

ARRANGEMENT OF REGULATIONS

PART I-PROCEDURE FOR GRANT OF TIMBER RIGHTS

Sub-part I - Identification of land suitable for grant of timber rights

Regulation

1. Inventory of timber
2. Field inspection

*Sub-part II -Procedure in relation to lands other than public land
and existing forest reserves*

3. publication to obtain consent
4. Owners who consent
5. Objection by owner of land and conflicting interest
6. Report of District Forest Officer to the Regional Forest Officer
7. Report of Regional Forest Officer to Chief Conservator of Forests
8. Conflict on use of public land

**PART II - ADVERTISEMENT FOR APPLICANTS AND QUALIFICATION FOR
GRANT OF TIMBER UTILISATION CONTRACTS**

9. Advertisement
10. Application forms
11. Qualification of applicant
12. Evaluation
13. Selection and submission of evaluation report

PART III- TERMS AND CONDITIONS OF TIMBER UTILIZATION CONTRACT

14. Terms and conditions
15. Records inspection

TIMBER RESOURCES MANAGEMENT REGULATIONS, 1998

- 23. Measurement of timber
- 24. Conveyance certificate
- 25. Payment of stumpage
- 26. Payment for management services
- 27. Payment of rent for contract areas

PART VI-REGISTRATION AND USE OF CHAINSAWS

- 28. Registration of chainsaws by District Assemblies
- 29. Registration of chainsaw at District Forest Office
- 30. Timber registration number
- 31. Use of chainsaw to harvest timber
- 32. Prohibition of use of chainsaw to convert timber into lumber for sale Chain
- 33. saw users to mark stumps
- 34. Prohibition of landowners to permit use of unregistered chainsaw Timber
- 35. utilization permit
- 36. Supply to domestic market
- 37. Salvage and disposal of abandoned timber products
- 38. Salvage of timber products
- 39. Disposal of residue of logs
- 40. Restricted timber species
- 41. Offences and penalties
- 42. Revocation
- 43. Interpretation

SCHEDULE

PART IV- PROCEDURE RELATING TO TIMBER OPERATIONS

- 16. Logging manual
- 17. Harvesting plan
- 18. Approved periods for timber operations and transport of forest produce
- 19. Timber produce inspection officers
- 20. Marking and numbering of trees. logs and timber products

PART V-TIMBER STI\1PAGE FEES AND CONTRACT AREA RENT

- 21. Stumpage fee
- 22. Formula for stumpage fee calculation

TIMBER RESOURCES MANAGEMENT REGULATIONS, 1998

IN exercise of the powers conferred on the Minister responsible for Forestry by section) 8 of the Timber Resources Management Act, 1997 (Act 547) and on the recommendation of the Forestry Commission these Regulations are made this 9th day of November,) 998.

PART I-PROCEDURE FOR GRANT OF TIMBER RIGHTS***Sub-part I - Identification of land suitable for grant of timber rights*****Inventory of timber**

1. (1) The Chief Conservator of Forests shall identify lands suitable for grant of timber utilization contracts.

(2) For the purpose of identifying lands under subregulation (1), the Chief Conservator of Forests shall cause to be conducted by the Forestry Department inventories of forests and timber on public lands, existing forest reserves, stool lands and such other lands as he may determine.

(3) The Chief Conservator of Forests shall for the purpose of sub regulation (1) issue directives to such District Forest Officers as he may determine to submit to the Forestry Department a general report on timber on public lands, forest reserves, stool lands and such other land as he may direct, in their respective districts at such times as he may direct.

(4) The inventories shall be prepared by the District Forest Officers in consultation with the District Chief Executives of the areas of the lands concerned.

(5) Where upon the completion of an exercise under subregulations (3) and (4), the Chief Conservator of Forests is satisfied that the inventories justify the grant of timber rights in respect of any land, the Chief Conservator of Forests shall direct the District Forest Officer of the district concerned to initiate the conduct of a detailed field inspection of the land; except that there shall be no inspection of any land which is private or stool lands unless the owners have been informed.

(6) The Chief Conservator of Forests shall inform the relevant District Chief Executive of the directives to the District Forest Officer to conduct the inspection.

Field inspection

2. (1) The directives to conduct a field inspection from the Chief Conservator of Forests shall require the District Forest Officer to constitute in consultation with the District Chief Executive a team of inspectors made up of

- (a) two members of the District Assembly of the area of the land nominated by the District Assembly;
- (b) a representative of the Traditional Council of the area of the land nominated by the Traditional Council;
- (a) the District Forest Officer; and
- (d) the owners of the land or their nominated representatives not exceeding two persons and at least one farmer, if any, who farms on the land concerned.

L.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS, 1998

(2) It shall be the responsibility of the District Chief Executive to help identify the owners and farmers of land identified for field inspection in his district.

(3) The team shall conduct the field inspection to determine the suitability of the land for the grant of timber rights and shall estimate

(a) the quality, quantity and value of timber on the land: and

(b) any special peculiarities of the land.

(4) Upon the conclusion of the field inspection, a report on the inspection shall be submitted by the District Forestry Officer through the Regional Forest Officer, who may add his comments thereon, to the Chief Conservator of Forests.

(5) The Report of the team shall include

(a) the boundaries, specifications, and any peculiarities of the land including rivers, roads and bridges if any; and

(b) topographic maps and plans of the area inspected.

(6) Where upon the receipt and consideration of a report of an inspection team, the Chief Conservator of Forests is satisfied that the area concerned should be proposed for the grant of timber rights, the Chief Conservator of Forests shall notify the District Chief Executive concerned of this and direct the District Forest Officer concerned to notify the people of the area of the land that it is proposed to grant timber rights in respect of timber on the land.

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

Owners who consent

4. Where before the expiry of the 21 days specified in the notice for owners to notify their interest, an owner notifies his interest and consents in writing to the land being subjected to the grant of timber rights and there are no conflicting claims, the District Forest Officer shall accept the consent, submit a copy of the written consent to the District Chief Executive of the area and submit a report including the written consent of the owner through the Regional Forest Officer to the Chief Conservator of Forests.

Objection by owner of land and conflicting interest

5. (1) Where any person who claims ownership or other interest in the land objects to the grant of timber rights on the land, or conflicting claims of interest are made in respect of ownership, the matter shall be referred by the District Forest Officer to a committee composed as provided in subregulation (2) for examination.

(2) A committee for the purpose of subregulation (1) shall consist of a representative of the Administrator of Stool Lands and two representatives of the District Assembly in whose jurisdiction the land is situated nominated by the Assembly and a representative of the Traditional Council of the area of the land in issue nominated by the Traditional Council.

(3) The chairman of the committee shall be the representative of the Traditional Council.

3. (1) Where the land identified and proposed by the Chief Conservator of Forests as suitable for the grant of timber rights is not public land or forest reserve, the District Forest Officer in whose district the land is situated shall, with the assistance of the District Chief Executive seek the written consent and agreement of the owners of the land for the exercise.

(2) For the purpose of bringing the proposal to grant timber rights in respect of the land to the notice of persons who own the land, the District Forest Officer shall post notices at

- (a) the offices of the District Assembly, Traditional Council and Unit area in whose area of authority the land identified is situated; and
- (b) at the District Forest office stating the particulars and limits of the area identified, that the land is being considered for the grant of timber rights and that any person with ownership or other interest in the land may notify the District Forest Officer within 21 days of the date of the posting of the notices of his interest.

(3) Any person who claims ownership or other interest in the land shall inform the District Forest Officer in writing or orally (which shall be reduced into writing) of his interest within the 21 days as specified in the notices.

L.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS, 1998

- (b) topographic maps and plans:
- (c) the consent of the owners and how obtained:
- (e) objection and grounds of objection where applicable: and
- (f) resolution of any conflicting interest, if any.

Report of Regional Forest Officer to Chief Conservator of Forests

7. (1) The Regional Forest Officer shall on receipt of the report from the District Forest Officer satisfy himself of the maps, plans and contents of the report.

(2) Where the Regional Forest Officer is satisfied with the accuracy of the report, he shall submit it together with such comments and recommendations as he considers necessary to the Chief Conservator of Forests.

(3) Where a report submitted to the Chief Conservator of Forests indicates conflicting claims to the identified land or a refusal to consent by the owners, no timber utilization contracts shall be granted in respect of the land unless the conflict or refusal is first settled and a written consent obtained.

(4) Except in respect of forest reserves and public lands, no stool land or private land shall be given out under a timber utilization contract without the written consent of the owners.

Conflict on use of public land

8. Where any public land identified as suitable for the grant of timber rights and endorsed by the Chief Conservator of Forests is also identified by any other state institution to be suitable for some other national purpose, the matter shall be resolved by the Minister and any other Minister concerned.

(5) The committee shall hear and consider all statements and information that may be offered in support of the objection or claim.

(6) The proceedings of the committee shall be informal but shall be guided by natural justice.

(7) The committee shall consider and submit its report to the District Forest Officer within 14 days of its composition.

Advertisement

(8) The District Forest Officer shall on receipt of the report submit a copy to the District Chief Executive.

9. (1) Where it has been determined to grant timber rights in an identified area, and after the consent of the owners, where applicable, has been obtained, the Chief Conservator of Forests shall publish in the Lands Concession Bulletin and by at least two insertions in national daily newspapers an advertisement inviting applicants for the grant of timber rights.

(2) The advertisement shall provide such information as the Chief Conservator of Forests shall determine and shall include

- (a) the exact location of the area;
- (b) the scale of the operation, including the size of the area in accordance with Schedule I of these Regulations;
- (c) the estimated annual yield.

6. A final report from the District Forest Officer to the Regional Forest Officer in respect of any identified land shall state

- (a) the survey and plans for submission of applications;
- (b) the boundary of the area including rivers, roads and bridges if any;

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

(3) Any interested person has the right to verify the information contained in the advertisement at the Forestry Department and may also arrange to inspect the land advertised or published.

Application forms

10. (1) An applicant shall obtain an application form for completion from the Forestry Department upon payment of such fee as the Minister in consultation with the Forestry Commission may determine.

(2) Information provided by an applicant shall be treated as confidential and shall correspond to details of the advertisement.

(3) An applicant shall complete separate application forms for each area of land applied for.

(4) On completion of an application form, the applicant shall submit it together with such other documents as the Chief Conservator of Forests shall determine to the Forestry Commission through the Chief Administrator of the Commission.

Qualification of applicant

11. An applicant for timber rights shall submit with the application

- (a) evidence of ownership or membership of a registered company or partnership relevant to forestry with a commercial business certificate attached:
- (b) evidence of full payment of forest levies where applicable:
- (c) income tax and social security clearance certificates:
- (d) an undertaking-
 - (i) to provide specific social amenities for the benefit of the local communities that live in the proposed contract area: and
 - (ii) for the reforestation or afforestation in any area that the Chief Conservator of Forests may approve: and
- (e) evidence of capability to undertake reduced impact logging.

L.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

- (ii) a brief description of the nature of proposed timber operations, with log production or conversion objectives and indications of proposed extraction routes;
- (b) whether the applicant intends to undertake any log production venture that may involve saw mills, wood-based panel plants and pulp and paper industry, specifying the number of qualified forest workers with competence in logging and other technical staff;
- (c) the qualifications and competence of the applicant's timber operations staff, the manager of which shall be a professional forester;
- (d) the timber Production and operation record of the applicant, if any;
- (e) the previous timber rights held, if any, by the applicant; and
- (f) details of the proposed harvesting plan.
- (3) The Evaluation Committee shall in its evaluation also consider
 - (a) the technical and financial capability of the applicant to carry out timber operations in the proposed contract area;
 - (b) an assessment of the likely environmental effect of the proposed timber operations to be carried out by the applicant and the applicant's ability to redress the environmental effects;
 - (c) a fire protection plan;
 - (d) projections of timber production, income and expenditure on timber operations in the specified area;
 - (e) adequate and suitable road and logging equipment and processing facilities where applicable;
 - (f) proposals for security measures against illegal operations and encroachment on the contract area; and
 - (g) a plan for the disposal of logging or milling residue
- (4) Points shall be awarded for each aspect of the evaluation for the purpose of assessment.

Evaluation

Selection and submission of evaluation report

12. (1) The Timber Rights Evaluation Committee established under section 5

of the Act shall evaluate applications for the grant of timber rights.

13. (1) On the basis of the evaluation, the Evaluation Committee, shall invite the applicants that score above a level determined by the Evaluation Committee to submit proposals on

- (a) a reforestation or afforestation plan for the establishment and management of forest plantations of at least 10 hectares for each square kilometre of the contract area; and
 - (b) a topographic map of the proposed contract area which indicates a proposed schedule of milling and
- the contract area with such amenities as shall be specified in the agreement at a cost of not more than 5% of the annual royalty accruing from the operations under the timber utilization contract.

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

(2) The Evaluation Committee shall assess the proposals and recommend the award of the contract to the highest scoring applicant.

(3) The Chairman of the Evaluation Committee shall submit the Committee's detailed evaluation report to the Commission within 42 days of receipt of the application.

(4) The Commission shall within 30 days of receipt of the evaluation report submit the report and its recommendations thereon to the Minister.

PART III-TERMS AND CONDITIONS OF TIMBER UTILIZATION CONTRACT**Terms and conditions**

14. (I) A timber utilization contract entered into for the purposes of section 7(2) of the Act shall be in such form as the Attorney-General shall determine and shall provide for terms and conditions including

- (a) the size and limits of the contract area;
- (b) the period of operation of the contract;
- (c) an undertaking by the holder of the contract to adhere to any prescriptions laid down by the Forestry Department;
- (d) an undertaking by the holder to execute a reforestation plan during the period of the contract to the satisfaction of the Chief Conservator of Forest;
- (e) provision for prompt payment of royalties, compensation and forest management service charges;
- (f) payment of annual rent for the contract to the landowner;
- (g) periodic review of the timber operations by the Forestry Department;
- (h) submission of a harvesting plan every five years;
- (i) grounds for suspension or termination;
- (j) an undertaking by the holder to supply such information as may be requested by the Chief Conservator of Forests for the purpose of monitoring the relevant timber operations and preparation of annual and other reports;
- (k) such insurance coverage as is necessary to protect the Forestry Department in respect of claims for loss or damage;
- (l) an undertaking by the holder to provide social facilities and amenities for the inhabitants of the contract area;
- (m) a requirement for the holder to have at all times in respect of his operations a manager who shall be a professional forester.

(2) A successful applicant shall be notified by the Minister of the decision to grant him timber rights in the form of a timber utilization contract and shall request

L.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

the applicant to submit a performance bond which undertakes the satisfactory implementation of the contract terms. the reforestation or afforestation plan and the provision of such social amenities as are agreed upon in writing and signed with the representatives of the inhabitant of the area of the land in respect of which the application was made.

(3) The District Forest Officer shall monitor within his district the exercise of timber rights to ensure compliance with the terms and conditions attached thereto.

(4) The timber rights and operations related to the exercise of those rights shall be subject to periodic. technical audits by the Forestry Department.

Records inspection

15. (1) An official inspector of the Forestry Commission. the Forest Products Inspection Bureau or the Forestry Department may at any reasonable time upon production of his authority to any timber operator. processor or seller. enter any contract area for timber operations or such other area as the Minister may direct to inspect the records of the timber operator. processor or seller to-

(a) verify the ownership and source of any timber product there:

(b) ensure that any timber produced. processed or sold is in accordance with the provisions of the Act and these Regulations.

(2) A timber operator. processor or seller shall not obstruct any authorised person appointed by the Forestry Commission. the Forest Products Inspection Bureau or the Forestry Department in the exercise of his duties.

PART IV-PROCEDURE RELATING TO TIMBER OPERATIONS**Logging manual**

16. (1) The Forestry Department shall in accordance with the advice of the Forestry Commission issue a Logging Manual under these Regulations.

(2) The Logging Manual shall be a code of practice for timber utilization contract operations and shall be subject to periodic revision.

Harvesting plan

17. The harvesting plan for timber operations in a contract area shall be drawn up in accordance with the Logging Manual and shall describe the nature of the timber operations with explanatory maps.

Approved periods for timber operations and transport of forest produce

18. (1) No person shall carry out timber operations or transport any timber product from a contract area except between the hours of 6 a.m. and 6 p.m. on a working day unless otherwise permitted by the Chief Conservator of Forests on an application to him for the purpose.

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

(2) Notwithstanding subregulation (1) of this regulation, a person may carry out timber operations or transport timber outside the prescribed time under subregulation (1) if he obtains authorisation to do so from the Chief Conservator of Forests.

(3) An authorisation under subregulation (2) shall be subject to such conditions as the Chief Conservator of Forests may determine.

Timber produce inspection officers

19. The Chief Conservator of Forests or the Chief Executive of the Forests Products Inspection Bureau may assign any official inspector to conduct special surveillance against illegal timber operations.

Marking and numbering of trees, logs and timber products

20. (1) The Forestry Department shall supervise and ensure that any tree to be felled and other timber produced from the tree is marked and numbered in accordance with the Logging Manual.

(2) Any inspection officer assigned to inspect the marking or numbering of trees, stumps, timber and other timber products, may enter any mill yard, warehouse or lumber market or may at any check point seize trees, or timber products that are not properly marked, numbered or supported with authentic documents.

(3) Any person found in possession of any timber product that is not properly marked or numbered or without the requisite documentation commits an offence.

PART V-TIMBER STUMPAGE FEES AND CONTRACT AREA RENT

Stumpage fee-

21. (1) A holder of a timber utilization contract who harvests timber of the species listed in Schedule 2 to these Regulations shall pay the stumpage fee at the rate specified in that Schedule in relation to the species.

(2) For the purpose of the Act and these Regulations, stumpage fee represents royalties to the landowner and charges for the cost of felled timber which provide a basic return to the landowner and contributes to the cost of forest management and timber regulation.

(3) The Chief Conservator of Forests shall determine the stumpage rate of any species not specified in Schedule 2 in consultation with the Administrator of Stool Lands and the Forestry Commission having regard to the market demand and inventory levels of the species.

Formula for stumpage fee calculation

22. (1) A District Forest Officer shall prepare an estimate of the stumpage fee payable for timber to be harvested and shall send an invoice to the contractor which

I.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

shall be copied to the Regional Stool Lands Officer, the Regional Forest Officer⁴ and the Chief Conservator of Forests.

(2) For the purpose of calculating the stumpage fee payable in respect of an~ timber, the formula provided in Schedule 3 shall be applied.

Measurement of timber

23. (1) The measurement of the volume of timber shall be taken by a District Forest Officer within 48 hours of the telling of the tree.

(2) Upon the taking of the measurement of timber there shall be issued in respect of it a tree information form stating the measurement of the timber.

(3) No timber shall be lifted from its stump unless its measurements are taken and the actual stumpage fee payable in respect of it has been calculated by the District Forest Officer according to the formula set out in Schedule 3 in the presence of the landowner and the contractor or their representatives.

Conveyance certificate-

24. (1) No timber shall be transferred or moved from any forest area unless there is carried with it a timber conveyance certificate.

(2) No conveyance certificate shall be issued for arty lumber produced by I chain saw.

(3) A timber conveyance certificate is issuable only by an .officer of the Forestry Department not below the rank of a Senior Technical Officer ad may only be issued on an application from the contractor.

Payment of stumpage-

25. (1) A person harvesting timber under a timber utilization contract shall pa the stumpage fee in respect of the harvested timber within 30 days of billing, after which there will be a charge of interest at the prevailing commercial bank rate on any outstanding payment.

(2) The District Forest Officer shall furnish the Regional Stool Lands Officer with copies of all such bills

(3) Where any payment under subregulation (1) is in respect of stool lands, the revenue shall be collected by the Administrator of Stool Lands to be deposited in the relevant stool lands account.

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998**Payment for management services**

26. (1) There shall be paid to the Forestry Department for timber management services, such amounts as shall be determined by the Minister in consultation with the Forestry Commission, Forestry Department and the Administrator of Stool Lands in respect of stool lands.

(2) Revenue derived from timber on private land with the consent of the owner shall be distributed in such proportions as shall be agreed upon by the Forestry Department and the owner.

Payment of rent for contract areas

27. The holder of a timber utilization contract shall pay for his contract area rent as provided in Schedule 4 to these Regulations to the Administrator of Stool Lands in the case of stool lands and in any other case to the owner of the land.

PART VI-REGISTRATION AND USE OF CHAINSAWS**Registration of chainsaws by District Assemblies**

28. (1) Every person who owns a chainsaw shall apply to the District Assembly of the area where he resides for the registration by the District Assembly of the chainsaw.

(2) The application shall be made to the District Assembly within 14 days of the acquisition of the chainsaw.

(3) An applicant seeking registration of a chainsaw shall complete Form A set out in Schedule 5 to these Regulations.

(4) Upon the receipt of the application and inspection of the chainsaw, the District Assembly shall where satisfied register the chainsaw and issue to the applicant a licence in respect of the chainsaw.

(5) The licence shall be in such form as the District Assembly shall determine and shall be valid for a period of one year and may be renewed.

(6) An applicant shall pay such fee as may be determined by the District Assembly for the licence and renewal of the licence.

Registration of chainsaw at District Forest Office-

29. (1) A chainsaw registered with the District Assembly shall also be registered with the District Forest Office of the district concerned where it is intended to be used to fell trees.

(2) An application for registration at the District Forest Office shall be made at the same time as the application to the District Assembly.

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

(3) Any timber harvested or converted to lumber under a permit issued under this regulation shall be used only for social or community purposes and shall not be sold or exchanged.

Supply to domestic market

36. The Minister in consultation with the Forestry Commission may by publication in the Lands and Commercial Bulletin and in the mass media direct such holders of timber utilization contracts as he may determine to supply the domestic market with timber products of specified volume, dimensions and species.

Salvage and disposal of abandoned timber products

37. (1) The Chief Conservator of Forests or any person being a public officer authorised as an inspection officer may seize and dispose of any marked or unmarked abandoned timber.

(2) Any seized timber shall be labelled by the authorised inspection officer who seized it and he shall report the seizure to the nearest Forestry Department Office within 24 hours of the seizure for investigation.

(3) A marked abandoned timber seized shall not be disposed of by a timber inspection officer unless a notice of 14 days has been given in the locality of the area where it was seized of the intention to sell.

(4) Subject to subregulation (3) where the owner of a marked seized timber is not identified, the seized timber shall be sold and the proceeds of the sale shall be deposited in such account as the Minister in consultation with the Forestry Commission may determine to support community activities beneficial to forest and timber conservation and to defray expenses of timber resource management.

(5) The Chief Conservator of Forests may for the purpose of disposal of seized timber under this regulation, permit the removal of the timber by a logging contractor or timber processing company registered with the Forest Products Inspection Bureau.

(6) Sale of seized timber shall only be made after notice to the local police to secure public peace.

Salvage of timber products

38. (1) The Chief Conservator of Forests may upon application and subject to the approval of the Forestry Commission issue a permit subject to such terms and conditions as shall be specified therein for the salvage of trees from an area of land undergoing development such as road construction, expansion of human settlement or cultivation of farms.

(2) A permit under subregulation (1) of this regulation shall not be issued in respect of land under a timber utilization contract.

L.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998**Disposal of residue of logs-**

39. Where a contractor's operation ceases, or the contractor's operations have lapsed the Chief Conservator of Forests with the approval of the Forestry Commission may dispose of any standing timber or logs left over from the operations, and off cuts and branches shall be disposed of as raw wood material for the benefit of the inhabitants of the contract area.

Restricted timber species

40. (1) The species of timber specified Schedule 6 to these Regulations shall not be felled except under a special permit issued by the Chief Conservator of Forests with the approval of the Forestry Commission.

(2) A person who contravenes subregulation (1) commits an offence.

Offences and penalties-

41 (1) Any person who

- (a) obstructs an authorised person of the Forest Products Inspection Bureau or the Forestry Department in the exercise of his duties contrary to subregulation (2) of regulation 15; or
- (b) is found in possession of any timber product that is not properly marked or numbered contrary to subregulation (3) of regulation 20; or
- (c) is found moving or in possession of any timber without a conveyance certificate in respect of the product contrary to subregulation (1) of regulation 24(1); or
- (d) being the owner of a chainsaw fails to register the chainsaw with the relevant District Assembly contrary to regulation 28(1);
- (e) uses a chainsaw not registered with the District Forest Officer to fell any tree or saw any timber contrary to regulation 29(1);
- (f) fails to mark the stump of a tree he fells with the timber registration number contrary to regulation 33;
- (g) sells or offers for sale cut timber with a chainsaw contrary to regulations 32(2);
- (h) being a landowner permits an unregistered chainsaw to be used on his land for felling trees or sawing timber contrary to regulation 34;
- (i) fells or is found in possession of a restricted species of timber contrary to subregulation (1) of regulation 40,

commits an offence and is liable on summary conviction to a fine not exceeding €5 million or to imprisonment for a term not exceeding twelve months or to both, and where the offence continues to a fine not exceeding €100,000.00 for every day or part of a day during which the offence continues.

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

(2) Where a person fells any tree or saws any timber with an unregistered chainsaw the court shall, in addition to the punishment imposed under sub-regulation (1) of this regulation order that the chainsaw or the tree or timber products in respect of which the offence was committed be forfeited and disposed of as the court may direct.

(3) Any officer who

(a) declares a false measurement of timber contrary to subregulation (I) of regulation 23: or

(b) falsely calculates stumpage fees: or

(c) assists a contractor to under declare tree volumes used in the calculational

stumpage fees:

commits an offence and is liable on summary conviction to a fine not exceeding c5 million or imprisonment for a term not exceeding 12 months and shall be liable to be dismissed from the public services.

Revocation

12. The following Instruments are hereby revoked

(Forest Fees Regulations. 1976 (L.I. 1087)

Forest Fees (Amendment) Regulations. 1983 (L.I. 1275);

Forest Fees (Amendment) Regulations. 1986 (Commencement) Instrument. 1986 (L.I. 1326):

Forest Fees (Amendment) Regulations. 1993 (L.I. 1576):

Trees and Timber (Chainsaw Operations) Regulations. 1991 (L.I. 1518);

Trees and Timber (Measurement) Regulations. 1958 (L.N. 388):

Trees and Timber (Control of Measurements) Regulations, 1960 (L.I.23);

Trees and Timber (Measurements) (Amendment) Regulations. 1961 (L.I.141):

Timber Royalties Regulations. 1965 (L.I. 495):

Forest Fees Regulations. 1976 (L.I. 1089):

Trees and Timber (Control of Measurement) (Amendment) Regulation 1976(L.I.1090):

Trees and Timber (Control of Measurement) (Amendment) Regulations. 1983 (L.I.1279).

Interpretation

43. In these Regulations unless the context otherwise requires

"Act". means the Timber Resources Management Act, (Act 547):

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

"**Contract area**" means an area of land in respect of which a timber utilization contract has been granted;

"**Commission**" means Forestry Commission;

"**harvest**" means to fell, cut, convert, collect or otherwise dispose of timber from land to which these Regulations apply;

"**holder**" has the same meaning as provided in the Act;

"**Logging Manual**" means a set of rules intended to guide the activities of persons who harvest timber in the forest;

"**Minister**" means the Minister responsible for Forestry;

"**professional forester**" means a person who holds a university degree in forestry or a technical diploma of a level acceptable to the Ghana Institute of Professional Foresters;'

"**Schedule**" means a Schedule to these Regulations.

SCHEDULE

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998*SCHEDULE 1**Regulation 9 (2) (b)*

SCALE OF TIMBER OPERATIONS

Category of operation	Size of contract area
Small scale	Not exceeding 20km ² non – forest reserve areas only.
Medium scale	More than 20km ² but not exceeding 125km ² on forest reserves and non – forest reserve areas.
Large scale	More than 125 km ² on forest reserves only.

L.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS, 1998

SCHEDULE 2
Regulation 21(1)
STUMPAGE RATES

TRADE NAME	LOCAL NAME	SCIENTIFIC NAME	STUMPAGE RATE
High Demand	Depleted Species	Class 1	20%
African Walnut	Dubin-Biri		
Afromosia	Kokrodua		
Aningeria	Asnafina		
Black- Hyedua	Hyeduanini		
Candollei	Omu		
Iroko	Odum		
Mahogany	Krumben/Odupon/Dubin		
Makore	Baku/Makore		
Opepe	Kusia		
Sapele	Penkwa		
Utile	Efuobrodedwo		
Moderate Demand	Available Demand	Class 2	10%
Afrafra	Ofram		
Afzelia	Papao		
Albizia	Awiemfo Samina/Okoro	Terminalia superba	
Ayan	Bonsandua	Afzelia africana/bella	
Ayodire	Apapaye	Albezzia ferruginea	
Bombax	Onyina-Koben	Distemonanthus benthamianus	
Canarium	Bediwonua	Turreanthus africanus	
Ceiba	Onyina	Rhodognaphalon brevicupse	
Ekki	Kaku	Canarium schweinfurthii	
Gedu-Nohor	Edinam	Ceiba pentandra	
Digbo	Emeri	Lophira alata	
Mansonia	Opronon	Entandophragma angolense	
Obeche	Wawa	Terminalia ivorensis	
Ogea/Daniella	Shyedua	Mansonia altissima	
Ptergota	Kyere/Koto	Triplochiton scleroxylon	
Antrocaryon	Aprokuma	Daniella ogea/thurifera	
Guarea	Kwabohoro/Kwadwuma	Pterygota macrocarpa	
Longhi (Blanc)	Akasa	Antrocaryon micraster	
Niagon	Nyankom	Guarea spp.	
		Chrysophyllum albidum	
		Heritiera utilis	
Low Demand	Abundant Species	Class 3	50%
Celtis	Esa		
Danta	Danta	Celtis mildraedii/zenkeri	
Homba	Otei	Neosogordonia papverifera	
Missanda	Patrodum	Pycnanthus angolenses	
Okan	Denya	Erythronphleum guineense	
Sterculia	Wawbima	Cylicodiscus gabonensis	
Wonton	Wonton	Sterculia rhinopetala	
Antaris	Chenchen	Morus mesozygia	
Dahoma	Dahoma	Antiaris Africana	
Other Species		Piptadeniastrum africanum	

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998*SCHEDULE 3**(Regulation 2 2(2))***Formula for Calculation of Stumpage Fee**

Stumpage *fee* = *Tree volume* x *Timber price* x *Stumpage rate*, where. *Tree volume* is computed in cubic metres according to the measurements taken of each tree felled. using Smalian's Formula as follows

Smalian's formular:

$$V = kL ((db1 + db2)^2 + (dt1 + dt2)^2)$$

where V = the volume of the log,
 k = the constant 0.098,
 L = the length of the log,
 db1,db2 = the first and second diameters at the base end, measured at right-angles to each other,
 dt1,dt2 = the first and second diameters at the top end, measured at right-angles to each other.

Timber price is 35% of the free-on-board (FOB) value of air-dried lumber of the species (i.e., estimated round wood equivalent). based on the previous quarrel's average of such exports as published from time to time by the Forest Products Inspection Bureau.

Stumpage rate for each timber species is the percentage specified in Schedule 3 of these Regulations,

*SCHEDULE 4***Contract Area Rent***(Regulation 27)*

- | | | |
|-----|------------------------------------------------------------|-----------------------------------|
| (a) | Timber utilization contract areas on forest reserves: | 1.200 cedis per hectare per annum |
| (b) | Timber utilization contract areas outside forest reserves: | 1.000 cedis per hectare per annum |

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

SCHEDULE 5
(Regulation 28 (3))

APPLICATION FORM A

For Registration of Chainsaw by District Assembly

- 1. Full name of applicant.....
 - 2. Address of applicant:
 Residential
 - Postal
 - 3. Occupation of applicant.....
 - 4. Description and make of chainsaw.....
 - 5. Manufacturer's serial number.....
 - 6. District Registration Number.....
 - 7. Previous Timber Registration Number (if applicable).....
 - 8. Name and address of chainsaw vendor.....

 - 9. Date acquired by applicant.....
 - 10. Serial numbers of other chainsaws owned by the applicant.....

 - 11. Purpose for which the applicant intends to use the chainsaw.....
 - 12. Forest District and location of proposed use.....
- Signature of Applicant... ..
- Date of Application.

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

SCHEDULE 5
(Regulation 29(3))

APPLICATION FORM B

To Register a Chainsaw for Use in Timber Operations

- I. Full name of applicant.....
 - 2. Address of applicant:
 - Residential.....
 - Postal.....
 - 3. Occupation of applicant.....
 - 4. Description and make of chainsaw.....
 - 5. Manufacturer's serial number.....
 - 6. District Registration Number.....
 - 7. Previous Timber Registration Number (if applicable).....
 - 8. Name and address of chainsaw vendor.....
.....
 - 9. Date acquired by applicant.....
 - 10. Serial numbers of other chainsaws owned by the applicant.....
.....
 - 11. Purpose for which the applicant intends to use the chainsaw.....
 - 12. Forest District and location of proposed use.....
- Signature of Applicant.....
- Date of Application.....

L.I. 1649

TIMBER RESOURCES MANAGEMENT REGULATIONS. 1998

SCHEDULE 6
(Regulation –40(1))

Restricted Timber Species

LOCAL NAME	TRADE NAME	BOTANICAL NAME
Edinam	Gedu-Nohor	Entandophragma angolense
Penkwa	Sapele	E. cylindricum
Efobrodedwo	Utile	E. utile
Penkwa-Akoa	Candollei	E. candollei
Kruben	Mahogany	Khaya anthotheca /grandifolia
Dubini	Mahogany	K. ivorensis
Odum	Iroko	Milicia excelsa / regia
Kusia	Opepe	Nauclea diderrichii
Baku	Makore	Tieghmella heckelii
Hyedua	Black Hyedua	Guibourtia ehie
Kokrodua	Afromosia	Pericops is elata

CLETUS A. AVOKA
Minister for Lands and Forestry

Date of *Gazette* notification: 10th November 1998.

Entry into force: *16th December, 1998.*