



# Natural Heritage (Scotland) Act 1991

## 1991 CHAPTER 28

### PART I

#### SCOTTISH NATURAL HERITAGE

##### *Miscellaneous*

#### **10 Reports, accounts etc.**

(1) SNH shall—

- (a) furnish the Secretary of State with such returns, accounts and other information with respect to its property and activities or proposed activities as he may, from time to time, require;
- (b) afford to the Secretary of State facilities for the verification of information so furnished; and
- (c) for the purpose of such verification, permit any person authorised in that behalf by the Secretary of State to inspect and make copies of the accounts, books, documents or papers of SNH and to give that person such explanation of anything he is entitled to inspect as he may reasonably require.

(2) SNH shall—

- (a) as soon as possible after the 31st March following the date upon which section 1 of this Act comes into force make to the Secretary of State a report on the exercise and performance of its functions to that date; and
- (b) make a similar report to him as to each period of twelve months thereafter as soon as possible after the end of such period,

and a copy of every such report shall be laid before each House of Parliament by the Secretary of State:

Provided that if the date upon which the said section 1 comes into force falls on a day after 30th September and before 31st March, the first report of SNH under this section shall be for the period ending with the next succeeding 31st March.

*Changes to legislation: There are currently no known outstanding effects for the Natural Heritage (Scotland) Act 1991, Cross Heading: Miscellaneous. (See end of Document for details)*

(3) SNH shall keep proper accounts and other records, and shall prepare for each financial year a statement of account in such form as the Secretary of State with the approval of the Treasury may direct and shall submit those statements of account to the Secretary of State at such time as he may with the approval of the Treasury direct.

(4) The Secretary of State shall, <sup>F1</sup> . . . transmit to the [<sup>F2</sup>Auditor General for Scotland for auditing] the statement of account of SNH for the financial year last ended.

<sup>F3</sup>(5) . . . . .

(6) In this section “financial year” means the period beginning with the date upon which section 1 of this Act comes into force and ending with the 31st March following that date and each period of twelve months thereafter:

Provided that if the date upon which the said section 1 comes into force falls on a day after 30th September and before 31st March, the first financial year of SNH shall end with the next succeeding 31st March.

**Textual Amendments**

**F1** Words in s. 10(4) repealed (1.4.2000) by 2000 asp 1, s. 26(a), **Sch. 4**; S.S.I. 2000/10, **art. 2(3)**

**F2** Words in s. 10(4) substituted (1.4.2000) by 2000 asp 1, s. 26(a), **Sch. 4**; S.S.I. 2000/10, **art. 2(3)**

**F3** S. 10(5) repealed (1.4.2000) by 2000 asp 1, s. 26(b), **Sch. 4** ; S.S.I. 2000/10, **art. 2(3)**

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**Commencement Information**

**I1** S. 10 wholly in force at 27.11.1991 see s. 28(2) and S.I. 1991/2633, art. 3, **Sch.**

**11 Directions by Secretary of State.**

(1) Subject to subsection (3) below, the Secretary of State may give SNH directions of a general or specific character with regard to the discharge of its functions; and it shall be the duty of SNH to comply with any such directions.

(2) A direction given under this section may be varied or revoked by a subsequent direction so given.

(3) The Secretary of State shall not give directions under this section in respect of functions conferred on SNH by virtue of section 4(6) of this Act.

**Commencement Information**

**I2** S. 11 wholly in force at 27.11.1991 see s. 28(2) and S.I. 1991/2633, art. 3, **Sch.**

<sup>F4</sup>**12 Advisory Committee on SIs.**

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**Textual Amendments**

**F4** S. 12 repealed (29.11.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), s. 59(2), **Sch. 7 para. 8** (with s. 55(2), **Sch. 5 Pt. 2**); S.S.I. 2004/495, art. 2

*Changes to legislation: There are currently no known outstanding effects for the Natural Heritage (Scotland) Act 1991, Cross Heading: Miscellaneous. (See end of Document for details)*

#### Commencement Information

**I3** S. 12 wholly in force at 1.4.1992 see s. 28(2) and [S.I. 1991/2633, art. 4](#)

### 13 Access to open country.

Part II of the <sup>M1</sup>Countryside (Scotland) Act 1967 shall be amended in accordance with Schedule 3 to this Act to enable SNH to enter into access agreements or to make access orders under that Part of that Act.

#### Commencement Information

**I4** S. 13 wholly in force at 1.4.1992 see s. 28(2) and [S.I. 1991/2633, art. 4](#)

#### Marginal Citations

**M1** 1967 c. 86.

### 14 Dissolution of bodies.

- (1) On a date to be appointed by the Secretary of State—
  - (a) the Nature Conservancy Council for Scotland; and
  - (b) the Countryside Commission for Scotland,shall each be dissolved.
- (2) On the date appointed for the purposes of subsection (1) above, all heritable or moveable property wherever situated held by each of the Nature Conservancy Council for Scotland and the Countryside Commission for Scotland immediately before that date shall be transferred to and vest in SNH and all rights, liabilities and obligations of both the Nature Conservancy Council for Scotland and the Countryside Commission for Scotland to which either of them were entitled or subject immediately before that date shall, on that date, be transferred to SNH.
- (3) In the Countryside (Scotland) Act 1967 for the words “the Commission” where they occur there shall be substituted the words “ Scottish Natural Heritage ”.
- (4) Subject to anything in this section and Schedule 10 to this Act, for any reference in any enactment (including an enactment contained in a local or private Act and any order, regulation or other instrument having effect by virtue of an Act) to the Countryside Commission for Scotland there shall be substituted a reference to Scottish Natural Heritage.
- (5) Schedule 4 to this Act shall have effect for the purpose of making transitional provisions and savings in consequence of the dissolution of the Nature Conservancy Council for Scotland and the Countryside Commission for Scotland under subsection (1) above.

#### Commencement Information

**I5** S. 14 wholly in force at 1.4.1992; S. 14 not in force at Royal Assent see s. 28(2); S. 14 (1)(2)(5) in force at 27. 11. 1991 by s.I. 1991/2633, art. 3, Sch.; S. 14(3)(4) in force at 1. 4. 1992 by [S.I. 1991/2633, art. 4](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Natural Heritage (Scotland) Act 1991,  
Cross Heading: Miscellaneous.