



Forestry and Land Management (Scotland) Act 2018

2018 asp 8

PART 2

FORESTRY FUNCTIONS

CHAPTER 1

GENERAL FORESTRY FUNCTIONS

Forestry strategy

3 Duty to prepare forestry strategy

- (1) The Scottish Ministers must prepare a forestry strategy.
- (2) The forestry strategy—
 - (a) must set out a vision for forestry in Scotland,
 - (b) must set out the Scottish Ministers' objectives, priorities and policies with respect to the promotion of sustainable forest management, and
 - (c) may set out other matters with respect to the promotion of sustainable forest management.
- (3) The forestry strategy must include the Scottish Ministers' objectives, priorities and policies with respect to—
 - (a) the creation of woodland,
 - (b) the economic development of forestry,
 - (c) targets for the planting of trees,
 - (d) the conservation and enhancement of the environment by means of sustainable forest management,
 - (e) the realisation of the social benefits of forestry,
 - (f) the acquisition and disposal of land under sections 18 to 20,
 - (g) the production and supply of timber and other forest products.

Status: This is the original version (as it was originally enacted).

- (4) The Scottish Ministers—
 - (a) must keep the forestry strategy under review, and
 - (b) may, if they consider it appropriate to do so, revise the strategy.
- (5) If the Scottish Ministers have not revised the forestry strategy under subsection (4) (b) within the period of 9 years beginning with the day on which the strategy was last published, they must revise the strategy.

4 Preparation and revision of forestry strategy

- (1) In preparing or revising the forestry strategy, the Scottish Ministers must—
 - (a) publish a draft of the strategy and consult with such bodies as they consider appropriate and also with the general public,
 - (b) have regard to—
 - (i) the land use strategy (prepared under section 57 of the Climate Change (Scotland) Act 2009),
 - (ii) the land rights and responsibilities statement (prepared under section 1 of the Land Reform (Scotland) Act 2016),
 - (iii) Article 2 of the Kyoto Protocol to the United Nations Framework Convention on Climate Change,
 - (iv) the code of practice on deer management (drawn up under section 5A of the Deer (Scotland) Act 1996), and
 - (v) the Scottish Biodiversity Strategy (prepared under section 2 of the Nature Conservation (Scotland) Act 2004).
- (2) The forestry strategy must be prepared and revised with a view to achieving consistency, so far as practicable, between the objectives, priorities and policies set out in the strategy and the Scottish Ministers' other functions.

5 Publication of forestry strategy

- (1) The Scottish Ministers must publish the forestry strategy and each revision of it.
- (2) The Scottish Ministers must lay a copy of the forestry strategy and each revision of it before the Scottish Parliament.
- (3) When complying with subsection (1), the Scottish Ministers must also publish a report setting out—
 - (a) the consultation process undertaken in order to comply with section 4(1)(a), and
 - (b) the ways in which views expressed during that process have been taken account of in preparing or revising the forestry strategy.
- (4) The Scottish Ministers must lay a copy of a report under subsection (3) before the Scottish Parliament.

6 Duty to have regard to forestry strategy

The Scottish Ministers must have regard to the forestry strategy when—

- (a) complying with their duty to promote sustainable forest management,

- (b) exercising any of their tree health and silvicultural material testing functions under the Plant Varieties and Seeds Act 1964 and the Plant Health Act 1967 (see Chapter 2),
- (c) managing forested land in accordance with section 11,
- (d) acquiring land under section 18(1) or 19(1),
- (e) disposing of forested land under section 20(1),
- (f) exercising any of the following functions for the purposes of or in connection with the carrying out of a function mentioned in paragraphs (a) to (e)—
 - (i) section 69 (information, research and education etc.),
 - (ii) section 70 (power to form companies etc.),
 - (iii) section 71 (financial assistance),
 - (iv) section 72 (charging).

7 Report on forestry strategy

- (1) The Scottish Ministers must, as soon as practicable after the end of each reporting period, prepare and publish a report setting out—
 - (a) progress made in the reporting period in respect of the objectives, priorities and policies included in the forestry strategy,
 - (b) an assessment of the extent to which funding and support provided by them has assisted in achieving such progress,
 - (c) steps taken in the reporting period to keep the forestry strategy under review.
- (2) The Scottish Ministers must lay a copy of each report prepared and published under this section before the Scottish Parliament.
- (3) In this section, “reporting period” means the period of 3 years beginning with the day on which the forestry strategy was last published and each subsequent period of 3 years.