
STATUTORY INSTRUMENTS

2022 No. 1266

**The Environment Act 2021 (Commencement No. 5
and Transitional Provisions) Regulations 2022**

Transitional provisions

3.—(1) Section 17A(1B) (power of Commissioners to require restocking notice after unauthorised felling) of the 1967 Act, as inserted by paragraph 3 of Schedule 16 to the Act, applies in respect of a restocking notice served under section 17A(1) of the 1967 Act by the Commissioners⁽¹⁾ on or after 1st January 2023, notwithstanding that one or more matters causing the Commissioners to apprehend that an offence has been committed under section 17 of the 1967 Act may have arisen before that date.

(2) Section 24(6) (notice to require compliance with conditions or directions) of the 1967 Act, as inserted by paragraph 4 of Schedule 16 to the Act, applies in respect of a notice given under section 24(2) of the 1967 Act by the Commissioners on or after 1st January 2023, notwithstanding that one or more matters giving rise to the default to which the notice relates may have arisen before that date.

(3) Section 24A (further notice under section 24 for next estate or interest holders) of the 1967 Act, as inserted by paragraph 5(2) of Schedule 16 to the Act, applies in respect of a notice served under section 24(2) of the 1967 Act by the Commissioners on or after 1st January 2023, notwithstanding that one or more matters giving rise to the default to which the notice relates may have arisen before that date.

(4) Section 24B (restocking orders after conviction under section 24 in England) of the 1967 Act, as inserted by paragraph 6 of Schedule 16 to the Act, applies where a person has been convicted of an offence committed under section 24(4) in England in respect of a notice given under section 24(2) on or after 1st January 2023, notwithstanding that the matters giving rise to that notice and conviction may have arisen before that date.

(1) See section 1(1) and (1A) of the 1967 Act for the definition of “the Commissioners” and “appropriate forestry authority” respectively. Subsection (1A) was inserted by [S.I. 2013/755](#) and amended by [S.S.I. 2019/734](#).