



# Forestry and Land Management (Scotland) Act 2018

2018 asp 8

## PART 4

### FELLING

#### CHAPTER 6

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

#### **38 Registration of notices to comply**

- (1) This section applies—
- (a) if—
    - (i) a continuing condition has been imposed on felling permission in respect of land, and
    - (ii) the felling to which the felling permission relates has been carried out,
  - (b) if a felling direction (including any condition imposed on it) has been given in respect of land,
  - (c) if a restocking direction (including any condition imposed on it) has been given in respect of land.
- (2) The Scottish Ministers may apply to register a notice (a “notice to comply”) in relation to that land specifying—
- (a) in the case of a continuing condition on felling permission, the effect of the condition and, if relevant, the date by which it must be complied with,
  - (b) in the case of a felling direction or a restocking direction, the effect of the direction and, if relevant, the date by which it must be complied with,
  - (c) a description of the land to which the condition or direction relates.

**39 Registered notices to comply: offence**

- (1) An owner of the land to which a registered notice to comply relates commits an offence if that person fails, without reasonable excuse, to comply with the registered notice to comply.
- (2) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.