

# **Nature Conservation (Scotland) Act 2004**

## **Skye Nature Conservation Order 2019**

**August 2019**



**Scottish Government**  
Riaghaltas na h-Alba  
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## **NATURE CONSERVATION (SCOTLAND) ACT 2004**

### **SKYE NATURE CONSERVATION ORDER 2019**

The Scottish Ministers, having consulted Scottish Natural Heritage (“SNH”) and had regard to SNH’s representations, hereby give notice under paragraph 4 of Schedule 2 of the Nature Conservation (Scotland) Act 2004 (“the 2004 Act”), that the Skye Nature Conservation Order 2019 (“the Order”) was made on 1 August 2019 by the Scottish Ministers, in exercise of the powers conferred on them by section 23 of the 2004 Act.

The Order applies to the following sites on Skye:

1. An Corran Geological Conservation Review site;
2. Duntulm (Cairidh Ghlumaig and Lon Ostatoin) and Lub Score Geological Conservation Review sites including intervening coastline;
3. Valtos Site of Special Scientific Interest including intervening coastline between its constituent parts;
4. Elgol Coast Site of Special Scientific Interest; and
5. Bearreraig Bay Geological Conservation Review site.

The Order specifies the following prohibited operations in the sites specified above:

- a) Damaging, excavating and attempting to excavate (by mechanical means or through use of hand-held tools) vertebrate fossils (body and trace) from either in-situ rock or beach deposits including rock fall from cliffs.
- b) Infilling vertebrate trace fossils and covering or coating trace fossils and immediately associated rock with decorative coatings such as paint or plaster and other cementing or construction material that sets and hardens.
- c) Removal of vertebrate fossils (body and trace).
- d) Dumping or construction works that would obscure or obliterate trace fossils or associated rock.

Any person who breaches the Order is liable on summary conviction to a fine not exceeding £40,000 or if tried on indictment liable to an unlimited fine.

The Order sets out exceptions to the prohibited operations to allow excavation and removal of vertebrate fossils (both body and trace) for the non-commercial exclusive purpose of accession to a collection in a fully accredited institution in the United Kingdom, or the Staffin Museum, for scientific research and public exhibition. Excavation and removal shall only be undertaken with the written consent of the owner of the land in which the fossils are located and only by officially affiliated individuals. The Order provides a definition of officially affiliated individuals.

The Order takes effect from 1 August 2019.

The Order is available online on this webpage. A copy of it may also be inspected free of charge at all reasonable hours at Scottish Government, Rural Payments and Inspections Division Portree, Scorrybreac Road, Portree, Isle of Skye, IV51 9DH and a copy of it may be obtained at that address.

Any person who wishes to make representations with respect to the Order may, within 3 months from the date of this notice, do so by writing to Wildlife and Biodiversity Team, Natural Resources Division, Scottish Government, 3-G South, Victoria Quay, Edinburgh, EH6 6QQ or to [biodiversity@gov.scot](mailto:biodiversity@gov.scot)

If any representation made during the period specified in the notice is not withdrawn, the Scottish Ministers must either cause a local inquiry to be held, or give the person who made the representation an opportunity of being heard by a person appointed by the Scottish Ministers for the purpose, before deciding either to confirm the Order, with or without modifications, or not to confirm the Order.

**ENVIRONMENT AND FORESTRY DIRECTORATE, SCOTTISH GOVERNMENT**



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