



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART XII

CROWN LAND

Preliminary

242 Preliminary definitions

(1) In this Part—

“Crown land” means land in which there is a Crown interest;

“Crown interest” means an interest belonging to Her Majesty in right of the Crown or belonging to a government department or held in trust for Her Majesty for the purposes of a government department; and

“private interest” means interest which is not a Crown interest.

(2) For the purposes of this Part “the appropriate authority”, in relation to any land—

(a) in the case of land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, means the Crown Estate Commissioners;

(b) in relation to any other land belonging to Her Majesty in right of the Crown, means the government department having the management of that land; and

(c) in the case of land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, means that department.

(3) If any question arises as to what authority is the appropriate authority in relation to any land, that question shall be referred to the Treasury, whose decision shall be final.

(4) A person who is entitled to occupy Crown land by virtue of a contract in writing shall be treated for the purposes of section 245(1)(c), so far as applicable to Parts III, VI and VII, and sections 243(2) to (7), 244, 248 and 249 as having an interest in land

Status: This is the original version (as it was originally enacted).

and references in section 248 to the disposal of an interest in Crown land, and in that section and sections 243(2) and 249 to a private interest in such land, shall be construed accordingly.