

SCHEDULE 4  
POWERS OF ENTRY OF AUTHORISED PERSONS: FURTHER PROVISION

*Compensation*

- 6 (1) SNH or, as the case may be, the Scottish Ministers must compensate any person who has sustained damage by reason of—
- (a) the exercise by a person authorised by SNH or, as the case may be, the Scottish Ministers of any powers conferred on the person by section 44, or
  - (b) the failure of a person so authorised to perform the duty imposed by paragraph 5,
- unless the damage is attributable to the fault of the person who sustained it.
- (2) Any dispute as to a person's entitlement to compensation under this paragraph, or as to the amount of such compensation, is to be determined by arbitration.