



# Forestry Act 1967

## 1967 CHAPTER 10

### PART II

#### <sup>F1</sup>... POWER TO CONTROL FELLING OF TREES

##### *Enforcement of licence conditions and felling directions*

#### **26 Expenses etc. in connection with notices under s. 24 [<sup>F1</sup>, s. 24C(3) or s. 24D(2)].**

- (1) If the [<sup>F2</sup>appropriate forestry authority], in the exercise of their powers under section 24 [<sup>F3</sup>, section 24C(9) or section 24D(4)], enter on land and take any steps required by a notice [<sup>F4</sup>under that section][<sup>F4</sup>under either of those sections], they may recover from the person to whom the notice was given any expenses reasonably incurred in connection therewith.
- (2) The [<sup>F2</sup>appropriate forestry authority] may remove and either retain or dispose of trees felled by them in the exercise of their said powers, and shall, on a claim made in the prescribed manner by the owner of any trees so removed, pay to him a sum equal to the value of those trees after deducting any expenses reasonably incurred by them in connection with the removal or disposal.
- (3) Subject to any express agreement to the contrary, any expenses incurred by a person for the purpose of complying with a notice under section 24, and any sums paid by a person in respect of expenses of the [<sup>F2</sup>appropriate forestry authority] under that section, shall be deemed to be incurred or paid by that person—
  - (a) where the notice relates to works required to be carried out in pursuance of conditions of a felling licence, for the use and at the request of the applicant for the licence;
  - (b) where the notice requires compliance with felling directions, for the use and at the request of the person to whom the directions were given.
- (4) Any sums recoverable by or from the [<sup>F2</sup>appropriate forestry authority] under this section may be recovered as a simple contract debt.

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*Changes to legislation: There are currently no known outstanding effects  
for the Forestry Act 1967, Section 26. (See end of Document for details)*

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### Textual Amendments

- F1** Words in s. 26 heading inserted (W.) (18.8.2023 for specified purposes) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 44(4)(a)**, 56(1)(a)
- F2** Words in s. 26 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 66** (with Sch. 7)
- F3** Words in s. 26(1) inserted (W.) (18.8.2023 for specified purposes) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 44(4)(b)(i)**, 56(1)(a)
- F4** Words in s. 26(1) substituted (W.) (18.8.2023 for specified purposes) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 44(4)(b)(ii)**, 56(1)(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Forestry Act 1967, Section 26.