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STATUTORY RULES OF NORTHERN IRELAND

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**1995 No. 380**

The Conservation (Natural Habitats, etc.)  
Regulations (Northern Ireland) 1995

PART II

CONSERVATION OF NATURAL HABITATS AND HABITATS OF SPECIES

*Management agreements*

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13.—(1) The Department may enter into an agreement (a “management agreement”) with any person having an estate in any land forming part of a European site, or land adjacent to such a site, for the management, conservation, restoration or protection of the site, or any part of it.

(2) A management agreement may impose such restrictions as may be expedient on the exercise of rights over the land by persons who can be bound by the agreement.

(3) A management agreement—

- (a) may provide for the management of the land in such manner, the carrying out thereon of such work and the doing thereon of such other things as may be expedient for the purposes of the agreement;
- (b) may provide for any of the matters mentioned in sub-paragraph (a) being carried out, or for the cost thereof being defrayed, either by the said owner or other persons, or by the Department, or partly in one way and partly in another;
- (c) may contain such other provisions as to the making of payments by the Department, and, in particular, for the payment by it of compensation for the effect of the restrictions mentioned in paragraph (2), as may be specified in the agreement.

(4) Where a person having an estate in any land, by such a management agreement grants or agrees to grant any right as respects the land, the grant or agreement shall be binding upon any person deriving title or otherwise claiming under the grantor to the same extent as it is binding upon the grantor notwithstanding that it would not have been binding upon that person apart from this paragraph.

(5) A management agreement may be made irrevocably or subject to such provisions for revocation or variation as may be specified in the agreement.

(6) The Department may waive (either permanently or temporarily) any condition imposed by a management agreement which is inconsistent with any provision of a development order under the 1991 Order.

(7) A management agreement shall be included among the matters which are required to be registered in the Statutory Charges Register.

*Continuation in force of existing agreements, etc.*

14.—(1) Any agreement previously entered into—

- (a) under Article 17 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985<sup>(1)</sup> (nature reserves), or
- (b) under Article 24(8) of that Order (areas of special scientific interest),

in relation to land which, on or after the commencement of these Regulations becomes land within a European site, or adjacent to such a site, shall have effect as if entered into under regulation 13.

(2) Any other thing done or deemed to have been done under any provision of Part V, Part VI or Part VIII of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, in respect of any land prior to that land becoming land within a European site or adjacent to such a site, shall continue to have effect as if done under the corresponding provision of these Regulations.

(3) Any reference in any outlying enactment to a nature reserve within the meaning of Article 2(2) of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 shall be construed as including a European site.

For this purpose “outlying enactment” means an enactment not contained in, or in an instrument made under, the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.

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(1) [S.I. 1985/170 \(N.I. 1\)](#); Article 17 was amended by Article 8 of the Nature Conservation and Amenity Lands (Amendment) (Northern Ireland) Order 1989 [S.I. 1989/492 \(N.I. 3\)](#)