



Forestry Act 1967

1967 CHAPTER 10

PART II

^{F1}... POWER TO CONTROL FELLING OF TREES

^{F1} Power of Commissioners to direct felling

[^{F1}19 Restrictions on [^{F2}appropriate forestry authority's] power under s. 18.

- (1) Felling directions shall not be given in the case of—
 - (a) fruit trees or trees standing or growing on land comprised in an orchard, garden, churchyard or public open space (as defined in section 9(6) above);
 - (b) trees on land which is subject to a forestry dedication covenant ^{F3}...; or
 - (c) trees which are being managed to the satisfaction of the [^{F4}appropriate forestry authority] in accordance with a plan of operations or other working plan approved by them as mentioned in section 14(1) above, but otherwise than under a forestry dedication covenant ^{F5}... .
- (2) If an application for a felling licence is made to the [^{F4}appropriate forestry authority] in the case of trees to which a tree preservation order relates and the [^{F4}appropriate forestry authority] refer the application under section 15 above to the authority who made the order, then so long as the order remains in force no felling directions shall be given in respect of the trees.
- (3) If the [^{F4}appropriate forestry authority] propose to give felling directions in respect of trees to which a tree preservation order relates, they shall give notice in writing of the proposal to the authority by whom the order was made; and if within the prescribed period after the receipt of the notice the authority object to the proposal and do not withdraw the objection, the [^{F4}appropriate forestry authority] shall not give the directions except with the consent of the Minister [^{F6}where the felling direction was given in respect of trees in [^{F7}England or Wales]^{F8}...], who shall consult with the said authority before deciding whether to grant or refuse his consent.
- (4) ^{F9}.....]

Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 19. (See end of Document for details)

Textual Amendments

- F1** Act repealed (S.) (1.4.2019) by [Forestry and Land Management \(Scotland\) Act 2018](#) (asp 8), s. 85(2), [sch. 2](#) (with [ss. 80, 83](#)); [S.S.I. 2019/47](#), [reg. 2](#) (with transitional provisions and savings in [regs. 3-22](#) (as amended (18.3.2021) by [The Forestry and Land Management \(Scotland\) Act 2018](#) (Consequential, Saving and Transitional Provisions) Regulations 2021 (S.S.I. 2021/44), [regs. 1\(1\), 11\(2\)\(b\)\(3\)\(a\)](#)))
- F2** Words in s. 19 heading substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 60\(4\)](#) (with [Sch. 7](#))
- F3** Words in s. 19(1)(b) omitted (1.4.2019) by virtue of [The Forestry and Land Management \(Scotland\) Act 2018](#) (Consequential Provisions and Modifications) Order 2019 (S.I. 2019/734), [reg. 1\(2\)](#), [Sch. para. 21\(a\)](#); [S.S.I. 2019/47](#), [reg. 2](#)
- F4** Words in s. 19 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 60\(2\)](#) (with [Sch. 7](#))
- F5** Words in s. 19(1)(c) omitted (1.4.2019) by virtue of [The Forestry and Land Management \(Scotland\) Act 2018](#) (Consequential Provisions and Modifications) Order 2019 (S.I. 2019/734), [reg. 1\(2\)](#), [Sch. para. 21\(b\)](#); [S.S.I. 2019/47](#), [reg. 2](#)
- F6** Words in s. 19(3) inserted (1.7.1999) by [S.I. 1999/1747](#), [art. 3](#), [Sch. 12 Pt. II para. 4\(14\)](#)
- F7** Words in s. 19(3) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 60\(3\)](#) (with [Sch. 7](#))
- F8** Words in s. 19(3) omitted (1.4.2019) by virtue of [The Forestry and Land Management \(Scotland\) Act 2018](#) (Consequential Provisions and Modifications) Order 2019 (S.I. 2019/734), [reg. 1\(2\)](#), [Sch. para. 21\(c\)](#); [S.S.I. 2019/47](#), [reg. 2](#)
- F9** S. 19(4) repealed (27.3.2002) by [The Ministry of Agriculture, Fisheries and Food \(Dissolution\) Order 2002](#) (S.I. 2002/794), [art. 5\(2\)](#), [Sch. 2](#) (with [art. 6](#))

Changes to legislation:

There are currently no known outstanding effects for the Forestry Act 1967, Section 19.