



Scottish Crown Estate Act 2019

2019 asp 1

PART 3

MANAGEMENT OF SCOTTISH CROWN ESTATE ASSETS

Ministerial directions etc.

37 Power of Ministerial direction

- (1) The Scottish Ministers may direct managers (other than the Scottish Ministers) as to the exercise of their functions.
- (2) A direction under subsection (1)—
 - (a) may be general or relate to a particular function or matter,
 - (b) may be given to—
 - (i) each manager,
 - (ii) a particular manager, or
 - (iii) managers of a particular description,
 - (c) must—
 - (i) be in writing, and
 - (ii) be published in such manner as the Scottish Ministers consider appropriate as soon as reasonably practicable after it is given.
- (3) The Scottish Ministers may revise or revoke a direction under subsection (1).
- (4) Subsection (2)(c) applies to the revision or revocation of a direction under subsection (1) as it applies to such a direction.

Commencement Information

II S. 37 in force at 1.6.2019 by S.S.I. 2019/170, reg. 2(d)

Status: Point in time view as at 27/09/2021.

Changes to legislation: There are currently no known outstanding effects for the Scottish Crown Estate Act 2019, Cross Heading: Ministerial directions etc.. (See end of Document for details)

38 Ministerial guidance

- (1) A manager must have regard to any written guidance given by the Scottish Ministers about the exercise of managers' functions.
- (2) The Scottish Ministers must publish any such guidance in such manner as they consider appropriate as soon as reasonably practicable after it is given.

Commencement Information

I2 S. 38 in force at 1.6.2019 by S.S.I. 2019/170, reg. 2(e)

39 Power to delegate functions to Crown Estate Scotland

- (1) The Scottish Ministers may, subject to such conditions as they consider appropriate, delegate to Crown Estate Scotland some or all of their functions under—
 - (a) sections 22 and 23,
 - (b) section 27,
 - (c) section 35.
- (2) A delegation under subsection (1)—
 - (a) must be in writing,
 - (b) may be varied or revoked at any time,
 - (c) does not affect—
 - (i) the ability of the Scottish Ministers to exercise the functions delegated,
 - (ii) their responsibility for the exercise of those functions.
- (3) Where the Scottish Ministers' function under section 27(1) is delegated to Crown Estate Scotland—
 - (a) section 26(7) applies as if it required managers (including the Scottish Ministers) to send copies of their reports prepared under section 26(1) to Crown Estate Scotland (rather than to the Scottish Ministers),
 - (b) article 18(1)(b) of the Crown Estate Scotland Order does not apply.
- (4) Where the Scottish Ministers' function under section 35(1) is delegated to Crown Estate Scotland, section 34(4)—
 - (a) applies as if it required managers (including the Scottish Ministers) to send copies of their statements of accounts prepared under section 34(2)(b) to Crown Estate Scotland (rather than to the Scottish Ministers),
 - (b) does not apply to Crown Estate Scotland.

Commencement Information

I3 S. 39 in force at 27.9.2021 by S.S.I. 2021/308, reg. 2, sch.

Status: Point in time view as at 27/09/2021.

Changes to legislation: There are currently no known outstanding effects for the Scottish Crown Estate Act 2019, Cross Heading: Ministerial directions etc.. (See end of Document for details)

40 Provision of information or advice to the Scottish Ministers

- (1) A manager of one or more Scottish Crown Estate assets must provide the Scottish Ministers with such information or advice as the Scottish Ministers may require in relation to—
 - (a) the assets,
 - (b) the exercise of the manager's functions.
- (2) The information or advice must be provided in such form as the Scottish Ministers may require.

Commencement Information

I4 S. 40 in force at 1.6.2019 by S.S.I. 2019/170, reg. 2(f)

41 Research and other activities

The Scottish Ministers may—

- (a) conduct research into any matter relating to the Scottish Crown Estate,
- (b) provide resources for the use of managers in the exercise of their functions,
- (c) take such other steps as they consider appropriate for the proper exercise of the Scottish Ministers' functions, and those of managers, under this Act.

Commencement Information

I5 S. 41 in force at 1.6.2019 by S.S.I. 2019/170, reg. 2(g)

Status:

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Changes to legislation:

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