



Historic Environment (Amendment) (Scotland) Act 2011 2011 asp 3

PART 2

MODIFICATIONS OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

Monuments and associated land under guardianship

7 Control and management of monuments and land under guardianship

(1) The 1979 Act is amended in accordance with this section.

(2) In section 13 (effect of guardianship of ancient monuments)—

(a) after subsection (2) insert—

“(2A) The power conferred by subsection (2) above includes power—

- (a) to control the holding of events in or on the monument;
- (b) to control and manage such events;
- (c) to require payment of a charge in respect of the holding of such events;
- (d) to exclude, restrict or otherwise control public access to the monument in connection with such events.”

(b) after subsection (7) add—

“(8) In subsection (2A) above—

- (a) “events” includes functions and any other organised activities;
- (b) references to the holding of events, in relation to organised activities, are to be construed as references to the carrying out of such activities.”

(3) In section 15 (acquisition and guardianship of land in vicinity of an ancient monument)

(a) in subsection (3), after “and” where it fourth occurs, insert “ without prejudice to that generality ”,

Status: Point in time view as at 30/06/2011.

Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Amendment) (Scotland) Act 2011, Cross Heading: Monuments and associated land under guardianship. (See end of Document for details)

- (b) after that subsection insert—
 - “(3A) The power of full control and management of land under guardianship conferred by subsection (3) above includes power—
 - (a) to control the holding of events on associated land;
 - (b) to control and manage such events;
 - (c) to require payment of a charge in respect of the holding of such events;
 - (d) to exclude, restrict or otherwise control public access to associated land in connection with such events.”,
 - (c) after subsection (4) insert—
 - “(4A) Subsections (3), (3A) and (4) are subject to any provision to the contrary in the guardianship deed.”,
 - (d) after subsection (6) add—
 - “(7) In subsection (3A) above—
 - (a) “events” includes functions and any other organised activities;
 - (b) references to the holding of events, in relation to organised activities, are to be construed as references to the carrying out of such activities.”.
- (4) In subsection (1) of section 19 (public access to monuments under public control), after “to” where it first occurs, insert “ sections 13(2A) and 15(3A) of this Act and to ”.
- (5) Paragraph 6(1) of Schedule 3 (transitional provisions) is repealed.

Commencement Information

II [S. 7](#) in force at 30.6.2011 by [S.S.I. 2011/174](#), art. 2, [Sch.](#)

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