

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 50.

TRANSITIONAL PROVISIONS

- 1 (1) In so far as any appointment, order, regulation, byelaw, application, claim for compensation or reference made, or notice or directions given, or other thing done under an enactment repealed by this Act could have been made, given or done under a corresponding provision of this Act, it shall not be invalidated by the repeal but shall have effect as if made, given or done under that corresponding provisions.
- (2) Anything begun under an enactment repealed by this Act may be continued under this Act as if begun thereunder.
- (3) Any reference in this Act to things done, suffered or occurring in the past shall, so far as the context requires for the purpose of continuity of operation between an enactment repealed by this Act and the corresponding enactment in this Act, be construed as including a reference to things done, suffered or occurring before the commencement of this Act.
- (4) So much of any document as refers expressly or by implication to any enactment repealed by this Act shall, if and so far as the context permits, be construed as referring to this Act or the corresponding enactment therein.
- (5) The generality of sub-paragraphs (1) to (4) above shall not be prejudiced by anything in the subsequent provisions of this Schedule.
- 2 For the purposes of section 16(4) of this Act, any such anniversary of an application as is there referred to shall, in the case of an application made before the commencement of this Act and having effect as if made under this Act, be taken as falling on the date on which it would have fallen if this Act had not been passed.
- 3 A notice given by the Commissioners under section 11(1) of the ^{M1}Forestry Act 1951 and having effect as if given under section 24 of this Act shall, in a case where the notice was by virtue of section 11(4) of that Act inoperative immediately before the commencement of this Act, remain inoperative under section 25(2) of this Act for as long as, and no longer than, it would have so remained but for the passing of this Act.

Marginal Citations

M1 1951 c. 61.

- 4 (1) References in this Act to land acquired by the Minister thereunder shall include references to land which, immediately before the commencement of this Act, was vested in that Minister having been acquired by him or any predecessor of his under section 4 of the ^{M2}Forestry Act 1945, or vested by that section in the appropriate Minister for the purposes of that Act, or transferred to the Minister by the operation of Article 9(1) of the ^{M3}Secretary of State for Wales and Minister of Land and

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Natural Resources Order 1965 (which Order transferred functions of the Minister of Agriculture, Fisheries and Food under the Forestry Acts 1919 to 1951 partly to the Minister of Land and Natural Resources and partly to the Secretary of State for Wales) or of Article 2 of the ^{M4}Ministry of Land and Natural Resources (Dissolution) Order 1967 (which dissolved the Ministry of Land and Natural Resources and transferred its principal functions under the said Acts to the Ministry of Agriculture, Fisheries and Food).

- (2) For the purposes of this Act, [^{F1}but subject to sub-paragraph (3),]any land which was immediately before the commencement of this Act for the time being placed or deemed to have been placed at the disposal of the Commissioners under the Forestry Act 1945 shall be treated as continuing after that commencement to be so placed by virtue of section 39(1) of this Act, without prejudice to the power of the Minister to make any other disposition with regard to that land.
- [^{F2}(3) Any land in Wales which, immediately prior to 1 April 2013, was treated as being placed at the disposal of the Commissioners pursuant to sub-paragraph (2) shall thereafter be treated as being placed at the disposal of the Natural Resources Body for Wales by virtue of section 39(1) of this Act, without prejudice to the power of the Welsh Ministers to make any other disposition with regard to that land.]

Textual Amendments

- F1** Words in Sch. 6 para. 4(2) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 79(2)** (with Sch. 7)
- F2** Sch. 6 para. 4(3) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 79(3)** (with Sch. 7)

Marginal Citations

- M2** 1945 c. 35.
- M3** S.I. 1965/319.
- M4** S.I. 1967/156.

- 5 The references to the Forestry Commissioners in section 48 of the ^{M5}Settled Land Act 1925 (which contains regulations respecting forestry leases) and in the definition of “forestry lease” in section 117 of that Act shall be construed as references to the Minister, and the reference in the said definition to the ^{M6}Forestry Act 1919 shall be construed as a reference to this Act.

Marginal Citations

- M5** 1925 c. 18(98:3)
- M6** 1919 c. 58.

- 6 Any power under any enactment to amend or repeal an enactment repealed by this Act includes power to amend or repeal the corresponding provision of this Act.

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