

SUPPLEMENTARY ACT

LIBERIA —

Approved February 28, 1957

Supplementary Act 1957

AN ACT SUPPLEMENTAL TO "AN ACT FOR THE CONSERVATION  
OF THE FOREST OF THE REPUBLIC OF LIBERIA", PASSED  
AND APPROVED APRIL 17, 1953  
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WHEREAS, it has become apparent that since the passage into Law of the Forest Conservation Act entitled "An Act for the Conservation of the Forests of the Republic of Liberia" approved April 17, 1953, for the conservation and utilization of our forests, animal wildlife and other natural resources, certain intricate problems and conditions, not previously envisaged nor contemplated, have arisen which demand the necessity for a supplementary legislation to implement the principles and objectives of the above cited Act; Therefore,

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:

PART I. TITLE

Section 1. That from and immediately after the passage of this Act entitled "An Act for the Conservation of the Forest of the Republic of Liberia" passed and approved April 17, 1953, be and the same is hereby amended and this Act shall be cited as the "SUPPLEMENTARY ACT FOR THE CONSERVATION OF THE FORESTS OF THE REPUBLIC OF LIBERIA".

PART II. DEFINITIONS

Section 1. Words used in the singular form in this Act shall be deemed to import the plural, and vice versa, as the case may demand. For the purpose of this Act the following words shall be construed, respectively, to mean:

Secretary - The Secretary of Agriculture and Commerce.

Bureau - The Bureau of Forest Conservation within the Department of Agriculture and Commerce.

Forest Officer - Any duly appointed officer of the Bureau of Forest Conservation.

Person - Any individual, firm, corporation, company, society, association, or other organized group of any of the foregoing.

Forest - All areas supporting woody vegetation other than planted or cultivated crops, regardless of the composition or age.

Reserve Forests - Forests within the boundaries of all publicly owned forests including those established by the National Government known as Government Forest Reserve, Native Authority Forest Reserves, National Parks and Communal Forests.

Granted Timber Areas - All forest areas covered by a timber concession agreement between the Government or other owners and a commercial timber operator.

Permittee - Person granted a permit to perform specified acts upon or in reserved forest.

Timber Sale Operator - Person or permittee authorized to harvest and utilize timber. Such authorization shall be covered by a timber sale agreement between the timber sale operator and the Government where the sale of National Forest timber is involved.

Commercial Use - Any use other than direct use for personal purposes, including uses involving barter sale, trade or any other disposition of forest products for which remuneration is received.

Take Timber - To cut down, cut the branches, girdle or otherwise injure any tree, or remove any timber from a tree.

Girth - Circumference of Tree outside the bark, at a point 4,5 feet above the average ground level or at a point 1 foot above the butt swell.

Diameter Breast High or DBH - Diameter or distance through a tree outside bark, at a point 4,5 foot above the average ground level or at a point 1 foot above the butt swell.

Protected Trees - A tree which may not be cut down, pruned, girdled, damaged in any way, or removed after felling without the permission of a responsible authority.

Seed Tree - A tree left uncut at the time of forest operations in order to provide natural regeneration.

Property Mark - A mark placed upon a tree or timber or log to denote ownership, usually made with a marking hammer or axe.

Soil - This term shall include all inorganic material such as sand, dirt, gravel, minerals and similar material.

Wildlife - Wild mammals, birds, fish and reptiles of every description, but not including other lower terrestrial forms of life within the land area of the Republic of Liberia.

PART III. PERMITS

- Section 1. A written permit must first be obtained before any act can be done that disturbs the vegetation, wildlife or soil on any Public Forest Reserve or National Park. This shall include a strip 200 feet wide outside the established boundary line.
- Section 2. Authorized forest officers may issue permits for the following acts on Government Forest Reserves or National Parks. All permits shall be subject to the approval of the Chief, Bureau of Forest Conservation and the Secretary.
- (a) Collect, convey, remove, or subject to any manufacturing process any forest products of plant origin.
  - (b) Cut down or damage any trees.
  - (c) Set fire to vegetation, logging slash, etc.
  - (d) Dig in the soil or prospect for minerals, coal or oil.
  - (e) Make a dam across a river, creek or other waterway.
  - (f) Reside, or build any structure necessary in connection with authorized forest harvesting operations.
  - (g) Build road, trails or railroads.
- Section 3. Permission granted to perform any of the acts listed in Section 4 shall be subject to such written conditions as may be imposed by a Forest Officer, with the approval of the Chief, Bureau of Forest Conservation and the Secretary.
- Section 4. Permits for the development of mineral resources on forest reserves will be issued by the Mining Board of the Republic of Liberia with the consent of the Secretary; and subject to such provisions as deemed necessary for the protection of surface uses as provided for in an Act to Revise the Mining Laws of the Republic of Liberia, Section V, Article 2 of March 26, 1952.
- Section 5. Authorized Forest Officers may issue permits to perform any of the acts listed in Part III, Section 2 on or within Native Forest Reserves.
- All permits shall be subject to such written conditions as may be imposed by the Forest Officer with the approval of the Chief, Bureau of Forest Conservation, and in consultation with the responsible Native Authority.
- Section 6. Permits or authorizations issued to any person to cut or remove timber from Government Forests shall be in the form of a Timber Sale Agreement or Contract covering the following points :
- (a) Name and address of permittee.
  - (b) Location and area covered.
  - (c) Cutting regulations including diameter or girth limits, etc.
  - (d) Amount and kind of timber to be removed.

- (e) Method of designating trees to be cut.
- (f) Method of measurement, whether by tree count, cubic foot or board foot.
- (g) Amount of money to be paid per unit or measurement.
- (h) Utilization requirements so as to cause the least waste.
- (i) Waste disposal, sawdust, slabs, brush, etc.
- (j) Responsibility of Permittee to prevent trespass, damage, fire, unauthorized use, etc. during the term of this contract.
- (k) The Permittee shall be responsible to provide for the regeneration of tree species removed during cutting operations so that provision is made for the future maintenance of stand composition existing at the beginning of the operations covered by said timber sale agreement.
- (l) Such additional clauses as may be required to cover special conditions pertaining to the particular area.

Section 7. Free use permits, issued without charge, shall be issued by the Chief, Bureau of Forest Conservation with approval of the Secretary of the Department of Agriculture and Commerce of the Republic of Liberia to take timber from reserved forests in public ownership for use in public works or the construction of public buildings. Such permits shall contain the same information required in Section 8.

Section 8. A Permittee or Grantee may not cut down any tree held to be a sacred tree or a medicine tree by the local population, nor may he cut down any tree growing within 100 yards of a village or market place, unless permission to do so is given by both the Forest Officer and the concerned tribal authorities.

Section 9. No person shall commit any of the following acts on Government Forest Reserves, National Park, Native Authority Forest, Communal Forests or Timber Concessions.

- (a) Damage or destroy any Government property, including boundary markers, notices, corner posts, boundary trees, etc.
- (b) Alter, deface, or obliterate any mark placed on a tree.
- (c) Cut down tree or burn any area to make a farm or plantation.
- (d) Fell and leave trees or other obstructions across any trail, road, railroad, or water.
- (e) Enter a reserve or park with the intent to do any of the foregoing acts.

Section 10. No person shall make commercial use of forest products taken from a Communal Forest.

Section 11. No person shall allow sawdust, mill waste or other material that is harmful to fish, to enter any stream in Liberia.

Section 12. No person may possess, sell, buy, exchange, barter, or export any forest products which have been taken in violation of any of the forest Rules and Regulations.

PART IV. PROPERTY MARK

Section 1. No person may use a hammer or other tool to place property mark upon any tree unless the property mark has been properly registered with the Bureau, and the person using it authorized to do so.

Section 2. No person can register or use any of the following property marks:

RL (Republic of Liberia)  
RLNP (Republic of Liberia National Park)  
RLGR (Republic of Liberia Government Reserve)  
RLNA (Republic of Liberia Native Authority)  
RLCF (Republic of Liberia Communal Forest)

These property marks are reserved for the exclusive use of the Liberian Government and may not be used by anyone except an authorized Forest Officer.

Section 3. Each timber sale or concession agreement must specify the property mark or marks to be used on the area covered by the agreement and no property marks may be used outside the sale or granted area without specific authorization of a Forest Officer.

Section 4. When a property mark has been placed on a tree with a registered hammer, it cannot be altered in any way except with the consent of the owner of the mark and a Forest Officer.

Section 5. The stump and each log of every tree cut for commercial purposes shall be stamped with the registered property mark specified in the timber sale or concession agreement

PART V. REVENUES AND RECEIPTS

Section 1. Any and all revenues accrued from Government Forest Reserves shall be deposited with the Bureau of Revenues, and a Flag Receipt obtained therefore, prior to the issuance of any permit.

Section 2. Any and all revenues obtained from Native Authority Forest Reserve will be divided equally between the Government of Liberia and the proper responsible Native Authority on whose land the operation takes place. The amount due to the Republic of Liberia will be deposited with the Collector of Revenues.

PART VI. GENERAL REGULATIONS

- Section 1. All rights, title and interest, to any timber to which a permittee or grantee would otherwise be entitled, but not removed from the designated area, shall revert to the Government at the time of the expiration of the relative permit or agreement.
- Section 2. No person shall, anywhere in Liberia unless it is otherwise stated in the timber sale or concession agreement or permit issued by the Chief, Bureau of Forest Conservation, and approved by the Secretary, cut or fell for the purpose of commercial conversion into sawn products any growing tree the girth of which is smaller than the following dimensions at a point one foot above the convergence of the buttress, if any, or at a point four and one half foot above average ground level where there are no such roots.
- (a) In the case of the following species the girth of 8 feet or 3.5 inches in diameter.
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|-------------------------|-------------------|
| Canarium schweinfurthii | Lova Klaineana    |
| Entandrophragma sp.     | Mimusops adjava   |
| Khaya sp.               | Mimusops heckelii |
- (b) In the case of the following species a girth of 7 feet or 27 inches in diameter
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|--------------------------|--------------------------|
| Anopyxis calaensis       | Lophira procera          |
| Chlorophora excelsa      | Oldfieldia africana      |
| Combretodendrum africana | Piptadenia africana      |
| Erythrophloeum guineense | Sarcocephalus diderichii |
- (c) In the case of the following species a girth of 6 feet or 23 inches in diameter.
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|-----------------------|-------------------------|
| Berlinia sp.          | Parinarium sp.          |
| Mitragyna stipulosa   | Saccoglottis gabonensis |
| Ochrocarpus africanus | Terminalia superba      |
| Terminalia ivorensis  |                         |
- (d) In the case of all other species a girth of 4,5 feet or 17 inches in diameter.
- (e) If a grantee cuts for commercial purposes any tree below the above specified girth limit he will be assessed for each tree a penalty excise tax equal to three times the stumpage price set forth in the timber sale agreement. This penalty must be paid into the Bureau of Revenues by the grantee and upon his failure to do so within thirty (30) days he shall be prosecuted before any court of competent jurisdiction within the Republic for the recovery of the same.

PART VII. CONCESSION

- Section 1. Any grantee, having received the rights from the Government to forest areas for the utilization of forest products, has the responsibility to protect these forest areas from destruction and encroachment by other persons. It shall also be the responsibility of the grantee to ensure that the forest areas under his agreement are maintained for forest production.
- Section 2. The description of all boundaries located on the ground by the grantee shall be filed with the Bureau. Any disputes arising from such boundary location work will be handled according to existing laws of the Republic of Liberia.
- Section 3. Grantees are wholly responsible for any and all damages arising directly from their forest industry operations on land on which no valid timber rights have been obtained.
- Section 4. A grantee operating a granted area is responsible for the determination and demarkation on the ground of the exterior boundaries of the gross area granted, as well as the boundaries of all interior trees not owned by the grantor, or otherwise excluded from the granted area. These boundary surveys shall be completed within 2½ years from the day the concession contract was approved by appropriate signatures.
- Section 5. The grantee is responsible for the taking of adequate precautions to prevent the occurrence and spread of fires in connection with any and all of his operations within or outside a granted timber area. Any damages resulting from fires caused by the grantee or anyone in his contract or employ, through carelessness or negligence shall be paid or satisfied by the grantee.
- Section 6. It shall be the grantee's responsibility to assure that only trees, the taking of which is authorized by the concerned timber concession agreement, are cut and removed from any granted area.
- Section 7. No unnecessary damage shall be done to young growth or to trees left standing on granted areas as a result of the grantee's operations. In all operations on a granted timber area, the grantee is responsible for the cutting of trees so as to cause the least practicable waste in stumps; to utilize all cut trees to as small a diameter in the tops as practicable; and to vary the length of logs so as to secure the greatest possible utilization of merchantile material.

- Section 8. All roads and trails in or adjacent to a granted timber area shall be kept free of logs, brush, and other debris resulting from the grantee's operations. Any road, trail, or structure thereon not constructed by the grantee and damaged beyond ordinary wear and tear as a result of his operations shall within seven days be restored to its original condition by the grantee at his own proper cost and expense.
- Section 9. All structure, improvements, or facilities constructed or operated by a grantee in connection with his forest industry operation within a granted timber area, shall be located and operated subject to conditions as may be imposed by an authorized Forest Officer to protect forest and water resources.
- Section 10. In any area where the Government has granted rights for a specified time to an individual or a concern for the purpose of development, the following regulations will govern:
- (a) After consultation and approval by a Forest Officer the grantee may cut any tree irrespective to the girth limits as long as it is used in the granted area for construction purposes. Cutting trees below the girth limit, however, shall be confined to a minimum and will be done only when the particular construction makes it necessary to use such smaller trees.
  - (b) Any timber product cut for commercial use and sold whether locally or for export will be assessed a stumpage price or excise tax in the sum of \$3.00 per thousand board feet for lumber, planks timber or other parts manufactured products and \$5.00 per thousand board feet for logs intended for export. Item 3 and under title III of the Export Schedule of the Republic of Liberia Customs Tariff Act of 1940 which assesses 2¢ per board foot of logs, timber and planks, be and the same is hereby repealed, and the above assessments substituted therefore.
  - (c) The grantee will be held responsible for furnishing the Chief, Bureau of Forest Conservation with monthly reports containing information on sale of products divided into the two classifications mentioned in paragraph (b).
  - (d) Authorized Forest Officer will make periodic inspections of grantee's operations for the purpose of assuring compliance with the Act.
- Section 11. In any area where a permanent real estate deed has been granted the owner has the right to sell locally any timber product emanating from his property without paying a stumpage or excise tax. The Bureau of Forest Conservation will assist the owner in applying sustained yield forest management. However, if timber products are exported from Liberia from such property the owner



must pay \$3.00 per thousand board feet for lumber, planks timber or other partially manufactured products, or \$5.00 per thousand board feet for logs.

PART VIII. WILDLIFE RESOURCES

- Section 1. All regulations pertaining to wildlife resources shall originate from the office of the Secretary and after approval by the President shall be administered by the Bureau. Such regulations shall be binding on all lands of the Republic.
- Section 2. Licenses - No person shall be permitted to sell, barter or trade or exchange Big Game, dead or alive, without having first obtained a commercial license issued by the Bureau:  
(1) Big Game Hunting - \$100.00 per annum.
- Section 3. No permits will be issued to any person for the taking of live game animals out of the Republic except that the Secretary may issue special permits to take live game animals for medical or scientific purposes, and it shall be the responsibility of the applicant to give documentary and/or satisfactory evidence to that effect in the event where the said applicant is an agent of a Scientific or Medical Institution.
- Section 4. Item 4 of Schedule A of the Act entitled: "An Act supplemental to an Act approved December 14, 1938" which Act was approved December 16, 1940, amending the Revenue Code of 1937 which imposes a license fee of \$375.00 for Big Game Hunting, be it and the same is hereby repealed.
- Section 5. Live Game Animals taken under Section 4 cannot be exported without first obtaining an export permit from the Secretary.
- Section 6. Anyone having a live game animal in captivity at the time this Act becomes effective must within 90 days of this date register each animal with the Secretary.
- Section 7. Any unregistered live game animal found in captivity after the specified time set out in Section 6 of this Act shall be confiscated and disposed of by the Bureau.
- Section 8. No person shall hunt elephant without first having obtained a permit from the Secretary of Agriculture and Commerce. Foreigners shall be restricted to a limit of one elephant per year.
- Section 9. Prohibited acts - All persons are prohibited from committing any of the following acts:

- (a) Dynamiting or poisoning of water as a means of catching fish. Setting any animal traps, snares or similar devices in such a place as to endanger human beings. Adequate warning marks should be placed around such traps.
- (b) Setting any gun, explosive bow and arrow traps.
- (c) No chimpanzees shall be hunted, trapped or molested except as provided for in Section 3.
- (d) No female monkey with sucklung young shall be shot or trapped within the forest reserve. Any person apprehended for violation of these Acts shall be taken before the District Commissioner or Justice of the Peace and upon conviction be fined in the sum of \$5.00 for the first offence, and \$25.00 for any repetition of the same offence.

Section 10. No hunting, trapping shooting or molesting of wild animals or commercial fishing shall be allowed in National Parks.

Section 11. No person without written permission of an authorized Forest Officer, may perform any of the following acts within a Government Forest Reserve:

- (a) Hunt, shoot or set traps or snares for any wildlife.
- (b) Fish, set traps or in any way catch fish.

Section 12. Any Big Game shot or killed must be reported to the Town chief of the-nearest town within two days after the killing took place. The Town Chief will be required to report to the District Commissioner each month the total number of Big Game killed according to species. The Commissioner will submit monthly reports to the Bureau covering the number of Big Games species killed in his district.

Section 13. Portions, or all, of any National Forest within each of the provinces shall be proclaimed a Wildlife Refuge for the purpose of maintaining the wildlife found in Liberia. Absolutely no hunting shall be permitted on these refuges and it shall be the responsibility of the Bureau to maintain scientific control of the species population contained therein.

Section 14. An Advisory Conservation Committee shall be appointed within each county or province with the County Superintendent, District or County Commissioner as Chairman; The purpose of the Committee is to provide means of communicating to proper authorities the ideas, desires and opinions of the people on matters pertaining to forest and wildlife conservation and to exercise general supervision of the enforcement of Wildlife Regulations.

PART IX. FOREST OFFICERS' DUTIES AND RESPONSIBILITIES

- Section 1. It is the duty and responsibility of the Chief, Bureau of Forest Conservation, to see that all the forest rules and regulations are carried out. It is also his duty and responsibility to see that every member of his organization is fully acquainted with these regulations and any changes that may be made.
- Section 2. It is the duty and responsibility of every Forest Officer to impartially enforce these regulations and report every offence to his superior officer. Failure to do so will be considered just cause for disciplinary action.
- Section 3. Every Forest Officer is hereby authorized and empowered to arrest any person whom he finds or reasonably suspects of violating any of the provisions of any regulation hereunder; and shall immediately take such person before the court of the County Superintendent, District Commissioner, Tribal Authority, Justice of the Peace or a court of competent jurisdiction.
- Section 4. It shall be discretionary with the Bureau of Forest Conservation to cancel or annul a certificate or permit issued in favour of any person or persons at any time when security or administrative reasons render it necessary.
- Section 5. A Forest Officer may fell, cut, damage, tap or destroy trees within Government Forest Reserves, Native Authority Forest Reserves, Communal Forest, and National Parks, make clearings or remove timber therefrom for the purpose of planting trees, improving the growth of trees, or for the general better management of reserved forests.
- Section 6. Any person convicted of any of the offences declared in this Act shall be fined a sum not less than five dollars (\$5.00) nor more than three hundred dollars (\$300.00) or imprisonment for a period not exceeding eighteen months nor less than fifteen days.

ANY LAW TO THE CONTRARY NOTWITHSTANDING

Approved February 28, 1957