



Forestry Act 1967

1967 CHAPTER 10

PART II

COMMISSIONERS' POWER TO CONTROL FELLING OF TREES

Power of Commissioners to direct felling

22 Consequences of acceptance by Minister of notice under s. 21

- (1) The following shall be the consequences where a notice given by a person under section 21 is accepted by the Minister [^{F1}or, as the case may be, the Scottish Ministers].
- (2) The felling directions in respect of which the notice was given shall cease to have effect.
- (3) If the notice requires the Commissioners to buy the trees to which the directions relate, the Commissioners shall be deemed to have contracted with that person to buy the trees on the date of acceptance of the notice at such price and on such terms (including terms as to the time within which the Commissioners may fell and remove the trees) as may in default of agreement be determined in accordance with section 31 of this Act.
- (4) If the notice requires the Minister [^{F1}or, as the case may be, the Scottish Ministers] to acquire the person's interest in the land affected by the directions,—
 - (a) the Minister [^{F1}or, as the case may be, the Scottish Ministers] shall be deemed to be authorised to acquire that interest compulsorily under section 39 of this Act and to have served a notice to treat in respect thereof on the date of the acceptance of the notice;
 - (b) the interest shall for that purpose include any such easement or servitude or other right as, by virtue of section 21(2), the person is deemed to have offered in his notice to convey.
- (5) The power conferred by section 31(1) of the ^{M1}Land Compensation Act 1961 or section 39(1) of the ^{M2}Land Compensation (Scotland) Act 1963 to withdraw a notice to treat shall not be exercisable in the case of a notice to treat which is deemed to have been served by virtue of this section.

Status: Point in time view as at 19/09/2004. This version of this provision has been superseded.

Changes to legislation: *There are currently no known outstanding effects for the Forestry Act 1967, Section 22. (See end of Document for details)*

Textual Amendments

F1 Words in s. 22 inserted (1.7.1999) by S.I. 1999/1747, art. 3, **Sch. 12 Pt. II para. 4(17)**

Marginal Citations

M1 1961 c. 33(28:1)

M2 1963 c. 51(28:2)

Status:

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