



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART XIII

GENERAL

Crown application

146 Application of Act to Crown land.

- (1) Subject to the following provisions of this section, nothing in this Act shall apply in relation to any land belonging to Her Majesty in right of the Crown or otherwise, or belonging to a government department, or held in trust for Her Majesty for the purposes of a government department.
- (2) The appropriate Crown authority in relation to any land and a roads authority may agree that any provisions of this Act specified in the agreement shall apply to that land and, while the agreement is in force, those provisions shall apply to the land accordingly, subject however to the terms of the agreement.
- (3) An agreement under subsection (2) above may contain such consequential and incidental provisions, including provisions of a financial character, as appear to the appropriate Crown authority to be necessary or equitable, ^{F1} . . .
- (4) In the foregoing provisions of this section “the appropriate Crown authority” means—
 - (a) in relation to land belonging to Her Majesty in right of the Crown or otherwise, the Crown Estates Commissioners or such other government department or other person as has the management of the land in question; and
 - (b) in relation to land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, that department;and if any question arises as to what authority is the appropriate Crown authority in relation to any land, that question shall be referred to the Treasury, whose decision shall be final.

Changes to legislation: Roads (Scotland) Act 1984, Cross Heading: Crown application is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Words in s. 146(3) repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 76(1)(4)**, Pt. IV (with art. 5)
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Modifications etc. (not altering text)

- C1** S. 146 applied (21. 10. 1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), **s. 167(1)**; S.I. 1991/2286, art. 2(1), **Sch. 1**.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)