

POLICY NOTE

THE CHIEF FORESTER (QUALIFICATIONS) (SCOTLAND) REGULATIONS 2019

SSI 2019/92

The above instrument was made in exercise of the powers conferred by section 73 of the Forestry and Land Management (Scotland) Act 2018. The instrument is laid with no procedure.

Purpose of the instrument. The instrument forms part of a programme of work to complete the devolution of forestry following the enactment of the Forestry and Land Management (Scotland) Act 2018 (“the 2018 Act”). The 2018 Act requires that an officer, to be known as the chief forester, is appointed to assist and advise the Scottish Ministers in the carrying out of their functions under the 2018 Act. This instrument sets out the qualifications to be held by the person appointed as chief forester.

Policy Objectives

The Forestry and Land Management (Scotland) Act 2018 was given Royal Assent in May 2018. The commencement date for the Act, and for all of the instruments that will support its commencement, was set for 1 April 2019.

Section 73(1) of the 2018 Act requires the Scottish Ministers to appoint an officer, to be called the chief forester, to assist them in the carrying out of their functions under the Act. This instrument fulfils the requirement under section 73(2) for the Scottish Ministers to lay regulations prescribing the qualifications to be held by the chief forester.

This instrument provides that the chief forester must hold: either a professional qualification as a chartered forester or chartered arboriculturist from the Institute of Chartered Foresters; or a B.Sc. (Hons), integrated master’s degree, M.Sc. or doctorate in a forestry or arboriculture subject. The latter includes degrees covering agroforestry, woodland ecology and woodland management. The Scottish Government considers that these qualifications are at an appropriate level to instil confidence in the competence of the chief forester to perform his or her role.

Consultation

There has been no general public consultation specific to this instrument.

Scottish Government officials have discussed the content of the regulations with relevant interested groups, including the Institute of Chartered Foresters, the Confederation of Forest Industries, Forest Enterprise Scotland and Forestry Commission Scotland. They are broadly supportive of the approach taken in the regulations.

Impact Assessments

Impact Assessments have not been prepared for this instrument as it has no direct impacts on the private or voluntary sectors. It creates no additional public sector costs, since the Scottish Ministers intend to appoint the Chief Executive of their Scottish Forestry executive agency as the first chief forester.

Impact Assessments of the wider legislative devolution programme are being conducted at appropriate points during the policy development process and are available on the Scottish Government Forestry Devolution webpages.¹

Financial Effects

The Cabinet Secretary for the Rural Economy confirms that no Business and Regulatory Impact Assessment is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government

Environment and Forestry Directorate

March 2019

¹ <https://www.gov.scot/policies/forestry/>