



Forestry and Land Management (Scotland) Act 2018

2018 asp 8

PART 4

FELLING

CHAPTER 2

OFFENCE OF UNAUTHORISED FELLING

23 Offence of unauthorised felling

- (1) A person commits an offence if the person fells a tree unless—
 - (a) the felling is exempt under section 24, or
 - (b) the felling is carried out in accordance with—
 - (i) a felling permission,
 - (ii) a felling direction,
 - (iii) a restocking direction,
 - (iv) a registered notice to comply,
 - (v) a remedial notice, or
 - (vi) a registered remedial notice.
- (2) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) Where an offence under subsection (1) is committed in respect of more than one tree, the maximum fine under subsection (2) is to be determined as if the person had been convicted of a separate offence in respect of each tree.

Modifications etc. (not altering text)

- C1 S. 23(1) excluded (1.4.2019) by [The Forestry \(Exemptions\) \(Scotland\) Regulations 2019](#) (S.S.I. 2019/126), regs. 1, 3, 4 (with [reg. 5](#))

Changes to legislation: There are currently no known outstanding effects for the Forestry and Land Management (Scotland) Act 2018, Section 23. (See end of Document for details)

Commencement Information

II [S. 23](#) 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, Section 23.