



# Forestry and Land Management (Scotland) Act 2018

2018 asp 8

## PART 4

### FELLING

## CHAPTER 8

### COMPLIANCE

#### *Powers of entry*

#### **53 Power of entry: failure to comply**

- (1) Subsection (2) applies if the Scottish Ministers have reason to believe that a person has failed or is failing to comply with—
- (a) a condition on felling permission,
  - (b) a felling direction (including any condition imposed on it),
  - (c) a restocking direction (including any condition imposed on it),
  - (d) a registered notice to comply,
  - (e) a remedial notice (including any condition imposed on it), or
  - (f) a registered remedial notice.
- (2) The Scottish Ministers may enter land mentioned in subsection (3) for the purpose of determining whether a person has failed or is failing to comply with the condition, the direction or (as the case may be) the notice.
- (3) The land is—
- (a) in the case of a condition on felling permission—
    - (i) the land on which the tree to which the condition relates is located,
    - (ii) where it is a continuing condition, the land to which the continuing condition relates,

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**Status:** This is the original version (as it was originally enacted).

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- (b) in the case of a felling direction or a restocking direction, the land to which the direction relates,
- (c) in the case of a registered notice to comply, a remedial notice or a registered remedial notice, the land to which the notice relates.