



With the introduction of the Forestry and Land Management (Scotland) Act 2018 and associated Regulations on April 1st 2019, the old regulatory regime will be repealed. To ensure continuity of felling and restocking operations, and to minimise disruption, certain aspects of the Forestry Act 1967 and its associated Regulations have been saved. We've set out below what this means in practice.

What type of approval do we give?

- Felling Licence Applications received, but not approved, and the conditions have been sent out before 1st April = Once approved will be issued as a **Felling Licence**
- Felling Licence Applications received, but not approved, and the conditions have **not** been sent out by 1st April 2019 (this includes thinning applications) = Once approved will be issued as a **Felling Permission**.
- Felling Licence Applications received but not approved by 1st April because the applicant is not entitled to fulfil the conditions = Once approved will be issued as a **Felling Licence**
- Forest Plans received but not approved before 1st April = Once approved will be issued as a **Felling Permission**
- If a notice has been issued stating that, following a refusal, Forestry Commission Scotland are now minded to approve the application = Once approved will be issued as a **Felling Licence**.

How will we treat felling licences after 1st April?

Felling licences issued before 1st April will be "treated as if they were a felling permission" this means that they will be regulated under the 2018 Act but there will be some aspects of the 2018 Act which will not apply, namely:

- **Appeals** - Appeals against a decision to refuse a licence application or to issue a licence with conditions will follow the procedure set out within the 1967 Act (with some modifications).
- **Compensation** - Claims for compensation for the refusal of a felling licence will follow the process set out within the 1967 Act.
- We will not be able to vary or revoke a condition.
- If an enforcement notice (notice to require compliance of conditions) has been issued before the 1st April, the enforcement will continue under the 1967 Act. Enforcement of conditions after 1st April, where an enforcement notice has not already been issued, will be done using the powers within the 2018 Act.

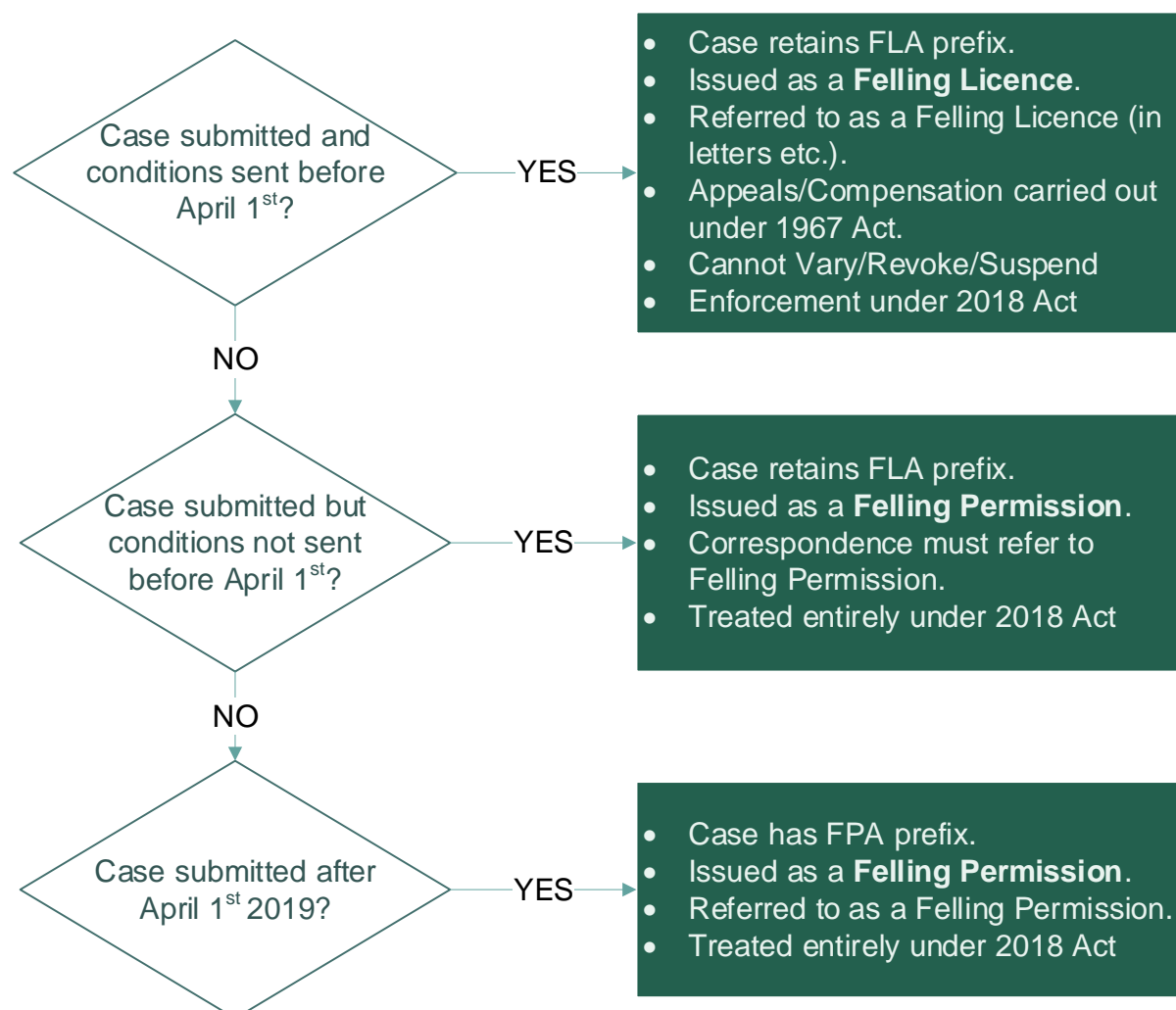


Will we still refer to felling licences as felling licences?

Yes. Any letters we send you will refer to a licence, where applicable. This will assist you in identifying what rules will apply to you.

How will we treat felling permissions that have been issued post 1st April, when it was a felling licence application that was submitted before 1st April?

These will be issued as permissions, and therefore will be regulated under the 2018 Act.



Further Felling Permission information on is available on our website:
www.forestry.gov.scot.