



# National Parks (Scotland) Act 2000

## 2000 asp 10

### *Supplementary*

#### **32 Crown application**

This Act binds the Crown, but nothing in this Act is to be taken as in any way affecting Her Majesty in her private capacity.

#### **33 Ancillary provision**

The Scottish Ministers may by order make such incidental, supplemental, consequential, transitional, transitory or saving provision as they think necessary or expedient for the purposes or in consequence of this Act.

#### **34 Orders**

- (1) Any power to make orders under this Act is exercisable by statutory instrument.
- (2) Without prejudice to section 33, any such power includes power to make such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers think necessary or expedient.
- (3) A power referred to in subsection (1) includes power to make different provision for different purposes.
- (4) An order under section 6(1), 30(1) or 33 or paragraph 4 of schedule 1 may modify any enactment or prerogative instrument or any other instrument or document.
- (5) No order is to be made under section 6(1), 30(1) or 31 or paragraph 4 of schedule 1 unless a draft has been laid before, and approved by resolution of, the Parliament.
- (6) No order containing provisions which add to, replace or omit any part of the text of an Act is to be made under section 33 unless a draft has been laid before, and approved by resolution of, the Parliament.
- (7) A statutory instrument containing an order under—
  - (a) section 30(4), or
  - (b) section 33 (except where subsection (6) of this section applies),

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*Changes to legislation: There are currently no known outstanding effects for the National Parks (Scotland) Act 2000, Cross Heading: Supplementary. (See end of Document for details)*

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is subject to annulment in pursuance of a resolution of the Parliament.

### 35 Interpretation

(1) In this Act—

“community council” has the same meaning as in Part IV of the Local Government (Scotland) Act 1973 (c.65),

“cultural heritage” includes structures and other remains resulting from human activity of all periods, language, traditions, ways of life and the historic, artistic and literary associations of people, places and landscapes,

“designation order” means an order made under section 6(1),

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39),

“National Park” means the area designated as such by a designation order,

“National Park aims” has the meaning given in section 1,

“National Park authority” is to be construed in accordance with section 2(1)(b),

“National Park Plan” has the meaning given in section 11,

“National Park proposal” has the meaning given in section 2(4),

“natural heritage” includes the flora and fauna of a National Park or a proposed National Park, its geological and physiographical features and its natural beauty and amenity,

“the Parliament” means the Scottish Parliament.

(2) References in this Act to—

(a) a National Park, in relation to a National Park authority, are to the National Park in relation to which the authority is established,

(b) a National Park authority, in relation to a National Park, are to the authority for that National Park.

### 36 Modification of enactments

Schedule 5, which makes modifications of enactments, has effect.

### 37 Commencement and short title

(1) The preceding provisions of this Act (including the schedules) are to come into force on such day as the Scottish Ministers may by order appoint.

(2) Different days may be appointed under this section for different purposes.

(3) This Act may be cited as the National Parks (Scotland) Act 2000.

#### Subordinate Legislation Made

**P1** S. 37(1) power fully exercised (7.9.2000): 8.9.2000 appointed by S.S.I. 2000/312, **art. 2**

**Changes to legislation:**

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Cross Heading: Supplementary.