



# Forestry Act 1967

## 1967 CHAPTER 10

### PART III

#### ADMINISTRATION AND FINANCE

##### *Finance, accounts and annual report*

#### **41 Forestry Fund.**

- (1) The Forestry Fund constituted under section 8 of the Forestry Act 1919 shall continue to be maintained as heretofore.
- (2) There shall be paid into the Forestry Fund out of moneys provided by Parliament such annual amounts as Parliament may determine.
- (3) The following shall be paid out of the Forestry Fund:—
  - (a) the salaries of the Forestry Commissioners, and the salaries or remuneration of the officers and servants of the Commissioners;
  - (b) all expenses incurred by the Commissioners in the exercise of their powers and the performance of their duties under—
    - (i) this Act; and
    - (ii) the Plant Health Act 1967,including the payment of allowances to the members of any committee maintained by them under this Act;
  - (c) any administrative expenses of the Minister under Part II of this Act (including sums required for the payment of remuneration to the members of any committee appointed by him in pursuance of section 27).
- (4) All sums received by the Commissioners in respect of the sale of timber, or otherwise received by them in respect of transactions carried out by them in the exercise of their powers and duties under this Act, shall be paid into the Forestry Fund.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Commissioners may accept any gift made to them for all or any purposes of this Act and, subject to the terms thereof, may apply it for those purposes in accordance with regulations made by them.
- (6) Payments out of and into the Forestry Fund, and all other matters relating to the Fund and money standing to the credit of the Fund, shall be made and regulated in such manner as the Treasury may, by minute to be laid before Parliament, direct.
- (7) The Commissioners may from time to time, with the approval of the Treasury, make any investment of moneys standing to the credit of the Forestry Fund which trustees are for the time being authorised by law to make in the case of a trust fund.

#### **42 Finance of land acquisition, management, etc.**

- (1) Any capital payments made by the Minister in acquiring land under section 39 above, and any expenses of the Minister in the acquisition of land thereunder, shall be defrayed out of the Forestry Fund.
- (2) Where land acquired by the Minister under section 39 is for the time being placed at the disposal of the Commissioners.—
  - (a) any rent or other outgoings payable in respect of the land by the Minister shall be defrayed out of the Forestry Fund; and
  - (b) any sums received by the Minister from the letting of the land or the grant of any interest or right in or over it shall be paid into that Fund.
- (3) Where land acquired by the Minister under section 39 is not for the time being placed at the disposal of the Commissioners, the expenses of the Minister in managing and using the land, including any rent or other outgoings payable by him in respect of the land, shall be defrayed out of moneys provided by Parliament, and—
  - (a) any sums received by him from the letting or use of the land, or the grant of any interest or right in or over it, shall be paid into the Exchequer; and
  - (b) the Minister shall pay into the Forestry Fund out of moneys provided by Parliament such periodical sums (if any) in respect of the land as may be determined by the Treasury.
- (4) Any capital sums received by the Minister from the sale, lease or exchange of land acquired by him under section 39 shall be paid into the Forestry Fund.

#### **43 Satisfaction of certain contingent liability to Crown Estate.**

- (1) If the Minister sells land which was transferred to him, or to any predecessor of his, or to the Commissioners, under section 1(1)(a) of the Forestry (Transfer of Woods) Act 1923 to an amount exceeding five acres at any one time, then if the sum determined under section 3 of the said Act of 1923 as the amount contingently payable by way of compensation for the transfer of rights and interests of the Crown has not been fully paid or satisfied.—
  - (a) the net proceeds of sale, or the portion necessary to satisfy the said sum, shall be paid by the Minister to the Crown Estate Commissioners and shall form part of the Crown Estate; and
  - (b) the payment shall be treated as satisfying a part of that sum equal to the gross proceeds of sale or the corresponding portion of them.

- (2) In the event of the hereditary revenues which are by section 1 of the Civil List Act 1952 directed to be carried to and made part of the Consolidated Fund ceasing at any time, whether during the present or any subsequent reign, to be carried to and made part of that Fund, there shall be paid out of the Fund to the Crown Estate Commissioners all such amounts as immediately before the commencement of this Act remained outstanding as compensation due to the Crown under section 3 of the said Act of 1923, reduced by the amount of any payments made since that commencement to the Crown Estate Commissioners pursuant to subsection (1) above or to the corresponding provision in section 8(1) of the Crown Estate Act 1961.

**44 Annual accounts of Commissioners.**

- (1) The Commissioners shall prepare accounts in respect of each financial year (beginning with the 1st April), showing the sums paid into and the sums issued out of the Forestry Fund in that year.
- (2) The Commissioners' accounts shall be in such form and manner as the Ministers with the approval of the Treasury may direct, and the Commissioners shall transmit the accounts to the Ministers at such time as the Ministers, with the said approval, may direct.
- (3) The Ministers shall, on or before the 30th November in each year, transmit to the Comptroller and Auditor General the accounts prepared by the Commissioners under subsection (1) above for the financial year last ended, and the Comptroller and Auditor General shall examine and certify them and lay copies thereof, together with his report thereon, before both Houses of Parliament.

**45 Annual report by Commissioners.**

The Commissioners shall, on such day and in such form as the Ministers may direct, make to the Ministers an annual report as to their proceedings under this Act, and the Ministers shall lay the report before Parliament.