In Witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed this twenty-seventh day of September, nineteen hundred and fifty-one.

(L.S.) *H. A. Turner,*
Secretary to the Forestry Commissioners.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Section 2 of the Forestry Act, 1951, prohibits the felling of growing trees unless a licence granted by the Forestry Commissioners under the Act is in force authorising the felling, subject however to certain exceptions specified therein. It also confers power on the Commissioners to make regulations providing for such additional exceptions as may be specified in the Regulations. These Regulations accordingly provide for three such additional exceptions.

They also provide for the ascertainment of the cubic content of trees, references to which appear in several places in Section 2.

The Regulations come into operation on the 1st October, 1951, the date on which the relevant provisions of the Act come into force.

The Forestry (Felling of Trees) Regulations, 1951

1951 No. 1726

Made - - - -	*27th September,* 1951
Laid before Parliament	*27th September,* 1951
Coming into Operation	*1st October,* 1951

In exercise of the powers conferred upon them by sections 3, 4, 5, 7, 8, 9, 10, 11, 13 and 22 of the Forestry Act, 1951(a), and of all other powers them enabling, the Forestry Commissioners, after consultation with the Home Grown Timber Advisory Committee, hereby make the following Regulations:—

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Forestry (Felling of Trees) Regulations, 1951, and shall come into operation on the 1st day of October, 1951.

(2) These Regulations shall apply to Great Britain.

(a) 14 & 15 Geo. 6. c. 61.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

" the Act " means the Forestry Act, 1951 ;

" the appropriate Minister " means, as respects England and Wales, the Minister of Agriculture and Fisheries and, as respects Scotland, the Secretary of State concerned with agriculture in Scotland ;

" the Commissioners " means the Forestry Commissioners ;

" the Conservator " means, in relation to the service of any document, the Commissioners' Conservator of Forests for the Conservancy in which the trees to which the document relates are or were growing ;

" licence " means a licence under the Act authorising the felling of any trees ;

and other expressions have the same meaning as in the Act.

(2) Any reference in these Regulations to a form denoted by a number shall be construed as a reference to the form so numbered in the Schedule hereto or a form substantially to the like effect.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Applications for licences

3. Any application for a licence shall be in Form 1 and shall be sent to the Conservator in duplicate (or, if Section D (part I) or part II of the Form is completed, in triplicate).

Review of refusal of licence or conditions of licence

4.—(1) Any notice under subsection (1) of section 4 of the Act (which relates to the review of a refusal of a licence or of the conditions subject to which a licence has been granted) shall be served on the appropriate Minister within three months after—

(*a*) in the case of a refusal of which notice has been given under subsection (7) of section 3 of the Act, the receipt of that notice by the applicant for the licence ;

(*b*) in the case where refusal is deemed to take place by virtue of subsection (6) of section 3 aforesaid, the expiration of the period specified in that subsection ;

(*c*) in the case of the grant of a licence subject to conditions, the receipt of the licence by the applicant therefor.

(2) Any notice under subsection (1) aforesaid shall be in Form 2, 3 or 4 according as the case falls within subparagraph (*a*), (*b*) or (*c*) of the preceding paragraph of this Regulation.

Claims for compensation

5. Any claim for compensation made under section 5 of the Act shall be in Form 5, if the land in which the trees are or were growing is situate in England or Wales, or in Form 5A, if the land is situate in Scotland, and shall be sent to the Conservator.

(a) 52 & 53 Vict. c. 63.

Review of felling directions

6. Any notice under subsection (4) of section 7 of the Act (which relates to the review of felling directions given by the Commissioners) shall be served on the appropriate Minister within three months after the receipt of the directions to which it relates and shall be in Form 6.

Notices under section 8 of the Act

7. Any notice under subsection (1) of section 8 of the Act (which relates to the right of a person to whom felling directions are given to require his trees or his interest in land to be acquired) shall be given to the appropriate Minister within three months after the receipt of the directions to which it relates and shall be in Form 7.

Prescribed periods under subsections (2) and (4) of section 8 of the Act

8.—(1) For the purposes of subsection (2) of section 8 of the Act (which provides that, where a notice is given under subsection (1) of that section, the appropriate Minister may within the prescribed period after receiving it take certain action) the prescribed period shall be a period of three months; provided that, in reckoning the said period, no account shall be taken of any time during which, in pursuance of paragraph (2) of the next following Regulation, proceedings on the notice are postponed.

(2) For the purposes of subsection (4) of the said section (which provides that, where the Committee therein mentioned have made a report to the appropriate Minister, he may in certain cases and within the prescribed period after receiving it take certain action) the prescribed period shall be a period of three months.

Proceedings in respect of felling directions

9.—(1) Where a request has been duly made under subsection (4) of section 7 of the Act (which relates to the review of felling directions given by the Commissioners) any proceedings on that request in respect of the felling directions to which it relates may be postponed (*a*) until a notice has been duly given in respect of those directions under subsection (1) of section 8 of the Act (which relates to the right of a person to whom felling directions are given to require his trees or his interest in land to be acquired) or (*b*) until the expiration of the period within which such a notice might be given, whichever event first happens.

(2) Where a notice has been duly given under subsection (1) of section 8 aforesaid, any proceedings on that notice in respect of the felling directions to which it relates may be postponed (*a*) until a request has been duly made in respect of those directions under subsection (4) of section 7 aforesaid or (*b*) until the expiration of the period within which such a request might be given, whichever event first happens.

(3) Where such a request and such a notice are duly made and given in respect of the same directions, the appropriate Minister may arrange for any proceedings before a committee on the notice to be taken concurrently with any proceedings before a committee on the request.

Notices under Section 10 *of the Act*

10. Any notice under paragraph (*b*) of subsection (2) of section 10 of the Act (which relates to the right of an applicant for a licence authorising the felling of trees in accordance with a plan approved by the Commissioners to require them to buy the trees if the licence is refused) shall be in Form 8 and shall be sent to the Conservator within three months after the receipt by the applicant for the licence of the Commissioners' notice of refusal thereof.

Prescribed period under subsection (1) *of Section* 11 *of the Act*

11. For the purposes of subsection (1) of section 11 of the Act (which provides that, if works required to be carried out in accordance with conditions of a licence or with felling directions are not carried out in accordance therewith, the Commissioners may give notice to the owner of the land or the owner of the trees, as the case may be, requiring such steps as may be specified in the notice to be taken within such time (not being less than the prescribed period after the notice has become operative) as may be so specified for remedying the default) the prescribed period shall be a period of three months.

Notices and claims under Section 11 *of the Act*

12.—(1) Any notice under subsection (2) of section 11 of the Act (which relates to the review of a requirement that the steps specified in a notice given under subsection (1) of that section shall be taken) shall be in Form 9 and shall be served on the appropriate Minister within three months after the receipt by the owner of the land or the owner of the trees, as the case may be, of the notice under subsection (1) of the said section.

(2) Any claim made under subsection (5) of the said section for the value of trees felled by the Commissioners shall be in Form 10, if the land on which the trees were growing is situate in England or Wales, or in Form 10A if the land is situate in Scotland, and shall be sent to the Conservator.

Prescribed periods under Section 13 *of the Act*

13.—(1) For the purposes of subsection (2) of section 13 of the Act (which provides that, where the Commissioners propose to grant a licence in respect of any felling of trees for which consent is required under a tree preservation order, the Commissioners shall give notice in writing of the proposal to the authority by whom the order was made and if, within the prescribed period after the receipt of the notice, the authority object to the proposal, the Commissioners shall refer the application to the Minister of Local Government and Planning) the prescribed period shall be a period of one month.

(2) For the purposes of subsection (6) of the said section (which provides that, where the Commissioners propose to give directions requiring the felling of any trees to which a tree preservation order applies, they shall give notice in writing of the proposal to the authority by whom the order was made and if, within the prescribed period after the receipt of the notice, the authority object to the proposal, the Commissioners shall not give the directions except with the consent of the Minister of Local Government and Planning) the prescribed period shall be a period of one month.

Verification of claims and notices

14. The Commissioners or the appropriate Minister, as the case may be, may require any particulars specified in any claim or notice made or given under the Act to be verified by a statutory declaration.

In Witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed this twenty-seventh day of September, nineteen hundred and fifty-one.

(L.S.) *H. A. Turner,*
Secretary to the Forestry Commissioners.

NOTE.—Copies of Form 1 (application for licence—G.11), set out in the Schedule hereto, will be supplied free of charge to any person on application to the Conservator. The other forms cannot be obtained from him but should be prepared by the applicant or claimant in accordance with the form prescribed in the Schedule hereto.

Reg. 3

SCHEDULE

FORM 1

FORESTRY ACT, 1951

Application for Licence to Fell Growing Trees

County .....
Parish(es) .....
Name of Applicant.....

Estate .....
Name of Wood(s) .....
Address .....
.....
(Tele. No.) .....

Name of Agent or other person to whom letters are to be addressed:
.....

Address .....
.....
(Tele. No.) .....

PART I

A. *Description* (A 6 in. Ordnance Survey Sheet signed by the applicant showing the position of the area concerned must be submitted.)

Type of Operations	Chief Species	Identification of Trees (How marked, etc.)	Area Acres	Approximate Age of Trees (Years)	Total Number of Trees	Volumes (Hoppus cu. ft.) TAPE OVER BARK			
						Conifers		Broadleaved	
						Over 6 ins. Q.G.	6 ins. Q.G. and under	Over 6 ins. Q.G.	6 ins. Q.G. and under
						(See Footnote (a) below)			
1. Clear Felling									
2. Thinnings									
3. Other Fellings									
4. Hedgerow Trees. (To include all isolated trees and small clumps under 1 acre not forming part of a wood.)									
					Total Volume ...				

B. *General*

1. Proposed date of commencement of felling.....
2. Estimated date of completion.....
3. If thinning, has Thinning Grant been applied for?.....(date).....
4. Date(s) of previous application(s) (if any) to fell the trees described above.....
5. Proposed treatment of land after felling.....
.....

C. *Declaration*

I hereby apply for a licence authorising the felling of the growing trees described above.

I CERTIFY

(1) that as (state whether freeholder, owner, lessee, etc.).....
I have such an estate or interest in the land on which the trees are growing as enables me with or without the consent of any other person, to fell the trees; *OR* that I obtained the right to fell the trees by virtue of a contract for the sale of the trees made before the 7th February, 1951, viz., on the.....

(2) that there $\frac{\text{is}}{\text{is not}}$ in force a Tree Preservation Order made or having effect as if made under section 28 of the Town and Country Planning Act, 1947(a), or under section 26 of the Town and Country Planning (Scotland) Act, 1947(b), and relating to the trees;

(3) that the proposed felling is in accordance with the [Plan of Operations] [Working Plan] approved by the Commissioners in writing on..... [under Dedication Covenant/Agreement dated.....] Delete if inapplicable; otherwise adapt according to circumstances.

Signature..... Date.....

D. *To be completed if a Tree Preservation Order is in force*

(1) Order made by.....Council
(2) Number of Order and date confirmed.....
(3) Reason for proposed felling.....
.....

Footnotes:

(*a*) Measurements over 6 in. and under 6 in. relate to quarter girth at breast height.

This Application to be submitted to:—
The Conservator of Forests,
Forestry Commission,
.....
.....
.....

PART II

To be completed if it is desired to apply to the Ministry of Materials for a licence to use or consume any softwood timber comprised in the trees

CERTIFICATE

(1) I, the applicant for licence to fell the growing trees described in PART I overleaf, certify that the softwood timber comprised in the trees is required for purposes of forestry or agriculture (viz.....
.....)
on land occupied by me or by my tenant, viz.....
.....

(2) For the purposes of the Timber (Control) Order, 1951 (c), as varied (d), I hereby apply for a LICENCE TO USE OR CONSUME THE SAID SOFTWOOD TIMBER amounting to.....actual cubic feet.

Signature .....
Date .....

(a) 10 & 11 Geo. 6. c. 51. (b) 10 & 11 Geo. 6. c. 53. (c) S.I. 1951 No. 1067, see Vol. III p. 569. (d) S.I. 1951 No. 1244, see Vol. III, p. 490.

Reg. 4. FORM 2

FORESTRY ACT, 1951

Request for review of refusal of a licence

WHEREAS the Forestry Commissioners have by notice (Form G.13 number dated) refused to grant a licence authorising the felling of the growing trees described in that notice.

Now therefore I of hereby give notice that I am aggrieved by the refusal on the following grounds:—

and do hereby request you to refer the matter to a Committee appointed under section 4 of the Forestry Act, 1951.

Omit (1) or (2) as appropriate.

(1) There has been a reference to the Committee in respect of a previous application for a licence relating to the above mentioned trees, the date of that application being.....

(2) There has been no previous reference to a Committee; the date of the first application for a licence relating to the above mentioned trees is.....

Signed.....

Date.....

To the Minister of Agriculture and Fisheries, London

or

The Secretary of State for Scotland,
St. Andrew's House,
Edinburgh.

Reg. 4 FORM 3

FORESTRY ACT, 1951

Request for review of refusal of a licence

WHEREAS (1) an application was made to the Forestry Commissioners at [Conservancy Address] by on the for a licence authorising the felling of the growing trees described in the application and (2) the Forestry Commissioners have not notified the applicant of their decision on the application within the period limited by section 3 (6) of the Forestry Act, 1951, and the application is accordingly deemed to have been refused.

Now therefore I of

hereby give notice that I am aggrieved by the refusal and do hereby request you to refer the matter to a Committee appointed under Section 4 of the Forestry Act, 1951.

Omit (1) or (2) as appropriate.

(1) There has been a reference to the Committee in respect of a previous application for a licence relating to the above mentioned trees, the date of the application being.....

(2) There has been no previous reference to a Committee; the date of the first application for a licence relating to the above mentioned trees is.....

Signed.....

Date.....

To the Minister of Agriculture and Fisheries, London

or

The Secretary of State for Scotland,
St. Andrew's House,
Edinburgh.

Reg. 4

FORM 4

FORESTRY ACT, 1951

Request for review of conditions of a licence

WHEREAS the Forestry Commissioners have granted a licence (Form G.12 number dated), subject to conditions, authorising the felling of the growing trees described therein.

Now therefore I of

hereby give notice that I am aggrieved by conditions numbered of the licence on the following grounds:—

and do hereby request you to refer the matter to a Committee appointed under section 4 of the Forestry Act, 1951.

Signed.....

Date.....

To the Minister of Agriculture and Fisheries, London

or

The Secretary of State for Scotland,
St. Andrew's House,
Edinburgh.

Reg. 5

FORM 5

FORESTRY ACT, 1951

Claim for Compensation (England and Wales)

1. I of

hereby claim from the Forestry Commissioners compensation in respect of the depreciation in the value of the trees described in the Schedule below which is attributable to deterioration in the quality of the timber comprised therein in consequence of the refusal by the Commissioners to grant a licence authorising the felling of those trees.

2. The refusal was communicated by a notice (number dated) given to by the Forestry Commissioners.

or

2. The Forestry Commissioners not having given notice of their decision on the application for a licence made to them on by within the period limited by section 3 (6) of the Forestry Act, 1951, the licence is deemed to have been refused on the when that period expired.

3. No previous claim for compensation has been made in respect of these trees.

or

3. [A] previous claim[s] has/have been made in respect of these trees viz., on the .

4. The amount of my claim for compensation is £ computed as follows:—

and is in respect of deterioration which has taken place during the period from [date of refusal of licence or last previous claim, as the case may be] to the [date hereof or, if the trees have been felled, date of felling].

If claim made by Owner.

5. [Immediately before the trees were felled]* the legal estate in fee simple in the land on which the trees are/were* growing is/was* vested in me and my interest in the trees is not subject to any mortgage [or is subject to a first mortgage in favour of of].

or

If claim made by Mortgagee.

5. [Immediately before the trees were felled]* the legal estate in fee simple in the land on which the trees are/were* growing is/was* vested in of and his interest in the trees is subject to a first mortgage in my favour.

Delete if a mortgage exists.

6. [Immediately before the trees were felled]* the trees are/were* [not] comprised in a settlement within the meaning of the Settled Land Act, 1925(a). The trustees of that settlement are and I am [not] impeachable for waste in respect of the trees.

SCHEDULE

Situation and Description of Trees

(The situation should be given by reference to the county and parish and a 6" ordnance survey sheet should be attached showing the area in which the trees are or were growing).

* Delete if trees are still standing.

Signed.....

Date.....

To the Conservator,
Forestry Commission,
.....
.....

Reg. 5

Form 5A

Forestry Act, 1951

Claim for Compensation (Scotland)

1. I of

hereby claim from the Forestry Commissioners compensation in respect of the depreciation in the value of the trees described in the Schedule below which is attributable to deterioration in the quality of the timber comprised therein in consequence of the refusal by the Commissioners to grant a licence authorising the felling of those trees.

2. The refusal was communicated by a notice (number dated) given to by the Forestry Commissioners.

or

2. The Forestry Commissioners not having given notice of their decision on the application for a licence made to them on by within the period limited by section 3 (6) of the Forestry Act, 1951, the licence is deemed to have been refused on the when that period expired.

(a) 15 & 16 Geo. 5. c. 18.

3. No previous claim for compensation has been made in respect of these trees.

or

3. [A] previous claim[s] has/have been made in respect of these trees viz., on the .

4. The amount of my claim for compensation is £ computed as follows:—

and is in respect of deterioration which has taken place during the period from [date of refusal of licence or last previous claim, as the case may be] to the [date hereof or, if the trees have been felled, date of felling].

5.—(*a*) I claim as owner of the trees— If claim made by Owner.
being the proprietor of the *dominium utile* of the land on which they are growing

or

having been, at the time the trees were felled, the proprietor of the *dominium utile* of the land on which they were growing.

(*b*) My interest in the trees is not subject to any heritable security

or

(*b*) My interest in the trees is subject to a heritable security in favour of [name and address]*

or

5.—(*a*) I claim as the creditor in a heritable security which affects the interest of the owner of the trees If claim made by creditor in a heritable security.

(*b*) The owner is [name and address]

(*c*) The particulars of my heritable security are.....

(*d*) There are no prior heritable securities affecting the interest of the owner of the trees.

SCHEDULE

SITUATION AND DESCRIPTION OF TREES

(The situation should be given by reference to the county and parish and a 6" ordnance survey sheet should be attached showing the area in which the trees are or were growing.)

Signed.....

Date.....

* If there is more than one heritable security give the name and address of the creditor whose security has priority over the other(s).

To the Conservator,
Forestry Commission,

.....

.....

Reg. 6

FORM 6

FORESTRY ACT, 1951

Request for review of felling directions

WHEREAS the Forestry Commissioners have by directions (number dated) required me to fell the growing trees therein described within the period therein specified.

Now therefore I of

hereby give notice that I am aggrieved by the directions on the ground that the felling is not expedient as mentioned in section 7 (1) of the Forestry Act, 1951, for the following reasons:—

and do hereby request you to refer the matter to a Committee appointed in accordance with section 4 (2) of the said Act.

Signed.....

Date.....

To the Minister of Agriculture and Fisheries, London

or

The Secretary of State for Scotland,
St. Andrew's House,
Edinburgh.

Reg. 7

FORM 7

FORESTRY ACT, 1951

Notice requiring purchase of trees or land under Section 8 (1)

WHEREAS the Forestry Commissioners have by directions (number dated) required me to fell the growing trees therein described within the period therein specified.

Now therefore I of

pursuant to section 8 (1) of the Forestry Act, 1951, hereby give notice that compliance with those directions would involve me in a net loss (particulars of which are given in the First Schedule below) after taking into account any benefit arising therefrom in respect of other trees of which I am the owner and do hereby

(*a*) require the Forestry Commissioners to buy the trees to which the directions relate and certify that I have the right to sell them for immediate felling.

Delete (*a*) or (*b*) as desired.

or

(*b*) require you to acquire my interest in the land affected by the directions a description of which land is contained in the Second Schedule below.

FIRST SCHEDULE

PARTICULARS OF NET LOSS(1)

(1) Take into account any compensation received under a Tree Preservation Order and any benefit arising from compliance with the directions in respect of other trees.

SECOND SCHEDULE

DESCRIPTION OF LAND[1]

(1) The description should be by reference to the county, parish and O.S. numbers and a 6" O.S. sheet should be attached on which the land should be delineated.

Signed.....

Date.....

To the Minister of Agriculture and Fisheries, London

or

The Secretary of State for Scotland,
St. Andrew's House,
Edinburgh.

Reg. 10 FORM 8

FORESTRY ACT, 1951

Notice requiring purchase of trees under section 10

WHEREAS (1) the Forestry Commissioners have by notice (number dated) refused to grant a licence authorising the felling of the growing trees described in the schedule to my application (dated) for such licence and (2) such felling would have been in accordance with a plan of operations or other working plan approved by the Commissioners under a forestry dedication covenant/agreement or otherwise approved by them in writing on the..... for the purpose of section 10 (2) of the Forestry Act, 1951.

Now therefore I of

pursuant to section 10 (2) aforesaid hereby give notice that I require the Commissioners to buy the trees described in the schedule below being trees in respect of which the licence was refused.

SCHEDULE

SITUATION AND DESCRIPTION OF TREES

The situation should be given by reference to the county and parish and a 6" ordnance survey sheet should be attached showing the area in which the trees are growing.

Signed.....

Date.....

To the Conservator,
Forestry Commission,

.....

.....

Reg. 12 (1) FORM 9

FORESTRY ACT, 1951

Request for review of Enforcement Notice

WHEREAS the Forestry Commissioners have given to me a notice (number dated) informing me that in their opinion the works required to be carried out on my estate at in the county of in accordance with

(*a*) the conditions of a licence (number dated)

Delete (*a*) or (*b*) as required.

or

(*b*) felling directions (number dated)

have not been carried out in accordance with those conditions/directions and requiring me to take the steps specified in the notice within the time specified therein for remedying the default.

Now therefore I of

claim that

(*a*) the works in question have been carried out in accordance with the conditions/directions to which the notice refers

Delete (*a*) or (*b*) as required.

or

(*b*) the steps specified in the notice are not required by the conditions/directions to which it refers

and pursuant to section 11 (2) of the Forestry Act, 1951, I hereby request you to refer the matter to a Committee appointed in accordance with section 4 (2) of the said Act.

Signed.....

Date.....

To the Minister of Agriculture and Fisheries, London

or

The Secretary of State for Scotland,
St. Andrew's House,
Edinburgh.

Reg. 12 (2) FORM 10

FORESTRY ACT, 1951

Claim for value of trees felled by the Forestry Commissioners (England and Wales)

1. I of

hereby claim from the Forestry Commissioners payment of a sum equal to the value of the trees described in the Schedule below (after deducting any expenses reasonably incurred by them in connection with their removal or disposal) which trees were felled by them in exercise of the power conferred by section 11 (1) of the Forestry Act, 1951, in default of compliance with a notice (number dated) given to [me] or [ ] requiring steps to be taken to carry out certain felling directions given by the Commissioners and referred to in that notice.

2. Immediately before the felling, the legal estate in fee simple in the land on which the trees were growing was vested in me and my interest in the trees is not subject to any mortgage [or is subject to a first mortgage in favour of of] If claim made by Owner.

or

2. Immediately before the felling, the legal estate in fee simple in the land on which the trees were growing was vested in of If claim made by Mortgagee.

and his interest in the trees is subject to a first mortgage in my favour.

3. Immediately before the felling the trees were [not] comprised in a settlement within the meaning of the Settled Land Act, 1925. The trustees of the settlement are Delete if a mortgage exists

and I am [not] impeachable for waste in respect of the trees.

SCHEDULE

SITUATION AND DESCRIPTION OF TREES

The situation should be given by reference to the county and parish and a 6" O.S. sheet should be attached showing the area in which the trees were growing.

Signed.....

Date.....

To the Conservator,
Forestry Commission,

.....

.....

Reg. 12 (2) FORM 10A

FORESTRY ACT, 1951

Claim for value of trees felled by the Forestry Commissioners (Scotland)

1. I of

hereby claim from the Forestry Commissioners payment of a sum equal to the value of the trees described in the Schedule below (after deducting any expenses reasonably incurred by them in connection with their removal or disposal) which trees were felled by them in exercise of the power conferred by section 11 (1) of the Forestry Act, 1951, in default of compliance with a notice (number dated) given to [me] or [ ] requiring steps to be taken to carry out certain felling directions given by the Commissioners and referred to in that notice.

2.—(*a*) I claim as owner of the trees having been, at the time the trees were felled, the proprietor of the *dominium utile* of the land on which they were growing. If claim made by Owner.

(*b*) My interest in the trees is not subject to any heritable security.

or

(*b*) My interest in the trees is subject to a heritable security in favour of [name and address]*

or

If claim made by creditor in a heritable security.

2.—(*a*) I claim as the creditor in a heritable security which affects the interest of the owner of the trees.

(*b*) The owner is [name and address]

(*c*) The particulars of my heritable security are.....

(*d*) There are no prior heritable securities affecting the interest of the owner of the trees.

SCHEDULE

Situation and Description of Trees

The situation should be given by reference to the county and parish and a 6" O.S. sheet should be attached showing the area in which the trees were growing.

Signed.....

Date.....

* If there is more than one heritable security give the name and address of the creditor whose security has priority over the other(s).

To:

The Conservator,
Forestry Commission,

.....

.....

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations make provision for various procedural matters under the Forestry Act, 1951. Regulation 3 prescribes the manner in which an application for a felling licence may be made, Regulations 4, 6, 7, 10 and 12 (1) prescribe the time and manner in which certain notices may be given and Regulations 5 and 12 (2) prescribe the manner in which certain claims may be made under the Act.

Regulation 8 fixes at three months the period within which the appropriate Minister may take the action authorised by Section 8 of the Act where he has received a notice from the tree owner requiring his trees to be bought or his interest in land to be acquired or, as the case may be, where the appropriate Minister has received the report of the Committee to which the notice was referred.

Regulation 9 provides for the postponement in certain circumstances of proceedings on a request for the review of felling directions or on a tree owner's notice requiring trees or land to be acquired. If such a request is made, proceedings on it may be postponed until such a notice is served in respect of the same directions or until the end of the period fixed for serving such a notice (whichever is the earlier). Similarly, if such a notice is served, proceedings on it may be postponed until such a request is made in respect of the same directions or until the end of the period fixed for making such a request (whichever is the earlier). The Regulation also provides for proceedings being taken concurrently before a committee on a request and a notice made and given in respect of the same directions.

Regulation 11 relates to enforcement notices given under Section 11 (1) of the Act which provides that such a notice must specify a time for compliance with it and that the time must not be less than the prescribed period after the notice has become operative. This regulation provides that the prescribed period shall be three months.

Regulation 13 is applicable in cases where consent to the felling of any trees is required under a Tree Preservation Order and the Forestry Commissioners propose to grant a licence authorising the felling or to give directions requiring the felling. The Regulation fixes at one month the period within which the authority by whom the order was made may object to the Commissioners' proposal.

The Regulations come into operation on the 1st October, 1951, the date on which the relevant provisions of the Act come into force.

FUGITIVE CRIMINAL

The Extradition (North Borneo) Order in Council, 1951

1951 No. 1940

Made - - - - 14th November, 1951

At the Court at Buckingham Palace, the 14th day of November, 1951

Present,

The King's Most Excellent Majesty in Council

Whereas by section 18 of the Extradition Act, 1870(a), it is among other things enacted that if, by any law or ordinance made after the passing of the said Act by the legislature of any British possession, provision is made for carrying into effect within such possession, the surrender of fugitive criminals who are in, or suspected of being in, such British possession, His Majesty may, by the Order in Council applying the said Act in the case of any foreign state, or by any subsequent Order, direct that such law or ordinance or any part thereof shall have effect in such British possession, with or without modifications and alterations, as if it were part of the Act:

(a) 33 & 34 Vict. c. 52.