

THE FOREST LAW
The Pyidaungsu Hluttaw Law No. 29/2018
The 11th Waxing Day of Tawthalin, 1380 M.E.
(20th September, 2018)

Chapter I
Title and Definition

1. This Law shall be called the Forest Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:-
 - (a) **Cabinet** means the Union Cabinet of the Republic of the Union of Myanmar;
 - (b) **Ministry** means the Ministry of Natural Resources and Environmental Conservation of the Union Government;
 - (c) **Minister** means the Union Minister of the Ministry of Natural Resources and Environmental Conservation;
 - (d) **Director-General** means the Director-General of the Forest Department;
 - (e) **Forest Settlement Officer** means the township or district level officer from the General Administration Department who shall inquire into and determine as a **liable/responsible** person of the Scrutiny Body, in the manner prescribed, the affected rights of the public on the relevant land that is proposed to constitute a reserved forest and carry out demarcation of the reserved forest under this law;
 - (f) **Forest Officer** means the Head of the Union territory Nay Pyi Taw, State/ Region, District or Township Forest Department;
 - (g) **Forest Staff** means the forest administrative staff different levels from a Forest Guard to the Director-General of the Forest Department;
 - (h) **Reserved Forest** means land constituted as a reserved forest under this Law;

- (i) **Protected Public Forest** means land declared to be protected public forest under this Law;
- (j) **Forest Land** means land including reserved forest and protected public forest;
- (k) **Land at the disposal of the Government** means other land with the exception of land in which a Government department, organization or any person has acquired right of cultivation, right of possession, right of use and occupancy, beneficial enjoyment, heritable right or transferable right under any existing law;
- (l) **Forest-produce** means trees, leaves, flowers, fruits, **rhizomes (rootstalks)**, orchids and other parasitic plants grown on or found in forest land or land at the disposal of the Government and their by-products. This expression also, includes wild animals and insects, their parts and their by-products;
- (m) **Non-Timber Forest Product** means forest produce declared as a non-timber forest product under this Law;
- (n) **Tree** includes root, stump, stem, branch, bush, creeper, bamboo, cane, orchid and seedling;
- (o) **Reserved Tree** means a teak tree and any tree declared as a reserved tree under this Law;
- (p) **Timber** means a tree which has fallen or which has been felled and wood or log, whether cup up, fashioned or hollowed out other than bush, creeper, bamboo, cane, orchid and seedling;
- (q) **Firewood** means a tree, part or piece of timber suitable for use as fuel;
- (r) **Domestic Animal** means animals raised by man including elephants;
- (s) **Removal Pass** means a permit issued under this Law to move **lawfully owned** forest produce from one township to another within the country;
- (t) **Permit** means an order permitting extraction of forest produce or an order permitting right of operation relating to forest produce. This expression also includes an agreement executed to permit extraction of forest produce;
- (u) **Community Forestry** means any operation carried out according to the Community Forestry Instructions issued under this law;

- (v) **Chainsaw** means a portable handy machine which can cut, buck and saw trees, logs, posts, poles and timbers by using a mechanical power.

Chapter II

Objectives

3. The objectives of this Law are as follows:-

- (a) to implement the forestry(forest) policy of the Cabinet;
- (b) to implement the natural resources and environmental conservation policy of the Cabinet;
- (c) to promote the sector of public co-operation in implementing the forestry (forest) policy and the natural resources and environmental conservation policy of the Cabinet;
- (d) to develop the economy of the State, to contribute towards the food, clothing and shelter needs of the public and for perpetual enjoyment of benefits by conservation and protection of forests;
- (e) to carry out in accordance with international agreements relating to conservation of forests, conservation of natural resources and environment, climate change and natural disaster risk reduction;
- (f) to prevent the dangers of destruction of forests and bio-diversity, outbreak of fires, infestation of insects and occurrence of plant disease;
- (g) to carry out simultaneously conservation of natural forests and establishment of forest plantations;
- (h) to contribute towards the fuel requirement of the country;
- (i) to implement sustainable forest management in order to support sustainable development;

Chapter III

Constitution of Reserved Forest and Declaration of Protected Public Forest

4. In order to conserve the environmental factors and to maintain a sustained yield of the forest produce, the Ministry may, with the **comment** of the Nay Pyi Taw Council, State or Regional Cabinet and with the approval of the Union Cabinet, constitute the following categories of reserved forest by demarcation on land at the disposal of the Government:-
 - (a) commercial extraction reserved forest;
 - (b) local supply reserved forest;
 - (c) watershed or catchment protection reserved forest;
 - (d) environment and bio-diversity conservation reserved forest;
 - (e) other categories of reserved forest.

5. The Ministry may, with the comment of the Nay Pyi Taw Council, State or Regional Cabinet, and with the approval of the Union Cabinet, declare as protected public forest, specifying limits on land at the disposal of the Government, outside reserved forests for the following purposes:
 - (a) protection of water and soil;
 - (b) conservation of **arid-zone (dry-zone)** forests;
 - (c) conservation of mangrove forests;
 - (d) conservation of environment and bio-diversity;
 - (e) conservation for sustainable production.

6. The Ministry shall:
 - (a) before constituting a reserved forest or declaring a protected public forest, declare in the manner prescribed that it is proposed to constitute any land a reserved forest or to prescribe any land a protected public forest;
 - (b) in respect of constituting a reserved forest form and appoint duties to a Scrutiny Body, led by a Forest Settlement Officer, including **local (ethnic)**

communities and relevant experts to inquire into and determine in the manner prescribed the affected rights of the public on the relevant land and to carry out demarcation of the reserved forest;

- (c) in respect of specifying a protected public forest delegate a working committee, led by the Director-General, including **local (ethnic)** communities and relevant experts to inquire into, determine and manage in the manner prescribed the affected rights of the public which may arise under the prohibitions contained in the declaration;
- (d) publish a notification constituting a reserved forest after consideration of the report submitted through the Director-General by the Forest Settlement Officer after carrying out in accordance with sub-section (b);
- (e) publish a notification determining a protected public forest after consideration of the report submitted by the Director-General after carrying out in accordance with sub-section (c).

7. The Ministry, with the comment of the Nay Pyi Taw Council, State or Regional Cabinet, and with the approval of the Union Cabinet:-

- (a) may alter the category of the whole or a portion of the reserved forest; cancel the category of being a reserved forest; convert into a protected public forest;
- (b) may cause the whole or a portion of the protected public forest which no longer requires conservation to cease to be a protected public forest;
- (c) shall **submit/inform** to the Pyidaungsu Hluttaw relating to the **constitution/determination**, cancellation, and alternation of reserved forest and protected public forest;
- (d) may recognize the natural forest and mangrove conserved **customarily (traditionally)** by the local people

8. (a) A standing teak tree wherever situated in the State is owned by the State.

- (b) The Ministry may grant permission (to any person or any organization) to own lawfully the teak trees planted in the following areas by issuing special order and directives thereof (relating to those teak trees):-

- (i) teak trees in the private teak plantation established in the forest land with permission
 - (ii) teak trees in the private teak plantation established outside forest land and registered at the Forest Department
 - (iii) teak trees in the land established as community forestry and registered at the relevant Forest Department
 - (iv) teak trees planted in the living compound/house or yard and registered at the relevant Forest Department
 - (v) teak trees planted in the private owned land, public land, religious land (area), departmental land and military land/land entitled to military and registered at the relevant Forest Department
- (c) The Ministry may:-
- (1) declare, alter or cancel according to the locality the species of reserved trees which are to be conserved by the Forest Department;
 - (2) declare, alter or cancel the categorization of hard wood species

Chapter IV

Management of Forest Affairs/ Forest Management

9. The functions and responsibilities of the Forest Department are as follows:-

- (a) implementation of the forestry(forest) policy of the Cabinet;
- (b) implementation of the plans relating to conservation of water, soil, bio-diversity and environment, sustained yield of forest produce and protection of forest covered land;
- (c) management of forest land in accordance with the provisions of this Law;

- (d) submitting proposals to the Ministry for the determination, alteration or cancellation of reserved forest, protected public forest and species of reserved tree;
 - (e) carrying out enhancement of forestry **techniques/practices**, extension and human resource development for natural resources and forest sector
 - (f) **enhancing/strengthening** forest management database system, inventorying forest resources and disseminating information to the public;
 - (g) carrying out forest research;
 - (h) supporting and supervising **in implementing community forestry**;
 - (i) determining environmental service fee for carrying out **business/economic activities/scheme** in the forest land;
 - (j) carrying out other forestry related activities assigned by the Ministry.
10. In order to carry out the forest and environment conservation work successfully, in accordance with the objectives contained in this Law, the Director-General shall draw up the following plans and submit to the Ministry:-
- (a) plan relating to the forest sector, to be used as a guideline in the Government departments, organizations and private enterprises;
 - (b) plan relating to forest administration.
11. The Director-General shall, in respect of the plans contained in section 10:-
- (a) report the progress of the implementation work annually to the Ministry;
 - (b) review from time to time and if requirements warrant alteration submit a proposal to the Ministry;
 - (c) collect and compile necessary **forest resources data/inventory data of forest resources** in the prescribed manner every ten years.
12. Whoever, within a forest land and forest covered land at the disposal of the Government:-

- (a) is desirous of carrying out any development work or economic scheme shall obtain the prior approval of the **Ministry (of Natural Resources and Environmental Conservation)**;
- (b) is desirous of carrying out educational or research work or conducting a training course or a study tour shall obtain the prior sanction of the Director-General or the Forest Officer empowered by him;
- (c) shall abide by the provisions of Environmental Conservation Law and other relevant Laws when carrying out any development work or economic scheme under sub-section (a);
- (d) is desirous of carrying out community forestry shall obtain the prior sanction of the Director-General or the Forest Officer empowered by him.

Chapter V

Establishment of Forest Plantation

13. The Director-General may, with the approval of the Ministry, establish the following plantations on a forest land or land at the disposal of the Government:
- (a) commercial plantation;
 - (b) industrial plantation;
 - (c) watershed plantation;
 - (d) mangrove plantation;
 - (e) village firewood plantation;
 - (f) other plantation.
14. The Director-General may grant permission to any person or any organization for cultivation and maintenance of the following private forest plantations in the forest land in accordance with the stipulation:-
- (a) establishing private forest plantation, with the approval of the Cabinet through the Minister, according to open tender system;

- (b) establishing private teak plantation with the approval of the Cabinet through the Minister;
 - (c) establishing perennial plantation or industrial plantation and private hard wood plantation with the approval of the Minister.
15. The Director-General may grant permission to establish with stipulation the following village-owned firewood plantations in a reserved forest or protected public forest or on land at the disposal of the Government in the **Union (territory of the State)**:-
- (a) firewood plantation established by the Forest Department for a certain period and then transferred to be maintained and used as village-owned;
 - (b) village-owned firewood plantation established, maintained and used by the villages by collective labour.
16. A person having obtained the right to extract forest produce and natural resources on a commercial scale shall carry out establishing forest plantations or natural regeneration in accordance with prescribed terms and conditions contained in the permit for the State at his own expense.

Chapter VI

Permission for Extraction of Forest Produce

17. Forest produce may only be extracted after obtaining a permit. However, if it is for personal use such as domestic use or for use in agricultural or piscatorial use not on a commercial scale, forest produce may be extracted in an amount not exceeding the quantity stipulated by the Ministry, without obtaining a permit.
18. In permitting the extraction of forest produce the Forest Department shall use the competitive bidding system if the extraction is on a commercial scale. However, extraction for the following purposes may be permitted without using the competitive bidding system:-

- (a) where extraction of forest produce and sales in and outside the country are carried out as a State-owned enterprise assigned/authorized by the Cabinet;
- (b) where the Ministry is empowered by the Cabinet in respect of the extraction of forest produce;
- (c) where forest produce is permitted to be extracted from the private plantations and community forestry;
- (d) where forest produce is permitted to be extracted from teak tree and reserved tree to which ownership granted under section 8 sub-section (b);
- (e) where non-timber forest product is permitted to be extracted on a commercial scale with the exception of special restriction by the Forest Department;
- (f) where forest produce to be used in the following works not on a commercial scale is permitted to be extracted:-
 - (i) research and educational work;
 - (ii) work beneficial to the public or religious work.

19. (a) In respect of permission for extraction of forest produce on a commercial scale:-

- (i) the Ministry may grant permission for a term which may extend to 3 years;
- (ii) the Director-General, with the approval of the Ministry, may grant permission for a term extending from over one year to 2 years;
- (iii) the State/Region Forest Officer, with the approval of the Director-General, may grant permission for a term which may extend to 1 year.

(b) The person granting permission for extraction of forest produce under sub-section (a) may, for sufficient reason, extend the term of the permit for not more than 6 months at a time and not more than twice.

20. The Director-General may, with the approval of the Ministry, determine the following in respect of the permission for extraction of forest produce:-

- (a) variety of non-timber forest products;

- (b) the species and their quantity permitted to be extracted annually in the area which attains a prescribed/specified rotation/period according to the District Forest Management Plan;
- (c) rate of royalty and other fees;
- (d) the allowed period for extraction for each category of forest produce;
- (e) the allowed number/quantity of each forest produce for extraction for personal use such as domestic use or for use in agricultural or piscatorial use, research and educational work or work beneficial to the public or religious work not on a commercial scale;
- (f) penalty to be imposed for breach of condition contained in the permit;
- (g) terms and conditions.

21. A person who has obtained permission for extraction of forest produce shall:-

- (a) abide by the conditions contained in the permit;
- (b) abide by the orders, directives, prohibitions and restrictions issued by the Forest Department in accordance with this Law;
- (c) pay the royalties, security deposits and advances due;
- (d) affix the mark after measuring in the manner prescribed or affix the property-mark which has been registered;
- (e) pay compensation (compensate the value) stipulated/determined by the Ministry for the damage to natural environment and pollution because of the extraction of forest produce.

22. The Forest Officer may permit the construction of charcoal kiln and burning of royalty-paid firewood in charcoal extracted from forest land and land at the disposal of the Government subject of prescribed conditions.

Chapter VII
Removal of Forest Produce

23. (a) A person who is desirous of moving any forest produce from one township to another within the country shall apply for a removal pass from the relevant Forest Officer empowered by the Director-General for this purpose and get permission from the same (the relevant Forest Officer) if the forest produce is furniture for domestic use;
- (b) The provision of sub-section (a) shall not apply to the following cases:-
- (i) moving forest produce within the area permitted for extraction thereof;
 - (ii) moving non-timber forest product not exceeding the prescribed quantity and not on a commercial scale;
 - (iii) moving from one township to another in a City Development area.
24. The Forest Department may establish the required revenue-stations to examine forest produce in transit and to collect the royalties due.
25. A person moving forest produce shall:-
- (a) carry the removal pass together with him;
 - (b) submit to the examination and assessment of the stipulated royalty at the relevant revenue-station.
26. (a) The Director-General shall determine the rafting stations where timber is to be rafted and floated;
- (b) A person moving forest produce shall float timber below the rafting station only in rafts in accordance with stipulation.

Chapter VIII

Disposal of Drift, Stranded and Waif Timber

27. Raft or timber floated without control is deemed to be “adrift”.
28. (a) The following timber shall be deemed to be waif timber unless and until any person establishes his right thereto within the prescribed period:
- (i) timber found adrift, stranded or sunk;
 - (ii) timber to which a registered property-mark has not been affixed;
 - (iii) timber on which a registered property-mark has been obliterated.
- (b) The forest staff has the right to collect timber, after recording them, mentioned in sub-section (a) and bring to the revenue stations or timber depots.
29. The forest officer shall dispose of the drift and waif timber in the manner prescribed.

Chapter IX

Establishment of Wood-based Industry

30. A private entrepreneur who is desirous of establishing a sawpit, chainsaw, sawmill, tongue-and-groove mill, plywood mill, veneer mill or a wood-based industry and a wood-based furniture industry or other wood-based industries prescribed by notification of the Ministry with the exception of wood-based small industries and furniture industries has the right to establish the same only after obtaining a permit from the Forest Officer empowered for this purpose.
31. The Director-General may, with the approval of the Ministry, determine the rates of royalties, and terms and conditions of the permit for the purpose of section 30.

Chapter X
Search, Arrest and Administrative Action

32. The ministry shall prescribe in the (Forest) Rules the powers relating to search, arrest, seizure and disposal of exhibits, which forest staff are authorized to exercise under this Law.
33. (a) A Forest Officer empowered by the Director-General may, in respect of forest produce seized, pass any order relating to the following administrative action to the person who has the same (such forest produce) in his possession:-
- (i) in case of seizure of teak timber not exceeding 1 ton or timber from a reserved tree other than teak timber not exceeding 1 ton, causing payment to be made of a penalty from a minimum of 100,000 kyats to a maximum of 500,000 kyats and confiscating the timber;
 - (ii) in case of seizure of timber other than timber from teak or reserved tree not exceeding 1 ton, causing payment to be made of a penalty from a minimum of 100,000 kyats to a maximum of 500,000 kyats and double the local value of the timber and releasing the timber;
 - (iii) in case of seizure of other forest produce the local value of which does not exceed 100,000 kyats other than timber, causing payment to be made of a penalty not exceeding 300,000 kyats and the local value of such forest produce and releasing the same;
 - (iv) in a case of seizure of immovable forest produce, causing payment to be made of a penalty not exceeding 300,000 kyats and double the local value of such produce and releasing the same;
- (b) No legal proceeding shall be instituted under this Law against a person who abides by the order passed under sub-section (a). Legal proceeding shall only be instituted under this Law against a person who fails to abide by the same.

34. If a person who has obtained permission to extract forest produce or his agent or his labourer violates any condition of the permit, the Forest Officer who arrests the forest produce informant, in a timely manner, to the person granting permission to extract forest produce, and the latter may pass any of the following orders:-
- (a) causing the suspension of the whole or any portion of the work carried out under the permit;
 - (b) causing payment of the prescribed penalty to be made and permitting the work to be carried on;
 - (c) cancelling the permit;
 - (d) cancelling the permit and confiscating the security deposit and advances; if it is considered necessary causing payment of the prescribed penalty.
- 35.(a) The Forest Staff may, in respect of any forest produce, keep in custody such forest produce until and unless the royalties and penalties payable to the Forest Department have been recovered;
- (b) In case of failure to pay the royalties and penalties within the prescribed period, the Forest Officer shall dispose of the forest produce kept in custody under sub-section (a) in the manner prescribed.

Chapter XI

Appeal

- 36.(a) A person dissatisfied with an order or decision made by the Township or District Forest Officer under this Law may file an appeal to the relevant State or Region Forest Officer as may be prescribed, within 30 days from the date of such order or decision;
- (b) The State or Region Forest Officer may confirm, alter or set aside the order or decision made by the Township or District Forest Officer;

- 37.(a) A person dissatisfied with an order or decision made by the State or Region Forest Officer may file an appeal to the Director-General within 60 days from the date of such order or decision;
- (b) The Director-General may confirm, alter or set aside the order or decision made by the State or Region Forest Officer.
- 38.(a) A person dissatisfied with an order or decision made by a Forest Settlement Officer or the Director-General may file an appeal to the Minister within 60 days from the date of such order or decision;
- (b) The Minister may confirm, alter or set aside the order or decision made by the Forest Settlement Officer or the Director-General;
- (c) The decision of the Minister shall be final and conclusive.

Chapter XII

Offences and Penalties

39. Whoever commits any of the following acts shall, on conviction, in respect of moving the forest produce lawfully owned, be punished with fine from a minimum of 300,000 kyats to a maximum of 700,000 kyats, and releasing the forest produce to the lawfully owner:-
- (a) moving without a removal pass;
- (b) moving other area with the exception of the destination described in the removal pass
- 40.(a) Whoever commits any of the following acts shall, on conviction, be punished with imprisonment for a term not exceeding 1 year or with fine not exceeding 300,000 kyats or with both;
- (i) trespassing and encroaching and domesticating the animals in the forest land;

- (ii) pasturing the domesticated/domestic animals or permitting domestic animals to trespass in the forest land;
- (iii) breaking up, clearing, digging or causing damage to the original condition of the land, with intention, without a permit in the forest land;
- (iv) causing damage intentionally to a water-course in the forest land;
- (v) moving forest produce without submitting to examination at the revenue station;
- (vi) using electric current, chemicals or explosives in the water, poisoning the water in the forest land;
- (vii) extracting, moving or keeping in possession any non-timber forest product without a permit with the exception of permission under any existing law

(b) An offender who commits any provision under sub-section (a) i, ii, and iii shall be convicted and human, animals, movable or immovable materials (tools and implements) in respect of which the offence has been committed shall be displaced/removed from forest land and handed it over to the Ministry within 30 days from the day of such order or decision.

41. Whoever commits any of the following acts shall, on conviction, be punished with imprisonment for a term not exceeding 2 years or with fine which may extend from a minimum of 300,000 kyats to a maximum of 500,000 kyats or with both;

- (a) extracting, moving, keeping in possession unlawfully timber from other tree with the exception of (other than) teak and reserved tree, without a permit;
- (b) injuring, girdling, felling, cutting or tapping any tree with the exception of (other than) teak and reserved tree in forest land, without a permit;
- (c) selling or utilizing in other works, forest produce extracted under section 18 sub-section (f);
- (d) injuring forest in the forest land by fire;

(e) causing damage or destroy forest plantation established by the Ministry or the same established by any individual person or organization with the approval of the Director-General;

(f) constructing a charcoal kiln or burning charcoal without a permit.

42. Whoever commits any of the following acts shall, on conviction, be punished with imprisonment for a term not exceeding 7 years or with fine which may extend from a minimum of 500,000 kyats to a maximum of 1,000,000 kyats or with both;

(a) felling, cutting, extracting, moving or keeping in possession unlawfully reserved tree other than teak without a permit;

(b) establishing and operating a saw pit, saw-mill, tongue-and-groove mill, plywood mill, veneer mill, or a wood-based industry with the exception of wood-based small industries and furniture industries, keeping in possession chainsaw without a permit;

43.(a) Whoever extracts, moves or keeps in possession over 1 tonne of teak timber, without a permit, shall be punished with imprisonment which may extend from a minimum of 5 years to a maximum of 15 years and in addition, may be punished with fine not exceeding 3,000,000 kyats;

(b) Whoever girdles, fells, cuts any teak tree in the forest land or land at the disposal of the Government, without a permit, shall be punished with imprisonment which may extend from a minimum of 5 years to a maximum of 15 years and in addition, may be punished with fine not exceeding 3,000,000 kyats;

(c) Whoever girdles, fells any teak tree growing or standing upon land other than forest land and land at the disposal of the Government, other teak tree other than teak tree to which ownership granted lawfully under section 8 subsection (b), without a permit, shall be punished with imprisonment for a term not exceeding 5 years or with fine which may extend from a minimum of 200,000 kyats to a maximum of 600,000 kyats or with both;

(d) Whoever marks, lops, taps without a permit or injures, by any other means, teak tree which is not registered (in accordance with stipulation) other than teak tree to which ownership granted lawfully under section 8 sub-section (b), shall be punished with imprisonment for a term not exceeding 1 year or with fine which may extend from a minimum of 200,000 kyats to a maximum of 300,000 kyats or with both;

(e) Whoever girdles, fells, cuts teak tree to which ownership granted lawfully under section 8 sub-section (b) without a permit, shall be punished with imprisonment for a term not exceeding 6 months or with fine which may extend from a minimum of 50,000 kyats to a maximum of 100,000 kyats or with both.

44. Whoever commits any of the following acts shall, on conviction, be punished with imprisonment for a term not exceeding 5 years or with fine which may extend from a minimum of 300,000 kyats to a maximum of 1,000,000 kyats or with both;

(a) having in his possession or counterfeiting a marking hammer used by forest staff; having in his possession a counterfeit marking hammer or affixing a mark on the forest produce with counterfeit marking hammer;

(b) unlawfully affixing a mark on the forest produce with a marking hammer used by the forest staff or with a property marking hammer;

(c) altering, defacing or obliterating any mark affixed on the forest produce by the forest staff or by a person delegated and supervised by him;

(d) altering, moving, destroying or defacing any boundary-mark of a forest land without permission.

45. Any forest staff who, by misusing the power conferred on him under this Law, vexatiously and wrongfully seizes any forest produce shall be punished with imprisonment for a term not exceeding 1 year or with fine which may extend from a minimum of 30,000 kyats to a maximum of 100,000 kyats or with both and may pay as damages to the person whose property has been wrongfully seized, the whole or any portion of the fine imposed.

46. Any forest staff who, by reason of his power, accepts from any person cash or kind and participates and conspires in extracting, moving or unlawfully having in possession forest produce in a wrongful manner shall be punished with imprisonment which may extend from a minimum of 1 year to a maximum of 10 years.
47. The convicting Court shall, in respect of any legal proceeding instituted with the exception of section 39, award punishment for the relevant offence and in addition:-
- (a) shall pass order for confiscation of all forest produce in respect of which the offence has been committed;
 - (b) may pass order for the confiscation of vehicles/vessels, animals and other machinery, tools and implements used in the commission of the offence;
 - (c) shall pass order for the value of the loss and damage to the Forest Department as a result of the commission of the offence, to be paid by way of compensation to the Forest Department.

Chapter XIII

Miscellaneous

48. The offence contained in chapter 12 is determined as the cognizable offence.
49. The Court shall hand-over the confiscated forest produce to the Forest Department.
50. (a) The Minister may delegate the powers conferred on the Ministry under this Law to the Director-General;
- (a) The Director-General may delegate the powers conferred on him under this Law to the Forest Officers.
51. The Ministry has the right to declare, by notification, the uniform and armed equipments, tool, and implements which forest staff are authorized to use

under this Law in order to protect and support him in carrying out search, arrest and field operations with the approval of the Cabinet.

52. All money payable to the Forest Department under this Law shall be recovered as if it were an arrear of income tax. A Forest Officer who has been assigned responsibility by the Ministry for this purpose shall exercise the powers of a Collector under the existing laws.
53. When a request is made by the Forest Staff for assistance in the performance of their duties, the Myanmar Police Force shall render necessary assistance.
54. In a case where administrative action is taken or, in a case where a legal proceeding is instituted under this Law, the burden of proving lawful ownership or lawful right of possession in respect of the forest produce shall lie on the person against whom action is taken.
55. The reserved forests and protected public forests existing under the Forest Law, 1992 (The State Law and Order Restoration Council Law No. 8/92) shall be deemed to be reserved forests and protected public forests (the same) constituted under this Law.
56. Rules, notifications, directives issued under the Forest Law, 1992 (The State Law and Order Restoration Council Law No. 8/92) may continue to be applicable in so far as they are not inconsistent with this Law.
57. For the purpose of carrying out the provisions of this Law:-
 - (a) The Ministry may issue rules, regulations and by-laws with the approval of the Cabinet.
 - (b) The Ministry and the Forest Department may issue notifications, orders, directives and procedures.
58. The Forest Law, 1992 (The State Law and Order Restoration Council Law No. 8/92) is hereby repealed.

I hereby sign under the Constitution of the Republic of the Union of Myanmar.

(Sd.) Win Myint

President of the Union

Republic of the Union of Myanmar