



Land Reform (Scotland) Act 2003

2003 asp 2

PART 1

ACCESS RIGHTS

CHAPTER 5

LOCAL AUTHORITY FUNCTIONS: ACCESS AND OTHER RIGHTS

27 Guidance

- (1) Ministers may give guidance to local authorities on the performance of any of their functions under this Part of this Act.
- (2) Such guidance may be given generally or to a particular local authority.
- (3) A local authority to which such guidance is given shall have regard to it.
- (4) Before giving such guidance, Ministers shall—
 - (a) consult each (or the) local authority to whom they propose to give it; and
 - (b) lay a draft of the proposed guidance before the Scottish Parliament;and the guidance shall not be given until after a period of 40 days beginning with the day on which the draft was so laid.
- (5) If, within that period, the Parliament resolves that the guidance proposed should not be given, Ministers shall not give it.
- (6) In calculating any period of 40 days for the purposes of subsection (4) or (5) above, no account is to be taken of any time during which the Parliament is dissolved or is in recess for more than 4 days.