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STATUTORY INSTRUMENTS

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**1988 No. 970**

**FORESTRY**

**The Forestry (Exceptions from Restriction  
of Felling) (Amendment) Regulations 1988**

<i>Made</i>	- - - -	<i>27th May 1988</i>
<i>Laid before Parliament</i>		<i>7th June 1988</i>
<i>Coming into force</i>	- -	<i>28th June 1988</i>

The Forestry Commissioners, in exercise of the powers conferred upon them by sections 9(5)(a) and 32(1) of the Forestry Act 1967<sup>(1)</sup>, and of all other powers enabling them in that behalf, and after consultation with the Home Grown Timber Advisory Committee, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Forestry (Exceptions from Restriction of Felling) (Amendment) Regulations 1988 and shall come into force on 28th June 1988.

**Amendment of previous Regulations**

2. The Forestry (Exceptions from Restriction of Felling) Regulations 1979<sup>(2)</sup> shall be further amended by substituting for paragraph (6) of regulation 4 the following paragraph—

“(6) the felling of trees in accordance with a plan of operations approved by the Commissioners as part of an agreement entered into between the Commissioners and an applicant for participation in the Forestry Grant Scheme or the Broadleaved Woodland Grant Scheme or the Woodland Grant Scheme (being schemes under which the Commissioners enter into agreements to make grants pursuant to section 1 of the Forestry Act 1979 for and in connection with the use and management of land for forestry purposes), where the felling is carried out or authorised by a person who has entered into that agreement or has subsequently agreed with the Commissioners to observe it.”

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(1) 1967 c. 10; section 9 was amended by the Forestry Act 1979 (c. 21), sections 2(1) and 3(2) and Schedules 1 and 2 and by S.I.1985/1958, regulation 2.  
(2) S.I. 1979/792; the relevant amending instrument is S.I. 1985/1572.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **Revocation**

**3.** The Forestry (Exceptions from Restriction of Felling) (Amendment) Regulations 1985**(3)** are hereby revoked.

In witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 27th May 1988.

L.S.

*P. J. Clarke*  
Secretary to the Forestry Commissioners

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These regulations further amend the Forestry (Exceptions from Restriction of Felling) Regulations 1979 (as amended by the Forestry (Exceptions from Restriction of Felling) (Amendment) Regulations 1985). The 1979 Regulations (as amended) provide for six exceptions from the provision in section 9(1) of the Forestry Act 1967 that a felling licence granted by the Forestry Commissioners is required for the felling of growing trees. The present regulations further amend the 1979 Regulations by enlarging the exception introduced by the 1985 Regulations, so that this exception relates not only (as before) to felling in accordance with a plan of operations approved under the Forestry Grant Scheme or the Broadleaved Woodland Grant Scheme but now also relates to felling in accordance with a plan of operations approved under the newly introduced Woodland Grant Scheme. All these schemes are schemes under which the Commissioners agree, subject to the conditions of the scheme, to make grants pursuant to section 1 of the Forestry Act 1979 for and in connection with the use and management of land for forestry purposes.