



# Countryside (Scotland) Act 1967

## 1967 CHAPTER 86

### PART IV

#### FURTHER POWERS OF CERTAIN AUTHORITIES

- <sup>F1</sup>49A [ Scottish Natural Heritage may enter into an agreement with any person having an
- <sup>F2</sup>(1) interest in land to do, or to secure the doing of, whatever in the opinion of the parties to the agreement may be necessary to secure the conservation and enhancement or to foster the understanding and enjoyment of the natural heritage of Scotland.
- (2) A planning authority may enter into an agreement with any person having an interest in land to do or to secure the doing of whatever in the opinion of the parties to the agreement may be necessary to preserve or enhance the natural beauty of the countryside or to promote the enjoyment of the countryside by the public.
- (3) An agreement under subsection (1) or (2) above shall be known as a “ management agreement ” ]
- (4) A planning authority or [<sup>F3</sup>Scottish Natural Heritage] may make such payments in respect of such agreements as are specified in the agreement.
- (5) Any [<sup>F4</sup>liferenter ] in possession of any land shall have power to enter into management agreements relating to the land or any part thereof.
- (6) The <sup>M1</sup> Trusts (Scotland) Act 1921 shall have effect as if among the powers conferred on trustees by section 4 thereof (which relates to the general power of trustees) there were included a power to enter into management agreements relating to the trusts estate or any part thereof.
- (7) Subsections (8) to (10) of section 13 of this Act shall apply to management agreements as they apply to access agreements.
- (8) Where any person having such an interest in any land as enables him to bind the land enters into any such agreement as aforesaid, the agreement may be registered either—

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*Changes to legislation: There are currently no known outstanding effects for the Countryside (Scotland) Act 1967, Section 49A. (See end of Document for details)*

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- (a) in a case where the land affected by the agreement is registered in that Register, in the Land Register of Scotland, or
  - (b) in any other case, in the appropriate Division of the General Register of Sasines.
- (9) Any agreement registered in terms of subsection (8) above shall be enforceable at the instance of the planning authority or of [<sup>F3</sup>Scottish Natural Heritage], as the case may be, against persons deriving title to the land from the person who entered into the agreement; provided that any such agreement shall not be enforceable against a third party who shall have in good faith and for value acquired right (whether [<sup>F5</sup> title has been completed ] or not) to the land prior to the agreement being registered as aforesaid, of against any person deriving title from such third party.
- (10) Notwithstanding the terms of any management agreement, it shall be open at any time to the parties, as the case may be, to agree to terminate it; and where any management agreement has been registered in terms of subsection (8) above, the subsection agreement to terminate it shall be registered in the like manner.]

#### Textual Amendments

- F1** S. 49A inserted by [Countryside \(Scotland\) Act 1981 \(c. 44, SIF 46:1\)](#), **s. 9**
- F2** S. 49A(1)-(3) substituted (01.04.1992) by [Natural Heritage \(Scotland\) Act 1991 \(c. 28, SIF 46:1\)](#), s. 27(1), **Sch. 10, para. 4(3)**; S.I. 1991/2633, **art.4**.
- F3** Words in s. 49A substituted (01.04.1992) by [Natural Heritage \(Scotland\) Act 1991 \(c. 28, SIF 46:1\)](#), **s. 14(3)**; S.I. 1991/2633, **art.4**.
- F4** Word in s. 49A(5) substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), **Sch. 12 para. 28(6)(a)** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F5** Words in s. 49A(9) substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), **Sch. 12 para. 28(6)(b)** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

#### Marginal Citations

- M1** 1921 c. 58(128).

**Changes to legislation:**

There are currently no known outstanding effects for the Countryside (Scotland) Act 1967, Section 49A.