

**THE FOREST RESOURCES AND TIMBER UTILISATION ACT
(Cap. 40)**

**THE FOREST RESOURCES AND TIMBER UTILISATION
(PRESCRIBED FORMS) (AMENDMENT) REGULATIONS 2005**

I, DAVID HOLOSIVI, the Minister for Forestry, Environment and Conservation, in exercise of the powers conferred on me by section 44 of the Forest Resources and Timber Utilisation Act, make the following regulations.

Dated the thirty-first day of August, 2005.

DAVID HOLOSIVI
Minister of Forestry, Environment and Conservation

[Legal Notice No. 81]

**THE FOREST RESOURCES AND TIMBER UTILISATION
(PRESCRIBED FORMS) (AMENDMENT) REGULATIONS 2005**

Citation 1. These regulations may be cited as the Forest Resources and Timber Utilisation (Prescribed Forms) (Amendment) Regulations 2005.

Schedule 2. The Schedule to the Forest Resources and Timber Utilisation (Prescribed Forms) Regulations is amended by omitting Form 1 and substituting the following:

“FORM 1

FOREST RESOURCES AND TIMBER UTILISATION ACT
(Cap. 40)

APPLICATION FOR APPROVAL FOR NEGOTIATION TO ACQUIRE
TIMBER RIGHTS
(Section 7)

(To be submitted to the Commissioner of Forest Resources)

1. Name of applicant
2. Address of applicant

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3. Present type of business (if any)

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4. Present location of sawmill or timber exporting business (if any)

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5. Area(s) within which applicant wishes to carry out logging and acquire timber rights.

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6. Names of persons and/or land owning groups with whom preliminary discussions have been made regarding land ownership, timber rights and development proposals.

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7. Period for which timber rights sought

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8. Details of proposed operations

(a) annual volume (in cubic meters) of logs to be extracted

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(b) approximate area to be logged annually

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(c) proposed location of base camp

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(d) Proposed location of sawmill and/or export port

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(e) type of machinery and number of machines applicant will use

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(f) number of staff applicant intends to engage, indicating proportion of expatriates and Solomon Islanders likely to be engaged by applicant

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(g) proposed infrastructure (that is roads, bridges etc.)

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(h) benefits the applicant intends to provide the community (for example: scholarships, clinics, schools, markets, reforestation, skills transfer).

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9. Details of applicant

(a) the capacity of the applicant to carry out felling operations on a commercial scale, including whether the applicant has a history of conducting business operations and has sufficient capital, assets and expertise to do so.

- (b) if the applicant is a body corporate, details of the membership and management of the applicant.

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Signature of applicant

- Note (1) The answer to question 5 must be supported by detailed maps showing the areas involved.
- (2) "TIMBER RIGHT" includes a right to -
- (a) inspect, survey, enumerate, mark and map any area or trees;
 - (b) cut, trim, lop and crop any tree;
 - (c) plant and cultivate any seed, seedling or tree;
 - (d) take any measure whatsoever for the healthy growth and protection of any tree;
 - (e) have access to and extract (whether with or without any agents, servants, workmen, animals, vehicles and machines, or all or any of them) any timber or tree;
 - (f) take any timber into possession or ownership;
 - (g) for the purpose of any of the things specified in paragraphs (a) to (f) inclusive, construct and maintain -
 - (i) any works (including railways, tramways, roads, waterways, slipways, harbours, port areas, wharves, jetties, bridges, dams, pipelines, aerodromes, yards and camps);
 - (ii) any buildings and structures (including warehouses, sheds, mills, kilns, offices, houses and fences); and
 - (iii) any cables, power supplies, lines or other means for the distribution of power, cranes, weighbridges, saw benches, or other things;
 - (h) for any of the purposes specified herein -
 - (i) subject to the provisions of the River Waters Act (Cap 135), to take and use water; and
 - (ii) to quarry, extract, move and use any stone, earth or other road-making or building material.
- (3) Applicant may attach separate reports setting out his answers to questions 8 and 9."