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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**CONSTITUTIONAL LAW  
DEVOLUTION, SCOTLAND  
FORESTRY**

The Forestry and Land Management (Scotland) Act 2018  
(Consequential Provisions and Modifications) Order 2019

Made - - - - 2019

Coming into force in accordance with Article 1(2)

THE FORESTRY AND LAND MANAGEMENT  
(SCOTLAND) ACT 2018 (CONSEQUENTIAL  
PROVISIONS AND MODIFICATIONS) ORDER 2019

1. Citation, commencement and extent
  2. Interpretation
  3. Cross-border arrangements: Scottish Ministers
  4. Cross-border arrangements: Forestry Commissioners
  5. Renewable energy installations
  6. Consequential modifications
- Signature

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SCHEDULE —

PART 1 — MODIFICATIONS OF PRIMARY LEGISLATION

1. New Forest Act 1964
2. In section 14(3) (expenses), omit “or in Scotland”.
3. Forestry Act 1967
4. In section 1 (Forestry Commission)— (a) in subsection (1A)(a), omit...
5. In section 2 (constitution, administration, etc., of Commission)—
6. In section 3 (management of forestry land)—
7. In section 5 (forestry dedication covenants and agreements)—
8. In section 6 (requirements for haulage facilities)—
9. In section 7A(1) (incidental powers of Commissioners), omit “land in...

10. In section 8(1)(c) (miscellaneous powers of Commissioners), omit “in Scotland,”...
11. In section 8A (general duty of Ministers), omit from the...
12. In section 9 (requirement of licence for felling)—
13. In section 10 (application for felling licence and decision of...
14. In section 12(2) (conditional licences), omit “or agreement” in both...
15. In section 14 (tree-felling in accordance with approved working plan...
16. In section 15 (trees subject to preservation order under Planning...
17. In section 16 (review of refusal or conditions of licence)—...
18. In section 17A (power of appropriate forestry authority to require...
19. In section 17B (appeal against restocking notice)—
20. In section 18(5) (felling directions), omit paragraph (b).
21. In section 19 (restrictions on appropriate forestry authority’s power under...
22. In section 20(1) (review of felling directions)—
23. In section 21 (courses open to person adversely affected by...
24. In section 22 (consequences of acceptance by Minister of notice...
25. In section 24(2A) (notice to require compliance with conditions or...
26. In section 25 (appeal against notice under s. 24)—
27. In section 27 (committees of reference for purposes of sections...
28. In section 29 (provisions relating to mortgages, heritable securities and...
29. In section 31 (determination of matters arising under sections 11,...
30. In section 32 (regulations)— (a) in subsection (3), omit “,...
31. In section 33 (application of Part 2 to Crown land)—...
32. In section 34 (meaning of “owner” in Part 2), omit...
33. In section 35 (interpretation of other expressions in Part 2)—...
34. In section 37(1)(b) (advisory committees), for “Great Britain” substitute “England...
35. In section 38 (composition etc. of advisory committees), omit subsection...
36. In section 39 (power of minister to acquire and dispose...
37. In section 40 (compulsory purchase of land)—
38. In section 41 (Forestry Fund)— (a) omit subsection (4),
39. In section 45 (annual report by commissioners)—
40. In section 46 (appropriate legislative authority’s power to make byelaws),...
41. In section 49(1) (interpretation)— (a) in the definition of “the...
42. In Schedule 1 (the Forestry Commission and its staff), in...
43. In Schedule 2 (conveyancing and other provisions connected with forestry...
44. In Schedule 3 (proceedings under Town and Country Planning Acts...
45. In Schedule 4 (procedure for acquisition of land under s...
46. In Schedule 5 (compulsory purchase)— (a) in paragraph 2—
47. Agriculture Act 1967
48. In section 57(1) (interpretation of Part 3), in the definition...
49. New Forest Act 1970
50. In section 5(3) (expenses), omit “or in Scotland”.
51. House of Commons Disqualification Act 1975
52. In Part 3 of Schedule 1 (other disqualifying offices), in...
53. Forestry Act 1979
54. In section 1 (finance for forestry)— (a) in subsection (1)—...
55. Environment Act 1995
56. In section 113(1) (disclosure of information), in paragraph (d), after...  
PART 2 — MODIFICATIONS OF SUBORDINATE LEGISLATION
57. The Plant Varieties and Seeds Tribunal Rules 1974
58. The Road Vehicles (Construction and Use) Regulations 1986
59. The Road Vehicles Lighting Regulations 1989

60. The Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999
61. The Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999
62. The Scotland Act 1998 (Cross-Border Public Authorities) (Forestry Commissioners) Order 2000
63. The Forest Reproductive Material (Great Britain) Regulations 2002
64. The Plant Health (Export Certification) (Forestry) (Great Britain) Order 2004
65. Plant Health (Forestry) Order 2005
66. The Plant Health (Wood Packaging Material Marking) (Forestry) Order 2006
67. The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
68. The Infrastructure Planning (Compulsory Acquisition) Regulations 2010
69. Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011
70. The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015
71. Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

Explanatory Note