

THE FOREST REGULATIONS, 2001

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THE FOREST ACT

REGULATIONS
(under section 37)

THE FOREST REGULATIONS, 2001

(Made by the Minister on the 2nd day of August, 2001)

L.N. 121/2001

Preliminary

1. These Regulations may be cited as the Forest Regulations, 2001.

Citation.

2.—(1) In these Regulations—

Interpretation.

“calendar year” means a year ending on the 31st of December;

“community catchment” means a sub-watershed—

- (a) of manageable size, the boundaries of which fall within either a forest estate or private land, or both;
- (b) in the vicinity of a local community; or
- (c) which produces water—
 - (i) for a local gully, stream, river or wetland; or
 - (ii) for the local community either directly from a surface stream, or from an underground source;

“designated forest officer” means a person designated by the Conservator, pursuant to section 3 (3) of the Act to be a special forest officer in relation to forest management area or land leased from the Commissioner of Lands;

“forest estate” means a forest reserve, or any other land managed by the Forestry Department pursuant to the Act;

“forest practice” means logging, timber removal, tree planting or any activity prescribed by the Conservator by order;

“forest road” means any road or trail in a forest estate or in a forest management area;

“portable power saw” means any power driven saw (including Alaskan saws) operated manually or any pit or whip saw, capable of felling, cross-cutting or pruning trees or timber or converting a tree or timber into sawn wood or boards;

“road permit” means a permit issued under regulation 5;

“sawmill” means any power driven saw whether circular saw, band saw, or any other type of saw capable of being used for cross-cutting, or sawing timber into board or planks;

“watershed” means a region or land area drained by a single stream, river or drainage network;

“weapon” means any gun, chemical or slingshot or other mechanism used to kill or capture fauna.

(2) Any reference in these Regulations to standards shall be construed as a reference to guidelines specified by the Conservator for improving efficiency in forest practices or for the protection of the environment.

Identity cards
for authorized
officer.

3.—(1) The Conservator shall ensure that each authorized officer is furnished with an identity card containing a recent photograph of the holder.

(2) A person who ceases to be an authorized officer shall forthwith surrender the identity card to the Conservator.

(3) A person who fails to comply with subsection (2) commits an offence and is liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding five thousand dollars.

Forest
Management
Plan.

4.—(1) A forest management plan shall, without prejudice to section 8 of the Act, contain the following particulars—

- (a) maps showing the boundary of each forest estate and the surrounding community catchment;
- (b) the location of any dams, water supply intakes and other infrastructure;
- (c) maps and schedules describing the size, shape and location of land or blocks of land—
 - (i) required to be reforested; and
 - (ii) suitable for harvesting during the period of the plan;
- (d) silvicultural plans and prescriptions for the land to which the plan relates; and natural forest;
- (e) provision for protection of wildlife, water and soil.

(2) In preparing each forest management plan the Conservator shall consult with government agencies and other relevant groups and thereafter submit the draft plan to the Minister for approval.

(3) Before giving formal approval of a draft plan, the Minister shall

cause notice of it to be published in three issues of a daily newspaper published and circulating in Jamaica, at intervals of not less than seven or more than ten days—

- (a) specifying that a draft of the plan has been prepared;
- (b) the land to which it relates;
- (c) specifying a place where the draft plan may be inspected without fee for such period (not being less than fourteen days after the last publication of the notice) as may be specified upon such days and at such times as may be so specified; and
- (d) inviting members of the public to make written comments on the provisions of the draft plan.

(4) Copies of a draft plan and of an approved Forest Management Plan may be made available for sale to members of the public at such price as may be determined by the Minister.

Forest Roads

5.—(1) No person shall, unless he is the holder of a valid permit issued by the Conservator, use a road in any forest estate—

Use of roads on forest estates, road permits.

- (a) for the transport of any forest produce; or
- (b) for any forest practice not authorized by the Conservator;
- (c) any other commercial use.

(2) Every application to the Conservator for the issue or renewal of a road permit shall be in such form as may be prescribed by the Conservator in the First Schedule and shall be accompanied by the fee specified in the Second Schedule.

First Schedule
Second Schedule.

(3) The Conservator may, in his discretion, grant a road permit which shall be valid for such period, not exceeding three months, as may be specified therein.

- (4) A road permit shall not be transferable by the holder thereof.
- (5) Where a road permit is related to timber extraction, it shall be—
 - (a) endorsed with the same serial number as the marked timber; and
 - (b) carried by the person to whom it is issued while removing and transporting timber or forest produce.

6. If, in the opinion of the Conservator, the use of a road is likely to cause significant damage to the road or the forest estate, or endanger life or property, or if the presence on the road of a vehicle or animal is likely to cause significant damage to the road or forest estate, or endanger life or property, or if the road no longer serves the purpose for which it was

Authority to close or restrict use of a road.

constructed, the Conservator may—

- (a) close or restrict the use of the road; or
- (b) remove the vehicle or animal at the expense of the owner.

Construction or
modification of
road in forest
reserve.

7. A person shall not construct or modify a road or trail in a forest estate or forest management area unless the construction or modification has been authorized by the Conservator in writing, and—

- (a) the road or trail is identified in an approved forest management plan; and
- (b) the road layout design has been approved by the Conservator.

Road
maintenance.

8. A person who uses a road under the authority of a road permit, may be required to maintain the road in accordance with the requirements of—

- (a) standards set by the Conservator; and
- (b) the road permit.

Permission to
connect private
road to
forest road.

9. No person shall connect a private road to a road in a forest without the consent in writing of the Conservator.

Not a public
highway.

10. Subject to the provisions of these Regulations and notwithstanding any previous use by the public, a road constructed, modified or maintained within a forest estate shall be used only as a forest road, and shall not be used as a public highway, except and unless it is declared as such under the Main Roads Act.

Exclusion of
claim for
damages.

11. No claim for damages may be made by any person using a forest road on account of damage resulting from a defect in the construction, improvement or maintenance of the road or for any other reason relating to the condition of the road.

Penalty re use
of roads.

12. Any person who—

- (a) contravenes the provisions of regulation 5 (1), (4) or (5);
- (b) uses a road in contravention of any clause or restriction on the use of a road pursuant to regulation 6;
- (c) constructs or modifies a road or trail in contravention of regulation 7;
- (d) fails to maintain a road as required pursuant to regulation 8;
- (e) contravenes the provisions of regulation 9 or 10,

commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars or in default of payment to imprisonment for a term not exceeding twelve months.

Forest Fires

13.—(1) Subject to paragraph (2), a person shall not light, or make use of an open fire or charcoal kiln in or within 1 km of a forest estate, forest management area or protected area except in compliance with a burning permit issued under these Regulations.

Burning permit.

(2) Paragraph (1) shall not apply where the fire is being used—

- (a) for the purpose of cooking in accordance with standards established by the Conservator;
- (b) by an authorized person for the purpose of suppressing or controlling fires in a forest estate, forest management area or protected area.

14.—(1) Except for the purpose of starting a fire in accordance with regulation 13 (2), a person shall not—

Prohibition of burning substance.

- (a) drop a burning substance in or within 1 km of a forest estate; or
- (b) in a forest estate smoke a lighted cigarette, cigar, pipe or any other matter used for smoking.

(2) A person who contravenes paragraph (1) shall immediately take all reasonable steps to extinguish the burning substance.

15.—(1) A person shall take the actions required under paragraph (2) if, or within 1 km of a forest estate, the person—

Obligation of person starting fire.

- (a) starts or causes a fire, otherwise than as permitted by regulation 13; or
- (b) allows a fire permitted pursuant to regulation 13(2) to spread beyond the area authorized or otherwise to become out of control.

(2) A person to whom paragraph (1) applies shall—

- (a) immediately take all steps to extinguish the fire, if the fire can be extinguished, and after that promptly to report the fire; or
- (b) if it appears that fire cannot be extinguished by the person, immediately report the fire.

(3) A fire is reported when it is made known to an authorized officer.

16.—(1) An authorized officer may issue a burning permit containing conditions that are in accordance with these Regulations and standard approved by the Conservator.

Issuing of burning permit.

(2) Every application for the issue or renewal of a burning permit shall be in the appropriate form prescribed by the Conservator, in the First

First Schedule.

Second
Schedule.

Schedule, and shall be accompanied by the fee specified in the Second Schedule.

Penalty re
forest fires.

17. A person who contravenes the provisions of regulation 13 or 15 commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months.

Trespass

Cattle
trespass.

18.—(1) Without prejudice to the generality of section 31(2) of the Act, no person shall, unless he is the holder of a valid road permit issued by the Conservator, cause any cattle or livestock to wander, stray or be tethered or driven on to a forest estate, protected area or forest management area.

(2) Where an authorized officer has reasonable cause to believe that a person has contravened section 31 of the Act, the officer may—

- (a) drive the cattle from the forest estate, protected area or management area; —
- (b) round up, seize and hold the cattle;
- (c) sell the cattle or where relevant, the carcass thereof, if, after twenty-four hours of the discovery of the contravention, no person has claimed ownership of the cattle;
- (d) destroy or slaughter the cattle if—
 - (i) the safety of the authorized officer or some other person in his presence is threatened by an animal that is being driven, round up, seized or held;
 - (ii) it is impractical to round up and hold the cattle; or
 - (iii) the destruction or slaughter will constitute humane treatment in the particular circumstances.

(3) If the cattle is sold under paragraph (2) (c)—

- (a) the purchaser acquires absolute ownership of the cattle, whether live or slaughtered;
- (b) the proceeds of sale (less the cost incurred for driving, rounding up, seizing, holding and selling the cattle, and the cost of the damage done to trees) shall be paid to such person as may—
 - (i) provide, to the satisfaction of the authorized officer, evidence that he owned the cattle immediately prior to the sale; and
 - (ii) apply in writing, within three months after the sale, to the authorized officer for payment of the net proceeds of sale; and

- (c) where payment of proceeds from the sale is not made under paragraph (b) those proceeds shall be paid into the Consolidated Fund.

19.—(1) For the purpose of granting permission pursuant to section 31(3) of the Act (exemptions from punishment in specific circumstances) the Conservator shall have regard to the provisions of section 6 of the Act (purpose of the forest reserve).

Trespass by people.

(2) The Conservator or an authorized officer may, in a notice to a person who contravenes section 31 (1) or (2) of the Act (offences), require that person to—

- (a) remove, destroy, or vacate any unauthorized building, or shelter; or
- (b) remove or destroy any crops or other evidence of unauthorized agricultural activity; or
- (c) restore the land to the condition that existed before the construction or unauthorized agricultural activity was carried out.

20. A person who contravenes the provisions of regulation 18 (1) or 19 (2) shall be guilty of an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding twelve months.

Penalty re regulation 18 or 19.

21. A person convicted of an offence under these Regulations or the Act shall, in addition to any penalty for which he may be liable for the offence, be liable to pay the cost of repairing or restoring any damage done to a forest estate, protected area or forest management area or to any plant or tree growing therein or to any property of the Forestry Department affected by the commission of the offence.

Costs of restoration.

22.—(1) An application for a licence or permit for a timber licence shall be in the form prescribed as Form 5 in the First Schedule.

Application for timber licence. First Schedule.

(2) Every application under paragraph (1) shall be made to the Conservator and shall be accompanied by the application fee specified in the Second Schedule.

Second Schedule.

(3) The Conservator may, in his discretion, grant a timber licence or permit subject to such conditions as may be specified therein, including, without prejudice to the generality of the foregoing, conditions relating to—

- (a) the measurement, checking and marking by an authorized offices of all timber cut or removed pursuant to the licence or permit;
- (b) the payment of a security deposit;

- (c) the payment by the holder of the licence of any stumpage fees and royalties determined pursuant to regulation 69;
- (d) an approved logging plan.

(4) A person who fails to comply with any condition imposed pursuant to paragraph (3) shall be guilty of an offence.

Removal of timber from crown land, forest estate or protected area. First Schedule. Second Schedule.

23.—(1) An application for a permit to remove timber and forest produce shall be in the form prescribed as Form 7 in the First Schedule.

(2) Every application under paragraph (1) shall be made to the Conservator and shall be accompanied by the fees specified in the Second Schedule.

(3) Where a person removes or attempts to remove any timber or forest produce from Crown Lands, forest estate or any protected area he shall upon request, produce his permit to remove timber or forest produce, as the case may be, for inspection by an authorized officer.

(4) A person who contravenes paragraph (3) shall be guilty of an offence.

Permit to transport or use portable power driven saw.

24.—(1) A person shall not carry, transport or use any form, type or make of portable power driven saw in any forest reserve or protected area, or forest management area without a valid permit issued by the Conservator whose decision will be guided by the following provisions of this regulation.

(2) Applications for permits to use portable power saws in forest reserves, forest management area or protected areas shall only be approved to holders of valid timber licences and removal permits.

(3) The duration of an approved permit under this regulation shall not exceed a period of six months or the period of the timber licence or timber permit, whichever is the shorter.

(4) Where, on the application of any person the Conservator is satisfied that it is desirable so to do, the Conservator may, in his discretion, grant a permit for transport and use of a portable power saw within a 5 km radius outside of a forest estate or protected area, for a period, in each case, not exceeding six months.

(5) A person apply for a permit to use a portable power saw pursuant to this regulation shall pay the fee specified in the Second Schedule.

(6) The Conservator may renew a permit granted under this regulation, subject to such conditions as may be specified therein and on payment of the fee specified in the Second Schedule.

Sawmill licence and permit.

25.—(1) A person shall not, unless he holds a valid licence for the purpose issued by the Conservator pursuant to section 28 of the Act and to this regulation and has paid the fee specified in the Second Schedule—

- (a) drive, transport or use in any place, a sawmill of any type or make; or

- (b) being the owner of a sawmill, authorize or instruct any other person to use or operate the saw; or
- (c) trade, store or purchase locally produced lumber.

(2) A sawmill licence shall expire at the end of the calendar year in which it is issued and may be renewed, with effect from the ensuing 1st January on an application made on or before that date.

26. A timber licence or sawmill licence shall not be issued until the applicant has satisfied the Conservator that—

Restrictions on issue of licences.

- (a) the applicant is the holder of a Tax Registration Number; and
- (b) the applicant holds a valid factories registration certificate in accordance with regulations made under the Factories Act.

27.—(1) Where a person contravenes any of the terms of a licence or permit issued pursuant to these Regulations, the Conservator may, with respect to any such licence or permit—

Non-compliance with licences or permits.

- (a) suspend it indefinitely or for a fixed period; or
- (b) cancel it; or
- (c) reduce its term; or
- (d) where applicable, forfeit or realize upon any security deposited by the holder pursuant to regulation 22 (3) (b).

(2) Paragraph (1) (d) applies where the holder of the licence or permit—

- (a) fails to cut the authorized volume or hectares of timber;
- (b) harvests more timber than is authorized in the licence;
- (c) fails to pay Forestry Department charges as they become due;
- (d) fails to comply with any of the terms and conditions of the licence or permit;
- (e) fails to carry on operations in accordance with his approved logging plan; or
- (f) contravenes any of the provisions of the Act or these Regulations.

(3) The Conservator may reinstate a suspended or cancelled licence or permit upon application by the holder within sixty days of the date of suspension or cancellation if the Conservator is satisfied that the holder has reasonably complied with any order that the Conservator has made for the purpose of reinstating the licence or permit.

Variation of
timber licence
or permit.

28. Where, in the opinion of the Conservator, it is in the public interest to change any provision or condition or the area of a timber licence or permit, the Conservator may—

- (a) serve a notice of his intention to do so by registered mail on the holder of the licence or permit; and
- (b) thirty days after the date of dispatch of the notice make such changes in the licence or permit as he thinks fit.

Records to be
kept by
licences, etc.

29.—(1) The holder of a timber licence shall keep accurate records in accordance with the terms and conditions of the licence concerning the quantity, source and species of timber, its dimensions and measurement and shall produce the records or information at the request of an authorized officer.

(2) A person, including a purchaser or sawmill operator, owner or manager dealing in locally produced timber, logs, fence posts or forest produce of any kind, shall—

- (a) keep an accurate record of—
 - (i) all timber and forest produce purchased or sawn, whether from privately owned land or from forest estates; and
 - (ii) the species, sources, dimensions and measurement; and
- (b) shall produce the records and relevant information at the request of an authorized officer.

Enforcement

Seizure.

30.—(1) An authorized officer may seize and detain any timber or forest produce by attaching one copy of a notice of seizure in the prescribed form to a conspicuous part of the timber or forest produce and where necessary affixing the appropriate hammer mark to the timber or forest produce where—

- (a) the person in actual possession or control of the timber or forest produce refuses or fails to inform the authorized officer of the name and address of the person from whom the timber product was received, or any fact known to him respecting the source of the product; or
- (b) the authorized officer believes, on reasonable grounds, that any Forestry Department charges payable in respect of the timber have not been paid; or
- (c) the authorized officer believes, on reasonable grounds, that the timber or forest produce was cut on a forest estate or protected area but not under authority of the required permit or licence.

(2) Any timber or forest produce seized under paragraph (1) may be removed to any place the authorized officer considers necessary for the safe keeping of the timber or produce, and if the produce is seized when in the possession of a carrier—

- (a) it shall be removed by the carrier to any place the authorized officer may direct; and
- (b) if the Conservator is satisfied that the carrier is not an accomplice in the matter, the Conservator shall be liable for any reasonable costs for transporting the timber.

(3) Where timber liable to seizure under this regulation has been so mixed as to render it impractical or difficult to distinguish the timber from other timber with which it is mixed, then all of the timber may be seized and detained.

(4) Any person who obstructs an authorized officer in the performance of his duty under this regulation or furnishes false information to him shall be guilty of an offence.

31.—(1) Where a seizure is made pursuant to regulation 30, a copy of the notice of seizure shall be served within ten days of the date of the seizure—

Notice of seizure.

- (a) on the person in actual or apparent possession of the produce, in the case of seizure made under regulation 30 (1) (a); and
- (b) on the holder of the licence or permit, as the case may be, in the case of seizure made under regulation 30 (1) (b) or (c).

(2) Service of a notice on any person under paragraph (1) may be effected by—

- (a) delivering it to him personally;
- (b) leaving it with a responsible person at his place of residence; or
- (c) mailing it by registered mail to his last known address.

(3) A notice served by registered mail shall be deemed to be served seven days after the day the notice was mailed.

32. Where timber or other forest produce has been seized and—

- (a) no person is in actual or apparent possession or control thereof;
- (b) no notice of seizure has been served; and
- (c) no claim is made in writing to the Conservator for recovery within thirty days from the date of seizure,

Forfeiture of seized timber and other produce.

the timber or other forest produce shall be forfeited to the Crown and may be dealt with at the discretion of the Conservator.

Interference
with seizure

33. Any person who, without the Conservator's consent, interferes in any manner with—

- (a) any seized timber or forest produce; or
- (b) any notice of seizure attached thereto,

shall be guilty of an offence.

Right of entry

34.—(1) An authorized officer has the right, without a search warrant, while in the performance of his duties, at any reasonable time to enter into and upon any lands and premises other than a private dwelling to obtain any timber or forest information concerning the quantity, species or source of any timber or forest produce.

(2) Any person who obstructs an authorized officer in the performance of his duty under paragraph (1) shall be guilty of an offence.

Right to
search
vehicles and
to request
information.

35.—(1) An authorized officer may stop and search without a search warrant, any vehicle on or off any road or highway for the purpose of enforcing the provisions of these Regulations.

(2) Every person operating or travelling on or accompanying any vehicle referred to in paragraph (1) shall upon request, provide an authorized officer with information as to his name, address, destination, delivery address and any other information requested from him pertaining to his duties and to the extent to which his duties relate to forest matters.

(3) A person who fails to comply with a request of an authorized officer pursuant to paragraph (1) or (2) or furnishes false information to the authorized officer shall be guilty of an offence.

Private land
adjacent to
forest estate
and protected
area.

36.—(1) Before a person cuts or removes timber from private land adjacent to a forest estate, Crown land or protected area, the person shall ascertain the boundaries of the private land.

(2) Before an owner or occupier of private land that is adjacent to a forest estate, Crown land, or protected area authorizes another person to cut or remove timber from the private land, the owner or occupier shall inform that other person of the boundaries of the private land.

(3) Any person who contravenes paragraph (1) or (2) shall be guilty of an offence.

Removal of
forest
produce.

37. A person shall not, except with the written permission or permit of the Conservator, in any forest estate or protected area—

- (a) damage, dig, remove any sand, gravel, rock or stone;
- (b) cut, damage, dig, remove or collect any plant, shrub, creeper or vine or any rare or endangered species including orchids;

(c) engage in any quarry or mining activity.

38. Except with the written permission or permit of the Conservator a person shall not—

Protection of fauna.

- (a) catch, collect, hunt, shoot or kill any birds or other wildlife; or
- (b) carry or transport any weapons in any forest estate or protected area that has been declared to be a wildlife sanctuary.

39. A person who contravenes any of the provisions of regulation 24, 25, 29, 37 or 38 commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars and in default of payment to imprisonment for a term not exceeding one year.

Penalties re regulation 24, 25, 29, 37 or 38.

Community Catchment Areas

40.—(1) The Conservator may, in consultation with the Natural Resources Conservation Authority, establish community catchment areas with the priority consideration being the maintenance of the local water resources.

Establishment of community catchment areas.

(2) The Conservator shall, in consultation with the relevant forest management committee, establish programmes for the catchment areas with regard to—

- (a) silvicultural systems that maintain continuous forest cover;
- (b) felling systems designed to create a mosaic of tree species and age classes;
- (c) longer felling cycles to avoid soil disturbance;
- (d) narrower road ways and adequate drainage systems;
- (e) the encouragement of agroforestry systems and appropriate land use practices;
- (f) the encouragement of non-governmental organizations and individuals to undertake, on a contractual basis—
 - (i) the establishment of nurseries for the production of seedlings for wood lots and agroforestry;
 - (ii) the management of reforestation and recreation projects identified in the management plan;
 - (iii) the production of fence posts, yam sticks and fuel wood to meet local requirements;
- (g) such ancillary services as the Conservator considers desirable.

41. Except as directed in writing by the Conservator, or approved in the forest management plan for the particular forest estate, each waterway, stream, river or wetland shall be deemed to have a buffer zone of a minimum

Riparian areas and buffer zones.

of 20 metres from the river bank within which zone a person shall not—

- (a) operate any equipment; or
- (b) cut, fell or remove any forest produce.

Wetlands

42. A person shall not cut, damage, disturb or cause to be disturbed the forest produce within any wetland, swamp or mangrove forest in a forest estate or protected area and an adjacent buffer zone.

Penalties re
regulations 41
and 42.

43. A person who contravenes regulation 41 or 42 shall be guilty of an offence.

Forestry
Development
Fund.

44. The Minister may establish a Forestry Management and Conservation Fund which shall be used exclusively in support of the following activities on both public and privately owned lands—

- (a) reforestation;
- (b) watershed management;
- (c) sustainable forest management;
- (d) purchase of private lands for forest reserves and protected areas;
- (e) public recreation and nature conservation;
- (f) bio-diversity projects;
- (g) carbon conservation projects;
- (h) loans and grants to owners and tenants of land for tree planting and forest management;
- (i) any other purposes specified in the Act.

Sources of
funding.

45. The fund may be capitalized from local and international sources by a combination of—

- (a) bilateral and multilateral funds;
- (b) debt reduction agreements;
- (c) recreation and nature tourism fees and charges;
- (d) contribution from individuals and companies;
- (e) income from the sale of forest products;
- (f) annual government grants;
- (g) water user fees;
- (h) carbon credits.

Private Forestry

Private
forestry.

46. The Conservator shall encourage and promote the preparation of and

adherence to management plans for the protection of forests and forestry activities on private land holdings.

47.—(1) Any private land which, pursuant to section 7 (1) (b) or section 23 (2) of the Act, is declared to be a forest estate, forest management area or protected area, as the case may require, shall be managed in accordance with a management plan prepared by the owner of the private land concerned.

Management
plan.

(2) The Conservator shall offer advice and assistance to the private land owner in the preparation of the management plan.

48. The provisions of the Act and these Regulations shall apply in respect of any private land which is declared a forest estate, forest management area or protected area, as the case may be, pursuant to section 5 or section 23 (2) of the Act.

Application of
Act and
regulations to
certain private
lands.

49.—(1) Every person whose land is declared a forest estate, forest management area or protected area may be certified by the Conservator as a forest grower with approved farmer status.

Certification
as forest
grower.

(2) A person may also be certified as a forest grower if he—

- (a) is the owner or lessee with a tenure of not less than ten years of a forest area or approved agroforestry area of not less than two hectares in a single block;
- (b) registers on the form provided by the Conservator, the area owned or leased by the person with the boundaries clearly marked and supported by a pre-checked plan prepared by a commissioned land surveyor;
- (c) agrees to implement a forest management plan approved by the Conservator.

50. An organization which assumes the management of an approved forest area or a tree nursery may be certified by the Conservator as a forest grower for the purposes of these Regulations and obtain a certificate to that effect.

Forest grower.

51. For the purpose of these Regulations, the Minister may, after consultation with the Conservator, promote the establishment of a Forest Growers Association with the following functions—

Forest
Growers
Association.

- (a) organizing membership from the list of private land owners registered as forest growers;
- (b) encouraging qualified land owners to join the association and participate in programmes;
- (c) providing advice and assistance to members in the planning and development of the properties declared as a forest estate or

protected areas;

- (d) acting as a forum for discussing and resolving problems and issues faced by the forestry sector;
- (e) proposing incentives for forestry practices and monitoring projects receiving assistance;
- (f) generating funds from local and international sources and funding agencies in support of sustainable forest development programmes.

Incentives.

52. The Minister may promote reforestation and sustainable forest development projects on private land using incentive schemes, on the recommendation of the Conservator, to include—

- (a) the provision of technical advice;
- (b) the availability of tree seedlings at special rates;
- (c) the encouragement of privately run tree seedling nurseries to supply the forest sector as a whole;
- (d) duty free concessions at the level applicable to the agricultural sector;
- (e) remission of property tax pursuant to section 25 of the Act.

Leases of Forest Estates

Conditions for granting leases pursuant to section 6 of the Act. First Schedule.

53.—(1) All applications to lease any parcel of land in a forest estate pursuant to section 6 (2) of the Act shall be made to the Conservator in the form prescribed as Form 13 in the First Schedule.

(2) An application made under paragraph (1) shall be accompanied by such maps, documents or information as the Conservator may determine including a development plan for the area to be leased.

(3) On receipt of an application the Conservator shall—

- (a) cause a notice of the application—
 - (i) to be published once in each of two successive weeks in a daily newspaper printed and circulated in Jamaica; and
 - (ii) to be served on any person or body who, in the opinion of the Conservator, may be affected by the proposed lease of forest estate; and
- (b) refer the application to any agency or department of Government exercising functions in relation to forest land use and request such agency or department, within a period specified in the request, to make such recommendations as it thinks fit with respect to the application.

(4) The Conservator shall have the right to invite applications from the public to lease the same parcel of land before taking a decision to recommend the lease to the Commissioner of Lands for approval.

(5) Where a lease is granted under this regulation, the lessee shall be notified in writing that the land is to be used primarily for the purposes specified in section 6 (1) of the Act.

(6) If an application under paragraph (1) relates to any Crown lands, the Commissioner of Lands shall not grant a lease without the approval in writing of the Conservator.

54.—(1) Before the lease referred to in regulation 51 is granted, the lessee shall submit to the Conservator for approval—

Prescribed terms applicable to leases.

(a) a pre-checked plan indicating the area and boundaries of the land; and

(b) a development plan for the area.

(2) After the lease is granted, the lessee shall—

(a) furnish a report annually on the use of the land containing such particulars as the Conservator may specify;

(b) ensure that the boundaries of the land and the forest estate are kept properly fenced, clean and contain clearly identifiable boundary marks;

(c) comply with any other terms and conditions specified in the lease agreement.

55.—(1) A lease granted under these Regulations in relation to Crown land shall be subject to review by the Conservator in consultation with the Commissioner of Lands, at intervals of five years or such earlier intervals as the Conservator may determine in any particular case.

Review of leases.

(2) The Conservator shall, within a period of eighteen months after the 17th August, 2001, review in consultation with the Commissioner of Lands, all leases granted before that date in respect of lands in a forest reserve and may serve a notice in writing requiring the lessee to comply with the terms and conditions of the lease.

56.—(1) The Conservator may with respect to any lease of land in a reserve, by notice in writing, require the lessee to undertake or comply with any or all of the terms and conditions of the lease.

Compliance with terms of lease.

(2) The Conservator shall indicate in the notice to the lessee, the period of time allowed for compliance.

(3) A notice under this regulation may be served by—

- (a) delivering it to the lessee or a person known to be employed by the lessee;
- (b) sending it by ordinary mail to the last known address of the lessee and in that case fourteen days after the date on which the notice was posted shall be regarded as the date of service;
- (c) placing it in a prominent position on the leased property.

Right of re-entry for non-compliance.

57.—(1) Subject to paragraph (2), the Commissioner of Lands may, on the instructions of the Conservator, exercise the right of re-entry where the lessee—

- (a) fails to pay the leasehold charges as they become due; or
- (b) fails to comply with any of the existing or revised terms and conditions of the lease; or
- (c) fails to carry on operations in accordance with the approved management plan of the lease; or
- (d) contravenes any of the provisions of the Act or these Regulations.

(2) Before taking action under paragraph (1), the Conservator shall give not less than thirty days notice in writing to the lessee of his intention to take such action and shall give the lessee an opportunity to be heard.

Offences re leased lands.

58. A person who fails to comply with a notice issued under regulation 56 commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding twelve months or both such fine and imprisonment.

Forest Recreation

Recreation features.

59. Every forest management plan shall—

- (a) identify the location of known recreation features in the area under the plan;
- (b) specify the manner in which the forest resources will be managed and protected; and
- (c) describe the measures that will be taken to ensure that timber harvesting, road construction and other forest operations are consistent with recreation objectives identified in the forest management plan.

Development of recreation sites.

60. The Conservator may, with regard to designated forest management areas and in accordance with approved forest management plans—

- (a) plan, develop and manage recreation sites and facilities;
- (b) determine and prescribe fees, if considered necessary, for the use

of recreation facilities, including camp sites, log cabins and rest houses.

61.—(1) Recreation sites and facilities in a forest estate may be the subject of management contracts or leasehold arrangements with Government agencies, non-governmental organizations or private individuals who make application in that behalf if—

Management of recreation sites by others.

- (a) the facility or site was approved in the Forest Management Plan; and
- (b) the Conservator is satisfied that the site or facility will be operated in compliance with the Act and these Regulations.

(2) In determining whether or not to recommend an application, the Conservator shall be guided by (but shall not be obliged to accept) the recommendations of the Forest Management Committee.

(3) The rates for any lease or management contract shall be the rates recommended by the Commissioner of Lands.

(4) The period of any lease or management contracts shall not exceed ten years in the first instance and shall be subject to performance standards and performance indicators and agreeable to both parties to the contracts.

(5) A contract for the operation of a recreation site facility in a forest estate may be terminated if the terms of the contract are contravened.

(6) If the Conservator is satisfied that there has been a breach by a person to whom a contract is granted under this regulation, the Conservator shall give three months notice in writing before taking steps to terminate the contract.

General

62.—(1) A person shall not take, drive, use or leave a vehicle in a forest estate, protected area or forest recreational area in contravention of a prohibition or restriction contained in a sign or notice posted in a conspicuous place in that reserve.

Use of vehicles.

(2) A person shall not, except with the written permission of an authorized officer—

- (a) take, drive, or use a vehicle on a road or track on any land that has been closed by a barrier erected by or under the authority of the Conservator;
- (b) remove or circumvent any such barrier.

63.—(1) A person shall not, except with the written permission of an authorized officer, erect, exhibit, display, or cause to be erected, exhibited or

Advertising signs.

displayed in a forest estate any notice, sign, slogan, or any device containing any advertising or other kind of message.

(2) A person shall not, without the written permission of an authorized officer, remove, damage, obscure or otherwise interfere with a notice, sign, slogan or other device, erected by the authorized officer in a forest estate.

Interference
with markers,
etc.

64. A person shall not, without the written permission of an authorized officer, willfully mark, deface, or injure in any way, or remove or interfere in any way with any sign, notice or placard, whether temporary or permanent or with any monument, stake, post or any boundary marker in any forest estate.

Litter.

65. A person shall not, in a forest estate—

- (a) deposit or leave any litter, bottle, broken glass, china, plastic article, pottery, rubbish, refuse or other waste material, except in an area or receptacle provided for that purpose;
- (b) deposit, discharge or leave any noxious, noisome, offensive or polluting substance, matter or thing;
- (c) deposit or leave any offal, dead animal or other waste material;
- (d) deposit any domestic garbage or household refuse;
- (e) willfully break any article of glass, china, pottery, plastic or other brittle material;
- (f) deposit, discharge or leave any mineral, mineral waste or industrial waste or by-product thereof, oily liquids, acids or other deleterious, toxic or polluting substance.

Abandoned
property.

66. A person shall not, except with the written permission of an authorized officer, abandon or leave unattended for more than twenty-four hours, in any forest estate, any personal property, saw, vehicle or pieces of equipment.

Presumptions
re offences.

67. If, within a distance of 10km of a forest estate, any person is found in possession of any forest produce which appear to belong in the forest estate and, upon being required by an authorized officer, that person fails or refuses to give satisfactory account of the manner in which he came into possession of such forest produce, it shall be presumed that he has removed it from the forest estate and shall be liable to prosecution for an offence under these Regulations.

Sale of
timber.

68. Standing timber from forest estates may not be sold except under the following conditions—

- (a) the trees shall form part of an area described as appropriate for the purpose in an approved management plan;

- (b) the quantity shall not exceed the annual allowable cut for the reserve;
- (c) the trees were identified for felling in an approved five-year forest management plan for the reserve;
- (d) a timber licence is used as the agreement of sale;
- (e) a local forest management committee has been appointed in accordance with section 12 of the Act and is monitoring the sale;
- (f) plans for replanting or restocking the area are approved in advance of the approval of the timber sale; and
- (g) adequate funds are available to undertake the replanting programme.

69.—(1) The Minister, acting on the advice of the Conservator, shall determine the royalty and stumpage rates for selling timber and the fees for processing applications for the following operations and activities—

Fees for royalty, permits and licences.

- (a) applications for forest produce licence;
- (b) applications to license sawmills;
- (c) applications for recreation permit;
- (d) applications to lease or rent facilities or property;
- (e) road use permits;
- (f) permit to use portable power saws;
- (g) permit to use sawmills.

(2) Royalty and stumpage rates for the sale of timber shall take into consideration the cost of replanting the forest and the market value of the particular species.

70.—(1) Subject to these Regulations, the Conservator may establish, vary or cancel standards and operational procedures for the implementation of forest practices with respect to any or all of the following—

Authority to establish standards and operational procedures.

- (a) biological diversity;
- (b) management plans;
- (c) timber quality;
- (d) soil conservation;
- (e) community catchment areas;
- (f) forest roads;
- (g) timber harvesting;

- (h) reforestation;
- (i) silviculture;
- (j) botanical forest products;
- (k) recreation;
- (l) surveys and inventory;
- (m) agroforestry;
- (n) forest research.

General
penalty.

71. A person who—

- (a) contravenes any provision of regulations 60 to 66;
- (b) commits any other offence under these Regulations in relation to which the penalty is not otherwise specified;
- (c) refuses or fails to produce any licence or permit upon the request of an authorized officer;
- (d) assaults, resists or obstructs an authorized officer in the execution of his duty;
- (e) uses threatening language or behaves in a threatening manner towards an authorized officer in the execution of his duty;
- (f) refuses to leave a forest estate when ordered to do so by an authorized officer;
- (g) without the permission of an authorized officer, removes, alters or interferes with any articles seized under these regulations, is liable on summary conviction in a Resident Magistrate's Court, to a fine not exceeding fifty thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months.

Research
forest.

72.—(1) The Conservator may establish research forest estate to promote practical teaching and applied research in forestry.

(2) The Conservator may, with the approval of the Minister, entrust the management of a research forest to an organization devoted to teaching and research.

(3) All forest management activities carried out in a research forest estate shall be for educational and research purposes and be in accordance with the conditions of the management contract.

(4) It shall be an offence to cut, fell or otherwise remove any trees planted or growing in a forest research area other than for research purposes.

73.—(1) The Conservator shall keep, in such manner as he considers fit, ^{Register.} a register or registers in which shall be kept a record of—

- (a) every licence granted to harvest forest produce;
- (b) every lessee to whom forest estate land has been leased;
- (c) every licence granted to operate a fixed power saw.

(2) Every register referred to in paragraph (1) shall be open for inspection by the public at the offices of the Forestry Department at all reasonable hours, free of charge, and the Conservator shall arrange for copies of any entry in any such register to be provided to any person on request upon payment of the fee specified in the First Schedule.

First
Schedule.

74. Whenever the Conservator reasonably believes that any person is currently in violation of any requirement under the Act or these Regulations, or is engaged in any activity which is likely to result in a violation of the Act or these Regulations, the Conservator may, in addition to or in lieu of, other actions authorized under these Regulations—

Restraining
Orders.

- (a) apply to the Supreme Court for—
 - (i) a restraining order or an injunction to prevent the continued violation or the activity which will likely lead to a violation;
 - (ii) an order for the closure of any facility or a prohibition against the continued operation of any equipment in order to halt or prevent any violation; or
- (b) pursue any other remedy which may be provided by law.

FIRST SCHEDULE

Form 1

(Regulation 5)

THE FOREST REGULATIONS, 2001

Application for a Road Use Permit

Application Ref. No.: of

Date:

SECTION ONE

A *General Information*

1. Full Name of Applicant (or company):
2. Address of Applicant (or company):
-
3. Telephone No.(s): 4. T.R.N. No.:
5. Fax No.(s): 6. E-mail address:
7. Name of Agent (if any):
8. Address of Agent:
-
9. Telephone No.(s): 10. T.R.N. No.:
11. Fax No.(s): 12. E-mail address:

B *Location*

13. Name of Property:
-
14. Location of Forest Estate:
-
15. Parish:
16. Is this your first application for a road use permit?
 Yes No
 If no, state (i) Application No.:
 (ii) Date of Application:
17. Was the Application successful? Yes No
 If yes, state (i) Permit No.:
 (ii) Date of issue:

FIRST SCHEDULE, *contd.*

Form 1, *contd.*

C *Specific Information*

18. What type of vehicle(s) will you be using in the Forest Estate?
-
19. State whether the vehicle(s) is owned, leased or rented?
20. State the name and address of the owner of the vehicle?
-
21. State the driver's licence number and the person(s) who will be operating the vehicle(s):

Make of Vehicle(s)	Licence Plate No.	Chassis No.

22. What is the purpose of the use of the forest road?
23. If the vehicle is to be used for the extraction of timber, are you the holder of a valid timber cutting or extraction permit? Yes No
- If yes, state the Permit No.

D *Declaration*

I certify that the information supplied above is to the best of my knowledge and belief accurate and complete. I understand that any misrepresentation made by me in this regard may automatically result in the disqualification of this application.

.....
*Signature of Applicant or agent
 on behalf of the applicant/company*

.....
Date

FIRST SCHEDULE, *contd.*Form 1, *contd.*

FOR AUTHORIZED USE ONLY

SECTION TWO

I, forest officer assigned to
 in the parish of recommend/do not recommend that a permit
 be granted to of
 in the parish of for the purposes of using the roads
 within the forest estate of
 in the parish of as applied for under
 Application No. on 20 ..

.....
Signature.....
Date

SECTION THREE

I, cashier, received from the sum of
 dollars (\$)) as the application fee prescribed
 for the use of a road in a forest estate pursuant to Application No. of
 on the day of 20 ..
 Receipt No.

.....
Signature

FIRST SCHEDULE, *contd.*

Form 2

(Regulation 5)

P1234

ROAD USE PERMIT

THIS PERMIT IS HEREBY GRANTED to [state the name of the Applicant] of [state the address of the Applicant] in the parish of [state the parish where the Applicant lives], [state the occupation of the Applicant] (hereinafter referred to as the Permittee) pursuant to regulation 5 of the Forest Regulations, 2001 to carry out the following activity namely:

[state the nature of the activity that is to be carried out, where this is to be done including the parish as well as the area that is to be affected by it].

THIS PERMIT IS VALID FOR A PERIOD OF THREE MONTHS FROM THE DATE OF ISSUE

Marked Timber Serial Number:

Conservator of Forests

FIRST SCHEDULE, *contd.*

Form 3

(Regulation 16)

THE FOREST REGULATIONS, 2001

Application for a Burning Permit

Application Ref. No.: of

Date:

SECTION ONE

A *General Information*

1. Full Name of Applicant (or company):
2. Address of Applicant (or company):
-
3. Telephone No.(s): 4. T.R.N. No.:
5. Fax No.(s): 6. E-mail address:
7. Name of Agent (if any):
8. Address of Agent:
-
9. Telephone No.(s): 10. T.R.N. No.:
11. Fax No.(s): 12. E-mail address:

B *Location of the proposed activity*

13. Name of Property:
-
14. Location of Property:
-
15. Parish:

C *Specific Information*

16. Is this your first application for a Burning Permit?

Yes No

If no, state (i) Application No.:

(ii) Date of Application:

FIRST SCHEDULE, contd.

Form 3, contd.

D Declaration

I certify that the information supplied by me above is to the best of my knowledge and belief accurate and complete. I understand that any misrepresentation made by me in this regard may result in the disqualification of this application. I also certify that I will at the time of burning create a minimum space of fifteen feet around the trash, removing all flammable materials from this space as well as serving notice on the occupiers of adjoining lands of the intent to burn trash and the proposed dates of burning.

.....
Signature of Applicant or agent
on behalf of the applicant/company

.....
Date

FOR AUTHORIZED USE ONLY

SECTION TWO

I forest officer assigned to
.....in the parish of hereby
recommend/do not recommend that a permit be granted to
..... of
.....in the parish of
..... for the purpose of lighting or making use of an open fire or charcoal kiln at
.....
..... in the parish of as applied for under
Application No. on 20 ..

.....
Signature

.....
Date

FIRST SCHEDULE, *contd.*

Form 3, *contd.*

SECTION THREE

I, cashier, received from
the sum of dollars
 (\$.....) as the application fee prescribed for lighting, or making use of an
 open fire or charcoal kiln in a forest estate, forest management area or protected area or
 within one kilometre of such pursuant to Application No. of on the
day of 20 ..

Receipt No. _____

Signature

Form 4

(Regulation 16)

P1234

BURNING PERMIT TO LIGHT OR USE AN OPEN FIRE OR CHARCOAL
 KILN IN THE FOREST ESTATE, FOREST MANAGEMENT AREA OR
 PROTECTED AREA

THIS PERMIT IS HEREBY GRANTED to [state the name of the Applicant] of
 [state the address of the Applicant] in the parish of [state the parish where the Applicant lives],
 [state the occupation of the Applicant] (hereinafter referred to as the Permittee) pursuant to
 section 16 of the Forest Regulations, 2001 to carry out the following activity namely:

[state the nature of the activity that is to be carried out, where this is to be done
 including the parish].

.....
Authorized Officer

CONDITIONS:

.....

FIRST SCHEDULE, *contd.*

Form 5

(Regulation 22)

THE FOREST REGULATIONS, 2001

*Application for a Licence to Cut and/or Extract Timber and/or Forest Produce**Application Ref. No.:* *of**Date:*

SECTION ONE

A *General Information*

1. Full Name of Applicant (or company):
2. Address of Applicant (or company):
-
3. Telephone No.(s): 4. T.R.N. No.:
5. Fax No.(s): 6. E-mail address:
7. Name of Agent (if any):
8. Address of Agent:
-
9. Telephone No.(s): 10. T.R.N. No.:
11. Fax No.(s): 12. E-mail address:

B *Location*

13. Name of Property from which timber/forest produce is to be cut or extracted:
.....
14. Location of the land from which timber/forest produce is to be cut or extracted:
.....
.....
.....
15. Parish:

FIRST SCHEDULE, *contd.*

Form 5, *contd.*

C *Other Information*

16. Is this your first application for a licence to cut and/or extract timber and/or forest produce? Yes No
 If no, state (i) Application No.:
 (ii) Date of Application:
17. Was the Application successful? Yes
 No
 If yes, state (i) Licence No.:
 (ii) Date of issue:
18. Is the property Crown land or private land?
 If private, state the owner of the land (if different from the applicant).....

19. Has an agreement been reached between the landowner and the Conservator of Forests to protect the land? Yes No
20. If yes, state the date and terms of the Agreement
21. Is there a tree preservation order in effect for the site of the proposed activity?
 Yes No
 If yes, state the date of the Order
22. Are you the holder of a valid Permit to use and/or transport a Power Saw?
 Yes No
 If yes, state (i) Permit No.:
 (ii) Date of issue:
23. What is the destination of the timber and/or forest produce?

 in the parish of

D *Declaration*

I certify that the information supplied by me above is to the best of my knowledge and belief accurate and complete. I understand that any misrepresentation made by me in this regard may result in the disqualification of this application.

.....
*Signature of Applicant or agent
 on behalf of the applicant/company*

.....
Date

FIRST SCHEDULE, *contd.*Form 5, *contd.*

FOR AUTHORIZED USE ONLY

SECTION TWO

I, forest officer assigned to
 in the parish of hereby
 recommend/do not recommend that a permit be granted to of
 in the parish of
 for the purpose of cutting and/or extracting timber and/or forest produce
 at in the parish of as
 applied for under Application No. on 20 ..

.....
Signature.....
Date

SECTION THREE

I, cashier, received from the sum of
 dollars
 (\$.....) as the application fee prescribed for a licence to cut and/or extract
 timber and/or forest produce pursuant to Application No. of
 on the day of 20 ..
 Receipt No.

.....
Signature

FIRST SCHEDULE, *contd.*

Form 6

(Regulation 22)

Licence to cut and/or Extract Timber and/or Forest Produce

L1234

A LICENCE to cut and/or extract the following timber and/or forest produce
m³/kilo the estimated value of which is \$..... per square
 unit and which is described as:

is HEREBY GRANTED to: [state the name of the Applicant]

[state the place of residence of the Applicant] in the parish of [state the parish where
 the Applicant resides], [state the occupation of the Applicant] (hereinafter referred to as
 the Licensee) pursuant to regulation 22 of the Forestry Regulations 2001 to carry out the
 following activity namely:

TO CUT AND/OR EXTRACT TIMBER AND/OR FOREST PRODUCE AS
 DELINEATED BELOW NAMELY FROM THE AREA KNOWN AS

Timber	Approximate breadth of trees (metres)	Total number of trees	Forest Produce	Approximate weight of forest produce	Type of forest produce	Estimated Volume (Cubic metres over bark)	
						Pine	Hardwood
TOTAL VOLUME							

This licence is valid for a period of as of the date of this licence hereinafter
 affixed.

.....
 Conservator of Forests

CONDITIONS:

.....

FIRST SCHEDULE, *contd.*

Form 7

(Regulation 23)

THE FOREST REGULATIONS, 2001

Application for a Permit to Remove Timber and Forest Produce

Application Ref. No.: of

Date:

SECTION ONE

A *General Information*

1. Full Name of Applicant (or company):
2. Address of Applicant (or company):
-
3. Telephone No.(s): 4. T.R.N. No.:
5. Fax No.(s): 6. E-mail address:
7. Name of Agent (if any):
8. Address of Agent:
-
9. Telephone No.(s): 10. T.R.N. No.:
11. Fax No.(s): 12. E-mail address:

B *Location*

13. Name of Property from which timber or forest produce are to be removed:
.....
.....
14. Location of Crown Lands, Forest Estate, Forest Management Area or Protected:
.....
15. Parish:
16. Is this your first application for a timber removal/extraction permit?
Yes No
If no, state (i) Application No.:
(ii) Date of last Application:

FIRST SCHEDULE, *contd.*

Form 7, *contd.*

- (c) *that to the best of my knowledge and belief the information supplied by me above is accurate and complete;*
- (d) *I understand that any misrepresentation made by me in this regard may result in the disqualification of this application.*

.....
Signature of Applicant/agent *Date*
on behalf of the applicant/company

FOR AUTHORIZED USE ONLY

SECTION TWO

I, forest officer assigned to
 in the parish of recommend/do not
 recommend that a licence be granted to of
 in the parish of for the purpose of timber
 and/or forest produce removal from
 in the parish of as applied for under Application No.:
 on 20

.....
Signature *Date*

IF RECOMMENDED FOR APPROVAL

I hereby certify that on I inspected, measured and stamped
 the following trees and/or forest produce with the Government Sale Marking Hammer

 and that based on the royalty payable on the timber and/or forest produce the sum owing is
 \$

.....
Signature

[The inclusion of this page is authorized by L.N. 28/2003]

FIRST SCHEDULE, *contd.*

Form 7, *contd.*

SECTION THREE

I cashier, received from
.....the sum of dollars
(\$.....) as the application fee prescribed for a permit to remove timber
and/or forest produce pursuant to Application No. of
on theday of 20 ..

Receipt No.
.....
Signature

SECTION FOUR

I cashier, received from
.....the sum of dollars
(\$.....) as security deposit fee for a permit to remove timber and/or
forest produce pursuant to Application No. of on the
.....day of 20 ..

Receipt No.
.....
Signature

FIRST SCHEDULE, *contd.*

Form 8

(Regulation 23)

P1234

Permit to Remove Timber and/or Forest Produce

THIS PERMIT IS HEREBY GRANTED to [state the name of the Applicant] of [state the address of the Applicant] in the parish of [state the parish where the Applicant lives], [state the occupation of the Applicant] (hereinafter referred to as the Permittee) pursuant to regulation 22 of the Forest Regulations, 2001 to carry out the following activity namely:

Description of Items to be removed

Type of operation	Area (ha)	Type of Forest Produce	Total amount of Forest Produce	Approximate size of Trees (metres)	Identification of Trees (markings)	Total number of Trees	Estimated Volume (Cubic metres over bark)	
							Pine	Hardwood
TOTAL VOLUME								

This permit is valid for a period of six months as of the date of this permit.

Conservator of Forests

CONDITIONS OF PERMIT

.....

.....

.....

.....

FIRST SCHEDULE, *contd.*

Form 9

(Regulation 24)

THE FOREST REGULATIONS, 2001

*Application for a Permit to Use and/or Transport a Power saw in a Forest Estate,
Forest Management Area or a Protected Area*

Application Ref. No.: of

Date:

SECTION ONE

A *General Information*

1. Full name of Applicant (or company):
2. Address of Applicant (or company):
3. Telephone No.(s): 4. T.R.N. No.:
5. Fax No.(s): 6. E-mail address:
7. Name of Agent (if any):
8. Address of Agent:
9. Telephone No.(s): 10. T.R.N. No.:
11. Fax No.(s): 12. E-mail address:

B *Location*

13. Name of forest estate, forest management area or protected area:
14. Location of the area of operation:
15. Parish:

C *Specific Information*

16. Is this your first application for a permit to use/transport a power saw?
Yes No
If no, state in relation to the last permit granted:
(i) Application No.:
(ii) Date of application:

FIRST SCHEDULE, *contd.*Form 9, *contd.*

17. Was the permit granted?
 Yes No
 If yes, state (i) Permit No.:
 (ii) Date of issue:
18. Are you the owner of the power saw?
 Yes No
 If no, state the name and address of the owner and how you came to be in possession of it:

19. Do you intend to use the power saw to cut timber and/or forest produce?
 Yes No
20. Are you the holder of a valid licence to cut and/or extract timber and/or forest produce?
 Yes No
 If yes, state (i) Licence No.:
 (ii) Date of issue:
21. Are you the holder of a valid permit to remove timber and/or forest produce?
 Yes No
 If yes, state (i) Permit No.:
 (ii) Date of issue:
22. Give the particulars of the following:
 (a) Name/make of saw
 (b) Length of the blade
 (c) Approximate age of power saw
 (d) Serial number of power saw
 (e) Any distinctive markings on the power saw

FIRST SCHEDULE, *contd.*

Form 9, *contd.*

D Declaration

I certify that the information supplied by me above is to the best of my knowledge and belief, accurate and complete. I understand that any misrepresentation made by me in this regard may result in the refusal to grant a permit under this application.

.....
 Signature of Applicant, or agent
 on behalf of the applicant/company

.....
 Date

FOR AUTHORIZED USE ONLY

SECTION TWO

I, forest officer assigned to
in the parish of recommend/do not recommend that a
 permit be granted to of
in the parish of for the purpose of
 transporting and/or using a power saw within the forest estate, forest management area or
 protected area known as in the parish of
 as applied for under Application No.: on20 ..

.....
 Signature

.....
 Date

SECTION THREE

I, cashier, received from
the sum of dollars
 (\$.....) as the application fee prescribed for transporting and/or using
 a power saw in a forest estate, forest management area or protected area pursuant to

FIRST SCHEDULE, *contd.*Form 9, *contd.*

Application No. of

on the day of 20 ..

Receipt No.

Signature

P1234

**PERMIT TO USE OR TRANSPORT A POWER SAW IN A FOREST ESTATE,
FOREST MANAGEMENT AREA, OR PROTECTED AREA**

THIS PERMIT IS HEREBY GRANTED to [state the name of the Applicant] of [state the address of the Applicant] in the parish of [state the parish where the Applicant lives], [state the occupation of the Applicant] (hereinafter referred to as the Permittee) pursuant to regulation 24 of the Forest Regulations, 2001 to carry out the following activity namely:

[state the nature of the activity that is to be carried out, where this is to be done including the parish]

**THIS PERMIT SHALL NOT EXCEED
A PERIOD OF SIX MONTHS OR THE
PERIOD OF THE ACCOMPANYING
TIMBER LICENCE OR TIMBER PERMIT,
WHICHEVER IS SHORTER**

Conservator of Forests

FIRST SCHEDULE, *contd.*

Form 10

(Regulation 25)

THE FOREST REGULATIONS, 2001

Application for a Licence to Operate a Sawmill

Application Ref. No.: of

Date:

SECTION ONE

A *General Information*

1. Full name of Applicant (or company):
2. Address of Applicant (or company):
-
3. Telephone No.(s): 4. T.R.N. No.:
5. Fax No.(s): 6. E-mail address:
7. Name of Agent (if any):
8. Address of Agent:
-
9. Telephone No.(s): 10. T.R.N. No.:
11. Fax No.(s): 12. E-mail address:

B *Location*

13. Name of sawmill:
14. Address of sawmill:
15. Telephone Number: 16. T.R.N. No.:

C *Specific Information*

17. Is this your first application for a sawmill licence?

Yes No

If no, state (i) Application No.:

(ii) Date of Application:

FIRST SCHEDULE, *contd.*Form 10, *contd.*

18. Was the Licence granted?
 Yes No
- If yes, state (i) Licence No.:
- (ii) Date of issue:
19. Are you the owner of the land mentioned in question 15?
 Yes No
20. If no, state the name and address of the owner
-
21. What is the source of the timber to be utilized in the operation of the sawmill?
 Purchase from Third Party
 Personal timber extraction
22. Is the land from which the timber originates a:
 Forest Reserve
 Protected Area
 Forest Management Area
 Crown Land
 Private Land
23. Are you the holder of a valid Certificate of Registration under the Factories Act?
- Yes No
24. State the type of mill:
25. How many workers are employed at the mill?
26. State the maximum output of lumber that can be generated from the mill over a one month period
-

D Declaration

I certify that the information supplied by me above is to the best of my knowledge and belief accurate and complete. I understand that any misrepresentation made by me in this regard may result in the disqualification, refusal or grant of a Licence under this application.

.....
 Signature of Applicant or agent
 on behalf of the applicant/company

.....
 Date

FIRST SCHEDULE, *contd.*

Form 10, *contd.*

FOR AUTHORIZED USE ONLY

SECTION TWO

I, forest officer assigned to
 in the parish of hereby
 recommend/do not recommend that a Licence be granted to of
 in the parish of
 for the purpose of operating a sawmill in
 in the parish of as applied for under
 Application No.: on 20 .
 Duration of Licence

.....
 Signature Date

SECTION THREE

I, cashier, received from
 the sum of dollars
 (\$.....) as the application fee prescribed for the operation of a sawmill in a
 forest estate, forest management area or protected area pursuant to Application No.
 of on the day of 20 .

Receipt No.
 Signature

FIRST SCHEDULE, *contd.*

Form 11

(Regulation 25)

L1234

Licence to Operate a Sawmill

THIS LICENCE IS HEREBY GRANTED to [state the name of the Applicant] of [state the address of the Applicant] in the parish of [state the parish where the Applicant lives], [state the occupation of the Applicant] (hereinafter referred to as the Licensee) pursuant to regulation 25 of the Forest Regulations, 2001 to carry out the following activity namely:

[state the nature of the activity that is to be carried out, where this is to be done including the parish]

THIS LICENCE EXPIRES AT THE END
OF THE CALENDAR YEAR IN WHICH
IT IS ISSUED

Conservator of Forests

FIRST SCHEDULE, *contd.*

Form 12

(Regulation 30)

Notice of Seizure

PURSUANT TO Section of the Forest Act, 1996, whereby it is an offence to in a forest reserve/forest management area or protected area the following timber/forest produce was on the day of seized by forest/authorized officer of in the parish of

TIMBER			FOREST PRODUCE		
AMOUNT	DESCRIPTION	VALUE	AMOUNT	DESCRIPTION	VALUE

Comments:—

.....

I forest/authorized officer of the abovementioned address hereby certify that on the day of 2001, I stamped the timber/forest produce listed above with the official hammer of the Forestry Department,

FIRST SCHEDULE, *contd.*Form 12, *contd.*

affixed this Notice of Seizure and deposited the seized goods at

..... in the parish of

Signed by:

Forest/Authorized Officer

THIS TIMBER/FOREST PRODUCE IS THE PROPERTY OF THE FORESTRY DEPARTMENT. IT IS AN OFFENCE TO TAMPER WITH THIS NOTICE OF SEIZURE OR THE GOODS TO WHICH IT HAS BEEN AFFIXED UNDER THE FOREST REGULATIONS, 2001, WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF THE CONSERVATOR OF FORESTS.

FIRST SCHEDULE, *contd.*

Form 13

(Regulation 53)

THE FOREST REGULATIONS, 2001

Application to Lease Land in a Forest Estate

Application Ref. No.: of

Date:

SECTION ONE

A *General Information*

1. Full name of Applicant:
2. Alias of Applicant (if any):
3. Address of Applicant:
4. Occupation:
5. Telephone No.(s): 6. T.R.N. No.:
7. Fax No.(s): 8. E-mail address:

B *Location*

9. Name of forest estate:
10. Name of the District where it is located:
11. Parish:
12. Is this your first application to lease land in a forest estate?
 Yes No
 If no, state (i) Application No. (s):
 (ii) Date of Application:
13. Was the application successful? Yes No
 If yes, state (i) Permit No. (s):
 (ii) Date of issue:

FIRST SCHEDULE, *contd.*Form 13, *contd.*C *Specific Information*

14. How much land do you wish to lease in the forest estate?
-
15. State specifically where this land is located using natural formations where the exact location is unknown
-
-
16. What use do you plan to make of this land?
-
17. Does this use require the removal of any trees from the forest estate?
18. If yes, give an estimate of the number of trees that will have to be removed:—
-
19. If yes, are you the holder of a licence to cut and/or extract timber and/or forest produce? Yes No
20. If yes, state (i) Licence No.:
- (ii) Date of issue:
21. Do you own/lease/rent any other land? Yes No
22. If yes, state the location and amount
-

D *Declaration*

I hereby make an application for the grant of a lease in relation to the land described in 15 above for the purpose of

.....within the

forest estate. I certify that the information supplied by me above is to the best of my knowledge and belief accurate and complete. I understand that any misrepresentation made by me in this regard will automatically result in the disqualification of this application.

.....
Signature of Applicant

.....
Date

FIRST SCHEDULE, contd.

Form 13, contd.

FOR AUTHORIZED USE ONLY

SECTION TWO

I, forest officer assigned to
 in the parish of.....
 recommend/do not recommend that a permission be granted to of
 in the parish of
 to lease hectares
 of land within the forest estate in the
 parish of as applied for under
 Application No. on 20

Signature

Date

SECTION THREE

I, cashier, received from
 the sum of dollars
 (\$) as the fee prescribed for an application to lease land within a forest estate
 pursuant to Application No.: of on the
 day of 20 .

Receipt No.:

Signature

SECOND SCHEDULE

(Regulations 5, 16, 22,
23, 24 and 25)

Permit	Licence	Lease of Land	Application Fee	Permit/Licence Fee	Renewal Fee	Other	Fee
To remove timber/and/or forest produce	-	-	\$250.00	Stumpage (as assessed)	-	-	-
Road use	-	-	\$250.00	\$2,500.00	\$800.00	-	-
To use or light an open fire or charcoal kiln	-	-	\$250.00	\$3,000.00	\$1,000.00	-	-
To use and/or transport a power saw	-	-	\$250.00	\$3,000.00	\$1,000.00	-	-
-	To operate a sawmill	-	\$250.00	\$15,000.00	-	-	-
-	To cut and/or exact timber/forest produce	-	\$250.00	Stumpage (as assessed)	-	-	-
-	-	Lease land in a forest estate	\$250.00	-	-	-	-
-	-	-	-	-	-	Photocopy	\$10.00