



# Forestry and Land Management (Scotland) Act 2018

2018 asp 8

## PART 3

### MANAGEMENT OF LAND BY SCOTTISH MINISTERS

#### *Acquisition and disposal of land*

#### **18 Power to acquire land by agreement**

- (1) The Scottish Ministers may, if they consider it appropriate to do so, acquire by agreement land for the purpose of exercising their functions under—
- (a) section 11,
  - (b) section 15.
- (2) The power in subsection (1) includes, in particular, the power—
- (a) to purchase, or enter into a lease for, land,
  - (b) to accept land as a gift,
  - (c) to acquire any right or interest in or over land.

#### **Commencement Information**

- II** [S. 18](#) in force at 1.4.2019 by [S.S.I. 2019/47](#), [reg. 2](#) (with [regs. 3-22](#))

#### **19 Compulsory purchase of land**

- (1) The Scottish Ministers may compulsorily acquire land that they require for the purpose of exercising their functions under section 11.
- (2) But the Scottish Ministers may not compulsorily acquire land if—
- (a) the land is subject to an arrangement under section 17(1),
  - (b) the land is—
    - (i) subject to a forestry dedication agreement, and

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*Changes to legislation: There are currently no known outstanding effects for the Forestry and Land Management (Scotland) Act 2018, Cross Heading: Acquisition and disposal of land. (See end of Document for details)*

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- (ii) being managed in accordance with a plan of operations that has been approved by the Scottish Ministers, or
  - (c) the land is held or used by a Minister of the Crown or a department of the Government of the United Kingdom.
- (3) The power in subsection (1) includes, in particular, the power—
- (a) to acquire any right or interest in or over land,
  - (b) to acquire a servitude or other right in or over land by the creation of a new right.

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**Commencement Information**

**I2** S. 19 in force at 1.4.2019 by S.S.I. 2019/47, reg. 2 (with regs. 3-22)

**20 Power to dispose of land**

- (1) The Scottish Ministers may, if they consider it appropriate to do so, dispose of land mentioned in subsection (2).
- (2) The land is—
- (a) land in the national forest estate,
  - (b) land within the meaning of section 12(1)(b)(i),
  - (c) land within the meaning of section 15(2)(b)(i).
- (3) The Scottish Ministers must ensure that any funds received by them as a result of the disposal of land under subsection (1) are—
- (a) separately recorded, and
  - (b) used by them solely for the purposes of or in connection with the carrying out of their functions under this Act.
- (4) In subsection (1), “dispose of land” includes—
- (a) the sale, gift or lease of the land,
  - (b) the grant of any right or interest in or over the land.

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**Commencement Information**

**I3** S. 20 in force at 1.4.2019 by S.S.I. 2019/47, reg. 2 (with regs. 3-22)

**Changes to legislation:**

There are currently no known outstanding effects for the Forestry and Land Management (Scotland) Act 2018, Cross Heading: Acquisition and disposal of land.