

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 217.

*Forestry (Private Dealings) Regulation.*

MADE under the *Forestry (Private Dealings) Act.*

**1. Interpretation.**

In this Regulation, unless the contrary intention appears—

- "agent" means an agent appointed under Section 7(5) of the Act;
- "agreement" means an agreement under Section 5 of the Act;
- "assent" means an assent under Section 6(1) of the Act;
- "certificate" means a certificate under Section 7(2) of the Act;
- "other rights" means the other rights specified in Section 5(2) of the Act;
- "prescribed authority" means a body declared under Section 7 of the Act to be a prescribed authority for the purposes of that section;
- "purchaser" means a person acquiring or seeking to acquire the right to fell, cut, remove or dispose of timber or to exercise other rights, and includes an assignee of any such person.

**2. Application for declaration of a Local Forest Area.**

An application under Section 4(1) of the Act shall be in Form 1, and shall be accompanied by a fee of K50.00.

**3. Certificate of prescribed authority and application for assent.**

(1) A person wishing to obtain assent to an agreement may apply to a prescribed authority for a certificate.

(2) As soon as practicable after the issue of a certificate, the applicant for the certificate shall lodge with the Department for transmission to the Minister—

- (a) the certificate issued to the applicant; and
- (b) the instruments of agreement and at least one duplicate or certified copy of that agreement,

together with a fee of K50.00.

(3) Where an agreement is assented to—

- (a) the instruments of agreement shall be returned to the lodging party; and
- (b) a duplicate or certified copy of the agreement shall be retained by the Government.

**4. Duties of agents.**

(1) An agent appointed—

- (a) on behalf of the owners of timber and other rights; or
- (b) on behalf of persons entitled to any compensation or other payment in relation to timber and other rights,

in an area may represent the owners or persons in all dealings with a purchaser.

**Forestry (Private Dealings)**

Ch. No. 217

**PAPUA NEW GUINEA.**

**Forestry (Private Dealings) Act.**

Reg., Sec. 4(2)(b).

Form 2.

**STATEMENT.**

TO The Director of Forests and (*Insert name of purchaser*).

I, (*insert name and address*), Agent for (*insert names of owners of timber or persons entitled to compensation or other payment or if those persons constitute a clan or part of a clan or other group indicate accordingly*) did on (*specify date*) receive (*indicate whether payment of purchase money, rent, royalty, compensation or other moneys or thing*) by (*indicate whether cash, cheque or otherwise*) in the sum of (*specify amount where payment, etc., is in money, otherwise omit*) and this payment was later handed to the persons whose names appear on the back of this statement at (*indicate place(s) of payment*) on (*insert date(s) of payment*) in the presence of (*where one or more persons were present when the payment was made, indicate the names and addresses of those persons*).

Dated 19 . . . . .

(*Signature of Agent*).

*Back of Form.*

Name of owner or person entitled to payment.	Village.
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**PAPUA NEW GUINEA.**

**Forestry (Private Dealings) Act.**

Reg., Sec. 5.

Form 3.

**MONTHLY RETURN.**

**PART A.**

Purchaser. . . . . Locality. . . . . Month. . . . . 19 . . . . .

**Details of Timber Taken.**

Date measured.	Log No.	Species.	Classification.	Length (m).	Centre Girth (cm).	Gross volume.	Defects.		Net Volume in cubic metres								
							Nature.	Allowance.	Rate per cubic metre.								
									at	at	at	at	at	at	at		
Total Volume																	
						Total Value											

**Remarks**

**DEFECTS—**

- B—Borers.
- C—Condemned.
- D—Doze or Dry Rot.

- P—Pipe.
- S—Shatter or Shakes.
- W.A.—White Ants

**PART B.**

*Analysis of Total Volume Taken During the Month.*

- (a) Volume to be processed into sawn timber, veneer or like produce in Papua New Guinea:  
(in cubic metres).
- (b) Volume to be exported in the form of logs: (in cubic metres).
- (c) Other use (specify details)
- (d) Total volume taken during the month (in cubic metres).

Dated

19

(Signature of Purchaser).

Note—Full Volume Tables should be used to calculate volumes.  
Separate forms should be used for each agreement.

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SUBSIDIARY LEGISLATION.

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1. Act, Section 4(1)—Declarations of Local Forestry Areas.

Kait Local Forest Area, Namatanai Subdistrict, New Ireland Province, more particularly described in *Papua New Guinea Government Gazette* No. 59 of 29 August 1974, p 9.

Kanamai Local Forest Area, Kavieng Subdistrict, New Ireland Province, more particularly described in *Papua New Guinea Government Gazette* No. 46 of 12 June 1975, p. 8.

Kavieng Subdistrict, New Ireland Province, two areas in, more particularly described in *Papua New Guinea Government Gazette* No. 5 of 17 January 1974, p. 2.

2. Act, Section 7(1)—Declaration of prescribed authorities.

Provincial Commissioner, New Ireland Province, in relation to the whole of the New Ireland Province.

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CHAPTER NO. 217.

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APPENDIXES.

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APPENDIX 1.

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SOURCE OF THE FORESTRY (PRIVATE DEALINGS) ACT.

Part A.—Previous Legislation.

*Forestry (Private Dealings) Act 1971 (No. 107 of 1971)*<sup>1</sup>

as amended by—

*Forestry (Private Dealings) (Amendment) Act 1975 (No. 13 of 1975).*

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .	Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .
1	4	6	9
2	4	7	10
3	6	8	11
4	7	9	12
5	8	10	13

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<sup>1</sup> Unless otherwise indicated, references are to the Act set out in Part A.

**Forestry (Private Dealings)**

**APPENDIX 2.**

**SCHEDULE OF THE FORESTRY (PRIVATE DEALINGS) REGULATION.**

**Part A.—Previous Legislation.**

Forestry (Private Dealings) Regulations 1972 (Statutory Instrument No. 45 of 1972)

as amended by—

*Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).*

**Part B.—Cross References.**

Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .	Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .
1	2	6	7
2	3	Schedule—	Schedule—
3	4	Form 1	Form 1
4	5	Form 2	Form 3
5	6	Form 3	Form 4

<sup>1</sup> Unless otherwise indicated, references are to the regulations set out in Part A