



# Countryside (Scotland) Act 1981

## 1981 CHAPTER 44

### 9 Management agreements.

After section 49 of the Act of 1967 there shall be inserted the following section—

**“49A Management agreements.**

- (1) A planning authority or the Commission may enter into agreements (to be known as “management agreements”) 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.
- (2) Before entering into any management agreement, the Commission shall consult the relevant planning authorities.
- (3) In this section, “the relevant planning authorities” include any planning authority for an area within which any land liable to be affected by the management agreement is situated.
- (4) A planning authority or the Commission may make such payments in respect of such agreements as are specified in the agreement.
- (5) Any person, being the liferenter of the heir of entail, in possession of any land shall have power to enter into management agreements relating to the land or any part thereof.
- (6) The 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 trust 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.

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*Changes to legislation: There are currently no known outstanding effects for the  
Countryside (Scotland) Act 1981, Section 9. (See end of Document for details)*

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- (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—
- (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 the Commission, as the case may be, against persons deriving title to the land from the person who entered into 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 completed by infertment or not) to the land prior to the agreement being registered as aforesaid, or 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 to the agreement, or to persons deriving title from 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 subsequent agreement to terminate it shall be registered in the like manner.”

**Modifications etc. (not altering text)**

- C1** The text of s. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Countryside (Scotland) Act 1981, Section 9.