



STATUTORY INSTRUMENTS.

S.I. No. 39 of 2020



FORESTRY (AMENDMENT) (No. 2) REGULATIONS 2020

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I, MICHAEL CREED, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by sections 6, 22 and 30 of the Forestry Act 2014 (No. 31 of 2014) hereby make the following regulations:

1. These Regulations may be cited as the Forestry (Amendment) (No. 2) Regulations 2020.

2. The Forestry Regulations 2017 (S.I. No. 191 of 2017) are amended -

(a) in Regulation 6, by inserting after paragraph (2) the following:

“(3) Where an application involves the creation or widening of an access to a public road, the Minister shall consult with the local authority in whose functional area the access or proposed access is situated.”, and

(b) in Regulation 20 -

(i) by substituting for paragraphs (1)(e) and (f) the following:

“(e) any guidelines, codes of practice and standard for good forest practice,

(f) in relation to Part 4, Technical Standard for the Design of Forest Entrances from Public Roads as published by the Department of Transport, Tourism and Sport and the Department of Agriculture, Food and the Marine, and

(g) any other matter that the Minister considers relevant, including the capacity of the applicant to carry out the development”, and

(ii) by substituting for paragraph (3) the following:

“(3) The Minister shall refuse an application if, in his or her opinion, the proposed development—

(a) is likely to have an adverse impact on human health,

(b) is likely to have significant adverse impact on -

(i) animal or plant health,

(ii) water quality,

(iii) an archaeological, historical or cultural site or feature,

(iv) an area of special amenity,

(v) a European site, or

(vi) nature conservation, or

- (c) is an application under Part 4 that –
- (i) involves access onto a road that is a motorway or national road as defined in section 2 of the Roads Act 1993 (No. 14 of 1993),
 - (ii) does not conform to the Technical Standard for the Design of Forest Entrances from Public Roads as published by the Department of Transport, Tourism and Sport and the Department of Agriculture, Food and the Marine, or
 - (iii) is, in the opinion of the Minister, likely to be a development that endangers public safety.”.



GIVEN under my Official Seal,
7 February, 2020.

MICHAEL CREED

Minister for Agriculture, Food and the Marine.

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