



# Land Drainage (Scotland) Act 1958

1958 CHAPTER 24 6 and 7 Eliz 2

## 16 Crown rights.

- (1) Subject to the provisions of this section, nothing in this Act or in any order made thereunder shall affect prejudicially any estate, right, power, privilege or exemption of the Crown.
- (2) Except with the consent of the appropriate authority, nothing in this Act or in any improvement order made thereunder shall authorise—
  - (a) the inclusion of any Crown land in an improvement area; or
  - (b) the execution of any works on Crown land; or
  - (c) the entry of any person on Crown land.
- (3) In this section the expression “Crown land” means land an interest in which belongs to Her Majesty in right of the Crown or land an interest in which belongs to a government department or is held in trust for Her Majesty for the purposes of a government department; and the expression “appropriate authority” means—
  - (a) in the case of land belonging to Her Majesty in right of the Crown, the Crown Estate Commissioners or other government department having the management of that land [<sup>F1</sup>or the relevant person] ;
  - (b) in the case of land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, that department;and, if any question arises as to the authority which is the appropriate authority in relation to any land, the question shall be determined by the Treasury.
- [<sup>F2</sup>(4) In subsection (3), “relevant person”, in relation to any land to which section 90B(5) of the Scotland Act 1998 applies, means the person who manages that land.]

### Textual Amendments

- F1** Words in s. 16(3)(a) inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), [Sch. 5 para. 7\(a\)](#)
- F2** S. 16(4) inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), [Sch. 5 para. 7\(b\)](#)

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*Changes to legislation: There are currently no known outstanding effects for the Land Drainage (Scotland) Act 1958, Section 16. (See end of Document for details)*

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**Modifications etc. (not altering text)**

**C1** S. 16 applied by [Mines and Quarries \(Tips\) Act 1969 \(c. 10\)](#), **s. 34(3)**

**Changes to legislation:**

There are currently no known outstanding effects for the Land Drainage (Scotland) Act 1958, Section 16.