
Changes to legislation: Ancient Monuments and Archaeological Areas Act 1979, Paragraph 10 is up to date with all changes known to be in force on or before 05 July 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

SCHEDULES

SCHEDULE 1

CONTROL OF WORKS AFFECTING SCHEDULED MONUMENTS

PART II

MODIFICATION AND REVOCATION OF SCHEDULED MONUMENT CONSENT

- [^{F1}10 (1) Except as provided for in paragraph 11, an order made by Historic Environment Scotland under section 4 modifying or revoking a scheduled monument consent does not take effect unless it is confirmed by the Scottish Ministers.
- (2) Where Historic Environment Scotland submits an order to the Scottish Ministers for confirmation, it must serve notice on—
- (a) the owner of the scheduled monument affected,
 - (b) where the owner is not the occupier of the monument, the occupier, and
 - (c) any other person who in its opinion will be affected by the order.
- (3) The notice must specify the period (which must not be less than 28 days after its service) within which any person on whom it is served may require an opportunity of appearing before and being heard by a person appointed by the Scottish Ministers for the purpose.
- (4) If within that period a person on whom the notice is served so requires, the Scottish Ministers must, before they confirm the order, give such an opportunity both to that person and to Historic Environment Scotland.
- (5) The Scottish Ministers may confirm any such order submitted to them either without modification or subject to such modifications as they consider expedient.]

Textual Amendments

- F1** Sch. 1 paras. 10, 11 inserted (S.) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), [sch. 2 para. 15\(b\)](#) (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

Modifications etc. (not altering text)

- C1** Sch. 1 para. 10 savings for effects of 2014 asp 19, Sch. 2 para. 15(b) (S.) (1.10.2015) by [The Historic Environment Scotland Act 2014 \(Saving, Transitional and Consequential Provisions\) Order 2015 \(S.S.I. 2015/239\)](#), arts. 1(1), 7

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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. 1(3A) inserted by [2023 asc 3 Sch. 13 para. 20\(b\)](#)
- s. 1AA-1AE omitted by [2023 asc 3 Sch. 13 para. 21](#)
- s. 7(4A) inserted by [2016 anaw 4 s. 10\(2\)](#)
- s. 33(1A) inserted by [2023 asc 3 Sch. 13 para. 35\(a\)](#)