2) confers a power on Ministers similar to that in subsection (1) for the purposes of protecting the cultural heritage of land on which access rights are exercisable. Section 32 provides that “cultural heritage” includes structures and other remains resulting from human activity, traditions, ways of life and the historic, artistic and literary associations of people, places and landscapes. Historic Scotland may perform this function on behalf of Ministers.
120. Subsection (3) provides that any notice put up under subsection (1) or (2) may warn the public about any adverse effect their presence on that land might have on the natural or cultural heritage which the notice seeks to protect.