



# Nature Conservation (Scotland) Act 2004

## 2004 asp 6

### PART 2

#### CONSERVATION AND ENHANCEMENT OF NATURAL FEATURES

### CHAPTER 3

#### LAND MANAGEMENT ORDERS

#### **34 Appeals in connection with land management orders and related orders**

- (1) Any owner or occupier of land to which a land management order relates who is aggrieved by—
  - (a) a decision of the Scottish Ministers to make a land management order or an order under section 32(3), or
  - (b) the terms or conditions of such an order,may appeal to the Scottish Land Court.
- (2) An appeal under subsection (1) must be lodged not later than 28 days after the date on which the Scottish Ministers gave notice to the appellant of the decision being appealed.
- (3) The Scottish Land Court must determine an appeal under subsection (1) on the merits rather than by way of review and may do so by—
  - (a) affirming the order in question,
  - (b) directing the Scottish Ministers to amend the order in such manner as the Court may specify,
  - (c) directing the Scottish Ministers to revoke the order,
  - (d) making such other order as it thinks fit.