SAWMILLS ACT

CHAPTER 66:02

Act
35 of 1943
Amended by
34 of 1947
45 of 1979
24 of 1999

Current Authorised Pages

Pages (inclusive)	*Authorised by L.R.O.*
1–10	..

Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Adaptation

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, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 66:02

SAWMILLS ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 66:02

SAWMILLS ACT

An Act relating to Sawmills.

1950 Ed.
Ch. 24 No.3.
35 of 1943.

Commencement.

[18TH NOVEMBER 1943]

Short title.

1. This Act may be cited as the Sawmills Act.

Interpretation.
[24 of 1999].

2. (1) In this Act—

"licensee" means a person who is the holder of a sawmill licence issued under this Act;

"owner" in respect of a sawmill includes any person having possession thereof;

"sawmill" includes every sawmill compound and every breakdown saw or mill designed and used to break down and convert logs into boards, planks or scantlings or to re-saw the boards, planks or scantlings into boards, planks or scantlings of small dimensions;

"sawmill compound" means any area whether enclosed or not, used to operate one or more sawmills and in reference to which the terms and conditions referred to in section 4(4) are applicable; and

"sawmill licence" means a licence to operate a sawmill issued by the Conservator under the provisions of this Act.

(2) In this Act a reference to the words "Conservator" or "Conservator of Forests" shall be construed as a reference to the term "Director" or "Director of Forestry".

Sawmill licences.
[45 of 1979
24 of 1999].

3. (1) No sawmill shall be operated except by a person duly licensed under this Act.

(2) A separate application shall be made and a separate licence shall be granted in respect of each sawmill.

First Schedule.

(3) A sawmill licence shall be, as nearly as may be, in the form set out in the First Schedule signed by the Conservator and shall expire on 31st December of the year during which it is granted.

(4) The fee for a sawmill licence shall be two thousand dollars for a year or part of a year.

(5) A sawmill licence shall not be transferable.

Permit for furniture shop. [24 of 1999].

3A. (1) No person shall operate a furniture shop without a permit issued by the Minister in accordance with section 3B.

(2) No person who operates a furniture shop shall convert logs into dimensional stock without a sawmill licence granted under section 4.

(3) A person who contravenes this section, commits an offence and is liable on summary conviction to a fine of $100,000.00 and imprisonment for one year.

Application for Permit. [24 of 1999].

3B. (1) In furtherance of section 3A, the owner or operator of a furniture shop shall apply to the Director for a permit to so operate and shall pay a fee of $500.00 or such other fee as the Minister may prescribe by Order, and such Order shall be subject to negative resolution of Parliament.

(2) Where on the coming into force of this Act, a furniture shop is already in operation, the owner or operator shall be entitled to a permit, subject to such conditions as the Director sees fit.

Meaning of furniture shop. [24 of 1999].

3C. For the purposes of sections 3A and 3B "furniture shop" means a place where wooden furniture are manufactured for sale, or where wood is used in the manufacture of furniture for sale.

Application for sawmill licences.

4. (1) Applications for sawmill licences shall be made in writing to the Conservator, shall contain a postal address to which all communications may be sent, and shall be in such form as the Conservator may require.

(2) No application for a sawmill licence shall be entertained by the Conservator unless made and signed by the owner of the sawmill or, if the owner is absent from Trinidad and Tobago, or incapacitated, by the owner's duly authorised agent residing in Trinidad and Tobago; but if the owner is a partnership, the application may be made and signed by a partner residing in

Trinidad and Tobago, and if the owner is a corporation the application may be made and signed by a director, manager or secretary thereof residing in Trinidad and Tobago.

(3) No sawmill licence shall be issued by the Conservator until the prescribed fee has been paid to the Comptroller of Accounts.

(4) On due application made the Conservator may grant a licence subject to such terms and conditions as he may think fit, or he may refuse to grant a licence, if he deems the refusal to be necessary or desirable in the interests of the public and he may suspend for such time as he thinks fit, or revoke, any licence issued by him upon breach by the licensee of any sawmill, or by the manager or person for the time being in charge thereof, of any of the provisions of this Act, of any of the terms and conditions subject to which the licence was granted or for any other reason which in his opinion renders the suspension or revocation necessary or desirable in the interests of the public. Any person aggrieved by the withholding, suspension or revocation of any licence may, not later than one month after the withholding, suspension or revocation, appeal to the Minister whose decision shall be final.

Log Haulage Permit. [24 of 1999].

4A. (1) No person may—

(a) extract, carry or transport logs by means of vehicle, animal or otherwise; or

Second Schedule.

(b) use a vehicle or equipment listed in the Second Schedule for the extraction or haulage of logs within forest located in State lands or Forest reserves,

without a valid permit issued by the Director.

(2) A permit to be called a Log Haulage Permit shall be issued by the Conservator upon application from the owner or driver of the vehicle or user of equipment on which the logs are to be transported, or hauled from the forests.

(3) The Conservator may, prior to the grant of the application, request such information as he thinks fit.

(4) The fee for the Log Haulage Permit shall be three hundred dollars.

(5) The Log Haulage Permit shall expire at the end of twelve calendar months, and is renewable at the same fee one month before expiration thereof.

(6) A person who fails to obtain a Log Haulage Permit in accordance with this section commits an offence and is liable on summary conviction to a fine of three thousand dollars or imprisonment for six months.

Penalty for operating sawmill without licence. [24 of 1999].

5. Whenever a sawmill is operated without a sawmill licence applicable thereto being in force, the owner thereof and the manager or any person for the time being in charge thereof is each liable on summary conviction to a fine of one hundred thousand dollars or to imprisonment for five years and in the case of a continuing offence to a further penalty of five thousand dollars for each day during which the offence continues.

List of sawmill licences to be published.

6. The Conservator shall at the beginning of every month cause to be published in the *Gazette* a list of sawmill licences issued by him during the preceding month; and if at any time any such licence is suspended or revoked, the Conservator shall notify the suspension or revocation, in like manner as aforesaid.

Conservator may ask for returns.

7. (1) The Conservator may by order signed by him or on his behalf and served as hereinafter provided order the licensee of a sawmill or (in case the licensee is absent from Trinidad and Tobago or cannot be found or is incapable to act) the manager or person for the time being in charge of the sawmill to furnish to the Conservator a return or a series of returns in such form and at or within such time or times as may be specified in the order regarding any or all of the following matters:

(a) the stocks on hand of timber and timber products which are the property of the licensee;

(b) the volume of timber or timber products (whether the property of the licensee or otherwise) received at the sawmill;

(c) the volume of the timber products obtained from the conversion of timber received;

(d) the names and addresses of the persons from whom timber or timber products have been bought by the licensee, or who have sent timber or timber products for treatment at the sawmill;

(e) the number of persons employed at the sawmill and the number of man-days worked.

(2) An order made by the Conservator under this section shall be deemed to have been duly served on the licensee of a sawmill or on the manager or person for the time being in charge thereof if the same is served personally or is delivered to some person at, or sent by post to, the postal address set out in the relevant application form.

(3) Every return made under this section shall be signed by the person making it and shall be forwarded to the Conservator at his office at Port-of-Spain.

(4) Any person who fails to comply with any requirement of an order made under this section or with any requirements of subsection (3), or who furnishes any return which is false in a material particular knowing or having reason to believe that it is false as aforesaid is guilty of an offence against this Act.

Books to be kept. [24 of 1999].

8. (1) Every licensee shall keep, or cause to be kept, books and records in the English language recording all such particulars as may be necessary to enable him to render any such return or furnish any such information as the Conservator would be entitled to require under this Act.

(2) Such books and records shall be kept in a safe place on the premises on which the sawmill or the holder of a permit for a furniture shop is situated.

(3) Any licensee who fails to comply with the requirements of this section in any respect is guilty of an offence against this Act.

Stockpiling. [24 of 1999].

8A. (1) A person who stores or stockpiles timber in a sawmill compound, shall keep a record of the number of Removal Permits granted under the Forests Act, the date of its issue and the name of the officer who issued same, for each occasion on which timber is removed from its source.

Ch. 66:01.

(2) A person who contravenes this section is liable on summary conviction to a fine of twenty-five thousand dollars or imprisonment for one year.

Power of entry and inspection. [24 of 1999].

9. (1) The Conservator, any Forest Officer, or any member of the Police Service may, at any time when any sawmill is open or in operation, enter the premises on which any sawmill is situated for the purpose of inspecting the books and records required by section 8 to be kept and the timber and timber products therein situated; and the licensee of the sawmill or the manager or the person for the time being in charge thereof shall, on demand made by the Conservator or other officer aforesaid, produce for inspection all such books, records, timber and timber products, and shall answer truthfully all such questions as may be asked by the Conservator or other officer aforesaid with reference to the books, records, timber, timber products or with reference to any of the entries in, or contents of, the books and records.

(2) Any person who fails to comply with the requirements of this section in any respect is guilty of an offence against this Act.

Penalties. [24 of 1999].

10. Any person who is guilty of an offence against this Act for which no special penalty is provided is liable on summary conviction to a fine of thirty thousand dollars or to imprisonment for two years.

Power to make Regulations.

11. The Minister may make Regulations for the purpose of giving effect to any of the provisions of this Act or to any matters incidental or ancillary thereto.

Section 3.

FIRST SCHEDULE

SAWMILLS ACT

Mr....., of ....., Trinidad and Tobago, being the owner of a sawmill situate at ....., in the Ward of ....., in the County of ....., is hereby licensed to operate such sawmill.

This licence will expire on 31st December next.

.....
Conservator of Forests

Date: .....

Section 4A.
[24 of 1999].

SECOND SCHEDULE

List of Equipment used for Extraction of Logs

1. Wheel tractors.
2. Track tractors.
3. Skidders/Timberjacks.
4. Pegged wheel tractors.
5. Feller/Bunchers.
6. Trucks.
7. All trailers.
