

# **FORESTRY AND LAND MANAGEMENT (SCOTLAND) ACT 2018**

---

## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 3 - Management of land by Scottish Ministers**

##### ***Section 17 - Power to enter into arrangements***

26. Section 17(1) and (2) respectively provide that the Scottish Ministers may, for the purposes of managing land under section 11 or 15 enter into arrangements with any person for the management of land or for the provision of advice or assistance in relation to the management of land. These arrangements can be with any person, whether a natural or legal person, including private and public bodies.
27. Arrangements allowing Scottish Ministers to manage land (reached under section 17(1)) must be for the purposes of section 11 (management of forested land to promote SFM) or 15 (management of land to further the achievement of sustainable development). The precise scope and terms of such arrangements will be a matter for agreement between the Scottish Ministers and the relevant person.
28. Further to paragraphs 18 and 25, although the Scottish Ministers' duties are subject to the terms of any arrangement agreed it is not possible for the terms of an arrangement to oust the duties to manage the land to promote SFM (section 11) or to further the achievement of sustainable development (section 15).