

THE FOREST REGULATIONS OF 1967
(Consolidated with all amendments until 1993)

Official
Gazette of the
Republic
Part III (I):
28.7.1967
4.11.1988
15.3.1991
28.5.1993.

THE FOREST LAW

(LAWS 14 OF 1967, 49 OF 1987, 44 OF 1991,
27(I) OF 1999, 124(I) OF 2001 AND 78A(I) OF 2003.)

THE FOREST REGULATIONS (REGULATIONS UNDER SECTION 14)

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THE FOREST LAW

(LAWS 14 OF 1967, 49 OF 1987, 44 OF 1991,
27(I) OF 1999, 124(I) OF 2001 AND 78A(I) OF 2003.)

Official Gazette of the Republic
Part III:
28.7.1967
4.11.1988
15.3.1991
28.5.93.

In exercise of the powers vested in it by section 14 of the Forest Law, 1967, the Council of Ministers hereby makes the following Regulations -

Short title.

1. These Regulations may be cited as the Forest Regulations of 1967 to 1993.

Introduction

Interpretation.

2. In these Regulations, unless the context otherwise requires:

“Communal Forest” means a minor State Forest assigned by the Council of Ministers to the inhabitants of a village for the purpose of obtaining fuel, timber and other forest produce there from or in order to be used and enjoyed communally by them for the purpose of their amenities and recreation;

“Grazing Area” means an area of a Minor State Forest that may be assigned by the Council of Ministers to the inhabitants of a town or village for the purpose of grazing their cattle therein;

”Multiple Use Forest” means a Minor State Forest part of which may be let out on lease by the Director for different kinds of use, not necessarily connected with forestry, such as the cultivation and production of agricultural crops the breeding and production of livestock or any other use that may be approved by the Minister;

”Municipal Forest” means a Minor State Forest assigned by the Council of Ministers to a municipality for the purpose of obtaining fuel, timber and other forest produce there from or in order to be used and enjoyed by the citizens for the purpose of their amenities and recreation;

”National Forest Park” means a Main State Forest that may be declared by the Council of Ministers as a forest to provide amenities and recreation to the general public;

”Nature Reserve” means a Main State Forest that may be declared by the Council of Ministers a forest appropriated to provide complete and permanent protection of the flora and fauna;

”Nursery Garden” means a Minor State Forest reserved by the Council of Ministers for the Production of seedlings, including fruit trees, bushes and other ornamental shrubs and flowers for use in any State Forest or for sale to other Government Departments or to the general public;

«Permanent Forest Reserve» means Main State Forest that may be declared by the Council of Ministers to be used in perpetuity for forestry purposes, no other form of use of the land being allowed without the prior approval of the Council of Ministers;

PART I. CLASSIFICATION OF STATE FORESTS FOR GENERAL MANAGEMENT PURPOSES

Classification.
of Main State
Forests.

3. The Council of Ministers may, by notice published in the official Gazette of the Republic, declare any Main State Forest or Part thereof specified in such notice as -

(a) a Permanent Forest Reserve;

(b) a National Forest Park;

(c) a Nature Reserve.

Classification
of Minor State
Forests.

4. The Council of Ministers may, by notice published in the official Gazette of the Republic, declare any Minor State Forest or Part thereof specified in such notice as –

(a) a Multiple Use;

(b) a Communal Forest;

(c) a Municipal Forest;

(d) a Nursery Garden;

(e) a Grazing Area.

Permanent
Forest
Reserves.

5. (1) The Director may, in the public interest, lease any part of a Permanent Forest Reserve for other than forestry uses, provided that -

- (a) the vegetation of the area to be so leased has not been destroyed by fire, unauthorized felling or cultivation;
- (b) such lease shall not interfere with Governments policy to increase the Production of forest Products or result to the detriment of the surrounding forest or other lands or endanger the safety of the forest.
- (c) the period of the lease shall not exceed one year without the prior approval of the Minister or ten years without the prior approval of the Council of Ministers.

(2) The rent to be paid and the other terms and conditions of any lease as in paragraph (1) hereof provided shall be determined in each case by the Director as he may deem fit.

National
Forest Parks.

6. (1) The Director may, with the approval of the Minister, make Rules for all or any of the following matters, in respect of any National Forest Park, that is to say -

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Gazette
Part III (I):
28.5.93

- (a) for the protection of any forest produce, forest building, path, animal, fence, bench and any other structure within a National Forest Park;
- (b) for prescribing the times and periods during which the public may enter a National Forest Park, the fees payable by the users of the Park and the manner in which such fees will be collected;

(c) for regulating the operation of any entertainment establishments lawfully operating in a National Forest Park and controlling the prices to be charged by such establishment;

(d) generally for any purpose that may be approved by the Minister and tends to the protection, administration and proper use of the National Forest Park.

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(2) Any Rules made by the Director under paragraph (1) hereof shall be posted up in conspicuous places within the National Park and a notification in the official Gazette of the Republic by the Minister that the Rules have been duly made and posted up shall be conclusive evidence thereof.

Nature
Reserves.

7. (1) The Director may, with the approval of the Minister, make Rules for all or any of the following matters, in respect of a Nature Reserve, that is to say -

Official
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28.5.93.

(a) for the protection of the soil, flora and fauna, fences and any other structures within a Nature Reserve;

(b) for prohibiting the entry of unauthorized persons in a Nature Reserve;

(c) generally for any purpose that may be approved by the Minister and tends to the protection and use of the Nature Reserve.

Official
Gazette
Part III (I):

(2) Any Rules made by the Director under paragraph (1) hereof shall be posted up in conspicuous places at the boundary of a Nature Reserve

28.5.93. and a notification in the official Gazette of the Republic by the Minister that the rules have been duly made and posted up shall be conclusive evidence thereof.

Multiple Use Forests. 8. (1) The Director may, in the public interest, lease any Multiple use Forest of any part thereof, provided that in the case of leases whose duration will exceed two calendar years the prior approval of the Minister must be obtained.

(2) The rent to be paid and the other terms and conditions of any lease as in paragraph (1) here of provided shall be determined in each case by the Director as he may deem fit.

Communal Forests. 9. (1) The Council of Ministers may, by order published in the official Gazette of the Republic, direct that any Communal Forest shall be under the control of the village commission of the village within the area of more than one village, under the joint control of the village commissions of the villages concerned.

(2) (a) The Village Commission or Village Commissions in control of a Communal Forest may, with the approval of the Director, make Rules for all or any of the following matters, that is to say -

- (i) for the issue of permits to cut and take any forest produce within the Communal Forest, the conditions to be attached thereto and the fees to be paid therefore;
- (ii) generally for any other purpose that may be approved by the Director and tends to the development and protection of the Communal Forest.

- (b) Any Rules made by the Village Commission or Village Commissions under paragraph (a) hereof shall be posted up in a conspicuous place in the village or villages affected thereby and a notification in the official Gazette of the Republic by the Minister that the Rules have been made and posted up shall be conclusive evidence thereof.
- (3)
 - (a) The Director may require the Village Commission or Village Commissions in control of a Communal Forest to prohibit the taking of any forest produce from any part of the communal forest for such period as he may on each occasion direct and may also require the Village Commission or Village Commissions to replant any part of such Communal Forest in such manner as he may on each occasion direct, and if the Village Commission or Village Commissions shall fail to comply with the requirements of the Director, the Minister may make an Order limiting the time within which the forest shall be replanted as aforesaid.
 - (b) If within the time so limited the Village Commission or Village Commissions fail or neglect to comply with the requirements of the Director, the Director may cause the area to be replanted and the expenses so incurred by him shall be paid out of the Communal Forest Fund.
 - (c) Each member of a defaulting Village Commission or Village Commissions shall, unless he proves to the satisfaction of the Court that he has done all that was in his power in order to comply with the requirements of the Director, as in paragraph (a) hereof provided, be guilty of an offence under these

Regulations.

Municipal
Forests.

10 (1) The Council of Ministers may, by order published in the official Gazette of the Republic, direct that any Municipal Forest shall be under of the council of the municipality specified in the Order and thereupon the provisions of Regulations 9, 13 and 14 shall apply to any such Municipal Forest, subject to the following adaptations and modifications, that is to say -

- (a) the council of the municipality specified in the Order shall be substituted for the Village Commission or the Village Commissions as the authority having the rights and liabilities under these Regulations;
- (b) the Rules shall be posted outside the municipal offices;
- (c) whenever the words "Communal Forest" occur, the words "Municipal Forest" shall be substituted therefore;
- (d) (d) whenever the words "Communal Forest Fund" occur, the words "Municipal Forest Fund" shall be substituted therefore.

Nursery
Gardens.

11. The Council of Ministers may, be Order Published in the official Gazette of the Republic, direct that any Nursery Garden shall be under the control of the Director.

Grazing
Areas.

12 (1) A Grazing Area shall be so managed as to provide grazing facilities on a sustained yield basis to all the inhabitants of the village or

villages in respect of which the usufruct of such Grazing Area has been assigned by the Council of Ministers.

(2) A notice by the Council of Ministers under Regulation 3, reserving and Minor State Forest or any part thereof as a Grazing Area, shall also specify the village or villages the inhabitants of which may graze their cattle therein and the number and type of cattle to be grazed and thereafter no person who is not a inhabitant of any such village shall graze cattle in such area, not shall any cattle exceeding the number or not being of the type specified in the notice be grazed in such area.

(3) A license to graze cattle or to erect and occupy any mandra, fold or other premises in a Grazing Area may be issued on application made to the Director.

(4) (a) An application for a license to graze cattle in any Grazing Area shall state the number and kind of cattle in respect of which the application is made and the area in which it is proposed to graze the same.

(b) Before issuing a license to graze any cattle, the Director may require the applicant to specify any distinguishing markings or brand on the cattle in respect of which the application is made, and if such markings or brand are approved by the Director a description thereof shall be inserted in the license and thereafter all cattle grazed in virtue of such license shall bear the markings or brand described therein.

(5) An application for a license to erect and occupy any mandra, fold or any other premises in any Grazing Area shall state the place at which it is proposed to erect the same and shall contain a full description of the

type and size of the mandra, fold or other premises proposed to be erected.

Communal
Forest Fund.

13 (1) There shall be established in respect of every Communal Forest a fund under the control of the Village Commission or Village Commissions having control of the Communal Forest in respect of which such fund is established, to be called Communal Forest Fund, into which there shall be paid the following sums, that is to say -

- (a) any sum that may be paid as fees for the taking of forest produce under any Rules made by the Village Commission or Village Commissions under Regulation 9;
- (b) any other revenue derived from any Communal Forest under the control of the Village Commission or Village Commissions.

(2) The Village Commission or Village Commissions having the control of a Village Forest Fund may, with the approval of the Director, defray from the fund any expenses in connection with the management, development and protection of the Communal Forest under their control.

Control of
Communal
Forest
Funds.

14. The Village Commission or Village Commissions having the control of a Communal Forest Fund shall keep an account, in such form as the Director may require, of all sums paid into or out of the fund, and such accounts shall be subject to audit by the Director or by such person or persons as the Director may authorize for that purpose.

PART II. - GENERAL

Issue of
licenses to

15. (1) A license to cut, take, extract, convert or remove any forest Produce from any State Forest, the control over which is not vested

cut forest
produce.

under these Regulations in any other person, may be issued on application made to the Director.

(2) An application for a license to cut, take, extract, convert or remove any forest produce from any State Forest shall contain a full description of the kind of forest produce in respect of which it is found and shall state the quantity required.

(3) A license issued upon an application made under paragraph (2) hereof shall specify the time within which the forest produce shall be removed from the State Forest, and the route by which and the manner in which it shall be removed.

(4) There shall be paid by the licenses, for any forest produce in respect of which a license is issued under this Regulation, such charges as may be fixed from time to time by the Director, regard being had to the prices obtaining in the market for such forest produce.

Transport of
timber and
other forest
produce.

16. (1) Subject to paragraph (3) of this Regulation, no person shall cut, transport or convey any timber or any other forest produce -

(a) From a Main State Forest or any private forest placed under the control of the Government, save under a license from the Director;

(b) from Minor State Forest or any private forest not placed under the control of the Government or from any other land in the Republic, save under a license from the Director.

Provided that no license shall be issued from the cutting, transport or

conveyance of timber from any private forest not placed under the control of the Government or from any other land in the Republic, unless the person desiring to obtain such license produces to the Director a certificate of the Chairman of the Village Commission of the Village in which such forest or land is situate, verifying that such forest or land is the property of such person or that such person has obtained the consent of the owner of the same for the cutting, transport or conveyance of such timber.

(2) Where any timber consists of logs or of sawn or fashioned wood, it shall not be transported or conveyed from any Main State Forest of any Minor State Forest or any private forest or any other land in the Republic, unless and until it shall have been stamped with a Forest Department marking instrument.

(3) Nothing in this Regulation contained shall apply-

(a) to any imported timber;

(b) to any forest produce other than timber belonging to any person and transported or conveyed from his own land for his own domestic purposes and not for sale.

Exportation
of timber etc.

17. (1) No person shall export from the Republic any timber or any other forest produce save under a license from the Director who, before issuing such license, must arrange for an inspection of such timber or other forest produce and satisfy himself that it is of a quality suitable for export having regard to the specifications of the importer.

(2) A license under this Regulation may be issued on an application made to the Director. Such application shall contain a full description of the

kind and amount of timber or other forest produce in respect of which the application is made, the source from which it was obtained and the place to which, the port from which and the date on which, it is proposed to export it.

Unlawful possession, etc., of forest produce.

18. No person shall knowingly possess, sell or export any forest produce, which has been cut, taken, extracted or removed in contravention of the Law or of these Regulations.

Application for license to erect a sawmill or wood utilizing plant.

19 (1) No sawmill or wood utilizing plant or wood burning steam engine, still or kiln for making or producing bricks, tiles, lime, gypsum, cement, terra umbra, charcoal, gum, resin, turpentine, tar, pitch or other produce shall be erected, used or worked in the Republic, save under a license from the Director.

Provided that nothing in this Regulation contained shall apply to a still for making zivania, erected, used or worked in any part of the Republic, not being a State Forest.

(2) A license for the erection, use or working of a sawmill or other wood utilizing plant may be issued on application made to the Director. Such application shall contain full particulars regarding:

- (a) the capacity of the sawmill or wood utilizing plant and the type of finished product which it is proposed to manufacture;
- (b) the place at which it is proposed to erect, use or work the sawmill or wood utilizing plant;
- (c) the arrangements made or to be made for the supply of the timber raw material required.

(3) A license for the erection, use or working of a wood burning steam engine may be issued on application made to the Director.

Such application shall contain full particulars regarding –

- (a) The make, type and horse power of the engine;
- (b) the place at which it is proposed to erect, use or work the engine; and
- (c) the kind and approximate quantity of fuel which it is proposed to consume each year and the arrangements made or to be made for its supply.

(4) A license for the erection, use or working of a kiln may be issued on application to the Director. Such application shall contain full particulars regarding -

- (a) the type of the kiln and the purpose for which it is to be erected, used or worked;
- (b) the place at which it is proposed to erect, use or work the kiln;
- (c) the kind and approximate quantity of fuel which it is proposed to consume in connection with the use or working of the kiln and the arrangements made or to be made for its supply.

Books and
returns by

20. Every person holding a license under Regulation 19 shall, if so required by the Director, keep such books in respect of the wood or fuel

holders of a license under Regulation 19 consumed by him or in his possession and the sources or the names of the persons from whom such wood or fuel was obtained, and to render such returns and accounts in respect thereof and at such times, as the Director or his representative may direct.

Stray Cattle. 21. (1) Any stray cattle found in any State Forest may be impounded by and forest officer, peace officer, Chairman or member of village Commission or rural constable.

(2) Stray cattle may be kept in pound for a period not exceeding seven days at any one time and during that period the person impounding the same shall cause the same to be properly kept, fed and watered.

Official Gazette:
Part III (I)
4.11.1998 (3) The owner of the cattle may at any time before the expiration of the period provided in paragraph (2) claim their return with he succeeds upon payment of the costs for their gathering, keeping and maintenance.

Official Gazette:
Part III (I)
4.11.1998 (4) If the owner of any cattle impounded under the provisions of this Regulation does not claim the same within the period in paragraph (2) hereof provided or if he fails to pay the poundage expenses and the costs and expenses of their maintenance as in paragraph (3) hereof provided, the cattle shall, become the property of the Government and may be sold or otherwise disposed of in such manner as the Director or his representative may direct.

Official Gazette:
Part III (I)
4.11.1998. (5) Any person who unlawfully takes out of any pound any cattle impounded under the provisions of this Regulation shall be guilty of an offence and shall be liable to a fine not exceeding ten pounds.
4 TOU 166/87

Marking Instruments.	22. (1) No person shall manufacture, use or possess any timber marking instruments save under a license from the Director. (2) A license for the manufacture, use or possession of a timber marking instrument may be issued upon application to the Director. Such application shall contain full particulars regarding the purpose for which the timber marking instrument shall be used and shall be accompanied by a full scale design of the imprint of such instrument.
Camping in the Forests.	23. (1) No person shall erect or occupy and tent, caravan, hut or any other structure in any State Forest, save under a license from the Director. (2) A license for the erection or occupation of a tent, caravan, hut, or any other structure may be issued upon application to the Director. Such application shall contain full particulars regarding the location, purpose and the duration for which the tent, caravan, hut or other structure is proposed to be erected or occupied.
Use of Forest for trade or business transactions.	24. (1) No person shall install or use any kiosk, bench, car, van or any other structure for the purpose of conducting trade or other business transactions or erect any signpost or advertisement or publicity poster in any State Forest, save under a license from the Director. (2) A license for the installation or use of a kiosk, bench, car, van or other structure for the purpose of conducting trade or other business transactions or for the erection of a signpost or an advertisement or publicity poster may be issued upon application to the Director. Such application shall contain full particulars regarding the location, purpose and duration for which the kiosk, bench, car, van of other structure will be installed and used.

Use of forest
Roads.

25. (1) The Director may, by announcement broadcast or published in the local press, prohibit the use of any forest road or part thereof such period as may on each occasion be specified in the said announcement.

(2) The Director may, by posting up a suitable notice, specify from time to time:

- (a) the weight, size and tare of vehicles that may be allowed to travel on forest roads;
- (b) the speed limits to be observed by persons permitted to use forest roads;
- (c) The direction of travel on forest roads;
- (d) any other measure that may be deemed necessary for the proper and safe use of forest roads.

(3) Any person who acts in contravention of any announcement or of any specifications of the Director under this Regulation shall be liable to a fine not exceeding ten pounds and, in addition, to payment of compensation for any damage that may have been caused to a forest road.

Use of forest
telephones.

26. (1) Save under the permission of the Director, no person shall use a forest telephone, except for reporting a forest fire.

(2) Application to use a forest telephone shall be made to the nearest forest officer or authorized telephone attendant and permission may be

granted on payment of the fees fixed, from time to time, by the Director and subject in any case to the general rules for the use of telephones.

Licenses to be carried by the licenses. 27. Every license issued under the provisions of these Regulations shall be carried by the license and shall be produced by him for inspection whenever so requested by any forest officer, peace officer, Chairman or member of Village Commission or rural constable or any officer of the Department of Agriculture.

Terms and conditions in licenses. 28. Any license issued under the provisions of these Regulations may contain such terms and conditions as the authority issuing the same may in each case deem fit to impose.

Termination, revocation and forfeiture of licenses. 29. (1) Any license issued under these Regulations may be terminated or revoked by the authority issuing the same if the licensee -

(α) (a) is convicted of any offence under the Law or these Regulations;

(β) (b) fails to observe, or acts in contravention of, any term or condition contained in such license (without prejudice to any proceedings which may be taken in respect of such offence).

(2) Every license terminated or revoked under the provisions of this Regulation, shall be forfeited to the authority issuing the same.

Penalties. 30. Any person who contravenes, or fails to observe or comply with, any of these Regulations or any Rules made there under or any of the

Official

Gazette Part III (I): 28.5.93. 4 TOU 166/87.	terms or conditions contained in any license issued under these Regulations shall be guilty of an offence against these Regulations and, unless some other penalty has been provided in respect thereof, shall be liable to imprisonment for the term not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.
Seizure of forest produce, etc. Official Gazette: Part III (1) 15.3.91	31. Any forest officer or policeman may seize and detain any forest produce or timber taken, sold or possessed in contravention of this Law or of these Regulations, and all tools, tractors, machinery, pipes, instruments or marking instruments, vehicles or cattle used for the committing of any offence against this Law or these Regulations.
Fees for licenses.	32. The Director may, from time to time, fix the fees which shall be paid for any license that may be issued under these Regulations, regard being had to the prices obtaining in the market for such forest produce or services to be offered, except for the issue of licenses in respect of the several matters set out in the first column of the Appendix.
Appendix.	
Director to Include, in certain cases, persons authorized by him	33. For the purposes of these Regulations, wherever the power for the issue of licenses is vested in the Director, the term Director shall also include any person duly authorized by the Director to issue licenses in that behalf.

APPENDIX
((Regulation 32))

FEES

	License	Fees
Official Gazette Part III (I) 4.11.1988	1. To erect, etc., a timber sawmill or other wood utilizing plant:	
	(a) Exceeding 30 cubic meters barked timber capacity per day...	£28 per year or part thereof.
	(b) Not exceeding 30 cubic meters barked timber capacity per day.....	£14 per year or part thereof.
	2. To erect, etc., a wood burning steam engine.....	£14 for every steam engine per year or part thereof.
	3. To erect, etc., a wood burning still or furnace....	£6 for every still or furnace per year or part thereof.
	4. To erect, etc., a wood burning kiln for the making of :	
	(a) lime and gypsum	£6 for each kiln per year or part thereof.
	(b) Terra umbra	£14 for each kiln per year or part thereof.
	(y) Cement, pottery, tiles, bricks.....	£6 for each kiln per year or part thereof.
	5. To make charcoal, pitch or tar.....	£6 per year or part thereof.

