



Forestry Act 1967

1967 CHAPTER 10

[^{F1}PART III

ADMINISTRATION AND FINANCE

Acquisition and disposal of land

[^{F139} Power of Minister to acquire and dispose of land.

- (1) Subject to the provisions of this Act, the Minister [^{F2}as regards [^{F3}England or Wales]^{F4}...] may acquire (by purchase, lease or exchange) land which in his ^{F5}... opinion is suitable for afforestation or for purposes connected with forestry, together with any other land which must necessarily be acquired therewith, and may place any land acquired by him ^{F6}... under this section at the disposal of the [^{F7}appropriate forestry authority].
- [^{F8}(2) Subject to subsection (2A) below, the Minister ^{F9}... may dispose for any purpose of land acquired by him ^{F10}... under this section.
- (2A) Subsection (2) above shall not apply in relation to land acquired under this section which is in the Forest of Dean; but the Minister may sell any such land if in his opinion it is not needed, or ought not to be used, for the purpose of afforestation or any purpose connected with forestry, and may exchange any such land for other land more suitable for either of the said purposes and may pay or receive money for equality of exchange.]
- (3) The Minister ^{F11}... shall have power, in the case of land acquired by him ^{F12}... under this section,—
 - (a) to manage and use the land for such purposes as he thinks ^{F13}... fit (this power to include that of erecting buildings and other works on the land) where it is not for the time being placed at the disposal of the [^{F7}appropriate forestry authority] under subsection (1) above; and
 - (b) to let the land, or grant any interest or right in or over it.
- ^{F14}(4)

Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 39. (See end of Document for details)

^{F15}(5)

- (6) Schedule 4 to this Act shall have effect as respects the procedure applicable where the Minister acquires ^{F16}... land under this section, except in a case of compulsory purchase in accordance with the following 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- F1** Act repealed (S.) (1.4.2019) by Forestry and Land Management (Scotland) Act 2018 (asp 8), s. 85(2), **sch. 2** (with ss. 80, 83); S.S.I. 2019/47, reg. 2 (with transitional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. 39(1) inserted (1.7.1999) by S.I. 1999/1747, art. 3, **Sch. 12 Pt. II para. 4(28)(a)**
- F3** Words in s. 39(1) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 74(2)** (with Sch. 7)
- F4** Words in s. 39(1) 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. 36(a)(i)**; S.S.I. 2019/47, reg. 2
- F5** Words in s. 39(1) 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. 36(a)(ii)**; S.S.I. 2019/47, reg. 2
- F6** Words in s. 39(1) 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. 36(a)(iii)**; S.S.I. 2019/47, reg. 2
- F7** Words in s. 39(1) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 74(3)** (with Sch. 7)
- F8** S. 39(2)(2A) substituted for s. 39(2) by Forestry Act 1981 (c. 39, SIF 54), s. 1
- F9** Words in s. 39(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. 36(b)(i)**; S.S.I. 2019/47, reg. 2
- F10** Words in s. 39(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. 36(b)(ii)**; S.S.I. 2019/47, reg. 2
- F11** Words in s. 39(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. 36(c)(i)**; S.S.I. 2019/47, reg. 2
- F12** Words in s. 39(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. 36(c)(ii)**; S.S.I. 2019/47, reg. 2
- F13** Words in s. 39(3)(a) 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. 36(c)(iii)**; S.S.I. 2019/47, reg. 2
- F14** Ss. 39(4), 41(7) repealed by Forestry Act 1981 (c. 39, SIF 54), s. 4(2), **Sch.**
- F15** S. 39(5) 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. 36(d)**; S.S.I. 2019/47, reg. 2
- F16** Words in s. 39(6) 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. 36(e)**; S.S.I. 2019/47, reg. 2

Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 39. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 39 extended by (S.) [Countryside \(Scotland\) Act 1967 \(c. 86, SIF 46:1\)](#), **s. 59** and [Countryside Act 1968 \(c. 41, SIF 46:1\)](#), (E.W.) s. 23(3) and (E.W.)(S.) s. 24(5)

Changes to legislation:

There are currently no known outstanding effects for the Forestry Act 1967, Section 39.