

Forestry and Land Management (Scotland) Act 2018 2018 asp 8

FORESTRY AND LAND MANAGEMENT (SCOTLAND) ACT 2018

PART 1

OVERVIEW OF ACT

1 Overview of Act

PART 2

FORESTRY FUNCTIONS

CHAPTER 1

GENERAL FORESTRY FUNCTIONS

Duty to promote sustainable forest management

2 Duty to promote sustainable forest management

Forestry strategy

- 3 Duty to prepare forestry strategy
- 4 Preparation and revision of forestry strategy
- 5 Publication of forestry strategy
- 6 Duty to have regard to forestry strategy
- 7 Report on forestry strategy

Duty to make arrangements for research

8 Duty to make arrangements for research in relation to the promotion of sustainable forest management

CHAPTER 2

TREE HEALTH AND SILVICULTURAL MATERIAL TESTING FUNCTIONS

- 9 Transfer of Plant Varieties and Seeds Act 1964 functions
- 10 Transfer of Plant Health Act 1967 functions

PART 3

MANAGEMENT OF LAND BY SCOTTISH MINISTERS

Management of forested land

- Management of forested land 11
- 12
- Meaning of "forested land" Meaning of "national forest estate" 13

Forestry information

14 Duty to publish information on forestry

Management of land to further sustainable development

15 Management of land to further sustainable development

Duty to publish map of land managed by Scottish Ministers

Duty to publish map of land managed by Scottish Ministers 16

Power to enter into arrangements

17 Power to enter into arrangements

Acquisition and disposal of land

- 18 Power to acquire land by agreement
- Compulsory purchase of land 19
- 20 Power to dispose of land

PART 4

FELLING

CHAPTER 1

OVERVIEW AND KEY TERMS

- 21 Overview of Part 4
- 22 Key terms in Part 4

CHAPTER 2

OFFENCE OF UNAUTHORISED FELLING

- 23 Offence of unauthorised felling
- Unauthorised felling: exemptions 24

CHAPTER 3

FELLING PERMISSION

- 25 Applications for felling permission
- 26 False or misleading information in applications: offence
- 27 Decisions on applications
- 28 Continuing conditions on felling permission: offence
- 29 Variation of felling permission
- 30 Suspension of felling permission
- 31 Revocation of felling permission
- 32 Compensation for refusal of felling permission
- 33 Felling of trees subject to tree preservation orders

CHAPTER 4

FELLING DIRECTIONS

- 34 Felling directions
- 35 Felling directions: offence

CHAPTER 5

RESTOCKING DIRECTIONS

- 36 Restocking directions
- 37 Restocking directions: offence

CHAPTER 6

CONTINUING CONDITIONS ON FELLING PERMISSION, FELLING DIRECTIONS AND RESTOCKING DIRECTIONS: NOTICES TO COMPLY

- 38 Registration of notices to comply
- 39 Registered notices to comply: offence

CHAPTER 7

REGISTRATION OF NOTICES UNDER CHAPTERS 6 AND 8

- 40 Registration of notices of variation
- 41 Registration of notices of discharge from compliance
- 42 Meaning of "register"
- 43 Descriptions of land
- 44 Receipt of notices by Keeper

CHAPTER 8

COMPLIANCE

Temporary stop notices

45 Temporary stop notices

- 46 Temporary stop notices: offence
- 47 Temporary stop notices: compensation

Requests for information

- 48 Requests for information
- 49 Requests for information: offence

Site visits

50 Site visits with consent of owner or occupier

Powers of entry

- 51 Power of entry: unauthorised felling
- 52 Power of entry: decision to give felling directions or restocking directions
- 53 Power of entry: failure to comply

Remedial notices

- 54 Remedial notices
- 55 Remedial notices: offence
- 56 Registration of remedial notices
- 57 Registered remedial notices: offence

Giving documents to owner or occupier

58 Giving documents to owner or occupier

Step-in power

59 Step-in power

Powers of entry and step-in power: application to court

60 Powers of entry and step-in power: application to court

Powers of entry and step-in power: offences

61 Powers of entry and step-in power: offences

Powers of entry and step-in power: further provision

62 Powers of entry and step-in power: further provision

Step-in power: recovery of expenses

- 63 Step-in power: recovery of expenses
- 64 Registration of notices of liability for expenses
- 65 Recovery of expenses from new owner of land
- 66 Registration of notices of discharge of liability for expenses

Time limit for prosecution

67 Time limit for prosecution

CHAPTER 9

APPEALS

68 Appeals against decisions by Scottish Ministers

PART 5

GENERAL POWERS

- 69 Information, research and education etc.
- 70 Power to form companies etc.
- 71 Financial assistance
- 72 Charging
- 73 Chief forester
- 74 Arrangements for carrying out forestry and land management functions
- 75 Report on operation of administrative arrangements

PART 6

GENERAL AND FINAL PROVISIONS

- 76 Regulations
- 77 Ancillary provision
- 78 Interpretation
- 79 Modifications of enactments and repeals
- 80 Saving of existing forestry dedication agreements
- 81 Forestry Commissioners' functions no longer exercisable in Scotland
- 82 Index of defined expressions
- 83 Crown application: general
- 84 Crown application: powers of entry
- 85 Commencement
- 86 Short title

SCHEDULE 1 — MODIFICATIONS OF ENACTMENTS

Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947

1 In section 1(1) of the Acquisition of Land (Authorisation Procedure)...

Town and Country Planning (Scotland) Act 1997

2 In section 160(7) of the Town and Country Planning (Scotland)...

SCHEDULE 2 — REPEALS

SCHEDULE 3 — INDEX OF DEFINED EXPRESSIONS

Changes to legislation:

There are currently no known outstanding effects for the Forestry and Land Management (Scotland) Act 2018.