

**Changes to legislation:** Forestry Act 1967, SCHEDULE 2 is up to date with all changes known to be in force on or before 27 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 2

#### CONVEYANCING AND OTHER PROVISIONS CONNECTED WITH FORESTRY DEDICATION

##### Modifications etc. (not altering text)

- C1** Sch. 2 extended (E.W.S.) by s. 15(5) and (E.W.) by s. 45(2) of the Countryside Act 1968 (c. 41, SIF 46:1), Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), **s. 39(4)** and Agriculture Act 1986 (c. 49, SIF 2:1), **s. 18(9)(10)**  
Sch. 2 applied (E.W.) (30.1.2001) by 2000 c. 37, **ss. 16(5)**, 103(2) (with ss. 16(7), 43)
- C2** Sch. 2 applied (E.W.) (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), **ss. 7(4)**, 107(1); S.I. 2006/2541, art. 2 (with Sch.)
- C3** Sch. 2 applied (E.W.) (21.5.2016) by Environment (Wales) Act 2016 (anaw 3), **ss. 18**, 88(2)(a)

#### *England and Wales*

- 1 (1) In the case of settled land in England or Wales, the tenant for life may enter into a forestry dedication covenant relating to the land or any part thereof either for consideration or gratuitously.
- (2) The <sup>M1</sup>Settled Land Act 1925 shall apply as if the power conferred by subparagraph (1) above had been conferred by that Act; and for the purposes of section 72 of that Act (which relates to the mode of giving effect to a disposition by a tenant for life and to the operation thereof), and of any other relevant statutory provision applying to England or Wales, entering into a forestry dedication covenant shall be treated as a disposition.
- (3) The foregoing provisions of this paragraph shall be construed as one with the Settled Land Act 1925.
- [<sup>F1</sup>(4) Section 28 of the <sup>M2</sup>Law of Property Act 1925 (which confers the powers of a tenant for life on trustees for sale) shall apply as if the power of a tenant for life under subparagraph (1) above had been conferred by the Settled Land Act 1925.]

##### Textual Amendments

- F1** Sch. 2 para. 1(4) repealed (E.W.) (1.1.1997) by 1996 c. 47, s. 25(2), **Sch.4** (with ss. 24(2), 25(4), 25(5)); S.I. 1996/2974, **art.2**

##### Modifications etc. (not altering text)

- C4** Sch. 2 paras. 1-3 applied (E.W.) (1.4.2010) by The Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490), regs. 1(2), **16(5)** (with reg. 125)
- C5** Sch. 2 paras. 1-3 applied (E.W.) (30.11.2017) by The Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012), regs. 1(2), **20(5)**

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#### Marginal Citations

- M1** 1925 c. 18(98:3)  
**M2** 1925 c. 20(98:1)

- 2 A university or college to which the <sup>M3</sup>Universities and Colleges Estates Act 1925 applies may enter into a forestry dedication covenant relating to any land belonging to it in England or Wales either for consideration or gratuitously, and that Act shall apply as if the power conferred by this paragraph had been conferred by that Act.

#### Modifications etc. (not altering text)

- C4** Sch. 2 paras. 1-3 applied (E.W.) (1.4.2010) by [The Conservation of Habitats and Species Regulations 2010 \(S.I. 2010/490\)](#), regs. 1(2), **16(5)** (with reg. 125)  
**C5** Sch. 2 paras. 1-3 applied (E.W.) (30.11.2017) by [The Conservation of Habitats and Species Regulations 2017 \(S.I. 2017/1012\)](#), regs. 1(2), **20(5)**

#### Marginal Citations

- M3** 1925 c. 24(41:3)

- 3 <sup>F2</sup>In the case of diocesan glebe land the Diocesan Board of Finance in which the land is vested and, in the case of land which is part of the endowment of any other ecclesiastical corporation, the corporation, with the consent of the Church Commissioners, may] enter into a forestry dedication covenant relating to the land either for consideration or gratuitously, and the Ecclesiastical Leasing Acts shall apply as if the power conferred by this paragraph had been conferred by those Acts, except that the consent of the patron of an ecclesiastical benefice shall not be requisite. <sup>F3</sup>Provided—
- (a) the consent of the Church Commissioners shall be required to any transaction under this paragraph relating to diocesan glebe land if such consent would be required under <sup>F4</sup>section 21 of the Church Property Measure 2018], and
  - (b) <sup>F5</sup>[section 47] of that Measure shall apply to any transaction under this paragraph as it applies to any transaction under that Measure and as if the reference therein to the requirements of that Measure included a reference to the requirements of this paragraph. ]

#### Textual Amendments

- F2** Words in Sch. 2 para. 3 substituted (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), s. 16(2), **Sch. 5 para. 14(a)**; 2006 No. 2, Instrument made by Archbishops  
**F3** Words in Sch. 2 para. 3 added (E.) (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), s. 16(2), **Sch. 5 para. 14(b)**; 2006 No. 2, Instrument made by Archbishops  
**F4** Words in Sch. 2 para. 3(a) substituted (E.) (1.3.2019) by [Church Property Measure 2018 \(No. 8\)](#), s. 53(2), **Sch. 1 para. 8(a)**; S.I. 2019/97, art. 2  
**F5** Words in Sch. 2 para. 3(b) substituted (E.) (1.3.2019) by [Church Property Measure 2018 \(No. 8\)](#), s. 53(2), **Sch. 1 para. 8(b)**; S.I. 2019/97, art. 2

#### Modifications etc. (not altering text)

- C4** Sch. 2 paras. 1-3 applied (E.W.) (1.4.2010) by [The Conservation of Habitats and Species Regulations 2010 \(S.I. 2010/490\)](#), regs. 1(2), **16(5)** (with reg. 125)

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- C5** Sch. 2 paras. 1-3 applied (E.W.) (30.11.2017) by [The Conservation of Habitats and Species Regulations 2017 \(S.I. 2017/1012\)](#), regs. 1(2), **20(5)**
- C6** Para. 3 excluded as to incumbents by [Endowments and Glebe Measure 1976 \(No. 4, SIF 21:8\)](#), s. 47(3), **Sch. 7**

*Scotland*

**F6**4

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**Textual Amendments**

- F6** Sch. 2 para. 4 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. 43**; S.S.I. 2019/47, reg. 2

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**Changes and effects yet to be applied to :**

- Sch. 2 para. 2 omitted by [2022 c. 6 Sch. 1 para. 8](#)