



# Forestry Act 1967

## 1967 CHAPTER 10

### PART II

#### COMMISSIONERS' POWER TO CONTROL FELLING OF TREES

##### *Restriction of felling*

#### **[<sup>F1</sup>17A Power of Commissioners to require restocking notice after unauthorised felling.**

- (1) Where a person is convicted of an offence under section 17 of this Act and he is a person having, as regards the land on which the felling which gave rise to the conviction took place, such estate or interest as is mentioned in section 10(1) of this Act, the Commissioners may serve on him a notice (in this Act referred to as a "restocking notice") requiring him—
  - (a) to restock or stock with trees the land or such other land as may be agreed between the Commissioners and him; and
  - (b) to maintain those trees in accordance with the rules and practice of good forestry for a period, not exceeding ten years, specified in the notice.
- (2) A restocking notice shall be served within three months after the date of the conviction or of the dismissal or withdrawal of any appeal against the conviction.
- (3) Subject to the provisions of this Act, in considering whether to issue a restocking notice the Commissioners shall—
  - (a) have regard to the interests of good forestry and agriculture and of the amenities of the district;
  - (b) have regard to their duty of promoting the establishment and maintenance<sup>F2</sup> . . . of adequate reserves of growing trees; and
  - (c) take into account any advice tendered by the regional advisory committee for the conservancy comprising the land to which the restocking notice would relate.

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*Status: Point in time view as at 01/07/1999. This version of this provision has been superseded.*

**Changes to legislation:** *There are currently no known outstanding effects for the Forestry Act 1967, Section 17A. (See end of Document for details)*

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- (4) This section shall not apply in relation to trees to which a tree preservation order relates or in relation to trees the felling of which took place before the date of coming into force of the Forestry Act 1986.]

**Textual Amendments**

**F1** Ss. 17A–17C inserted by [Forestry Act 1986 \(c. 30, SIF 54\)](#), **s. 1(a)**

**F2** Words in s. 17A(3)(b) omitted (1.7.1999) by virtue of [S.I. 1999/1747](#), art. 3, **Sch. 12 Pt. II para. 4(9)**

**Status:**

Point in time view as at 01/07/1999. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Forestry Act 1967, Section 17A.