



Forestry Act 1967

1967 CHAPTER 10

[^{F1}PART II

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

Supplementary

[^{F1}29 Provisions relating to mortgages ^{F2}... and settled land.

- (1) Where the interest of the owner of trees in England or Wales is for the time being subject to a mortgage—
 - (a) a claim for any compensation or sum payable under section 11 or section 26 of this Act in respect of the trees may be made either by the mortgagor or by the mortgagee;
 - (b) in either case the compensation or sum shall be paid to the mortgagee or, if more than one, to the first mortgagee, and shall be applied by him as if it were proceeds of the sale of the trees.

^{F3}(2)

- (3) Subject to the foregoing provisions of this section, where the owner of trees comprised in a settlement within the meaning of the ^{M1}Settled Land Act 1925 is a tenant for life who is impeachable for waste in respect of the trees, any compensation or sum payable under section 11 or section 26 of this Act in respect of the trees shall be paid to the trustees of the settlement, and shall be applied by them in accordance with section 66(2) of the Settled Land Act 1925 as if it were proceeds of sale of timber cut and sold with the consent of the trustees under that section.]

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- F1** Act repealed (S.) (1.4.2019) by [Forestry and Land Management \(Scotland\) Act 2018](#) (asp 8), s. 85(2), [sch. 2](#) (with [ss. 80, 83](#)); [S.I. 2019/47](#), [reg.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.I. 2021/44), [regs. 1\(1\), 11\(2\)\(b\)\(3\)\(a\)\)](#)))

Status: Point in time view as at 01/04/2019. This version of this provision has been superseded.

*Changes to legislation: There are currently no known outstanding effects
for the Forestry Act 1967, Section 29. (See end of Document for details)*

- F2** Words in s. 29 title 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. 28(a)**; S.S.I. 2019/47, **reg. 2**
- F3** S. 29(2) 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. 28(b)**; S.S.I. 2019/47, **reg. 2**

Marginal Citations

- M1** [1925 c. 18\(98:3\)](#)

Status:

Point in time view as at 01/04/2019. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Forestry Act 1967, Section 29.