

# Forestry and Land Management (Scotland) Act 2018 2018 asp 8

## FORESTRY AND LAND MANAGEMENT (SCOTLAND) ACT 2018

## PART 1

OVERVIEW OF ACT

1 Overview of Act

## PART 2

FORESTRY FUNCTIONS

## **CHAPTER 1**

GENERAL FORESTRY FUNCTIONS

Duty to promote sustainable forest management

2 Duty to promote sustainable forest management

## Forestry strategy

- 3 Duty to prepare forestry strategy
- 4 Preparation and revision of forestry strategy
- 5 Publication of forestry strategy
- 6 Duty to have regard to forestry strategy
- 7 Report on forestry strategy

## Duty to make arrangements for research

8 Duty to make arrangements for research in relation to the promotion of sustainable forest management

## **CHAPTER 2**

TREE HEALTH AND SILVICULTURAL MATERIAL TESTING FUNCTIONS

- 9 Transfer of Plant Varieties and Seeds Act 1964 functions
- 10 Transfer of Plant Health Act 1967 functions

## PART 3

## MANAGEMENT OF LAND BY SCOTTISH MINISTERS

## Management of forested land

- Management of forested land 11
- 12
- Meaning of "forested land" Meaning of "national forest estate" 13

## Forestry information

14 Duty to publish information on forestry

## Management of land to further sustainable development

15 Management of land to further sustainable development

## Duty to publish map of land managed by Scottish Ministers

Duty to publish map of land managed by Scottish Ministers 16

## Power to enter into arrangements

17 Power to enter into arrangements

## Acquisition and disposal of land

- 18 Power to acquire land by agreement
- Compulsory purchase of land 19
- 20 Power to dispose of land

## PART 4

#### FELLING

## **CHAPTER 1**

#### **OVERVIEW AND KEY TERMS**

- 21 Overview of Part 4
- 22 Key terms in Part 4

## **CHAPTER 2**

#### OFFENCE OF UNAUTHORISED FELLING

- 23 Offence of unauthorised felling
- Unauthorised felling: exemptions 24

#### **CHAPTER 3**

#### FELLING PERMISSION

- 25 Applications for felling permission
- 26 False or misleading information in applications: offence
- 27 Decisions on applications
- 28 Continuing conditions on felling permission: offence
- 29 Variation of felling permission
- 30 Suspension of felling permission
- 31 Revocation of felling permission
- 32 Compensation for refusal of felling permission
- 33 Felling of trees subject to tree preservation orders

#### **CHAPTER 4**

#### FELLING DIRECTIONS

- 34 Felling directions
- 35 Felling directions: offence

#### **CHAPTER 5**

#### **RESTOCKING DIRECTIONS**

- 36 Restocking directions
- 37 Restocking directions: offence

#### **CHAPTER 6**

#### CONTINUING CONDITIONS ON FELLING PERMISSION, FELLING DIRECTIONS AND RESTOCKING DIRECTIONS: NOTICES TO COMPLY

- 38 Registration of notices to comply
- 39 Registered notices to comply: offence

#### CHAPTER 7

#### REGISTRATION OF NOTICES UNDER CHAPTERS 6 AND 8

- 40 Registration of notices of variation
- 41 Registration of notices of discharge from compliance
- 42 Meaning of "register"
- 43 Descriptions of land
- 44 Receipt of notices by Keeper

#### CHAPTER 8

#### COMPLIANCE

#### Temporary stop notices

45 Temporary stop notices

- 46 Temporary stop notices: offence
- 47 Temporary stop notices: compensation

## Requests for information

- 48 Requests for information
- 49 Requests for information: offence

#### Site visits

50 Site visits with consent of owner or occupier

## Powers of entry

- 51 Power of entry: unauthorised felling
- 52 Power of entry: decision to give felling directions or restocking directions
- 53 Power of entry: failure to comply

#### Remedial notices

- 54 Remedial notices
- 55 Remedial notices: offence
- 56 Registration of remedial notices
- 57 Registered remedial notices: offence

#### *Giving documents to owner or occupier*

58 Giving documents to owner or occupier

## Step-in power

59 Step-in power

## Powers of entry and step-in power: application to court

60 Powers of entry and step-in power: application to court

## Powers of entry and step-in power: offences

61 Powers of entry and step-in power: offences

## Powers of entry and step-in power: further provision

62 Powers of entry and step-in power: further provision

## Step-in power: recovery of expenses

- 63 Step-in power: recovery of expenses
- 64 Registration of notices of liability for expenses
- 65 Recovery of expenses from new owner of land
- 66 Registration of notices of discharge of liability for expenses

## Time limit for prosecution

67 Time limit for prosecution

#### CHAPTER 9

#### APPEALS

#### 68 Appeals against decisions by Scottish Ministers

#### PART 5

#### GENERAL POWERS

- 69 Information, research and education etc.
- 70 Power to form companies etc.
- 71 Financial assistance
- 72 Charging
- 73 Chief forester
- 74 Arrangements for carrying out forestry and land management functions
- 75 Report on operation of administrative arrangements

## PART 6

#### GENERAL AND FINAL PROVISIONS

- 76 Regulations
- 77 Ancillary provision
- 78 Interpretation
- 79 Modifications of enactments and repeals
- 80 Saving of existing forestry dedication agreements
- 81 Forestry Commissioners' functions no longer exercisable in Scotland
- 82 Index of defined expressions
- 83 Crown application: general
- 84 Crown application: powers of entry
- 85 Commencement
- 86 Short title

SCHEDULE 1 — MODIFICATIONS OF ENACTMENTS

- 1 Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947
- 2 Town and Country Planning (Scotland) Act 1997

SCHEDULE 2 — REPEALS

SCHEDULE 3 — INDEX OF DEFINED EXPRESSIONS