
STATUTORY INSTRUMENTS

2017 No. 524

The Crown Estate Transfer Scheme 2017

Interpretation

2. In this Scheme—

“the 1998 Act” means the Scotland Act 1998;

“designated liabilities” means the liabilities specified in Schedule 2;

“designated rights” means the rights specified in Schedule 2;

“exclusive economic zone” has the same meaning as in section 41(3) of the Marine and Coastal Access Act 2009⁽¹⁾ but does not include any part of the Scottish zone;

“foreshore” means the land owned by Her Majesty which lies between the mean high water and mean low water but does not include any part of Scotland;

“manager”, in relation to a Scottish asset, means—

- (a) the transferee, or
- (b) where another person exercises functions relating to the asset which were previously exercised by the transferee, that person;

“relevant matters” means—

- (a) in relation to any period before the transfer date⁽²⁾, the existing Scottish functions,
- (b) in relation to any period on or after the transfer date, the manager’s functions relating to the Scottish assets,
- (c) the Scottish assets, and
- (d) the designated rights and designated liabilities;

“Scottish assets” means any property, rights and interests to which section 90B(5) of the 1998 Act applies;

“Scottish coastal waters” means those parts of Scotland which are internal waters or are in the territorial sea of the United Kingdom;

“Scottish foreshore” means that land in Scotland owned by Her Majesty which lies between the high and low water marks of ordinary spring tides; and

“transferee” means Crown Estate Scotland (Interim Management)⁽³⁾ (to whom the existing Scottish functions are transferred by paragraph 3 of this Scheme).

(1) 2009 c.23.

(2) In this Scheme references to “the transfer date” are references to the date on which the Scheme is to have effect; see section 90B(20) of the 1998 Act. That date is specified by paragraph 3 as the day on which the Scheme comes into force.

(3) Crown Estate Scotland (Interim Management) (in Gaelic, Oighreachd a’ Chrùin Alba (Stiùireadh Eadar-amail)) was established by the Crown Estate Scotland (Interim Management) Order 2017 (S.S.I. 2017/36) and has been nominated by the Scottish Ministers under section 90B(1) of the 1998 Act as the transferee for the purposes of this Scheme.