

# SEANAD ÉIREANN.

## AN BILLE FORAOISEACHTA, 1945. FORESTRY BILL, 1945.

*Coiste.*  
*Committee.*

*Leasaithe.*  
*Amendments.*



### SECTION 4.

1. In page 4 to delete subsection (3) and substitute therefor the following subsection:—

“(3) Notwithstanding anything contained in section 10 of the Petty Sessions (Ireland) Act, 1851, a prosecution for an offence under any section or subsection of this Act may be brought at any time within whichever of the following periods later expires, that is to say—

- (a) three months from the date on which evidence sufficient in the opinion of the Minister to justify a prosecution for the offence comes to his knowledge; or
- (b) twelve months after the commission of the offence, and a certificate under the official Seal of the Minister as to the date on which such evidence comes to his knowledge shall be conclusive evidence thereof.”

—Senator Duffy.

### SECTION 5.

2. In page 5, after subsection (3) to insert the following new subsection:—

“(4) Every regulation made by the Minister under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next subsequent twenty-one days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.”

—Senator Duffy.

### SECTION 9.

3. In subsection (1), page 6, before paragraph (k) to insert the following new paragraph:—

“(k) undertake the preparation and publication of propaganda in relation to afforestation and the industries ancillary to forestry.”

—Senator Duffy.

### SECTION 10.

4. In subsection (2), sub-paragraph (a) after the word “representative” in line 53, to insert the words “who shall be a practical farmer”.—Senator Coughlin.

### SECTION 14.

5. To add at the end of the section the words:—

“save in respect of any point of law for which an appeal shall lie to the Supreme Court”.—Senator Sweetman.

SECTION 16.

6. In subsection (1), lines 14-15 to delete the words "as measured by them or where they so think proper" and to substitute in lieu thereof the words "as (with the agreement of the parties to such proceedings) measured by them and otherwise".—Senator Sweetman.

SECTION 19.

7. To add at the end of subsection (2) the words:—  
"and shall serve a copy of such application upon the occupier (if any) and upon the person who appears to him to be the owner of the dominant tenement to which such easement is attached if it is reasonably practicable to ascertain that person".  
—Senator Sweetman.

SECTION 23.

8. In subsection (14), page 20, to delete the words "two years" in line 52 and to substitute therefor the words "six months".—Senator Sweetman.

NEW SECTION.

9. Before section 24 to insert a new section as follows:—

" 24.—Where an acquisition order has been made in respect of any land and no vesting order is made under *section 26* hereof, the Minister shall pay to every person having an interest in such land the costs properly and necessarily incurred by such person as between solicitor and client and such costs shall in default of agreement as to the amount thereof be taxed by a Taxing Master of the High Court."

—Senator Sweetman.

NEW SECTION.

10. Before section 31 to insert a new section as follows:—

" 31.—Where the owners of any land acquired by the Minister for planting purposes do not agree with the price offered, the owners shall have the right to appeal to an arbitrator appointed by the Minister, who shall hear evidence from the Minister and from the owners and shall then determine the price to be paid."

—Senator Cunnihan.

SECTION 31.

11. To delete subsection (1).—Senator Sir John Keane.

NEW SECTION.

12. After section 34, and in Part III, to insert a new section as follows:—

" 35.—(1) It shall be lawful for any farmer to give to the Minister at an agreed price an option to purchase such portion of his holding as is more suitable for forestry than for agriculture on the terms and conditions stated in the following subsections of this section.

(2) The Minister shall plant and fence the portion of land in question, employing as far as possible the labour of the farmer and his family or other local labour, and paying the standard wage for such labour.

(3) At any time within thirty years from the date of such planting the farmer or his successor in title shall have the right to redeem the option on payment of the costs of planting plus compound interest at an appropriate rate for the intervening period.

- (4) At any time after thirty years from the date of such planting the Minister shall have the right (failing such redemption) to complete the purchase of the portion of land in question on payment of the agreed price plus compound interest at an appropriate rate for the intervening period."

—Senator Joseph Johnston.

SECTION 42.

To delete the section.—Senator Sir John Keane.

(*Note.—This proposal will be taken on the Question:—"That the section stand part of the Bill."*)

SECTION 60.

13. In subsection (2), page 51, to delete lines 51 to 55, inclusive.  
—Seanadóir O Buachalla.

