

# FORESTRY AND LAND MANAGEMENT (SCOTLAND) ACT 2018

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## EXPLANATORY NOTES

### THE ACT

#### Part 6 - General and final provisions

98. [Section 76](#) makes provision for the exercise and scope of regulation-making powers under the Act including the applicable procedures. [Section 77](#) allows the Scottish Ministers to make ancillary provision by regulations to give full effect to the Act or any provision made under it (including a power to modify any enactment). [Section 78](#) makes provision about interpretation. [Section 79](#) introduces schedules 1 and 2 (which, respectively, modify and repeal the enactments to the extent specified in those schedules). (See paragraphs 33 and 51 for a further explanation of the effect of the amendments made to the enactments mentioned in schedule 1.) [Section 80](#) makes provision to save existing forestry dedication agreements under the Forestry Act 1967 (see paragraph 35 for a further explanation as regards the scope of those agreements). [Section 81](#) provides that the Forestry Commissioners' functions are no longer exercisable in or as regards Scotland and, in consequence, schedule 2 repeals enactments so far as relating to the functions of the Forestry Commissioners in relation to Scotland.
99. [Section 83](#) makes provision about Crown application and exempts the Crown (but not those in the service of the Crown) from criminal liability in relation to the Act. [Section 84](#) makes provision about access to Crown land and has the effect that powers of entry are exercisable in relation to Crown land only with the consent of the appropriate authority. Subsection (2) lists types of Crown land and the appropriate authority in relation to each type of that land.
100. [Section 85](#) deals with commencement of the provisions in the Act. Subsection (4) provides that Scottish Ministers must lay before the Scottish Parliament, no later than 1 April 2019, a report setting out the administrative arrangements they intend to make in carrying out the functions under the Act. Subsection (5) specifies matters that must be included in the report required by subsection (4), and subsection (6) introduces consultation and notification requirements to be fulfilled by the Scottish Ministers before making any significant changes to the arrangements set out in the report.
101. [Section 86](#) provides that the short title of the Act is the Forestry and Land Management (Scotland) Act 2018.