



2010 CHAPTER 10

PART 3

FELLING OF TREES

Restocking notice

Power of Department to require restocking after unauthorised felling

22.—(1) The Department may serve a notice under this section (a “restocking notice”) on a person where it appears to the Department that—

- (a) the person has committed an offence under section 15(3); and
- (b) the person has such an estate in the land in question as is mentioned in section 16(1).

(2) A restocking notice is a notice requiring the person on whom it is served—

- (a) to restock or stock with trees of a specified species the land or such other land as may be agreed between the Department and that person; and
- (b) to maintain those trees in accordance with the rules and practice of good forestry for a period, not exceeding 5 years, specified in the notice.

Commencement Information

II S. 22 in operation at 17.6.2013 by S.R. 2013/138, art. 2, Sch.

Changes to legislation: There are currently no known outstanding effects for the Forestry Act (Northern Ireland) 2010, Cross Heading: Restocking notice. (See end of Document for details)

Appeal against restocking notice

23.—(1) A person on whom a restocking notice has been served who objects to the notice or to any requirement contained in the notice may appeal to a person appointed under section 26.

(2) On an appeal under this section the person appointed under section 26 may—

- (a) confirm the notice, or
- (b) direct the Department to withdraw the notice or modify it in such manner as is specified in the direction.

(3) It is the duty of the Department to give effect to any direction under subsection (2)(b).

Commencement Information

I2 [S. 23](#) in operation at 17.6.2013 by [S.R. 2013/138](#), art. 2, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Forestry Act (Northern Ireland) 2010, Cross Heading: Restocking notice.