

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 49

The Felling (Scotland) Regulations 2019

PART 6

APPEALS

Appeals: notice of appeal

14.—(1) To make an appeal, the appellant must send a notice of appeal to the Scottish Ministers in accordance with this regulation.

(2) The notice of appeal must be received by the Scottish Ministers—

- (a) in the case of decisions of the types referred to in section 68(1)(a), (b), (e) to (h), (j) and (k) of the Act, within 40 working days beginning with the date on which notice of the decision was sent, or
- (b) in the case of decisions of the types referred to in section 68(1)(c), (d) and (i) of the Act, within 40 working days beginning with the date on which the restocking direction, felling direction or remedial notice was sent.

(3) The notice of appeal, which must be on a form obtained from the Scottish Ministers, must include or, as the case may be, be accompanied by—

- (a) the name, address and telephone number of the appellant,
- (b) the date of the relevant decision,
- (c) the reference number, if any, assigned to the relevant decision,
- (d) a copy of the relevant decision, including any statement of reasons and any document or other material that accompanied that decision,
- (e) a statement setting out the full particulars of the appeal, including all submissions and matters that the appellant considers should be taken into account in determining the appeal, and
- (f) all documents, materials and evidence on which the appellant relies in support of the appeal.

(4) Where a notice of appeal is received by the Scottish Ministers in relation to a decision of the type referred to in section 68(1)(a)(ii), (c), (d) or (i) of the Act, the effect of that decision is suspended until the appellant is notified of-

- (a) a new decision made by the Scottish Ministers or an appointed person, or
- (b) refusal of the appeal,

pursuant to regulation 15 or 16.

Commencement Information

II [Reg. 14](#) in force at 1.4.2019, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Felling (Scotland) Regulations 2019, Section 14.