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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision in relation to bringing into force particular provisions of the Scottish Crown Estate Act 2019 (“the 2019 Act”). The Bill for the 2019 Act received Royal Assent on 15 January 2019. Sections 42 (regulations), 43 (ancillary provision), 45 (interpretation), 46 (commencement) and 47 (short title) of the 2019 Act came into force the following day.

Regulation 2(1) appoints 1 April 2020 for the coming into force of the provisions specified in column 1 of the table in schedule 1.

Regulation 2(2) appoints 1 October 2020 for the coming into force of the provisions specified in column 1 of the table in schedule 2.

Regulation 3 makes provision saving in certain circumstances the effect of section 36(7) of the Scotland Act 2016 (“the 2016 Act”) which is repealed by schedule 2 of the 2019 Act (brought into force by these Regulations). That section contains provision relating to the management of property, rights and interests on behalf of the Crown. Regulation 3 continues the effect of section 36(7) of the 2016 Act where-

- a Scottish Crown Estate asset was disposed of prior to 1 April 2020,
- a servitude right was granted in or over a Scottish Crown Estate asset prior to 1 April 2020,
- an options agreement was concluded in respect of a Scottish Crown Estate asset prior to 1 April 2020,
- an agreement for lease was concluded in respect of a Scottish Crown Estate asset prior to 1 April 2020.

Regulation 3 includes provision regarding the point at which any of those circumstances is deemed to have occurred and also for circumstances in which the saving ceases to apply.

Regulation 4 provides that section 15 of the 2019 Act, which contains provision relating to the restriction on removal of wild kelp from the seabed (and is brought into force on 1 October 2020 by these Regulations), does not apply to a right of removal granted prior to 1 October 2020. It also makes provision for circumstances in which that saving ceases to apply.