STATUTORY RULES OF NORTHERN IRELAND

2013 No. 30

FORESTRY

The Forestry Land Byelaws (Northern Ireland) 2013

Made - - - -	*11th February 2013*
Coming into operation	*17th March 2013*

The Department of Agriculture and Rural Development, in exercise of the powers conferred by section 31 of the Forestry Act (Northern Ireland) 2010(**1**), makes the following byelaws:

Citation and commencement

1. These byelaws may be cited as the Forestry Land Byelaws (Northern Ireland) 2013 and shall come into operation on 17th March 2013.

Interpretation

2. For the purpose of these byelaws:—

"the Act" means the Forestry Act (Northern Ireland) 2010;

"designated" means indicated by an official notice erected or displayed on forestry land;

"intoxicating liquor" has the meaning given in the Licensing (Northern Ireland) Order 1996(**2**)

"invalid carriage" means a mechanically propelled vehicle the weight of which unladen does not exceed 254 kilograms and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such a person;

"official notice" means any notice erected, displayed or published by the Department for the purposes of these byelaws;

"permission" means a permission granted in accordance with byelaw 4.

Application

3. These byelaws shall apply to forestry land.

(**1**) 2010 c. 10 (N.I)
(**2**) S.I. 1996/3158 (N.I. 22)

Permission

4.—(1) Nothing in these byelaws shall make unlawful anything done with the permission of the Department.

(2) Any permission granted by the Department for the purposes of these byelaws—

(a) shall be in writing;

(b) may be subject to conditions specified in the permission; and

(c) may be revoked in writing at any time.

(3) A permission may be general or may apply to specific cases.

(4) A general permission may be given by official notice.

Access to forestry land

5.—(1) The right of access granted under section 31(1) of the Act does not apply in relation to an area which is designated as restricted.

(2) The Department may restrict access in an area—

(a) where the Department has identified a health and safety risk, including risks associated with harvesting of trees, use of chemicals and construction works;

(b) where the Department is carrying out protection and management of wildlife, wildlife habitats or flora and fauna;

(c) to prevent the spread of animal or plant disease or plant pests;

(d) for a social, sporting, cultural or artistic event;

(e) which is subject to a lease, licence or agreement between the Department and a third party.

Protection of property

6. A person shall not—

(a) intentionally or recklessly interfere with any building, structure or official notice;

(b) drop or leave any lighted match, tobacco, cigar, cigarette or other burning material, or set fire to any tree or vegetation whether living or not;

(c) display any notice, placard or bill without the permission of the Department;

(d) leave open or obstruct any gate or moveable barrier that the Department has in place;

(e) drop or leave any rubbish, refuse or litter except in receptacles provided for that purpose.

Protection of forestry land and wildlife

7. A person shall not —

(a) dig up or remove any soil, turf, leafmould, moss, peat, gravel, stone, sand or minerals of any sort;

(b) intentionally or recklessly destroy or interfere with any plant, tree or flower;

(c) intentionally or recklessly disturb, injure, destroy, take or ill-treat any form of wildlife, or interfere with their habitats, or attempt to do so;

(d) pollute or do anything which is likely to pollute water; or interfere with or do anything which is likely to interfere with the flow of any water.

Protection of the public

8. A person shall not —

(a) intentionally or recklessly endanger or obstruct any person in the lawful use of forestry land;

(b) use abusive, indecent or obscene language likely to give reasonable cause for annoyance to any person;

(c) consume intoxicating liquor so as to act to the danger of, or give reasonable cause for annoyance to, any person;

(d) act in a manner likely to harass, or cause alarm or distress to, any person.

9.—(1) A person shall not make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to any person, including by means of—

(a) shouting or singing;

(b) playing a musical instrument;

(c) operating or permitting to be operated any radio, amplifier, CD player, MP3 player or other device capable of emitting sound;

(d) operating or permitting to be operated any machinery.

(2) This byelaw shall not apply to any person holding or taking part in any entertainment, event or activity with the permission of the Department.

Fires, stoves and barbecues

10.—(1) A person shall not light any fire, stove or barbecue other than in an area designated for that purpose, unless otherwise permitted by the Department.

(2) The fires, stoves and barbecues referred to in paragraph (1) may only be lit in such a manner as to safeguard against damage or danger to any person, wildlife, building, structure, tree, shrub or vegetation.

General management

11. A person shall not without the permission of the Department—

(a) erect, set up or place any structure;

(b) sell, offer for sale, hire or distribute anything.

Camping

12. A person shall not erect a tent or use a vehicle, caravan or any other structure for the purpose of camping without the permission of the Department.

Vehicles and cycles

13.—(1) A person shall not drive, ride, park or leave any mechanically propelled vehicle on to or upon any area of forestry land except—

(a) on a road, parking facility or paved area designated as being for the use of mechanically propelled vehicles; or

(b) for the discharge by any person of any acts or duties carried out for or in connection with any functions of the Department.

(2) This byelaw shall not apply to invalid carriages.