



Nature Conservation (Scotland) Act 2004

2004 asp 6

PART 2

CONSERVATION AND ENHANCEMENT OF NATURAL FEATURES

CHAPTER 4

GENERAL AND SUPPLEMENTARY

39 Acquisition of land by SNH

- (1) SNH may—
 - (a) acquire by agreement,
 - (b) with the authorisation of the Scottish Ministers, acquire compulsorily, all or any part of land of a description specified in subsection (2).
- (2) The land referred to in subsection (1) is—
 - (a) land which is a site of special scientific interest,
 - (b) any other land to which a nature conservation order or land management order applies,
 - (c) any other land which is contiguous to, or which SNH considers to be otherwise associated with, land of the type described in paragraph (a) or (b).
- (3) SNH may acquire land under subsection (1)(b) only where it is necessary to do so for the purpose of securing the conservation, restoration or other enhancement of any protected natural feature.
- (4) The power to acquire land under this section includes power to acquire a servitude or other right in or over land by the creation of a new right.
- (5) The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42) applies in relation to an acquisition under subsection (1)(b) as if—
 - (a) this section were contained in an Act in force immediately before the commencement of that Act,
 - (b) references in that Act to a local authority were references to SNH.

Status: This is the original version (as it was originally enacted).

- (6) SNH may manage land acquired under this section.
- (7) If SNH disposes of land acquired under subsection (1)(b), or of any interest in it, it must do so on terms designed to achieve the purpose for which the land was acquired.