# FORESTS ACT

## CHAPTER 66:01

**Act**
**42 of 1915**
Amended by
4 of 1922
29 of 1925
5 of 1933
37 of 1933
148/1955
23 of 1999

**Current Authorised Pages**

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## Note on Adaptation

1. Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).

2. Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980 and 120/1980 but no marginal reference is made to these Notices where any such amendment is made in the text.

**CHAPTER 66:01**

# FORESTS ACT

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**FIRST SCHEDULE.**
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**CHAPTER 66:01**

# FORESTS ACT

**An Act relating to Forests and Forest Produce.**

1950 Ed.
Ch. 24 No. 1.
42 of 1915.

[15TH MAY 1916]

Commencement.

Short title.

**1.** This Act may be cited as the Forests Act.

Interpretation.
[23 of 1999].

**2.** (1) In this Act—

"authorised officer" in relation to any of the purposes of this Act, means a public officer designated in writing for the purpose by the Minister;

"cattle" includes horses, mules, asses, goats and swine;

"classification mark" means a mark placed on timber that already bears a property mark to denote its origin or the agency by which it has been handled;

"forest offence" means any offence punishable under this Act or under any rule made thereunder;

"Forest Officer" includes any person appointed to discharge any function of a Forest Officer under this Act or any rule made thereunder;

"forest produce" includes the following when found in or brought from State land:

*(a)* trees and all parts or produce of such trees;

*(b)* plants not being trees, and all parts of produce of such plants;

"Forest Reserve" means and includes a forest and every part of a forest declared to be a Forest Reserve under the Land Regulations for the time being in force;

"private land" means land other than State land;

"prohibited area" means a specified area, being part of a Forest Reserve or State lands declared by the Minister by Order to be a prohibited area;

"property mark" means a mark placed on timber to denote that after all purchase money or royalties due to the Government have been paid, the owner has or will have a right of property in the timber;

"State land" includes—

*(a)* the waste or vacant land of the State within Trinidad and Tobago; and

*(b)* all lands vested in the State, whether by forfeiture, escheat, purchase or exchange, and not dedicated to the public;

"timber" includes—

Second Schedule.

*(a)* all species of trees listed in the Second Schedule whether standing, fallen, living or dead;

*(b)* lumber, bucked or peeled;

*(c)* logs; and

*(d)* all wood whether cut up or fashioned for a purpose or not;

"tree" includes—

Second Schedule.

*(a)* all species of trees listed in the Second Schedule; and

*(b)* bamboo, palms and brushwood found growing on State lands.

(2) In this Act, and in any other written law, a reference to the terms "Conservator" or "Conservator of Forests" shall be read and construed as a reference to the term "Director" or "Director of Forestry".

Appointment of Forest Officers. [23 of 1999].

**3.** (1) The Minister shall appoint such number of public officers to be Forest Officers as may be necessary to carry out the provisions of this Act, and may by Notification confer upon any such officer power or authority either generally or in a specific case, to do any act or grant any permission for which power or authority is required under this Act.

(2) The Minister may, in consultation with the Minister with responsibility for National Security, designate the required

number of officers of the Coast Guard as Forest Officers, and may by Notification published in the *Gazette,* authorise them to grant any permission required under this Act, in relation to the removal of forest produce along the coast of Trinidad or Tobago.

## BALATA GUM

Balata gum from State lands.

**4.** (1) No person shall extract gum from, or cut for the purpose of extracting gum, any Balata trees growing on State lands.

Balata gum from private lands.

(2) No person shall extract gum from, or cut for the purpose of extracting gum, any Balata tree growing on private land, without the licence in writing of the authorised officer of the district in which such land is situated. Such licence shall be in such form and subject to such conditions as the Minister may from time to time determine.

(3) Any person who contravenes this section or any condition contained in or endorsed on any licence issued to him is liable to a fine of two thousand dollars.

Permit for removal of gum.

First Schedule.

**5.** (1) No person shall transport or remove Balata gum except under a written permit from the authorised officer of the district. Every such permit shall be in the form set out in the First Schedule and shall only be granted on the authorised officer being satisfied that the Balata gum in respect of which the permit is applied for has been obtained from trees growing on private land with the consent of the owner of such land, and such licence shall be valid only for the period therein mentioned.

Removing gum without permit.

(2) Any person who contravenes this section is liable to a fine of two thousand dollars.

Export of Balata gum.

**6.** (1) No person shall export from Trinidad and Tobago any Balata gum unless, in the case of local produce, the shipping bill presented to the Comptroller of Customs and Excise is accompanied by an authorised officer's permit under section 5 or, in the case of imported gum, by a certificate of its landing signed by an officer of Customs.

Unlawfully exporting Batata gum.

(2) Any person who exports or attempts to export from Trinidad and Tobago any Balata gum in contravention of the provisions of this section is liable to a fine of two thousand dollars.

## REMOVAL OF TIMBER

Prohibition of the felling of trees. [23 of 1999]. Second Schedule.

**7.** (1) A person who fells any—

*(a)* tree listed in the Second Schedule; or

*(b)* tree on a slope of over thirty degrees, within a minimum of one hectare of land,

without a Felling Permit granted in accordance with subsection (2), commits an offence and is liable on summary conviction to a fine of twenty thousand dollars.

Second Schedule.

(2) An owner or occupier of such land or a person authorised by the owner or occupier of land who desires to fell any tree listed in the Second Schedule shall apply to the authorised officer of the district for a permit to do so, and subject to section 7D, the authorised officer may grant such permit on such terms and conditions as may be necessary in all the circumstances.

Second Schedule.

(3) The Minister may by Order amend the Second Schedule.

Removal Permit. [23 of 1999].

**7A.** (1) No person shall remove any timber from any land by any means whatever, without a Removal Permit granted in accordance with this section.

(2) An application for a permit shall be made by the owner or occupier of such lands.

(3) Where an application is being made to remove timber from private land and the applicant is the owner of such land, he shall make a declaration of ownership in the prescribed form.

(4) An applicant who is not himself the owner, shall make a declaration to the effect that the timber for which the permit is required is *bona fide* private property which has come from private land, with the consent of the owner of such land.

(5) A person who contravenes subsection (1), commits an offence and is liable on summary conviction to a fine of twenty thousand dollars.

Fine for false declaration. [23 of 1999].

**7B.** Where an application is made under section 7A(3) or (4) and the applicant makes a false declaration, he is liable on summary conviction to a fine of fifty thousand dollars and imprisonment for two years.

Validity of Permit. [23 of 1999].

**7C.** (1) A permit to remove timber from private land shall be valid for a period of thirty days.

(2) Where a permit has been granted under this Act the holder of the permit may apply to the Director for an extension, prior to the expiry of such permit.

(3) The Director shall grant an extension of the permit for a period not exceeding two weeks and the fee payable shall be ten dollars per week.

Grounds for refusal of permit. [23 of 1999].

**7D.** The grounds for the refusal of a permit shall be—

*(a)* prior revocation of any permit granted under this Act;

*(b)* conviction for a forest offence; or

*(c)* any other ground prescribed by the Minister from time to time by way of Order.

Fees for permit. [23 of 1999].

**7E.** (1) A non-refundable/non-transferable fee of thirty dollars, shall be charged for any permit issued under this Act, but the fee for the Bulk Timber Removal Permit shall be fifty dollars.

(2) The Minister may by Order prescribe such fees for the grant of the Bulk Timber Removal Permit in relation to the quantity of timber to be removed as he may think fit.

Maximum allowance for Removal Permit. [23 of 1999].

**7F.** (1) Subject to this section, a maximum of fifteen cubic metres (416 hoppers cubic feet) of timber shall be released on each Removal Permit and a separate permit shall be required for every additional ten cubic metres of timber or any part thereof.

(2) A special Bulk Timber Removal Permit shall be required only in respect of removal of State owned timber of a single species.

(3) All timber to be removed under the Removal Permit and the Bulk Timber Removal Permit shall be stamped by the Conservator with the prescribed registered property and removal mark prior to the grant of such permit.

(4) A person who contravenes this section is guilty of an offence and is liable on summary conviction to a fine of ten thousand dollars.

Load limits. [23 of 1999].

**7G.** Notwithstanding section 7F, a limit on the quantity of logs that may be carried at any time, to be referred to as a load limit, may be established by—

*(a)* the Conservator of Forests in the case of access roads through a Forest Reserve and other State lands;

*(b)* an officer designated by the Minister with responsibility for agriculture, in the case of agricultural access roads; or

*(c)* the relevant Regional Corporation in the case of secondary roads.

Appeal to the Minister. [23 of 1999].

**7H.** (1) Where an application for any permit is refused by the Authorised Officer, the aggrieved applicant may appeal to the Minister for a review of the decision, not later than one month after the refusal of the application stating the grounds for the appeal.

(2) The Minister shall consider an application for review of the refusal, within a reasonable time after the receipt of the application.

(3) Nothing in this section shall be construed as restricting the right of an aggrieved person to apply to the High Court for redress in accordance with section 14 of the Constitution.

Ch. 1:01.

## OFFENCES AND PROCEDURE

Forests offences. [23 of 1999].

**8.** Any person who—

*(a)* pastures cattle or permits cattle to trespass;

*(b)* fells, cuts, girdles, marks, lops, taps or bleeds any tree or injures by fire or otherwise any tree or timber;

*(c)* causes any damage by negligence in felling any tree or cutting or dragging any timber;

*(d)* kindles, keeps or carries any fire except at such seasons and in such manner as the Minister may from time to time notify;

*(e)* subjects to any manufacturing process or transports or removes any forest produce; or

*(f)* enters a prohibited area,

is liable to a fine of twenty thousand dollars if the act was committed in a Forest Reserve or State lands. Nothing contained in this section shall subject any person to any penalty for any act done in accordance with the rules made by the Minister or with permission in writing given by a Forest Officer empowered or authorised to grant such permission.

Cattle trespassing.

**9.** Any Forest Officer, or any person authorised by him and any rural constable or police officer, may seize any cattle found trespassing on a Forest Reserve and deal with the same under the Pounds Act. Ch. 67:03.

Offences with intent to cause damage or wrongful gain. [23 of 1999].

**10.** Any person who—

*(a)* knowingly counterfeits upon any tree or timber, or has in his possession any implement for counterfeiting, a mark used by Forest Officers to indicate that such tree or timber is the property of the Government, or of some person, or that it may lawfully be felled or removed by some person;

*(b)* unlawfully or fraudulently affixes to any tree or timber a mark used by Forest Officers; or

*(c)* alters, defaces or obliterates any such mark placed on any tree or timber by or under the authority of a Forest Officer,

is liable on summary conviction to a fine of fifty thousand dollars or to imprisonment for two years.

Power to demand production of permit for Balata gum or timber.

**11.** (1) Any Forest Officer, or any person authorised by him, any rural constable, or police officer, may in any highway or place stop any person transporting or removing, or whom he may have cause to suspect is transporting or removing, Balata gum or timber, the produce of Trinidad and Tobago, and may demand the production of the permit for such removal or transporting, and if such person is transporting or removing such Balata gum or timber and fails to produce such permit or to account satisfactorily for its absence, the Forest Officer, or person authorised by him, any rural constable or police officer may arrest such person and take him and such gum or timber before a Magistrate or Justice or the police officer in charge of the nearest Police Station to be dealt with according to law. In the case of timber, the powers conferred by this section shall only be exercised in respect of timber as defined in section 7 and within a declared district as also therein defined.

(2) In this section, the expression "timber" means timber cut from trees mentioned in the Second Schedule.

Second Schedule.

Power of arrest.

**12.** (1) Any Forest Officer, rural constable or police officer may, without a warrant, arrest any person reasonably suspected of having been concerned in any forest offence if such person refuses to give his name or residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

(2) Every person making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate or Justice or the police officer in charge of the nearest Police Station to be dealt with according to law.

Power to seize produce, carts, etc., and condemn.

**13.** (1) When there is reason to believe that a forest offence has been committed in respect of any forest produce, such produce,

together with all tools, ropes, chains, boats, crafts, carriages, carts and cattle used in the commission of the offence, may be seized by any Forest Officer, or person authorised by him, or by any rural constable or police officer.

(2) Every person seizing any property under this section shall, as soon as may be, make a report of such seizure to a Magistrate. When the forest produce with respect to which such offence is believed to have been committed is the property of the State and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

(3) All such property shall be forfeited to the State, and shall be taken to be condemned, and may be sold by the Forest Officer of the district in which the seizure took place, unless the person from whom the same had been seized or the owner thereof or some person authorised by him, within fourteen days of such seizure, claims the same, and, within the said term of fourteen days, or such further term as a Magistrate may allow, proves to the satisfaction of such Magistrate that such forest produce was not obtained from State land, or that such person had some sufficient licence or authority in that behalf.

(4) In lieu of the forfeiture of any of the things other than forest produce mentioned in this section, the Magistrate may order the owner thereof to pay such penalty, not exceeding seven hundred and fifty dollars, as the Magistrate thinks fit, and on payment of such penalty such things shall be returned to the owner.

(5) Whoever seizes any forest produce or any property under this section shall place on such forest produce or property, or the receptacle, if any, in which it is contained, a mark indicating that the same has been seized.

(6) Notwithstanding anything contained in this section, a Forest Officer may direct at any time the immediate release of any property seized under this section which is not the property of the State, and the withdrawal of any charge made in respect of such property.

Compensation in addition to penalty. [23 of 1999].

**14.** (1) When any person is convicted of, cutting, girding, marking, lopping, tapping or bleeding trees or timber, or of injuring them by fire or otherwise, in contravention of this Act, the convicting Magistrate may, in addition to any other punishment which he may award, order that person to pay to the State such compensation, not exceeding five hundred dollars for each tree or log of timber with respect to which the offence was committed, as he considers just.

(2) If the person convicted of the offence committed is the agent or servant of another person, the convicting Magistrate may, unless, after hearing that other person, he is satisfied that the commission of the offence was not a consequence of such other person's instigation or of any neglect or default on his part, order him, instead of the person who committed the offence, to pay the compensation referred to in this section.

Produce, carts, etc., liable to forfeiture.

**15.** (1) When any person is convicted of a forest offence, all forest produce in respect of which such offence has been committed, and all tools, ropes, chains, boats, crafts, carts, carriages and cattle used in the commission of such offence, are liable by order of the convicting Magistrate to be forfeited to the State or to be otherwise dealt with as the Magistrate, in the particular circumstances of the case, thinks just. Such forfeiture may be in addition to any other penalty or compensation prescribed for such offence.

Disposal of produce after trial.

(2) Any thing or any cattle mentioned in this section shall, if forfeited to the State, be taken possession of by a Forest Officer empowered in this behalf, and in any other case may be disposed of in such manner as the Magistrate may order.

Sale of perishable goods.

**16.** The Magistrate may, notwithstanding anything contained in this Act, direct the sale of any property seized under this Act and subject to speedy or natural decay, and may deal with the proceeds as he might have dealt with such property, if it had not been sold.

Recovery of penalties.

**17.** (1) Any offence under this Act may be prosecuted and any penalty incurred may be imposed or recovered, in the manner

provided by the Summary Courts Act, on the complaint of a Forest Officer or police officer. Ch. 4:20.

(2) All such complaints may be made at any time within two years from the time when such matter of complaint arose.

Right of Forest Officer to conduct case.

(3) Where any Forest Officer makes a complaint against any person, any other Forest Officer may appear before the Magistrate who is trying or enquiring into the matter of the said complaint, and shall have the same privileges as to addressing the said Magistrate and as to examining the witnesses adduced in the said matter as the Forest Officer who made the complaint would have had.

Prevention of offences. [23 of 1999].

**18.** (1) Every Forest Officer, rural constable and police officer is hereby authorised to prevent the commission of any forest offence.

Penalty for assaulting or obstructing Forest Officer.

(2) Any person who assaults, obstructs or resists any Forest Officer, or any person authorised by him, in the execution of his duty, or aids or incites any other person so to assault, obstruct or resist any Forest Officer, or any person authorised by him, or any person aiding or assisting such Forest Officer, or any person authorised by him, in the execution of his duty, is liable to a fine of one hundred thousand dollars or to imprisonment for five years.

Protection of persons acting under Act.

**19.** In any action brought against any person for anything done or *bona fide* intended to be done in the exercise or supposed exercise of the powers given by this Act or by any rules made thereunder, it shall be expressly alleged that the defendant acted maliciously and without reasonable and probable cause, and if at the trial the plaintiff fails to prove such allegation, judgment shall be given for the defendant.

Presumption as to ownership of produce.

**20.** When, in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any forest produce is the property of the State, such produce shall be presumed to be the property of the State until the contrary is proved.

Compounding of forest offences. [23 of 1999].

**21.** (1) The Minister may, by writing under his hand, empower the Director of Forestry—

*(a)* to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence, other than an offence specified in section 10, a sum of money not less than five hundred dollars but not more than twenty-five thousand dollars by way of compensation for the offence which such person is suspected to have committed; and

*(b)* when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On payment of such sum of money or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property seized, if any, shall be released, and no further proceedings shall be taken against such person or property in respect of such suspected offence.

(3) All moneys received under this section shall be paid into public funds.

Rewards.

**22.** The Minister may order such rewards as he thinks fit to be paid in respect of any seizure made under this Act to the person making such seizure or through whose information or means such seizure was made.

Rules.

**23.** The Minister may, subject to affirmative resolution of Parliament, make Rules—

*(a)* prescribing the form of permits and providing for their issue, production and return;

*(b)* regulating the issue of property marks and classification marks for timber and the registration of such marks, and declaring the circumstances in which the registration of any property mark or classification mark may be refused or cancelled; prescribing the time for

which such registration shall hold good; limiting the number of such marks that may be registered by any one person, and providing for the levy of fees for such registration;

*(c)* providing for the preservation of trees remarkable for size, rarity or beauty, whether generally or in individual cases, and for obtaining permission to lop or fell the same.

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## FIRST SCHEDULE

Section 5.

## THE FORESTS ACT

Permission is hereby granted to .....to remove from

..... to ..... piece of Balata Gum weighing .....

This permit shall hold good for the period of .....days from the date thereof.

.....
*Forest Officer*

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Section 7.
[23 of 1999].

## SECOND SCHEDULE

## SPECIES OF TREES

| *Common Name* | *Botanical Name* |
|---|---|
| 1. Acacia | *Acacia mangium* |
| 2. Acoma | *Sideroxylon quadriloculare* |
| 3. Acurel | *Trichilia smithii* |
| 4. Angelin | *Andira inermis* |
| 5. Balata | *Manilkara bidentata* |
| 6. Balsam | *Copaifera officinalis* |
| 7. Blackheart | *Clathrotropis brachypetala* |
| 8. Black Mangrove | *Avicennia nitida* |
| 9. Bloodwood | *(a) Pterocarpus rohrii*<br>*(b) Croton gossypifolius* |
| 10. Bois d'orme | *Guazuma ulmifolia* |
| 11. Bois Lissette | *Mouriri marshalii* |
| 12. Bois mulatre | *Pentachlethra macroloba* |
| 13. Bosoo | *Zanthoxylum trinitense* |
| 14. Cajuca | *Virola surinamensis* |
| 15. Caribbean Pine | *Pinus caribaea* |
| 16. Cedar | *Cedrela odorata* |
| 17. Chenet | *Melicoccus bijugatus* |
| 18. Crappo | *Carapa guianensis* |
| 19. Cypre | *Cordia alliodora* |
| 20. Fustic | *Chlorophora tinctoria* |
| 21. Black Fiddlewood | *Vitex divaricata* |
| 22. White Fiddlewood | *Vitex capitata* |
| 23. Figuier | *Ficus yoponensis* |
| 24. Galba | *Calophyllum lucidum* |
| 25. Gommier | *(a) Protium insigne*<br>*(b) Tapirira guianensis* |
| 26. Guatecare | *Eschweilera subglandulosa* |
| 27. Hogplum | *Spondias mombin* |

| *Common Name* | *Botanical Name* |
|---|---|
| 28. Mahogany | *(a) Swietenia macrophylla*<br>*(b) Swietenia mahogoni* |
| 29. Immortelle | *(a) Erythrina poeppigiana*<br>*(b) Erythrina glauca* |
| 30. Jereton | *Didymopanax morototoni* |
| 31. Jiggerwood | *Bravaisia integerrima* |
| 32. Juniper | *Genipa americana* |
| 33. Lagoon Cedar | *Licania sp.* |
| 34. Laurier Cannelle | *Aniba firmula* |
| 35. Laurier Cypre | *Ocotea oblonga* |
| 36. Laurier Mattack | *Ocotea eggersiana* |
| 37. Laurier Zaboca | *Ocotea glomerata* |
| 38. L'Epinet | *Zanthoxylum martinicense* |
| 39. Locust | *Hymenaea courbaril* |
| 40. Mahoe | *Sterculia caribaea* |
| 41. Marouba | *Simarouba amara* |
| 42. Milkwood | *Sapium glandulosum* |
| 43. Mora | *Mora excelsa* |
| 44. Moussara | *Brosimum alicastrum* |
| 45. Olivier Yellow (Yellow Sanders) | *Buchenavia capitata* |
| 46. Olivier White | *Terminalia obovata* |
| 47. Pink Poui | *Tabebuia rosea* |
| 48. Pois doux | *(a) Inga laurina*<br>*(b) Inga venosa* |
| 49. Puni | *Pithecellobium jupunba* |
| 50. Purpleheart | *Peltogyne porphyrocardia* |
| 51. Red Mangrove | *Rhizophora mangle* |
| 52. Redwood | *Guarea guara* |
| 53. Roble | *Platymiscium trinitatis* |
| 54. Ryania | *Ryania speciosa* |
| 55. Samaan | *Samanea saman* |
| 56. Sandbox | *Hura crepitans* |

**SPECIES OF TREES—*Continued***

| *Common Name* | *Botanical Name* |
|---|---|
| 57. Sardine | *(a) Laetia procera*<br>*(b) Zuelania guidonia* |
| 58. Serrette | *Brysonima coriacea* |
| 59. Silk Cotton | *Ceiba pentandra* |
| 60. Tantakayo | *Albizzia caribaea* |
| 61. Tapana | *Hieronyma laxifolia* |
| 62. Teak | *Tectona grandis* |
| 63. Toporite | *Hernandia sonora* |
| 64. White Mangrove | *Languncularia racemosa* |
| 65. Yellow Mangue | *Symphonia globulifera* |
| 66. Yellow Poui | *Tabebuia serratifolia* |

## SUBSIDIARY LEGISLATION

### FORESTS (PROHIBITED AREAS) ORDER

*made under section 2*

The following areas are declared prohibited areas:

(1) As from 16th July 1953— 125/1953.

All Forest Reserves and Estate Lands on that portion of the Mount Hope Estate comprising 209 acres (approximately) and bounded on the—

North—by Private Lands
South—by Mt. Hope Estate
East—by Woodbrook Estate
West—by Private Lands.

(2) As from 1st November 1954— 156/1954.

All those two areas of State Land forming part of the Caroni Swamp comprising approximately 337 acres and 100 acres and hereunder described as the Northern and Southern Areas respectively and bounded as follows:

*Northern Area*

North—By the southern bank of the Blue River from the western bank of No. 2 (North and South) drain to the western bank of No. 4 (North and South) drain.
South—By a line demarcated by stakes running from the western bank of No. 4 (North and South) drain to the western bank of No. 2 (North and South) drain.
East—By the western bank of No. 2 (North and South) drain.
West—By the western bank of No. 4 (North and South) drain.

*Southern Area*

North—By a cut line running westwards from the point on the Madame Espagnol River, West of the north-western corner of that parcel of land comprising 52 acres 3 roods 5 perches owned by the Woodford Lodge Estates Limited to the sea.
South and East—By the Madame Espagnol River.
West—By the sea.

145/1958. (3) As from 1st September 1958—

*North Sanctuary No. 2*

All that area of State land forming part of the Caroni Swamp comprising approximately 50 acres and hereunder described as North Sanctuary No. 2 and bounded as follows:

West—By a line demarcated by a stake running South-West for approximately 13 chains, from a point on the South bank of a natural channel (located at a bearing and distance of 192°00'—25 chains from the South-West corner of North Sanctuary No. 1) South—By a line demarcated by stakes running South-East for approximately 21 chains from the Western Sanctuary.
East—By a line demarcated by stakes running North-East for approximately 25 chains from the southern boundary to the South bank of the channel.
North—By the South bank of the channel running North-West to the western boundary.

136/1959. (4) As from 8th October 1959—

*North Sanctuary No. 3*

All that area of State land forming part of the Caroni Swamp, comprising approximately 72 acres and bounded as follows:

North—By the prohibited area described in Proclamation No. 28 of 1954 (Government Notice No. 156 of 1954) as the Northern Area and commonly known, and referred to in Proclamation No. 17 of 1958 (Government Notice No. 145 of 1958), as North Sanctuary No. 1;
West—By a line demarcated by stakes running from the western end of the southern boundary of North Sanctuary No. 1 to the western end of the northern boundary of the prohibited area known, and described in Proclamation No. 17 of 1958, as North Sanctuary No. 2;
South—By North Sanctuary No. 2; and
East—By a line demarcated by stakes running due North from the eastern end of the northern boundary of North Sanctuary No. 2, to its junction with the southern boundary of North Sanctuary No. 1.

(5) As from 10th November 1960— 122/1960.

All that area of State land forming part of the Caroni Swamp comprising approximately 35 acres, known or described as North Sanctuary No. 4 and bounded as follows:

(i) on the South by a line demarcated by stakes running eastwards from the south-eastern corner of the area described as the Northern Area (No. 1) in Government Notice No. 156 of 1954 (hereinafter called the Northern Area) for a distance of approximately 1,000 feet; and

(ii) thence on the East by a line demarcated by stakes running northwards for a distance of approximately 800 feet; and

(iii) thence on the North by a line demarcated by stakes running at a bearing of 326 degrees for a distance of approximately 1,800 feet until it meets the eastern boundary of the Northern Area; and

(iv) thence on the West by the eastern boundary of the Northern Area running southwards to the south-eastern corner of the Northern Area.

(6) As from 6th October 1966— 129/1966.

All that area of the Caroni Swamp Forest comprising approximately two hundred and seven and one-half acres bounded as follows:

(i) on the East from a point on the western bank of the main drainage canal opposite the entry of No. 2 drain southwards along that bank for a distance of approximately $41^{1}/_{2}$ chains; and

(ii) thence on the South by a cut and staked line running westwards for a distance of approximately 50 chains; and

(iii) thence on the West by a cut and staked line running northwards for a distance of approximately $41^{1}/_{2}$ chains; and

(iv) thence on the North by a cut and staked line running eastwards for a distance of approximately 50 chains to the point of starting.

66/1968. (7) As from 9th April 1968—

Marble Island, London Bridge Rock and all the other adjacent islets and rocks belonging to the State and comprising St. Giles Islands.

113/1987. (8) As from 15th June 1987—

All that area of Forest Reserve forming part of the Long Stretch Forest Reserve comprising approximately 1800 hectares and bounded as follows:

(i) on the North by Valencia River;
(ii) on the East by the Eastern Main Road;
(iii) on the South by the disused railway line; and
(iv) on the West by the Aripo River.

141/1987. (9) As from 23rd July 1987—

All that area of State land forming part of the Caroni Swamp comprising approximately 2,094 hectares and bounded as follows:

(i) on the North, by the No. 9 drain extending to the Blue River;
(ii) on the East, by the Uriah Butler Highway, excluding private lands West of the Highway;
(iii) on the South, by the Madam Espanol River;
(iv) on the West, by the Gulf of Paria.

155/1989. (10) As from 27th September 1989—

First schedule. The following game sanctuaries set out in the First Schedule to the Conservation of Wild Life Act are hereby declared to be prohibited areas:

*(a)* Northern Range Game Sanctuary;
*(b)* Trinity Hills Game Sanctuary;
*(c)* Bush Bush Wild Life Sanctuary.

28/1990. (11) As from 12th Febraury 1990—

The Matura Beach and the Fishing Pond Beach described in the

Schedule hereto are hereby declared prohibited areas every year during the period 1st March to 31st August inclusive.

## SCHEDULE

### MATURA BEACH

All that area of beach 8.85 kilometres in length located on the East Coast of Trinidad and bounded as follows:

*(a)* on the North by the Primera Pria River;

*(b)* on the East by the sea;

*(c)* on the South by the North Oropouche River; and

*(d)* on the West by the coastline.

### FISHING POND BEACH

All that area of beach 10.46 kilometres in length located on the East Coast of Trinidad and bounded as follows:

*(a)* on the North by the North Oropouche river;

*(b)* on the East by the sea;

*(c)* on the South by the Manzanilla Point; and

*(d)* on the West by the Manzanilla Wind Belt Reserve.

---

(12) As from 21st May 1993— 78/1993.

That part of the Nariva Swamp described in the Schedule and delimited in the map in the Appendix with the exception of the areas A and B is hereby declared a prohibited area.

## SCHEDULE

In the NORTH at approximately the 38 mile mark on the Manzanilla-Mayaro Road and continuing in a southerly direction for approximately 6650 metres along the boundary of the proposed Cocos Bay Scenic Landscape Park to where the boundary of the Nariva Swamp begins. Continuing in an almost southerly direction approximately 3400 metres along the boundary of the proposed Nariva Swamp National Park.

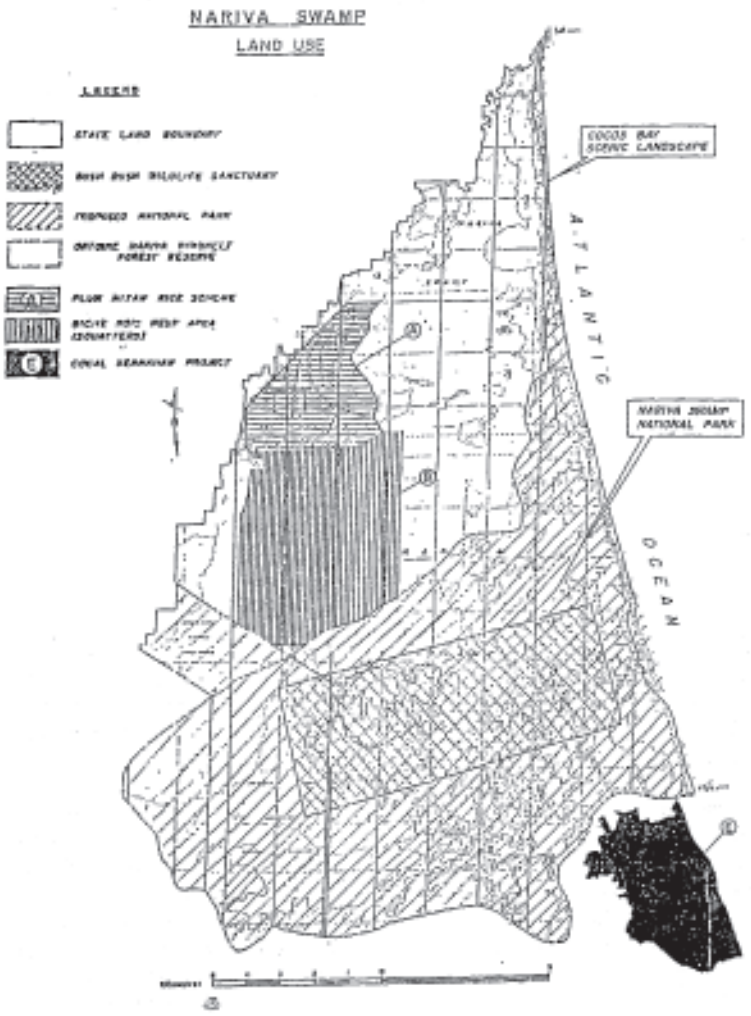
In the WEST continuing along the boundary of the proposed Nariva Swamp National Park in an easterly direction for approximately 1000 metres

and continuing in a south-westerly direction for approximately 4200 metres to the boundary of the Ortoire-Nariva Windbelt Reserve. Continuing from the junction of the Reserve boundary line and the boundary of the proposed Nariva Swamp National Park along the Ortoire-Nariva Windbelt Reserve in an anti-clockwise direction to pillar No. 25 and still continuing in an anti-clockwise direction to pillar No. 13 wher it meets with the boundary of the proposed Nariva Swamp National Park. Continuing in a south-westerly direction for approximately 2400 metres and continuing in a south-easterly direction for approximately 3100 metres to the boundary of the Ortoire-Nariva Windbelt Reserve.

In the SOUTH cotinuing from the junction of the Reserve boundary line and the boundary of the proposed Nariva Swamp National Park and continuing in an almost easterly direction along the boundary of the proposed Nariva Swamp National Park to approximately the $47\,^{1}/_{2}$ mile mark on the Manzanilla-Mayaro Road.

In the EAST from approximately the $47\,^{1}/_{2}$ mile mark on the Manzanilla-Mayaro Road and continuing in an almost northerly direction along State land boundaries, parallel to Manzanilla-Mayaro Road, to approximately 8500 metres along the proposed Nariva Swamp National Park and continuing in the same direction for approximately 6600 meteres along the boundary of the proposed Cocos Bay Scenic Landscape Park to the 38 mile mark on the Manzanilla-Mayaro Road.

## APPENDIX


NARIVA SWAMP
LAND USE
LEGEND
COCOS BAY
SCENIC LANDSCAPE
ATLANTIC
OCEAN
MARINE BIOSPHERE
NATIONAL PARK

71/1997. (13) As from 17th April 1997—

That part of Grande Riviere Beach, described in the Schedule is hereby declared a prohibited area every year during the period 1st March to 31st August, inclusive.

**SCHEDULE**

All that area of beach 1.5 kilometres in length located on the North Coast of Trinidad and bounded as follows:

*(a)* on the North, by the sea;

*(b)* on the East, by the Grande Riviere River;

*(c)* on the South, by the coastline; and

*(d)* on the West, by the end of the beach which is 1.6 kilometres from the Grande Riviere River.

---

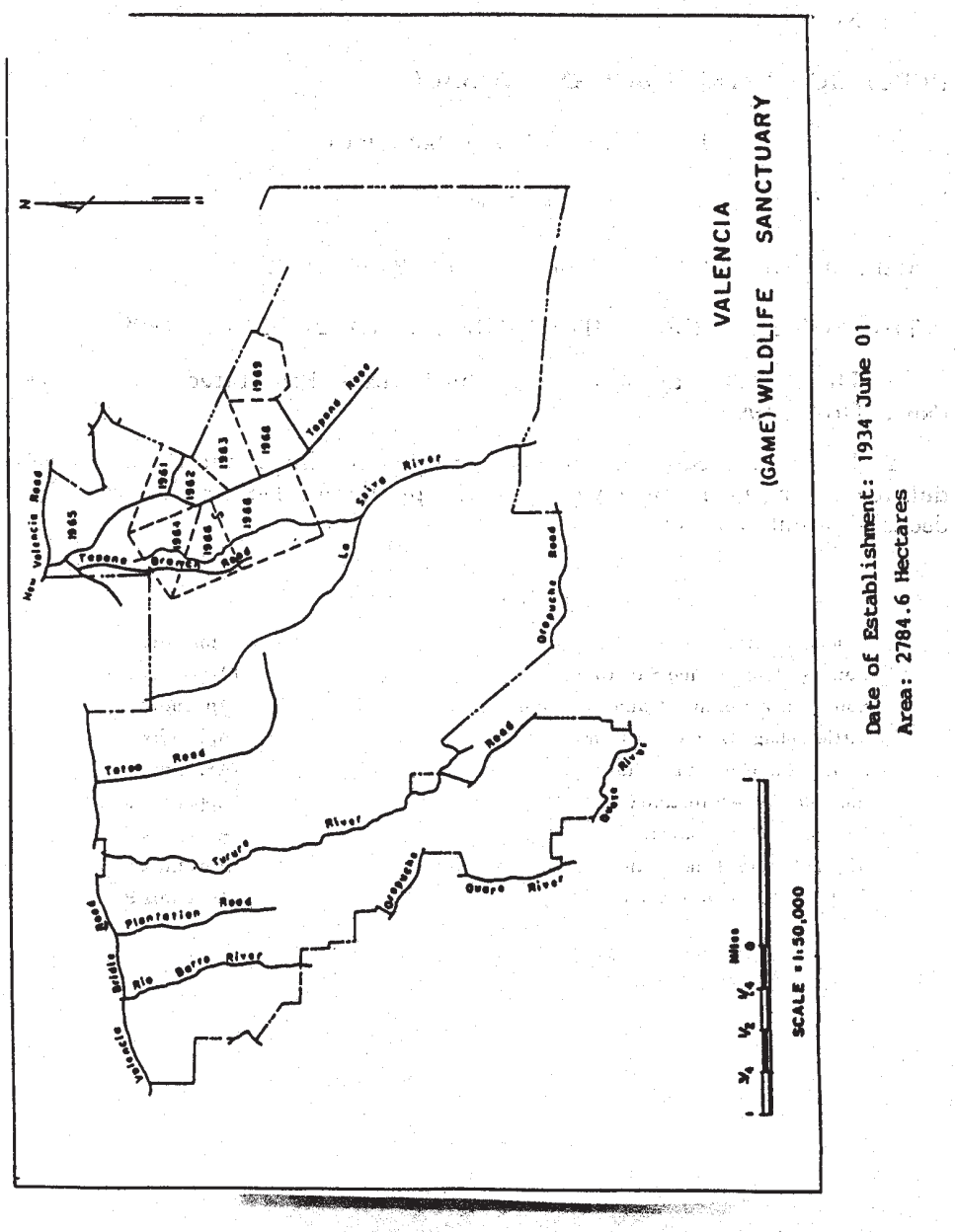
62/1999. (14) As from 19th April 1999—

The Game Sanctuaries referred to in the Schedule and delineated in the respective plans at Appendices 1–9 are hereby declared prohibited areas.

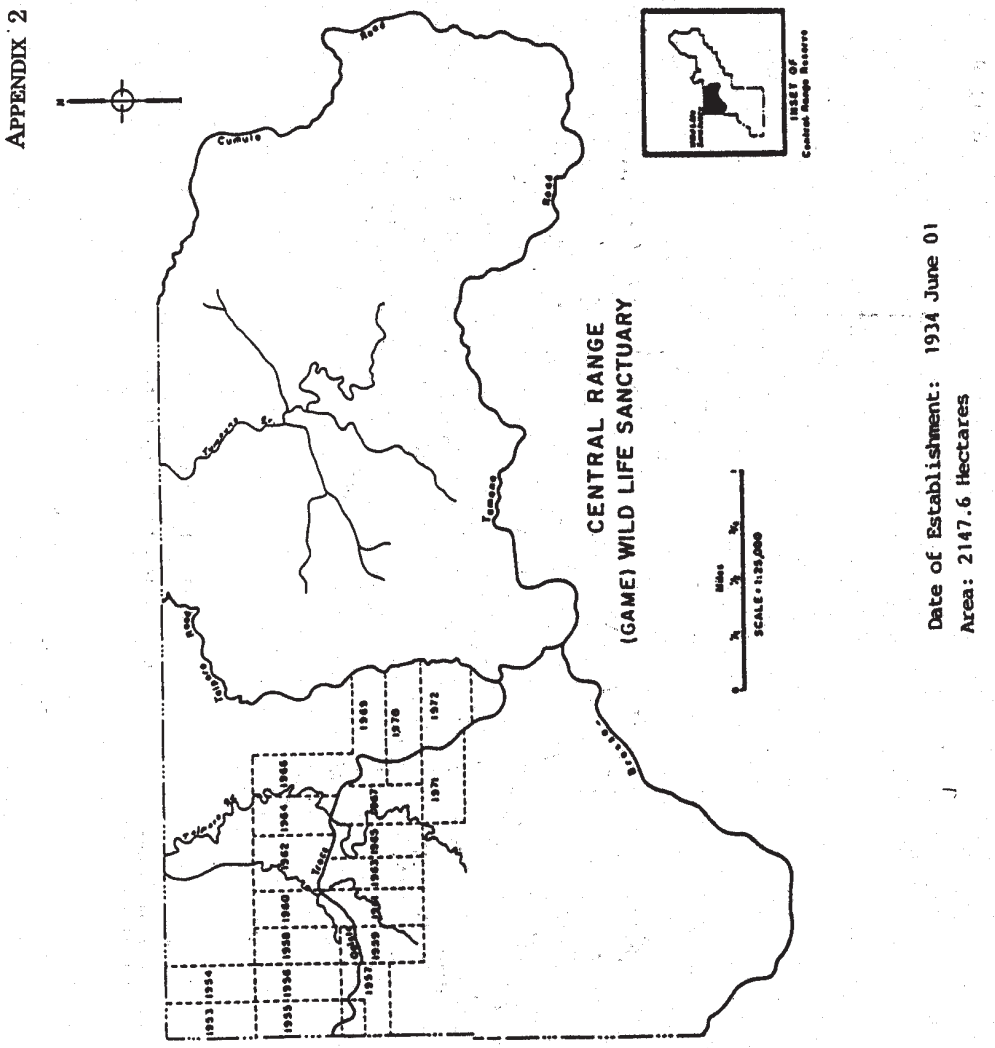
**SCHEDULE**

| | |
|---|---|
| Valencia Game Sanctuary … … … … | (Appendix 1) |
| Central Range Game Sanctuary … … … | (Appendix 2) |
| Southern Watershed Game Sanctuary … … … | (Appendix 3) |
| Little Tobago Game Sanctuary … … … | (Appendix 4) |
| Saut d'Eau Game Sanctuary … … … … | (Appendix 5) |
| Soldado Game Sanctuary … … … … | (Appendix 6) |
| Kronstadt Game Sanctuary … … … … | (Appendix 7) |
| Morne L'Enfer Game Sanctuary … … … | (Appendix 8) |
| St. Giles Game Sanctuary … … … … | (Appendix 9) |

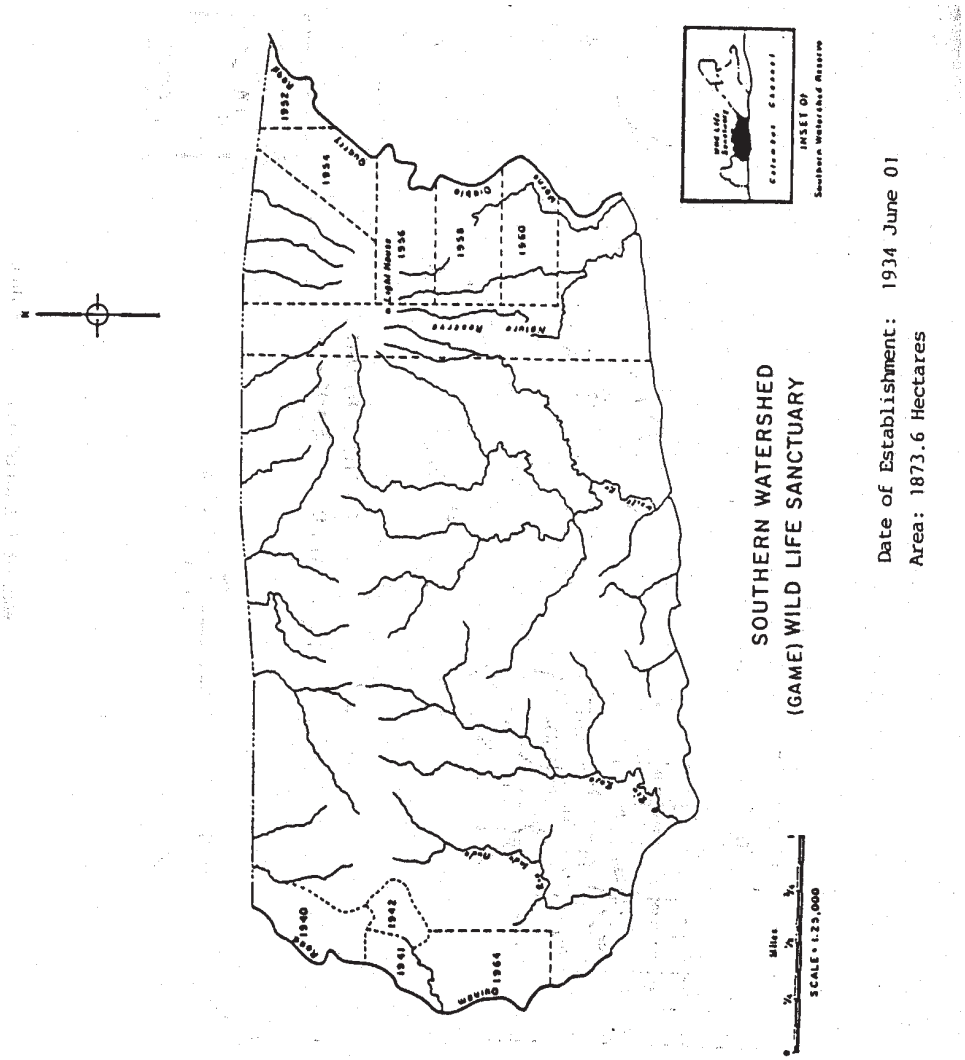
APPENDIX 1


VALENCIA
(GAME) WILDLIFE SANCTUARY
Date of Establishment: 1934 June 01
Area: 2784.6 Hectares
N
1965
1964
1963
1962
1961
1960
1966
1968
Toparo Road
New Valencia Road
Toparo Brown Road
Salybia River
La Orquche Road
Toroo Road
Turure River
Guapo River
Plantation Road
Rio Seco River
Valencia Road
SCALE = 1:50,000
Miles

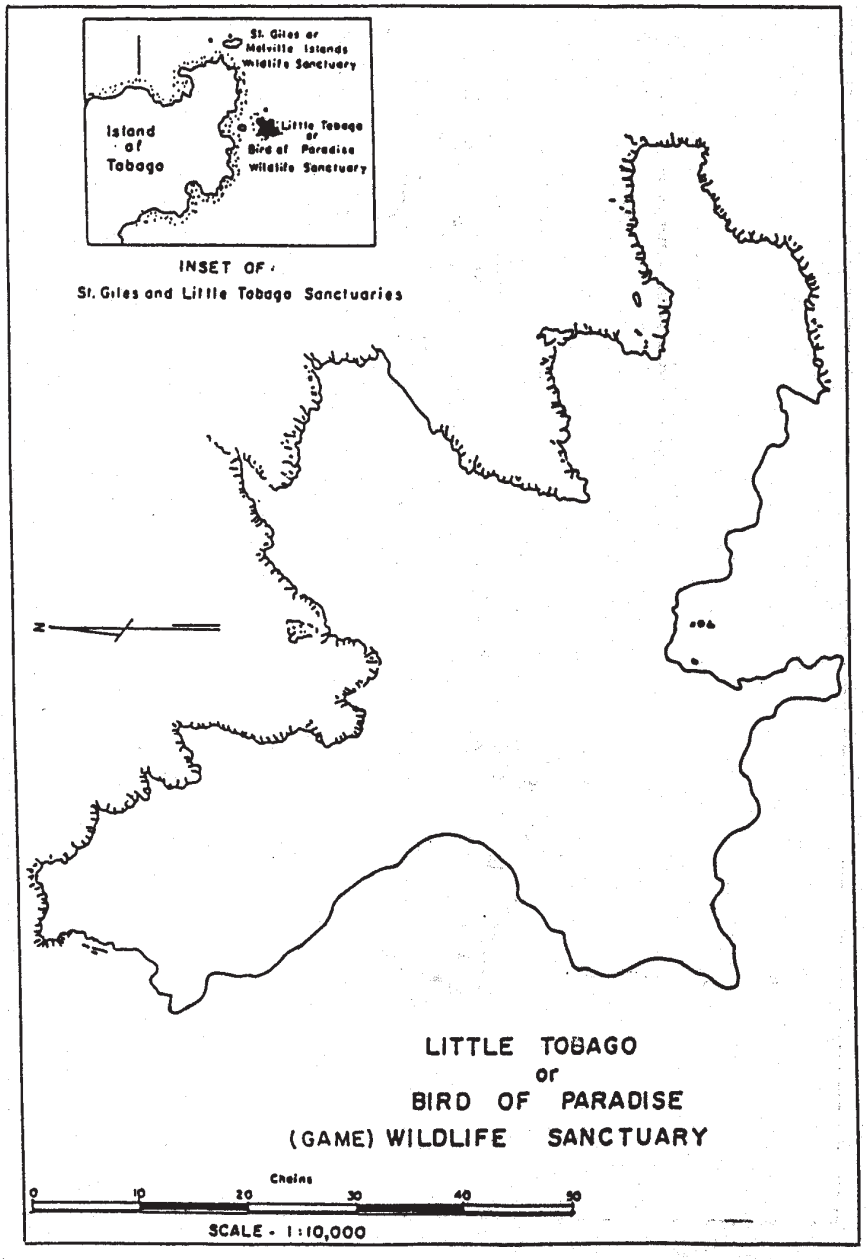
APPENDIX 2


CENTRAL RANGE
(GAME) WILD LIFE SANCTUARY
Date of Establishment: 1934 June 01
Area: 2147.6 Hectares

APPENDIX 3


SOUTHERN WATERSHED
(GAME) WILD LIFE SANCTUARY
Date of Establishment: 1934 June 01
Area: 1873.6 Hectares
1934
1936
1938
1940
1941
1942
1944
SCALE - 1:25,000

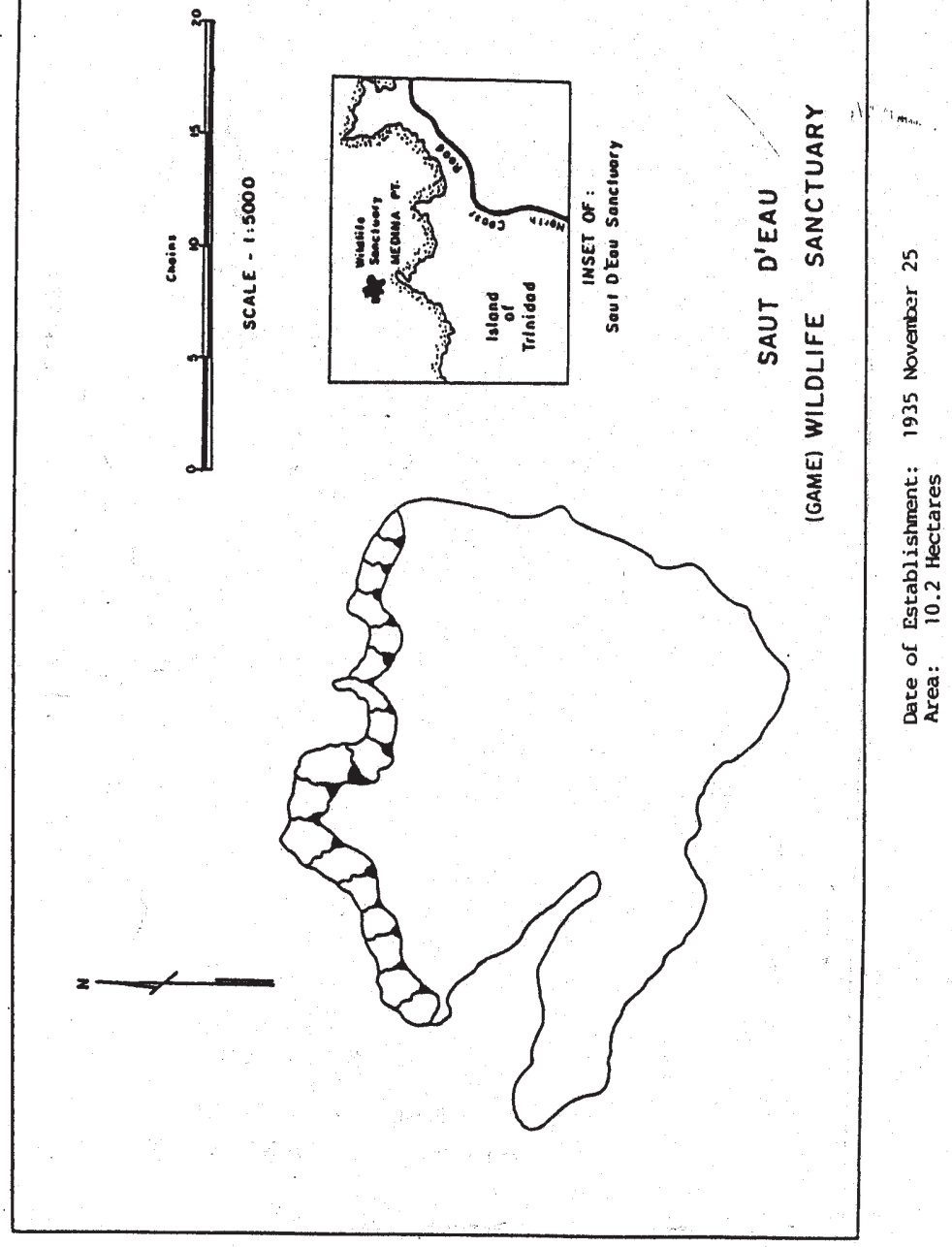
APPENDIX 4



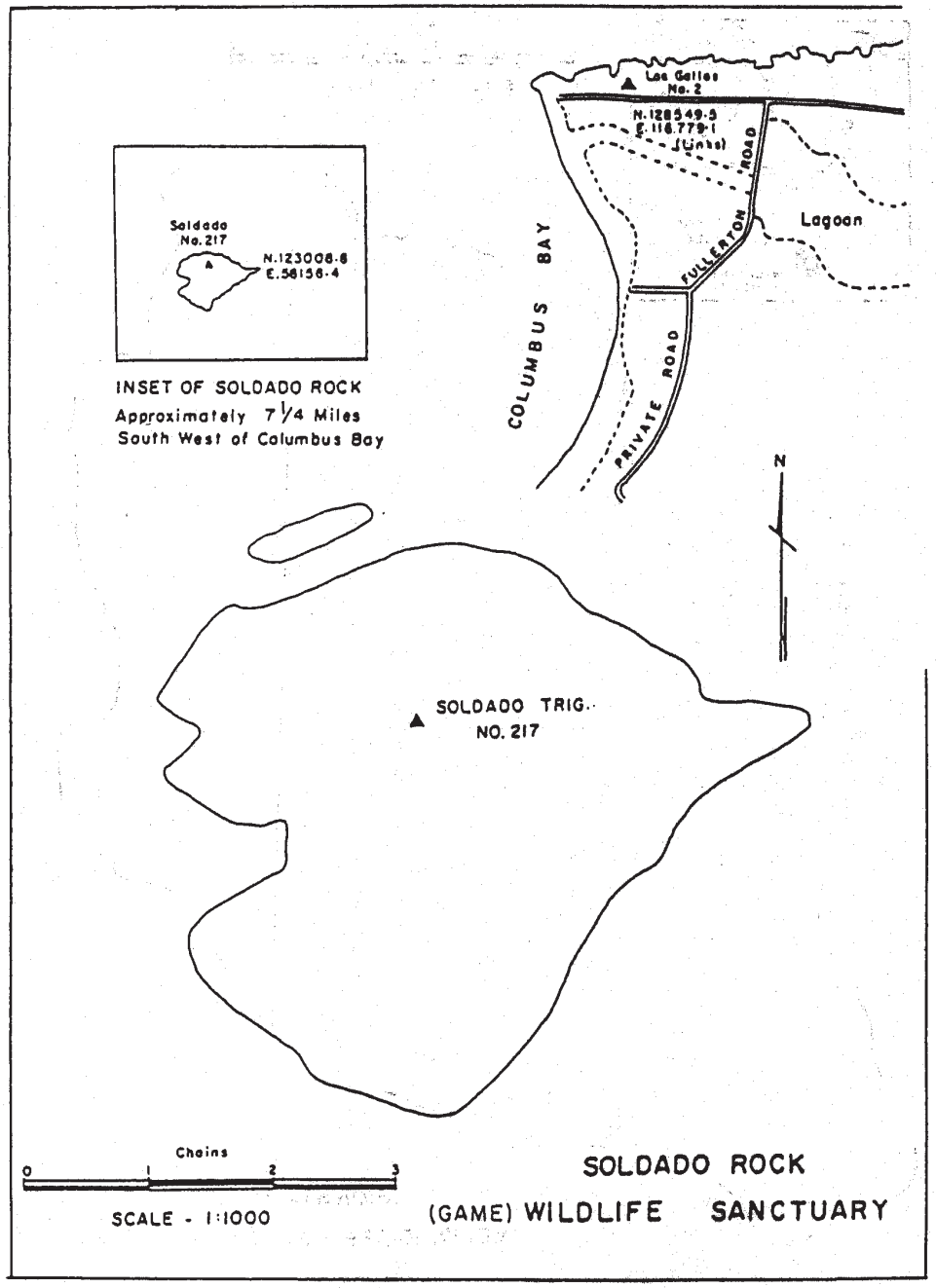

Date of Establishment: 1934 June 01

**Area: 104.4 Hectares**

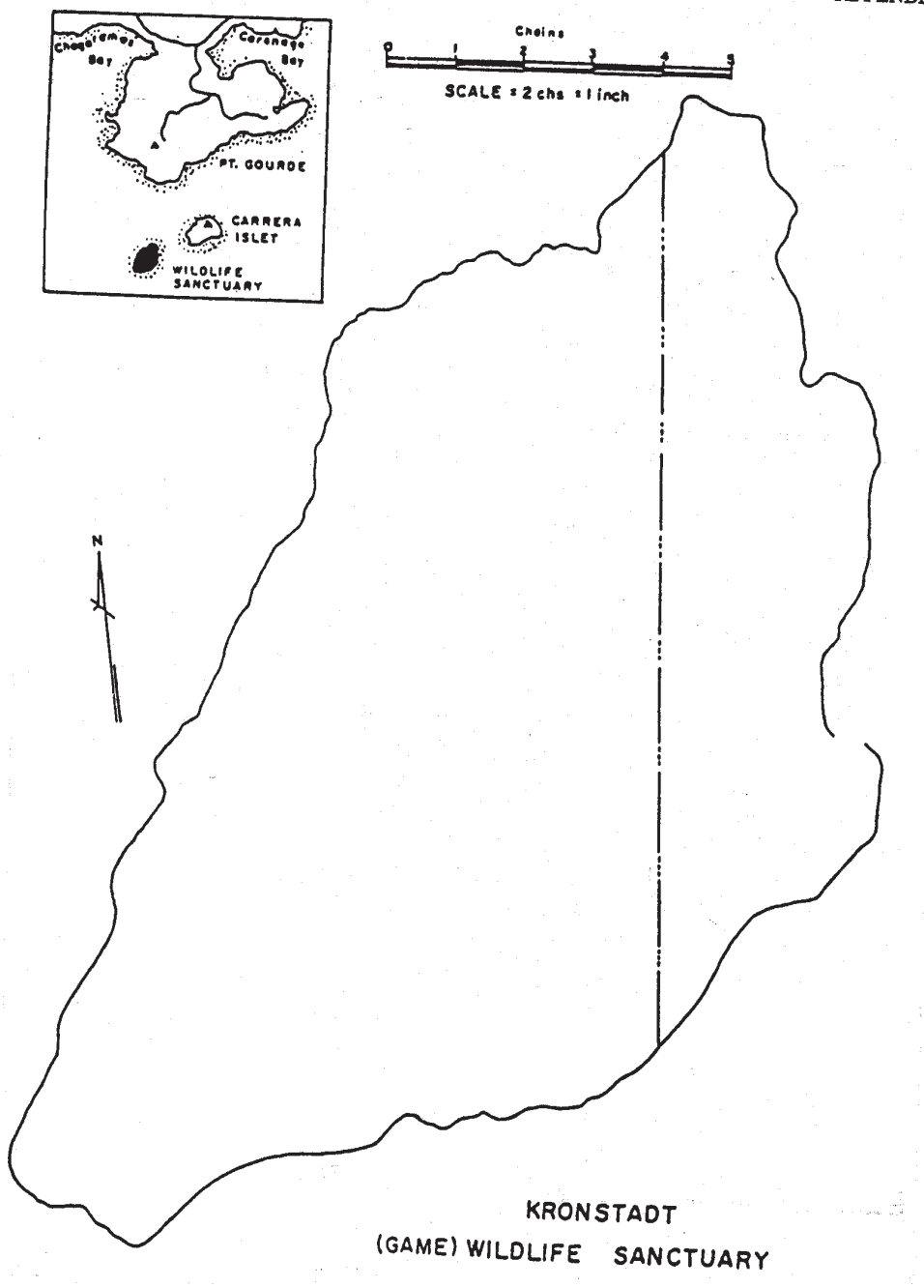
APPENDIX 5


SAUT D'EAU
(GAME) WILDLIFE SANCTUARY
SCALE - 1:5000
Chains
0
5
10
15
20
INSET OF :
Saut D'Eau Sanctuary
Wildlife Sanctuary
MEDINA PT.
Island of Trinidad
N
Date of Establishment: 1935 November 25
Area: 10.2 Hectares

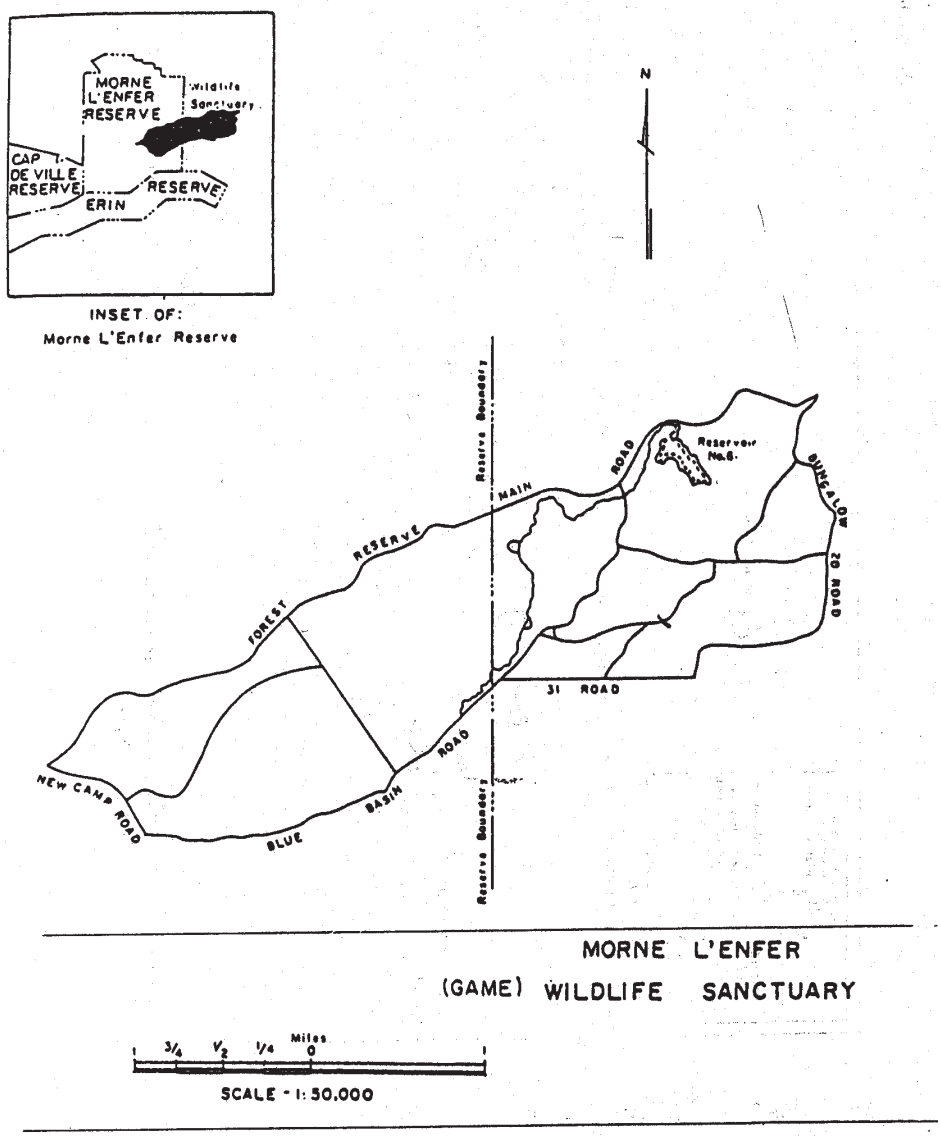
APPENDIX 6


Soldado
No. 217
N.123008·6
E.56156·4
INSET OF SOLDADO ROCK
Approximately 7 1/4 Miles
South West of Columbus Bay
Les Galles
No. 2
ROAD
Lagoon
FULLERTON
COLUMBUS BAY
PRIVATE ROAD
N
SOLDADO TRIG.
NO. 217
Chains
0 1 2 3
SCALE - 1:1000
SOLDADO ROCK
(GAME) WILDLIFE SANCTUARY

APPENDIX 7


Chains
0 1 2 3 4 5
SCALE = 2 chs = 1 inch
Chaguaramas Bay
Carenage Bay
PT. GOURDE
CARRERA ISLET
WILDLIFE SANCTUARY
N
KRONSTADT
(GAME) WILDLIFE SANCTUARY

APPENDIX 8

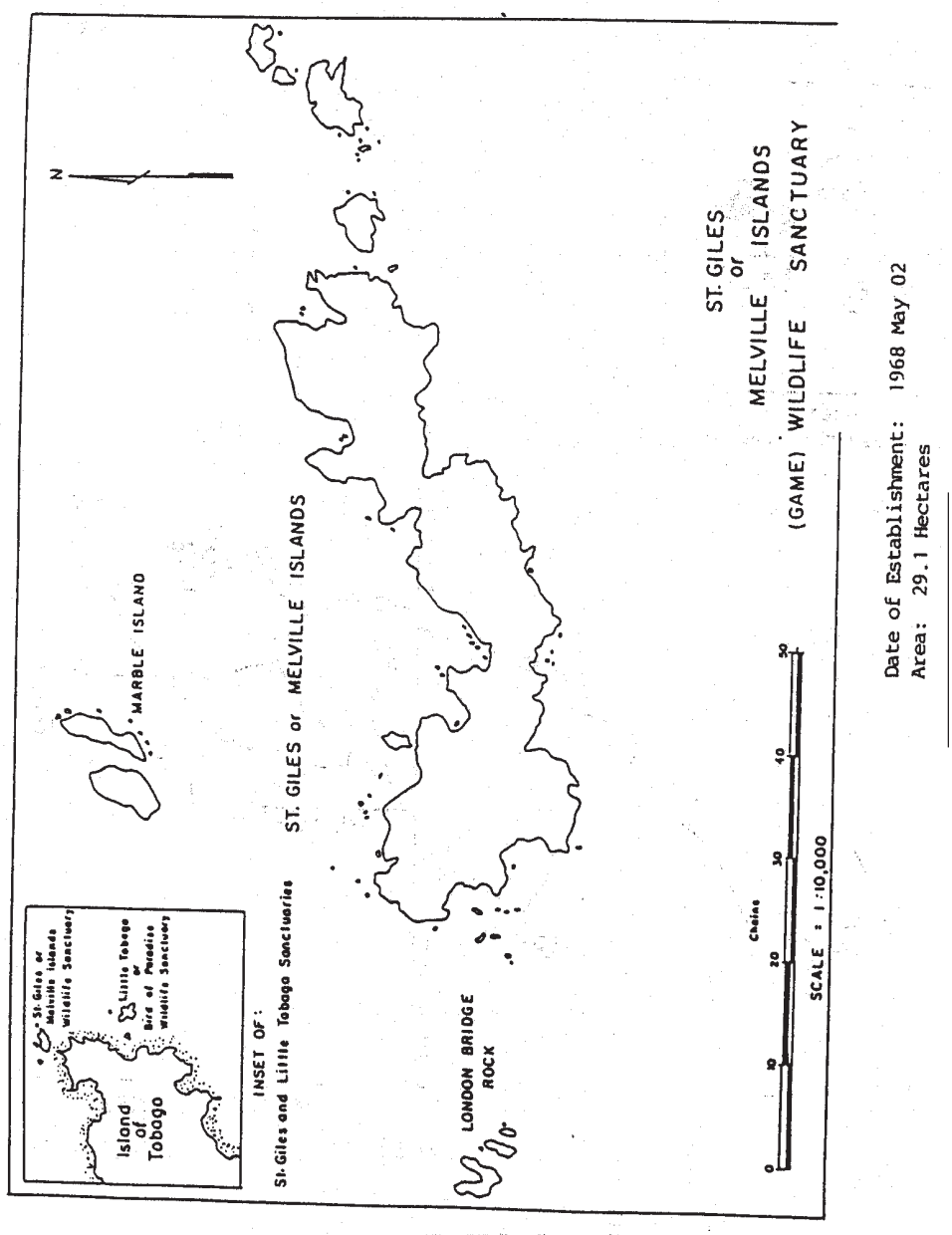



Date of Establishment: 1958

Area: 338.3 Hectares

Note: 158 hectares outside Reserve (approximately)
180 hectares inside Reserve

APPENDIX 9


N
MARBLE ISLAND
ST. GILES or MELVILLE ISLANDS
LONDON BRIDGE ROCK
INSET OF:
St. Giles and Little Tobago Sanctuaries
Island of Tobago
St. Giles or Melville Islands Wildlife Sanctuary
Little Tobago or Bird of Paradise Wildlife Sanctuary
ST. GILES or MELVILLE ISLANDS (GAME) WILDLIFE SANCTUARY
Date of Establishment: 1968 May 02
Area: 29.1 Hectares
SCALE = 1:10,000
Chains
0
10
20
30
40
50

80/1963.

## FOREST OFFICERS NOTIFICATION

*made under section 3*

The persons for the time being holding the following offices are appointed Forest Officers:

Conservator of Forests
Deputy Conservator of Forests
Assistant Conservator of Forests
Forest Supervisor
Forester
Forest Ranger
Temporary Forest Ranger
Game Warden II
Game Warden I
Statistical Assistant, Forest Department
Assistant Forest Surveyor
Utilisation Officer.

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27/1958.

## CONFERMENT OF POWERS NOTIFICATION

*made under section 3*

The powers referred to in sections 15(2) and 21 are conferred on the following Forest Officers:

Conservator of Forests
Deputy Conservator of Forests
Assistant Conservator of Forests
Senior Forest Supervisors
Forest Supervisors

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## DECLARED DISTRICTS ORDER

*made under section 7*

The following parts of Trinidad and Tobago are declared districts to which the provisions of the Act with regard to the removal of timber apply:

(1) the Counties of St. George, St. David, St. Andrew, Victoria, St. Patrick, Nariva, Mayaro and the Wards of Chaguanas, San Rafael and Montserrat in the County of Caroni. Proc. 15 of 1919. (G. 13/3/19).

(2) the Ward of Tobago. Proc. 56 of 1919. (G. 30/10/19).

# REMOVAL OF TIMBER (PERMITS) RULES

ARRANGEMENT OF RULES

**RULE**

1. Citation.
1A. Interpretation.
2. Form of permit.
3. Authority to issue permit.
4. Pre-conditions of issue.
5. Surrender of permit.

**FIRST SCHEDULE.**
**SECOND SCHEDULE.**
**THIRD SCHEDULE.**

**[Subsidiary]**

## REMOVAL OF TIMBER (PERMITS) RULES

G. 18.4.18. [13.3.19 30.10.19 310/2000].

*made under section 23*

**1.** These Rules may be cited as the Removal of Timber (Permits) Rules. Citation.

**1A.** In these Rules— Interpretation.

"dimensional stock" means any lumber resulting from subjecting timber to a manufacturing process;

"Timber Sales Agreement" means an agreement between the State and the purchaser for the sale of State-owned timber in bulk.

**2.** A permit to convey or move timber— Form of permit. [310/2000].

*(a)* from State land, shall be in the Form as set out in the First Schedule to these Rules; First Schedule.

*(b)* in bulk from State land or Private land, shall be in the Form as set out in Parts A and B respectively of the Second Schedule to these Rules; and Second Schedule.

*(c)* from Private land, shall be in the Form as set out in the Third Schedule to these Rules. Third Schedule.

**3.** Such permits shall be issued by the authorised officers and by such persons as the Director of Forestry may from time to time by writing under his hand authorise to issue them. Authority to issue permit. [310/2000].

**4.** Any authorised officer or other authorised person may refuse to issue such permit until he has been satisfied that the "timber" to be conveyed or moved is *bona fide* private property and has come from "Private Land" with the consent of the owner of such land, or has been brought from State Land under a licence granted under the State Lands Forest Produce Rules for the time being in force. Pre-conditions of issue. [310/2000].

Surrender of permit. [310/2000].

**5.** (1) Every permit, save a permit to convey or move timber in bulk from State land, shall be surrendered to an authorised representative of the sawmill responsible for the receipt of such timber.

(2) Notwithstanding subrule (1), a permit to convey or move timber from State land which forms an attachment to a permit to convey or move timber in bulk from State land, shall be surrendered to an authorised representative of the sawmill responsible for the receipt of such timber.

(3) Every permit to convey or move timber in bulk from State land, shall be surrendered to the person issuing same upon the expiration of the Timber Sales Agreement to which the Permit applies.

## FIRST SCHEDULE

(Section 7A).

## REMOVAL PERMIT

*(State Land)*

RANGE..... DATE.....

PERMISSION is hereby granted to.....

of.....

to remove from..... to.....

the following forest produce which, in the case of timber has been stamped with Government.

Sale marketing Die No .....

| DETAILS OF FOREST PRODUCE (In case of Timber, Serial Number of Trees, Species, Girth, Dimensions and Cubic Contents) | Cubic feet | DETAILS OF FOREST PRODUCE (In case of Timber, Serial Number of Trees, Species, Girth, Dimensions and Cubic Contents) | Cubic feet |
|---|---|---|---|
| | | | |

LICENCE No. .....DATE OF ISSUE.....DATE OF EXPIRY.....

Licensee's marks in case of timber removed in log form; or royalty on which is paid by the cubic foot.

.....
*Signature of Officer authorised to issue Permit*

## SECOND SCHEDULE

[Section 7F(2)].

**PART A**

## SPECIAL BULK TIMBER REMOVAL PERMIT

*(State Land)*

Date .....

Permit No. .....

Permission is hereby granted to.....of

.....to remove

the following teak/pine from State lands located at.....Plantation

to.....

| No. | Species | Dimension | Vol. |
|---|---|---|---|
| | | | |

Receipt No. .....

Date of Payment .....

Date of Issue .....

Date of Expiry .....

.....
*Director of Forestry*

*See Conditions on next page*

## SPECIAL BULK REMOVAL PERMIT CONDITIONS

1. The permit shall be valid for a period stated on the Timber Sales Agreement.

2. The Forestry Division must be informed of any changes in destination, prior to the transportation of the logs. This change must be endorsed on the permit by the Forestry Division.

3. The dimensions of logs to be transported shall be stated on the accompanying removal permit(s) which shall form attachments to this Special Bulk Removal Permit.

4. When logs reach the destined sawmills, the relevant Special Bulk Removal Permit and Removal Permits will form part of the sawmill records.

5. A non-refundable/non-transferable fee of $50.00 shall be charged for a Special Bulk Removal Permit.

6. Breach of any of the conditions set out above will result in the cancellation of the Special Bulk Removal Permit.

N.B.—Load limits may be established for access roads through Forest Reserves, State Lands, Agricultural Access Roads and Secondary Roads by the Forestry Division, Ministry of Agriculture, Land and Marine Resources or Ministry of Local Government.

**PART B**

(Sections 7E and 7F).

## BULK TIMBER REMOVAL PERMIT

*(Private Land)*

Date .....

Permit No. .....

Permission is hereby granted to.....of .....to remove the following timber from private lands located at.....Plantation to.....

| No. | Species | Dimension | Vol. |
|---|---|---|---|
| | | | |

Receipt No. .....

Date of Payment .....

Date of Issue .....

Date of Expiry .....

.....
*Director of Forestry*

*See Conditions on next page*

## BULK REMOVAL PERMIT CONDITIONS

1. The Forestry Division must be informed of any changes in destination, prior to the transportation of the logs. This change must be endorsed on the permit by the Forestry Division.

2. The dimensions of logs to be transported shall be stated on the accompanying removal permit(s) which shall form attachments to this Bulk Removal Permit.

3. When logs reach the destined sawmills, the relevant Bulk Removal Permit and Removal Permits will form part of the sawmill records.

4. A non-refundable/non-transferable fee of $50.00 shall be charged for a Bulk Removal Permit.

5. Breach of any of the conditions set out above will result in the cancellation of the Bulk Removal Permit.

N.B.—Load limits may be established for access roads through Forest Reserves, State Lands, Agricultural Access Roads and Secondary Roads by the Forestry Division, Ministry of Agriculture, Land and Marine Resources or Ministry of Local Government.

## THIRD SCHEDULE

(Section 7A).

**PART A**

## APPLICATION FOR REMOVAL PERMIT

*(Private Land)*

To: The Forest Officer,.....Range.....

I, Mr./Mrs./Ms. .....of .....hereby apply for a permit to transport the timber listed hereunder, from private lands located at .....to .....

I further declare that the said timber is *bona fide* private property and has been obtained from "Private Land" with the consent of the owner.....through purchase/donation.

Date..... Signature.....
*Applicant*

Date..... Signature.....
*Owner*

Address of owner.....

| No. | Species | Dimension | Vol. | For official use only |
|---|---|---|---|---|
| | | | | Date of application .....<br>Date of inspection .....<br>Land Assessment .....<br>Name of Land Owner .....<br>Condition of Parcel Boundaries:<br>North .....<br>South .....<br>East .....<br>West .....<br>General Remarks and Recommendations: |
| | | | | Felling Permit No. |

Officer's Signature:..... Approved/Not approved

*See Guidlines on next page*

## APPLICATION FOR REMOVAL PERMIT (PRIVATE LAND) GUIDELINES

1. Where no Deed or Certificate of Title is produced, an application shall include a statutory declaration of ownership of the land by the owner thereof.

2. Where applicant is not the owner, the application must include written consent of the owner of the land for the Removal Permit being granted.

3. This permit may be refused on *inter alia* grounds prescribed by Order made by the Minister

4. A non-refundable/non transferable fee of thirty ($30.00) dollars shall be charged for each Removal Permit.

5. The boundaries of private lands must be clearly identified by the owner/ applicant prior to the issue of any removal permit.

6. The destination of the logs must be clearly identified by the applicant.

7. A felling permit required under the Forests Act must be obtained prior to the application for a private removal permit.

8. A maximum of 15 cubic metres or 416 hoppus feet will be released on a removal permit.

9. A permit may be refused to a person who has a conviction for a forest offence.

(Section 7A).

**PART B**

## REMOVAL PERMIT (PRIVATE LAND)

Date .....

Permit No .....

Range.....

Permission is hereby granted to.....of

.....to remove

from.....to.....

.....the following timber which has been felled under

Permit No. .....

Receipt No. ..... Date of payment.....

| No. | Species | Dimensions | Volume | No. | Species | Dimensions | Volume |
|---|---|---|---|---|---|---|---|
| | | | | | | | |

Date of Issue..... Date of Expiry.....

.....

*Signature of Authorised Officer*

*See Conditions on next page*

## REMOVAL PERMIT (PRIVATE LAND) CONDITIONS

1. The permit shall be valid for thirty (30) days. Any applicant requiring an extension will have to pay an additional ten dollars ($10.00) for a week, up to a maximum of two weeks.

2. The Forestry Division must be informed of any changes in destination, prior to the transportation of the logs. This change must be endorsed on the permit.

3. Transportation of timber, including wood that has been cut up or fashioned originating from private lands must be accompanied by a valid removal permit.

4. When logs reach the destined sawmills, the relevant removal permit will form part of the sawmill records.

5. Breach of any of the conditions set out above will result in the cancellation of the removal permit.

N.B.—Load limits may be established for access roads through Forest Reserves, State Lands, Agricultural Access Roads and Secondary Roads by the Forestry Division, Ministry of Agriculture, Land and Marine Resources or Ministry of Local Government.

# FELLING OF TREES (PERMITS) (PRIVATE LAND) RULES

ARRANGEMENT OF RULES

**RULE**

1. Citation.
2. Interpretation.
3. Felling Permit.
4. Bulk Felling Permit.
5. Issuing of Permit.
6. Requirements for Felling Permit.
7. Refusal to grant Felling Permit.
8. Requirements for Bulk Felling Permit.
9. Refusal to grant Bulk Felling Permit.
10. Replanting trees.
11. Exception.
12. Onus of Proof.
13. Breach.

**FIRST SCHEDULE.**
**SECOND SCHEDULE.**

## FELLING OF TREES (PERMITS) (PRIVATE LAND) RULES

309/2000.

*made under section 23*

Citation.

**1.** These Rules may be cited as the Felling of Trees (Permits) (Private Land) Rules.

Interpretation.

**2.** "Clearfell" means to fell all trees over ten centimetres (4 inches) in diameter at a height of 1.3 metres (4 feet three inches) above the ground on a given parcel of land.

Felling Permit.

**3.** A permit to fell any tree on Private Land shall be in the Form as set out in Part B of the First Schedule to these Rules.

Bulk Felling Permit. Second Schedule.

**4.** A permit to clearfell trees on any area of Private Land shall be in the form as set out in the Second Schedule to these Rules.

Issuing of Permit.

**5.** Every permit issued under these rules shall be issued by officers authorised by the Director of Forestry.

Requirements for Felling Permit. First Schedule.

**6.** An application for a permit under rule 3 shall be in the Form as set out in Part A of the First Schedule and accompanied by—

*(a)* specific information of the land on which the tree is standing stating clearly the number of trees to be felled, the species of tree, and the girth of the tree at a height of 1.3 metres (four feet three inches) above the ground;

*(b)* proof of ownership of the land and consent of the owner for the felling of the trees;

*(c)* a sketch map of the land showing which trees are to be felled; and

*(d)* a Forest Management Plan approved by the Director of Forestry where the applicant is conducting commercial forest production on slopes of over thirty degrees.

Refusal to grant Felling Permit.

**7.** An authorised officer may refuse to issue a permit under rule 2 until he has been satisfied that—

*(a)* in the act of felling the tree no adjoining property, road, reserve line, waterway, transmission line, drain or public infrastructure is likely to be adversely affected;

*(b)* upon removal of the trees large gaps will not be created so as to allow or induce soil erosion, landslides, rapid water run-off or removal of valuable top soil; and

*(c)* the tree is not of historical, cultural or environmental significance.

Requirements for Bulk Felling Permit.

**8.** An authorised officer may refuse to issue a permit under rule 3 until the applicant for such permit has submitted to him—

*(a)* application from the owner or occupier of the land on which the trees are standing stating clearly the number of trees to be felled and the species; and

*(b)* proof of ownership of the land and consent of the owner for the felling of the trees.

Refusal to grant Bulk Felling Permit.

**9.** Any authorised officer may refuse to issue a permit under rule 3 until he has been satisfied that—

*(a)* in the act of felling the tree no adjoining property, road, reserve line, waterway,

transmission line, drain or public infrastructure is likely to be adversely affected; and

*(b)* the tree is not of historical, cultural or environmental significance.

Replanting trees.

**10.** Where a permit is granted for the felling of trees on slopes of thirty degrees or more, the permit holder shall be required to replant on the said slope, one tree for each tree felled within eight months of such felling.

Exception.

**11.** Notwithstanding rule 9, where there is already a replacement tree within ten metres of a tree felled on a slope of thirty degrees or more, the permit holder shall be exempt from the requirement of replanting such tree.

Onus of Proof.

**12.** The onus of proving that a tree has been replanted in accordance with rule 9 shall rest on the permit holder.

Breach.

**13.** Breach of the conditions stated on a permit issued under these Rules may result in the refusal to grant any further permit.

## FIRST SCHEDULE

### PART A

## APPLICATION FOR FELLING PERMIT

To: The Forest Officer, ..... Range .....
I, Mr./Mrs./Ms. ..... of .....
.....
hereby apply for a permit to fell tree(s) listed hereunder, from private lands located at
.....

I further declare that the said tree(s) are situated on *bona fide* private property belonging to .....
and is being felled with the consent of the owner.

Date: ..... Signature .....
*Applicant*

Date: ..... Signature .....
*Owner*

| No. | Species | Diameter | For official use only |
|---|---|---|---|
| | | | Date of application .....<br>Date of inspection .....<br>Land Assessment No. .....<br>Name of Land Owner .....<br><br>Boundaries:<br>North .....<br>South .....<br>East .....<br>West .....<br>General Remarks and Recommendations: |

Officer's Signature: .....

*See Guidelines on next page*

## APPLICATION FOR FELLING PERMIT

## GUIDELINES

1. An application must state clearly the number of trees to be felled, the size of the trees (girth at breast height (4'3" or 1.3 m above the ground) and the species.

2. The application must be submitted with a sketch map of the relevant area and proof of ownership of the land. This should include a Deed for unregistered land and a Certificate of Title for registered land. Where applicable, a letter of consent from the owner shall also be required.

3. An authorised Forest Officer from the Range must make an inspection of the property and tree(s) before a permit is granted.

4. The officer is expected to issue the Felling Permit immediately after the inspection is done, unless there are grounds for refusal. An authorised officer may request any other information as he thinks appropriate to enable him to make a decision on the matter

5. The Director of Forestry or his agent may suspend or refuse to grant a Felling Permit if in the act of felling the trees, adjoining property, roads, reserve lines, waterways, transmission lines, drains or public infrastructure is likely to be adversely affected.

6. In the removal of trees, large gaps must not be created so as to allow the adverse effects of soil erosion, landslides or rapid water run-off to escalate. The Director of Forestry may refuse to grant a permit if the felling of a tree(s) may induce site degradation, e.g., soil erosion, landslides, rapid water run-off or removal of valuable topsoil, or if a tree is of historical, cultural or environmental significance.

7. Under private plantations where trees are to be removed, there must be adequate tree cover and undergrowth remaining so as to prevent any adverse effect mentioned in (6) above. Clearfelling of plantations will be allowed only if there are no adverse effects to site conditions.

8. Persons desirous of practising commercial forest production on slopes of over (30) thirty degrees are required to submit a Forest Management Plan to the Forestry Division for approval prior to such action.

9. This application may be refused on the grounds that the applicant has breached any of the Conditions of a previously issued Felling Permit.

10. Where land is to be converted to another use the applicant must show evidence of obtaining all relevant approval(s) from the respective institutions and government agencies.

**PART B**

(Rule 2).

## FELLING PERMIT

Permit No. .....

Range .....

Permission is hereby granted to Mr./Mrs./Ms. .....

of ..... to fell the

Trees listed hereunder on private lands belonging to .....

and located at ..... These lands are shaded

..... on the attached sketch map:

DETAILS OF TREES TO BE FELLED

| No. | Species | Girth at Breast Height (4' 3") |
|---|---|---|
| | | |

Date of Issue..... Date of Expiry .....

.....
*Signature of Authorised Offficer*

*See Conditions on next page*

## FELLING PERMIT

## CONDITIONS

1. The felling permit will be valid for a period of thirty (30) days.

2. Save where the applicant has received permission to change the use of the land, persons felling trees on slopes (30˚) thirty degrees or more are required to replant a tree for each tree felled, within twelve months of felling, except where an exemption is granted by the Director of Forestry. The onus of proving that such trees were replanted shall be on the applicant. If a replacement tree is within 10 m from the tree felled, on a slope of (30˚) thirty degrees or more, there shall be no need to replant a tree.

3. Breach of any of the conditions set out above will result in the refusal of any further application for a felling permit by the applicant.

(Rule 3).

## SECOND SCHEDULE

## BULK FELLING PERMIT

Permit No. .....

Range .....

Permission is hereby granted to Mr./Mrs./Ms. .....

of ..... to fell the

trees listed hereunder on private lands belonging to .....

and located at ..... These lands are shaded

..... on the attached sketch map:

DETAILS OF TREES TO BE FELLED

| Species | Number of Trees |
|---|---|
| | |
| | Total: |

Date of Issue ..... Date of Expiry .....

.....
*Signature of Authorised Officer*