

the rules and conditions relating to such depots, notified from time to time in the Gazette.

4. Where any specified route or routes for the transport of major forest produce from or within any Province has been prescribed by the Conservator of Forests by notification published in the Gazette, no person shall transport major forest produce of any description from or within such District by any route other than the route or routes so prescribed :

Provided that it shall be lawful for the officer issuing the permit to exempt from the operation of the preceding provisions of this regulation any major forest produce which is to be transported only within the limits of the area under his own control.

5. (1) The Conservator of Forests may by notification published in the Gazette for the purposes of section 24 (1) (b) of the Ordinance specify any area as an area within, into or out of which, timber of any species specified in that notification shall not be transported without a permit issued by an officer authorised in that behalf.

(2) No person shall, within or out of any such area transport or cause to be transported timber of any species specified in such notification without a permit issued by a forest officer authorised in that behalf by the Conservator of Forests or without a permit issued by an employee of the State Timber Corporation authorised in that behalf by the Chairman of the State Timber Corporation.

(3) No person shall transport timber of any species specified in a notification made under paragraph (1) of this regulation from an area other than an area specified in such notification into or through an area specified in such notification without a permit issued by a forest officer not below the rank of Range Forest Officer, Assistant Government Agent or Divisional Revenue Timber Officer or employee of the State Timber Corporation stationed within the first-mentioned area.

6. Every permit issued under the preceding regulations shall be in such form as may be approved for the purpose by the Conservator of Forests or the Chairman, State Timber Corporation.

7. No permit shall be issued--

(a) for the transport of timber until each tree has been felled and logged for that purpose ; or

(b) for the transport of any major forest produce other than timber until such produce has been made up into bundles or packages ready for transport.

8. It shall be the duty of the holder of a permit for the transport of major forest produce, to produce such permit for inspection and endorsement on demand by any forest officer, police officer, or employee of the State Timber Corporation, except a Depot Officer and to give all such information concerning such major forest produce or timber as is within his knowledge whenever called upon so to do.

9. (1) Where any permit issued for the transport of private timber from any area has expired before such timber has been so transported, the transport of such timber shall not be commenced or continued until the owner or other person for the time being in charge of the timber has obtained an extension of the time allowed in the permit.

(2) No extension of time beyond a period of one month from the expiration of the permit under paragraph (1) shall be allowed in any case.

10. All major forest produce in respect of which no permit as hereinbefore provided is produced, shall be stopped in transit by any police officer, forest officer or employee of the State Timber Corporation except a Depot Officer who shall thereupon detain, examine, and mark, such forest produce and report the matter to his superior officer or to the Divisional Forest Officer of the area.

THE FOREST ORDINANCE

REGULATIONS made by the Minister of Lands and Land Development by virtue of the powers vested in him by section 24(1) of the Forest Ordinance (Chapter 451), as amended by Act No. 13 of 1966 and Act No. 56 of 1979.

GAMINI DISSANAYAKE,

Minister of Lands and Land Development.

Colombo, 7th November, 1979.

REGULATIONS

1.(1) These regulations may be cited as the Forest Regulations, No. 2 of 1979.

(2) These regulations shall apply in relation to the Transit of Forest produce.

2. (1) Save as provided by rules made under section 20 of the Ordinance, no person shall transport or cause to be transported any forest produce from any State land in any part of Sri Lanka except under the authority of a permit issued in that behalf by a forest officer or employee of the State Timber Corporation or otherwise than in accordance with the conditions of such permit.

(2) Nothing in the preceding provisions of this regulation shall apply to the transport from any State land situated within an area specified in any notification under regulation 5, of timber of any species specified in that notification.

3. No forest produce shall be exported from Sri Lanka except from ports which have been proclaimed as such under the Ordinance relating to the regulation of Customs in Sri Lanka and from such port, outbay, or shipping depots, established for the shipping and export of timber, or otherwise than in accordance with

11. The Divisional Forest Officer of any Division or the Government Agent of any Administrative District may nominate any place within his Division or District, as the case may be, where any major forest produce, seized in transit, may be brought pending the order of a Magistrate as to the final disposal of such produce, or may, in his discretion, direct that such produce shall be in charge of the officer seizing it or any other officer.

12. (1) The Conservator of Forests may with concurrence of the Government Agent of any Administrative District establish or nominate checking stations on any roads or rivers in that District and for that purpose may cause to be constructed booms, chains, toll-bars, or any other device.

(2) Where any boom, chain, toll-bar or similar device has been constructed under paragraph (1), the fact of such construction shall be notified in the Gazette for general information.

13. It shall be the duty of every person having charge of timber or major forest produce in transit to stop at each checking station on his route and surrender his permit to the officer in charge of such station, and that officer shall, after checking such timber or major forest produce, give in lieu of the permit so surrendered, a checking station permit, in such form as may be approved for the purpose by the Conservator of Forests and signed by himself, to authorise the transport of the timber or major forest produce beyond his checking station.

14. The Conservator of Forests or any officer authorised by him for the purpose may authorise the officer in charge of any checking station to do all such acts as may be necessary for the due enforcement of the Provisions of the Ordinance and of these regulations and to accept any moneys which may be due to the State in respect of any major forest produce brought to such checking station.

15. (1) Any timber, which is the property of the State, may be transported across any land and all acts necessary for such transport may be done under the written authority of the Government Agent or any other forest officer duly authorised in that behalf.

(2) Where any damage is done to private property by reason of the transport of timber, which is the property of the State, compensation shall be paid to the owner of such property upon assessment of such damage by a Divisional Revenue Officer, or any other officer duly authorised thereto in writing by the Government Agent.

(3) No person shall obstruct or otherwise interfere with the transport of such timber across any land if the transport is being done by or under the authority of an officer authorised to do such transport.

16. No person who is not duly authorised in writing shall in any way close up or obstruct, or do any act tending to close up or obstruct the channel of any river, stream or waterway used for the transit of timber.

17. No person in charge of any forest produce in transit on any river, stream, or waterway shall permit such forest produce to float or to be floated in such manner as to cause any damage to any bridge, lock, causeway, or other public works or to the banks of such river, stream, or waterway.

18. Any police officer, forest officer or employee of the State Timber Corporation may seize and detain any forest produce, together with any boat, or raft, used in the transport of such produce, which is or which may have been floated in contravention of regulation 17 and shall report such seizure or detention to his superior officer or to the Divisional Forest Officer in whose Division such produce has been seized or detained.

19. Any police officer, forest officer or employee of the State Timber Corporation may prevent or remove any obstruction, other than a barrier set up by a duly authorised officer, in the channel of any river, stream,

or waterway used for the transit of timber and the cost of any such removal may be recovered from the person or persons, or by the sale of any timber, causing such obstruction.

20. (1) No person shall, except on the authority of a permit issued in that behalf establish a saw pit or a saw mill within any forest.

(2) Every permit issued under paragraph (1) shall be in such form as may be approved for the purpose by the Conservator of Forests.

21. (1) No person, other than a forest officer or a person entitled to use a duly registered property mark, shall mark any timber or possess or carry any implements for marking timber.

(2) No person, other than a forest officer duly empowered in that behalf, shall supermark or alter or efface any mark on any timber.

22. Any person duly authorised to cut or transport timber from a State forest or any purchaser of State timber may be required to mark his timber with a special mark side by side with the Government property mark and side by side with the Government sale mark.

23. (1) All property marks shall be registered at the office of the Conservator of Forests in the District in which they are to be transported.

(2) No person shall register a mark already registered in favour of another person, or any mark used by Government.

(3) A fee of five rupees shall be payable to the Government for the registration of each property mark.

(4) Every such registration shall be valid for a period of one year from the date of registration.

(5) A certificate, showing the mark registered and the date of its registration and acknowledging payment of the fee, shall be given to every person registering his mark by the Forest Officer in charge of the Forest Division in which such mark is registered.

(6) "Property Mark" in these regulations does not include a property mark registered under the regulations relating to the registration of timber depots.

24. Any person who holds a valid certificate of registration of a property mark may, for the period for which the registration is valid possess and use stamping hammers bearing the mark registered in his name.

25. Every permit issued under the preceding provisions of these regulations shall be subject to such conditions as may be specified in such permit and any infringement of any such condition shall be deemed to be an offence punishable under section 25 of the Ordinance.

26. The regulations published in Gazette Extraordinary No. 14,710/7 of August 29, 1966, as subsequently amended are hereby rescinded.

27. In these regulations, unless the context otherwise requires--

"Depot Officer" means a Depot Officer of Grades I, II and III of the State Timber Corporation,

"employee of the State Timber Corporation" means Chairman, Working Director, General Manager, Operations Manager, Deputy Operations Manager, the Regional Manager of the administrative region, the Assistant Regional Manager of the administrative sub-region, a Coupe Officer, or a Depot Officer;

"firewood" means timber not exceeding 3 feet in length and not exceeding 18 inches in girth at either end, of any species except those set out in Schedules I and II of the Forest Ordinance but excluding the branch wood of such species conforming to the above specifications;

"Government Agent" with reference to an Administrative District includes an Additional Government Agent, Assistant Government Agent or Divisional Revenue Officer of such Administrative District;

"major forest produce" means timber and firewood, root of trees, charcoal, tusks, shed horns, seeds of nux vomica, and the barks of cassia (ranawara or avaram) and Rhizophora (kaḍol);

"minor forest produce" means all forest produce other than "major forest produce";

"Ordinance" means the Forest Ordinance; and

"permit" includes cash sale invoice, advice note of despatch, transfer note or credit sale invoice issued by an employee or an authorized agent of the State Timber Corporation.

"forest produce" means major and minor forest produce.