



Forestry Act 1967

1967 CHAPTER 10

[^{F1}PART IV

GENERAL

[^{F1}48 Powers of entry and enforcement.

- (1) An officer of the [^{F2}appropriate enforcement authority] or any other person authorised by [^{F3}the appropriate enforcement authority] in that behalf may (on production, if so required, of his authority) enter on and survey any land for the purpose of ascertaining whether it is suitable for afforestation or for the purpose of inspecting any timber thereon, or for any other purpose in connection with the exercise of the powers and performance of the duties of the [^{F2}appropriate enforcement authority] under this Act or the ^{M1}Plant Health Act 1967.

[^{F4}(1A) In subsection (1) “the appropriate enforcement authority” means—

- (a) in relation to powers and duties of the Commissioners, the Commissioners;
 - (b) in relation to powers and duties of the Welsh Ministers, the Welsh Ministers;
 - (c) in relation to powers and duties of the Natural Resources Body for Wales, the Natural Resources Body for Wales.]
- (2) The [^{F5}appropriate forestry authority] may authorise an officer or servant appointed or employed by them to exercise and perform on their behalf such powers and duties as they may consider necessary for the enforcement of byelaws under section 46 of this Act, and in particular to remove or exclude, after due warning, from any land to which the byelaws relate a person who commits, or whom he reasonably suspects of committing an offence against the said section or against the ^{M2}Vagrancy Act 1824.
 - (3) Anyone who obstructs an officer or servant appointed or employed by the [^{F6}appropriate forestry authority] in the due exercise or performance of his powers or duties under the foregoing subsection shall be guilty of an offence and be liable on summary conviction to a fine not exceeding [^{F7}level 3 on the standard scale].]

Changes to legislation: Forestry Act 1967, Section 48 is up to date with all changes known to be in force on or before 18 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

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- F1** Act repealed (S.) (1.4.2019) by [Forestry and Land Management \(Scotland\) Act 2018](#) (asp 8), s. 85(2), [sch. 2](#) (with [ss. 80, 83](#)); [S.S.I. 2019/47](#), [reg.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. 48(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 77\(2\)\(a\)](#) (with [Sch. 7](#))
- F3** Words in s. 48(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 77\(2\)\(b\)](#) (with [Sch. 7](#))
- F4** [S. 48\(1A\)](#) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 77\(3\)](#) (with [Sch. 7](#))
- F5** Words in s. 48(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 77\(4\)](#) (with [Sch. 7](#))
- F6** Words in s. 48(3) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), [art. 1\(2\)](#), [Sch. 2 para. 77\(4\)](#) (with [Sch. 7](#))
- F7** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982](#) (c. 48, SIF 39:1); [ss. 39, 46](#), [Sch. 3](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975](#) (c. 21, SIF 39:1), [Sch. 7D](#) and expressed to be substituted (S.) (1.4.1996) by [1995 c. 40](#), [ss. 3, 7\(2\)](#), [Sch. 1 para. 10](#), [Sch. 2 Pt.III](#)

Marginal Citations

- M1** [1967 c. 8\(2:11\)](#)
- M2** [1824 c. 83\(39:2\)](#)

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Changes and effects yet to be applied to :

- s. 48(2) words omitted by [2022 c. 32 s. 81\(5\)](#)