

FORESTRY AND LAND MANAGEMENT (SCOTLAND) ACT 2018

EXPLANATORY NOTES

THE ACT

Part 5 - General powers

94. [Sections 69 to 72](#) provide general powers to support the Scottish Ministers in connection with carrying out their functions under the Act. Section 69 enables the Scottish Ministers to conduct research and inquiries, collect data and publish statistics or other information, provide education and training and encourage or assist other person to do these things. Section 70 enables the Scottish Ministers to form companies in connection with carrying out their functions under the Act. Section 71 enables the Scottish Ministers to provide financial assistance including grants, loans, guarantees and indemnities and attach conditions in respect of any financial assistance provided. Section 72 provides that the Scottish Ministers may impose charges as they consider appropriate. This will enable the existing charging arrangements in place for activities on the national forest estate to be carried forward when management transfers to the Scottish Ministers. Section 6(f) provides that when exercising those general powers for the purpose of or in connection with the carrying out of other functions as specified in section 6, the Scottish Ministers must have regard to the forestry strategy (as prepared under section 3).
95. [Section 73](#) requires the Scottish Ministers to appoint an officer to be known as chief forester and to prescribe, in regulations, qualifications to be held by the person appointed.
96. [Section 74](#) requires the Scottish Ministers to establish a single agency or two agencies when making administrative arrangements to carry out the forestry and land management functions under the Act (defined at subsection (2)).
97. [Section 75](#) introduces a reporting requirement on the operation of the administrative arrangements made for carrying out relevant functions under the Act. Subsection (1) requires the Scottish Ministers, as soon as practicable after the end of the 5 year period, to lay before the Scottish Parliament a report on the operation of the administrative arrangements. Subsection (2) defines “relevant functions” and the “5 year period”. Subsections (3) and (4) make provision about matters that must be included in the report.