

Forestry Rights Bill

EXPLANATORY MEMORANDUM

Clause 1 sets out the purpose of the Bill.

Clause 2 provides that the Act comes into operation on the day on which it receives Royal Assent.

Clause 3 defines several terms, including forest property and forest property owner. It provides a definition of trees consistent with that in the **Forests Act 1958**.

Clause 4 provides that the Act does not apply on Crown land.

Clause 5 sets out the general scope of a forest property right granted by an owner of land to a forest property owner to plant, maintain and harvest or maintain and harvest forest property on that land.

Clause 6 specifies matters which must be included in an agreement between the parties in order for the agreement to be a forest property agreement.

Clause 7 provides that a forest property agreement may be amended or terminated in whole or in part by written agreement between the parties.

Clause 8 sets out the process whereby a forest property agreement may be registered on the title of the subject land.

Clause 9 provides that following registration of a forest property agreement, the burden of any covenant in the agreement runs with the land affected and that the forest property owner may enforce the covenant.

Clause 10 sets out the process for amendment or termination of registration on title of a forest property agreement.

Clause 11 establishes that a forest property agreement is not a subdivision that a forest property right does not constitute an interest in land and that a right of entry provided in a forest property agreement is deemed not to be a right of way.

