



Forestry Act 1967

1967 CHAPTER 10

[^{F1}PART II

^{F1}... POWER TO CONTROL FELLING OF TREES

Enforcement of licence conditions and felling directions

[^{F1}26 Expenses etc. in connection with notices under s. 24.

- (1) If the [^{F2}appropriate forestry authority], in the exercise of their powers under section 24, enter on land and take any steps required by a notice under that section, they may recover from the person to whom the notice was given any expenses reasonably incurred in connection therewith.
- (2) The [^{F2}appropriate forestry authority] may remove and either retain or dispose of trees felled by them in the exercise of their said powers, and shall, on a claim made in the prescribed manner by the owner of any trees so removed, pay to him a sum equal to the value of those trees after deducting any expenses reasonably incurred by them in connection with the removal or disposal.
- (3) Subject to any express agreement to the contrary, any expenses incurred by a person for the purpose of complying with a notice under section 24, and any sums paid by a person in respect of expenses of the [^{F2}appropriate forestry authority] under that section, shall be deemed to be incurred or paid by that person—
 - (a) where the notice relates to works required to be carried out in pursuance of conditions of a felling licence, for the use and at the request of the applicant for the licence;
 - (b) where the notice requires compliance with felling directions, for the use and at the request of the person to whom the directions were given.
- (4) Any sums recoverable by or from the [^{F2}appropriate forestry authority] under this section may be recovered as a simple contract debt.]

Status: Point in time view as at 01/04/2019. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Forestry Act 1967, Section 26. (See end of Document for details)

Textual Amendments

- F1** Act repealed (S.) (1.4.2019) by [Forestry and Land Management \(Scotland\) Act 2018](#) (asp 8), s. 85(2), [sch. 2](#) (with [ss. 80, 83](#)); S.I. 2019/47, reg. 2 (with transitional provisions and savings in [regs. 3-22](#) (as amended (18.3.2021) by [The Forestry and Land Management \(Scotland\) Act 2018](#) (Consequential, Saving and Transitional Provisions) Regulations 2021 (S.I. 2021/44), [regs. 1\(1\), 11\(2\)\(b\)\(3\)\(a\)](#)))
- F2** Words in s. 26 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), art. 1(2), [Sch. 2 para. 66](#) (with [Sch. 7](#))

Status:

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