



**SAINT LUCIA**

## **CHAPTER 7.09**

# **FOREST, SOIL AND WATER CONSERVATION ACT**

### **Revised Edition**

Showing the law as at 31 December 2008

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

#### **FOREST, SOIL AND WATER CONSERVATION ACT**

Act 6 of 1945 in force 1 June 1946

Amended by Act 11 of 1983 in force 15 July 1983

#### **FOREST RESERVE PROCLAMATIONS – Section 19**

Statutory Instrument 48/1946

Amended by S.I. 53/1984 in force 13 October 1984

Amended by S.I. 77/1985 in force 2 November 1985

#### **PROTECTED FOREST RULES AND DECLARATIONS – Sections 21 and 22**

Statutory Instrument 18/1951

Amended by S.I. 48/1985 in force 10 August 1985

Amended by S.I. 31/1986 in force 10 May 1986

**PROHIBITED AREAS PROCLAMATIONS – Section 28**

Statutory Instrument 49/1949

**CROWN LAND FOREST PRODUCE RULES – Section 48**

Statutory Instrument 45/1946

Amended by S.I. 9/1951

Amended by S.I. 11/1983 in force 26 March 1983

## CHAPTER 7.09

# FOREST, SOIL AND WATER CONSERVATION ACT

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## CHAPTER 7.09

### FOREST, SOIL AND WATER CONSERVATION ACT

(Acts 6 of 1945 and 11 of 1983)

AN ACT to make provision for the conservation of the forest, soil and water resources of Saint Lucia.

Commencement [1 June 1946]

#### *Preliminary*

#### 1. SHORT TITLE

This Act may be cited as the Forest, Soil and Water Conservation Act.

#### 2. DEFINITIONS

In this Act, unless the context otherwise requires—

“**Crown land**” includes—

- (a) the waste or vacant land of the Crown within Saint Lucia; and
- (b) all lands vested in Her Majesty, whether by forfeiture, escheat, purchase or exchange;

“**forest**” means an area of land, with or without trees declared to be a Forest Reserve, Protected Forest or Prohibited Area;

“**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 under any rule made thereunder;

“**forest produce**” includes the following, when found in or brought from Crown land or protected forests—

- (a) trees and all parts or produce of such trees including charcoal and honey;

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

(c) soil and rock and other minerals;

“**livestock**” includes cattle, horses, mules, asses, goats, sheep and swine;

“**Minister**” means the Minister responsible for matters relating to forest, soil and water conservation;

“**private land**” means land other than Crown land;

“**property mark**” means a mark placed on timber to denote that after all purchase money or royalties due to the Crown have been paid, the owner has or will have a right of property in the timber; “**timber**” includes trees when they have fallen or been felled, and all wood whether cut up or fashioned for any purpose or not, including the making of furniture or handicraft;

“**timber lands**” means lands whereon trees are growing and which are not under permanent agricultural cultivation;

“**tree**” includes palms, bamboos, stumps, brushwood and canes.

### *Establishment*

#### **3. APPOINTMENT OF CHIEF FOREST OFFICER**

The Governor General shall appoint a Chief Forest Officer who shall have the management of all lands belonging to the Crown and shall be charged with the duty and obligation of carrying out the provisions of this Act. In the absence of any other appointment the Director of agricultural services shall be deemed to have been appointed as Chief Forest Officer.

#### **4. APPOINTMENT OF FOREST OFFICERS**

The Governor General may appoint such and so many persons to be forest officers as may be necessary to carry out the provisions of this Act under the supervision of the Chief Forest Officer, and may, by writing under his or her hand, 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 the provisions of this Act.

#### **5. EX OFFICIO FOREST OFFICERS**

The Chief Agricultural Officer, Senior Agricultural Assistants, Agricultural Assistants and other Agricultural Officers, Senior Forest Assistants, Forest Assistants and other forest officers and Officers of the Central Water Authority shall be *ex officio* forest officers for the purpose of dealing with offences under this Act. (*Substituted by Act 11 of 1983*)

#### *Removal of Timber*

#### **6. PERMIT TO MOVE TIMBER**

It is not lawful for any person to convey or move any timber, the produce of Saint Lucia, along any public road or pathway or by water, except under a written permit from a forest officer authorised to grant such permits, and any person who contravenes the provisions of this section is liable to a fine not exceeding \$500. (*Amended by Act 11 of 1983*)

#### **7. REASON FOR REFUSAL OF PERMIT**

A forest officer shall not issue any such permit to convey or move timber unless he or she is satisfied beyond reasonable doubt that the timber is the product of land of which the applicant was the registered proprietor at the time the timber was cut or that the applicant's possession of such timber is otherwise honest or lawful.

#### *Dealing in Timber*

#### **8. NOTICE OF INTENTION TO BE A TIMBER DEALER**

- (1) A person shall not deal in timber unless he or she notifies the fact of his or her being such dealer and the place or premises at which he or she intends to conduct his or her timber business to the Chief Forest Officer, and, so long as he or she so deals, notifies such fact as aforesaid within the first 15 days of

January and July in each year. The Chief Forest Officer shall give such dealer a certificate to the effect that such notification has been made.

- (2) A dealer who contravenes any provisions of subsection (1) is liable to a penalty of not exceeding \$1000 irrespective of and in addition to any other punishment to which he or she may be liable under this Act.
- (3) For the purposes of this section a person deals in timber who by way of business buys and sells timber or otherwise acquires timber for purposes of trade and whether a person trades or not in timber is a question of fact in each case. *(Amended by Act 11 of 1983)*

#### **9. DEALING AT UNNOTIFIED PLACE**

A person who deals in timber at any place other than the premises of which he or she has given notice under section 8 is liable on summary conviction to a fine not exceeding \$500 or in default of payment to 6 months imprisonment irrespective of and in addition to any other punishment to which he or she may be liable under this Act. *(Amended by Act 11 of 1983)*

#### **10. SIGN BOARDS**

- (1) Every dealer shall cause to be affixed, in a conspicuous place in front of the place of business or premises at which he or she deals, a board on which shall be painted in clearly visible letters a description of the type of work carried out, and in default of so doing he or she is liable on summary conviction to a fine not exceeding \$ 500 or in default of payment to 6 months imprisonment.
- (2) A person who puts or has any board or letters on any premises falsely purporting that he or she is a dealer in timber or falsely describing the type of work is liable on summary conviction to a fine not exceeding \$ 500 or in default of payment to 6 months imprisonment.

*(Substituted by Act 11 of 1983)*

**11. BOOKS TO BE KEPT BY DEALERS**

- (1) Every dealer shall keep on his or her business place or premises such books as the Governor General prescribes.
- (2) Every dealer shall, immediately after the receipt of delivery of any timber, whether his or her property or not, make the proper entries in the said books according to the forms prescribed as aforesaid. Copies or numbers of receipts or permits to move timber shall be noted as proof of ownership by the dealer.

*(Amended by Act 11 of 1983)*

**12. POWER OF INSPECTION**

It is lawful for any forest officer to enter the place of business or premises of any dealer and to call for, inspect and take extracts from the dealer's books during the hours of business of such dealer.

However, on a written order of the magistrate of the district a dealer shall be bound to produce his or her books at any other time for the purpose of inspection and taking of extracts by any person named in that order.

**13. PENALTIES RESPECTING NON-PRODUCTION OF BOOKS**

If such dealer or the person in charge of the dealer's place of business or premises fails to produce any such book or refuses to allow extracts to be made therefrom or if any entry which ought to have been made has not been made or if any entry therein is false in any particular such dealer or person in charge as the case may be commits an offence and is liable to a fine not exceeding \$500 or in default of payment to 6 months imprisonment. *(Amended by Act 11 of 1983)*

**14. LIABILITY OF DEALERS FOR OTHERS**

The dealer will be held liable for the breach of any of the provisions of this Act by any person employed by him or her or over whom he or she has control, or for whom he or she is responsible, or who acts for him or her or on his or her behalf.

**15. LIABILITY OF SERVANTS, AGENTS AND OTHERS**

Where an offence for which the dealer is liable under this Act, has in fact been committed by some agent or servant of, employee of or other person acting for, such dealer, such agent or servant, employee or other person is liable to the same penalty or punishment, as if he or she were the dealer.

**16. EXEMPTION OF DEALER**

Where the dealer is charged with an offence against this Act, he or she is entitled, upon information duly laid by him or her, to have any other person whom he or she charges as the actual offender brought before the Court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the said dealer proves to the satisfaction of the Court, that he or she has used diligence to enforce the execution of the provisions of the law, and that the said other person committed the offence in question without his or her knowledge, consent or connivance, or wilful neglect or default, the said dealer shall be exempt from any penalty or punishment; but the said other person may thereupon be summarily convicted of such offence and is liable to the same penalty or punishment therefor as if he or she were the dealer.

*Liability in Cases of Partnerships, Companies, Societies or Associations***17. LIABILITY OF PARTNER, DIRECTOR, MANAGER, SECRETARY OR OTHER OFFICER**

Whenever any partnership, company, society, or association whatsoever is the dealer, without prejudice to the liability of the partnership, company, society, or association for any contravention against this Act, every partner, director, manager, secretary, or other officer of the partnership, company, society or association, commits an offence against this Act and is liable to a like penalty, unless he or she shall prove to the satisfaction of the Court that he or she in no way directly or indirectly contributed to the contravention, and that some other person is the true offender, and that he or she with all due diligence has given such information or evidence as leads to the discovery of the true offender.

*Duty and Liability of Person offering Timber to Dealer***18. REFUSAL TO ANSWER OR MAKING FALSE ANSWERS**

- (1) A person is liable on summary conviction to a penalty of \$ 48 who, when offering for sale or disposal otherwise any timber to a dealer, refuses to answer, or makes any false answer, to, any question put to him or her by such dealer or his or her servant or person in charge of such dealer's business place or premises for the purpose of ascertaining—
  - (a) his or her name and abode;
  - (b) the particular situation of the land of which such timber is the produce;
  - (c) whether he or she is the owner, tenant or contractor in occupation of any such land or the servant or agent of any such owner, tenant or contractor.
- (2) The dealer to whom any timber is offered for sale or otherwise, or his or her servant, or person in charge of such dealer's business, place or premises or any person authorised by such dealer, may—
  - (a) apprehend any person who acts in contravention of the provisions of subsection (1);
  - (b) take or cause such person to be taken to a police station of the district for the purpose of being detained there unless or until bailed or otherwise dealt with according to law;
  - (c) retain the timber to be dealt with as the magistrate directs.

*Forest Reserves***19. FOREST RESERVES**

- (1) It is lawful for the Governor General by order to declare any Crown land in Saint Lucia to be a Forest Reserve.
- (2) Every Forest Reserve shall be surveyed and a map thereof published in the Gazette at the time of the proclamation of the Reserve.

## 20. DEMARCATION AND PROTECTION OF RESERVES

Upon the proclamation of any such order the Chief Forest Officer shall cause the boundaries of the Forest Reserves to be marked out, defined and maintained in such manner as to be visible clearly at all times and thereafter no land shall be granted, devised or sold within the Forest Reserve.

### *Protected Forests*

## 21. PROTECTIVE AREA ON PRIVATE LANDS

It is lawful for the Governor General by order to declare any lands other than Crown lands to be a Protected Forest whenever in his or her opinion this appears to be necessary for any of the following purposes—

- (a) for protection against storms, winds, rolling stones, floods, and landslides;
- (b) for the prevention of soil erosion and landslip, of the formation of ravines and torrents, and of the deposit of mud, stones and sand upon agricultural land;
- (c) for the prevention of wastage of resources of timber and for securing the proper management of timber lands;
- (d) for the maintenance of water supplies in springs, rivers, canals and reservoirs;
- (e) for the protection of roads, bridges, railways, and other lines of communication; and
- (f) for the preservation of health.

## 22. POWER TO MAKE RULES

The Governor General may by order make rules to regulate or prohibit within any Protected Forest—

- (a) the felling, cutting, lopping and burning of or any injury to any trees or timber or other forest produce;
- (b) the breaking up or clearing of lands for cultivation or any other purpose;
- (c) the pasturing or trespass of livestock;
- (d) the setting of fire;

- (e) the ordering, purchase and registration of Alaskan Mills and Chainsaws; and
- (f) any other act which appears to be prejudicial to the purposes set out in the preceding section.

*(Amended by Act 11 of 1983)*

### **23. POWER TO ENTER AND CARRY OUT WORKS**

- (1) It is lawful for any forest officer or any person authorised by the Governor General in writing for the purposes set out in section 21 to enter any Protected Forest at any time without notice to inspect the area and to carry out such surveys or works as the Governor General may direct.
- (2) Upon the proclamation of any private land as a Protected Forest the Chief Forest Officer shall cause the area to be marked out and kept defined and shall have right of access for this purpose as hereinbefore provided.

### **24. REMISSION OF TAXATION**

If and for so long as the owner of a Protected Forest complies with the rules made by the Minister he or she shall be entitled to—

- (a) remission of any land tax;
- (b) compensation by exchange of land by mutual agreement;  
or
- (c) compensation in money as mutually agreed.

*(Substituted by Act 11 of 1983)*

### **25. ACQUISITION OF A PROTECTED FOREST**

If the owner of a Protected Forest fails to comply with the rules made by the Minister or if the Minister considers that the Protected Forest should be acquired by the State in the public interest, then that Protected Forest may be acquired and the acquisition shall take place according to the terms of the Land Acquisition Act. *(Inserted by Act 11 of 1983)*

**26. LIABILITY OF OCCUPIER OR OWNER FOR BREACH OF RULES**

If, after the first publication of any order declaring any land to be a Protected Forest any act is committed contrary to the rules made by the Governor General for the regulation thereof, and shall be proved to the satisfaction of a magistrate to have been committed subsequent to the date of such publication, the same shall be deemed to have been committed by the owner or occupier of such land.

**27. VOLUNTARY PROTECTION**

- (1) The owner of any land may, with a view to the formation or conservation of forest thereon or the conservation of natural resources, represent in writing to the Chief Forest Officer his or her desire—
  - (a) that such land be supervised or managed on his or her behalf by the Chief Forest Officer in such manner as may be agreed upon; and
  - (b) that any or all of the provisions of this Act or of any rules made thereunder be applied to such land.
- (2) In such case the Governor General may by order apply to such land such provisions of this Act or of any rules made thereunder as he or she may consider suitable to the circumstances and as may be desired and agreed upon by the applicant.

**28. PROHIBITED AREAS**

It shall be lawful for the Governor General by order to declare any Crown land to be a prohibited area whenever in his or her opinion this appears to be necessary for any of the purposes set out in section 21.

*Squatting On Crown Lands***29. PROCEEDINGS AGAINST PERSON IN WRONGFUL POSSESSION OF CROWN LAND**

- (1) It is lawful for any magistrate, on information that any person is in possession, without any probable claim or pretence of title, of any Crown lands, to issue a summons calling on such person to appear and answer to such information, and if such person, after being duly summoned, does not appear or appearing fails to

satisfy such magistrate that he or she, or those under whom he or she claims, has or had some probable claim or pretence of title to such lands, such magistrate shall make an order for putting the person in possession of such lands out of possession of the same, and for the delivering of the possession thereof to the Governor General.

- (2) Unless, on the hearing of such information, the person against whom such information may be preferred proves to the satisfaction of the magistrate that he or she holds the possession of the lands by inheritance, devise, or purchase from some other person, the magistrate shall make further order that the person so informed against is liable to a fine not exceeding \$1,000 or 6 months imprisonment on the first offence, to a fine not exceeding \$2,500 or 9 months imprisonment on the second offence and to imprisonment with hard labour for a period of not less than one year on the third or subsequent offence.  
*(Amended by Act 11 of 1983)*

### **30. MODE OF SERVING SUMMONS ON INFORMATION**

A summons issuing upon any information under this Act shall specify a time and place at which the person informed against is to appear, and the summons shall be served at least 8 days next before the day appointed for such appearance, by delivering the same to the person summoned in person, or by leaving the same at his or her usual place of abode, or if such abode is not known, then by affixing the same to some building upon, or in some open and conspicuous part of, the land mentioned in the information.

### **31. EVIDENCE OF PETITION AND PROCEEDING THEREON**

On the hearing of any information under this Act a copy of any petition to the Governor General, and of any proceeding on such petition, which is certified under the hand of the Chief Forest Officer to be a true copy, shall be admissible in evidence of the fact of such petition having been filed and of the proceeding had thereon, without any further proof of the same.

## 32. FORMS

The Forms contained in Schedule may be used, with such modifications as circumstances may require, in the cases to which they respectively apply.

### *Offences and Procedure*

## 33. FOREST OFFENCES

If a person does any of the following acts on Crown land—

- (a) fell, cut, girdle, mark, lop, tap, or bleed any tree or injure by fire or otherwise any tree or timber;
- (b) cause any damage by negligence in felling any tree or cutting or dragging any timber;
- (c) subject to any manufacturing process or convey or remove any forest produce;
- (d) carry any saw, axe, adze or cutlass;
- (e) kindle, keep or carry any fire;
- (f) pasture livestock or permit livestock to trespass;
- (g) clear, cultivate or break up any land for cultivation or for any other purpose;
- (h) enter a prohibited area,

he or she is liable to a fine not exceeding \$ 2000 or 6 months imprisonment on the first offence, to a fine not exceeding \$3,500 or 9 months imprisonment on the second offence and to imprisonment with hard labour for a period not less than one year on the third or subsequent offence. However, this section contained does not subject any person to any penalty thereunder for any act done in accordance with the rules made by the Governor General or with permission in writing given by a forest officer authorised to grant such permission or under any tenancy agreement made with the Chief Forest Officer. *(Amended by Act 11 of 1983)*

## 34. LIVESTOCK STRAYING

- (1) Any forest officer, rural constable, police officer or any person authorised by any of them may seize any livestock found

trespassing on Crown lands if the owner of such livestock cannot immediately be found.

- (2) All such livestock shall be forfeited to the Crown unless the owner thereof or some person authorised by him or her shall within 3 days of seizing such livestock, claim the same.
- (3) Any person claiming livestock so seized may be charged with a forest offence under section 33(f).

### **35. OFFENCES WITH INTENT TO CAUSE DAMAGE OR WRONGFUL GAIN**

A person is liable to a fine not exceeding \$2,500, or to imprisonment for a period not less than 6 months who—

- (a) knowingly counterfeits upon any tree or timber, or has in his or her 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.

*(Amended by Act 11 of 1983)*

### **36. POWER TO DEMAND PRODUCTION OF REMOVAL PERMITS**

It is lawful for any forest officer or any person authorised by him or her, or for any rural constable, or police officer, in any public road or place to stop any person conveying or removing, or who he or she may have cause to suspect is conveying or removing timber or other forest produce, the produce of Saint Lucia, and to demand the production of the permit for such conveying or removal, and if such person is conveying or removing such timber or other forest produce and fails to produce such permit or to account satisfactorily for its absence, such forest officer, authorised person, rural constable, or police officer may arrest such person and take him or her and such timber before a magistrate or justice of the peace or the officer or non-commissioned officer in charge of the nearest police station to be dealt with according to law. *(Amended by Act 11 of 1983)*

**37. POWER OF ARREST**

- (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 or her 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 or she 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 of the peace or the officer or non-commissioned officer in charge of the nearest police station to be dealt with according to law.

**38. POWER TO SEIZE TOOLS AND PRODUCE AND CONDEMN**

- (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 power saws and equipment, ropes, chains, boats, crafts, carriages, motor vehicles carts and livestock used in the commission of such offence, may be seized by any forest officer or person authorised by him or her, or by any rural constable or police officer.
- (2) A person who seizes any property under this section shall, as soon as may be, make a report of such seizure to a magistrate. However, when the forest produce with respect to which such offence is believed to have been committed is the property of the Government, and the offender is unknown, it is sufficient if the officer makes, as soon as may be, a report of the circumstances to his or her official superior.
- (3) All such property shall be forfeited to the Crown, 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 shall have been seized or the owner thereof or some person authorised by him or her shall, within 14 days of seizing the same, claim the same, and shall, within the said term of 14 days, or such further term as a magistrate may allow, prove to the satisfaction of such magistrate that such forest produce was not obtained from Crown 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 \$5,000, as the magistrate may think 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) Despite anything in this section contained a forest officer may direct at any time the immediate release of any property seized under the provisions of this section which is not the property of the Crown, and the withdrawal of any charge made in respect of such property.

*(Amended by Act 11 of 1983)*

### **39. COMPENSATION IN ADDITION TO PENALTY**

- (1) When any person is convicted of felling, cutting, removing, girdling, 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 or she may award, order that person to pay to the Government such compensation, not exceeding as assessed by the Forestry Division at current market value for each tree or log of timber with respect to which the offence was committed, as he or she deems just. *(Amended by Act 11 of 1983)*
- (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 or she is satisfied that the commission of the offence was not a consequence of such person's instigation or of any neglect or default on his or her part, order him or her, instead of the person who committed the offence, to pay the compensation referred to in this section.

### **40. PRODUCE, TOOLS, ETC. LIABLE TO FORFEITURE**

- (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, power saws and equipment ropes, chains, boats, crafts, carts, carriages motor vehicles and livestock used in the commission of such offence, is liable by order of the convicting magistrate, to be forfeited to the Crown or to be otherwise dealt with as to the magistrate, in the particular circumstances of the case, seems just. Such forfeiture may be in addition to any other penalty or compensation prescribed for such offence. (*Amended by Act 11 of 1983*)

- (2) Any thing or any livestock mentioned in this section shall, if forfeited to the Crown, 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.

#### **41. SALE OF PERISHABLE GOODS**

The magistrate may, despite anything in this Act contained, 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 or she might have dealt with such property, if it had not been sold.

#### **42. RECOVERY OF PENALTIES**

- (1) Any offence under this Act may be prosecuted and any penalty incurred may be imposed or recovered summarily on the complaint of a forest officer or police officer.
- (2) All such complaints may be made at any time within one year from the time when such matter of complaint arose.
- (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.

#### **43. PREVENTION OF OFFENCES**

- (1) A forest officer, rural constable and police officer is hereby authorised to prevent the commission of any forest offence.

- (2) A person who assaults, molests, obstructs or resists a forest officer or a person authorised by him or her in the execution of his or her duty, or aids or incites any other person so to assault, molest, obstruct or resist any forest officer or a person authorised by him or her, or a person aiding or assisting such forest officer or a person authorised by him or her in the execution of his or her duty, is liable to a fine not exceeding \$500 or to imprisonment for 6 months.

However, where such assault, molestation, obstruction or resistance is by use of weapons such as knives, firearms or any other instruments the penalty is imprisonment with hard labour for a period not less than one year.

#### **44. PROTECTION OF PERSONS ACTING UNDER ACT**

In any action brought against any person for anything done or in good faith 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.

#### **45. PRESUMPTION AS TO OWNERSHIP OF PRODUCE**

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 Government, such produce shall be presumed to be the property of the Government until the contrary is proved.

#### **46. COMPOUNDING OF FOREST OFFENCES**

- (1) The Governor General may, by writing under his or her hand, empower a forest officer—
- (a) to accept from any person against whom a reasonable suspicion exists that he or she has committed any forest offence, other than an offence specified in section 35, a sum of money not exceeding \$500 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.

*(Amended by Act 11 of 1983)*

- (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, if any, seized 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 the Treasury direct, and shall not be received by the forest officer.

#### **47. REWARDS**

The Governor General may order such rewards as he or she 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.

#### **48. RULES**

The Governor General may 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) prescribing the duties of forest officers; and
- (d) generally carrying into effect the provisions of this Act.



*the Information*): NOW I, the said district magistrate, do hereby summon you to attend before me at the district court at \_\_\_\_\_, at \_\_\_\_\_:00 a.m./p.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, then and there to answer touching the matter of the said Information; and in default of your so appearing, or if you shall fail to show to my satisfaction that you have some probable claim or pretence of title to such lands, then I, the said district magistrate, will make an order for the putting you out of the possession of the said lands.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

.....  
*Magistrate District.*

No. 3.—SECTION 29.

*Order for Delivery of Possession of Lands.*

SAINT LUCIA.

District.

To \_\_\_\_\_, police constable, and to all other constables.

WHEREAS an Information was, on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, laid before me, the undersigned district magistrate, by (*name of forest officer*), forest officer (*or as the case may be*), that \_\_\_\_\_ is in possession of certain lands belonging to Her Majesty The Queen situate in (*describe situation and extent of the lands, according to the Information*), and I, the said district magistrate thereupon issued my summons to the said \_\_\_\_\_ to appear before me at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and answer touching the matter of the said Information; and whereas the said summons was, on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, duly served on the said \_\_\_\_\_ by delivering the same to him or her personally (or, by leaving the same at \_\_\_\_\_ being his or her usual place of abode, or, by affixing a copy of such summons on \_\_\_\_\_ being an open and conspicuous part of the lands mentioned in the said Information); And Whereas the said \_\_\_\_\_ failed to appear before me on the said \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ (or, did appear before me, but failed to satisfy me that he or she had any probable claim or pretence of title to such lands): Now I, the said

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Revision Date: 31 Dec 2008

district magistrate, do hereby order and require you, the said constable, taking such force as may be required for the purpose, to enter upon the said lands situate in \_\_\_\_\_ and comprising \_\_\_\_\_ being the lands mentioned in the said information, or any part thereof in the name of the whole, and then and there to put the said \_\_\_\_\_ out of possession of the said lands, and to deliver possession of the said lands, together with all buildings, if any, thereon, and all crops growing thereon, to the said forest officer on behalf of Her Majesty.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

.....  
*Magistrate*      *District.*



## FOREST RESERVES PROCLAMATIONS – SECTION 19

(Statutory instruments 48/1946, 55/1951, 10/1952, 53/1984 and 77/1985)

1. All that area of Crown lands comprising 2,600 acres more or less in the Quarters of Castries, Dauphin and Dennery which, forming the gathering grounds of the Castries Water Supply, was declared to be a Forest Reserve under the Castries Water Supply Act which is shown on a plan marked “A” lodged in the Crown Lands Department. The said Reserve is known as the Castries Water Works Reserve.
2. All that area of Crown lands in the Quarter of Dennery comprising 365 acres more or less and forming the gathering ground of the Dennery Water Supply which was escheated in 1899 and 1900 and is shown on the plan marked “B” lodged in the Crown land Department. The said Reserve is known as the Dennery Water Works Reserve.
3. All that area of Crown lands in the Quarters of Micoud and Vieux-Fort comprising 2,286 acres more or less in the Estates of Desval Bellemon, Casse et d’Arbaud, Dumouchet, Legentil Doree, Son Abdre, Vve. Laporte, Ve. Coupri, de Kernant, Dubourke, Vve. Vottier Desrivieres Valir and Lardillier which were escheated in and are shown on the plan marked “C” lodged in the Crown lands Department. The said Reserve is known as the Central Forest Reserve.
4. All that lot of land comprising the Ve. Vottier, Basse, Estribeau and Ve. Nicoleau Estates in the Quarter of Micoud being No. 32 Red, No. 30 Red, No. 28 Red and No. 27 Red respectively on Lefort de Latour’s Plan of Saint Lucia, consisting of 491 acres 0 rood 28 perches more or less and bounded on the North by Laport No. 35 Red and the Canelles River, on the South by Le Gentil No. 31 Red and La Source No. 25 Red, on the East by the Canelles River and on the West by Le Gentil No. 31 Red and Quillesse Reserve (Ve. Vottier No. 32 Red) as shown in the Plan of the same by Vernon Templeton Elwin Augustin, Assistant Staff Surveyor, dated 26th June, 1948, and lodged in the office of the Commissioner of Crown lands on the 31 December 1948.

5. All that lot of land comprising the De Suze Estate in the Quarter of Micoud being No. 41 Red on Lefort de Latour's Plan of Saint Lucia, consisting of 268 acres 3 roods 00 perches more or less and bounded on the North by Ungranted Crown lands, on the South by Troumassée River, on the East by Mahaut No. 44 Red, Quarter of Micoud, and West by the Troumassée River, and Desessarts No. 42 Red, Quarter of Soufrière, as shown in the Plan of the same by Vernon Templeton Elwin Augustin, Assistant Staff Surveyor, dated 19 March 1948, and lodged in the office of the Commissioner of Crown Lands on the 1 October 1948.
6. All that portion of land 3,449 acres in extent known as "Castries Waterworks Forest Reserve" and bounded as follows—  
NORTH: by lands of:
  - R. Myers *et al* (De SeGuiran No. 38) R. Ragukanoan, St. Auban Simon *et al* (Babonneau Bonne Terre 38R).
  - A. Popo, R. Foster, J. Pindar, Ludovic, Joseph *et al* (Cher De. Charmin 17B).
  - J. Harris, A. Joseph, C. Arthur (De Chassin 16B).
  - J. Duboise, Phillip Thomas, N. Jules *et al* (Ve Pichery No. 7B).SOUTH: by lands of:
  - Barre de Isle Forest Reserve
  - Poisson Bonnair No. 47R
  - C. Popo, Mrs. Albert (Ve Cadet No. 35R)
  - Bois Jolly No. 56R
  - Louvet River (Ve Dannezac No. 59 R & Dubrosse du Mouliere No. 67R).WEST: by lands of:
  - A Ragoonanan *et al* (Rawpor Freres)
  - Piton Flore Public Road and Ridge
  - Ramchuran, Ramparaghat, Elibox *et al*EAST: by lands of:
  - Louvet Estate (Dubrosse Du Mouliere No. 67R)
  - A Laurencin, Mrs. Louis Phillip *et al* (D'Hers No. 9B).

The whole as appears on plan of Survey by Robert Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown Lands on 6 June 1984 as plan No. C6569T and recorded under No. 159/84.

*(Inserted by S.I. 53/1984)*

#### BARRE DE L'ISLE FOREST RESERVE NORTH

7. All that portion of land being 570 acres more or less in extent and bounded as follows—

- NORTH : By lands of:  
The Castries Water Works Forest Reserve.
- EAST : By lands of:
- (a) Mrs. MacKenzie, Naton Abbot, Crown et al (Poisson Bonnaire 47R);
  - (b) Edward Moise, J. Edwin, E. Polidore et al (Cousin Thomazo No. 44R);
  - (c) Gilbert Pierre, Simon Maitre, N. Thomas et al (Poisson Pere No. 43R).
- SOUTH : Barre de l'isle Forest Reserve South (Limit is the Goldsworth Road).
- WEST : By lands of:
- (a) Julian Ramante, Minvielle Estate (Ve coton Descroze No. 48R);
  - (b) James Elibox, Evans Duplesis, Stanley Rayamond et al (Grand Maison No. 47R);
  - (c) Anthony Elibox, W. Weeks, Gildas Willie, Winifred Housing et al (Son Mackey No. 42R).

The whole as shown on a Plan of Survey by Robert K. Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown Lands on 27 November 1984 as Plan No. 06647 and recorded under No. 358/84.

*(Inserted by S.I. 77/1985)*

#### BARRE DE L'ISLE FOREST RESERVE SOUTH

8. All that portion of land marked Part 1 and Part 2 on Plan C6612 referred to below, being 1800 acres more or less in extent, and bounded as follows—

- NORTH : By lands of Barre de l'isle Forest Reserve North (Goldsworth Road forms limit).
- SOUTH : By lands of:  
Central Forest Reserve "B".
- WEST : By lands of:  
Private lands (Roseau River forms limit)  
Ungranted Crown lands  
E. Glace, J. Samual, E. Payne, et al
- EAST : By lands of:  
C. Henry, W. Monbelly, B. Edwin et al (De La Come No. 42R)  
Private lands (Grande Riviere du Mabouya forms limit).

Addition to the Central Forest Reserve "B"

Save and except Part 3 on Plan C-6612 referred to below.

The whole as shown on a Plan of Survey by Robert K. Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown Lands on 14 September 1984 as Plan No. C-6612 and recorded under No. 272/84.

*(Inserted by S.I. 77/1985)*

CENTRAL FOREST RESERVE "A"

9. All that portion of land, marked Parts 1, 2, 3, 4, 5 and 16 on Plan No. ALR-1051T, referred to below, being 4025 acres, more or less in extent and bounded as follows—

- NORTH : By lands of:  
Alexander (Francois Marragon No. 36B)  
E. Paul (LeFort de la Tour Freres)  
Heirs C. Nelson, J. Boxille et al (Parke Estate)  
Ungranted Crown land  
Son Samuel (son de M. Coulon No. 53B)  
C. Deligney, C. Joseph, R. Antoine, et al (Clauzier No.

65B)

SOUTH : By lands of:  
Desrache No. 17, Son Cartier 36R.  
The Quillesse Forest Reserve (Troumassee River forms limit).

WEST : By lands of:  
Diampre No. 15  
The Quarter of Soufriere (Canaries River forms limit)  
Grand Bois Estate and the Heirs Marquis  
X. Edward (Les Vergers No. 30R)  
M. Marquis, L. Augustin, L. Paul et al (Brs. Common et Chatin No. 28R).

Save and except Parts 6 7 8 9 10 11 12 13 14 and 15 on Plan ALR – 1051T referred to below.

The whole as shown on a Plan of Survey by Robert K. Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown Lands on the 11 March 1985, as Plan No. ALR – 1051T and recorded under No. 20/85.

*(Inserted by S.I. 77/1985)*

#### CENTRAL FOREST RESERVE “B”

10. All that portion of land being 3,640, more or less, in extent and bounded as follows—

NORTH : By lands of:  
(a) Barre de l’isle Forest Reserve South;  
(b) Addition to the Central Forest Reserve (Hrs. Vigie No. 19R);  
(c) R. Lashley, Crown (Hrs. Vigie No. 19R);  
(d) Crown, J. Jn. Marie, J. Berrick et al (Chateau St. Rose No. 17R);  
(e) Barnard family (Errard No. 16R);  
(f) Ungranted Crown land.

EAST : By lands of:  
(a) Crown (Petit Cadet et Dufond No. 25R);  
(b) A Wilson, Crown (Durocher No. 12B);  
(c) W. Louis, F. Ambrose, P. Poleon et al (Raillon

- No. 9B);
- (d) W. Descarts, G. Charles, L. Brice et al (Bazile Linas No. 8B);
- (e) F. James, D. Octave et al (Raillon No. 9B);
- (f) Crown (Ravine Bazile forms limit);
- (g) Fond Estate (Chretiennot No. 22B);
- (h) Palmiste Estate (De Grenonville No. 23R);
- (i) Crown, Dixon, T. James et al (DeGrenonville No. 51R).

SOUTH : By lands of:  
 Quillesse Forest Reserve (Troumassee River forms limit).

WEST : By lands of:  
 Central Forest Reserve "A".

The whole as shown on a Plan of Survey by Robert K. Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown Lands on the 19 October 1984 as Plan No. P – 374T and recorded under No. 319/84.

*(Inserted by S.I. 77/1985)*

#### QUILLESSE FOREST RESERVE

11. All that portion of land being 3,460 acres, more or less, in extent and bounded as follows—

- NORTH : By lands of:
- (a) The Central Forest Reserve "A";
  - (b) The Central Forest Reserve "B".
- SOUTH : By lands of:
- (a) Crown (La Source No. 25R);
  - (b) K. Williams (Le Gentil No. 31R);
  - (c) Le Gentil No. 55B;
  - (d) J. Poleon, H. Gustave and Crown (Berrier No. 54B).
- WEST : By lands of:
- (a) Beauseliel No. 56B and Duranty de la Calade No. 58B (Vieux-Fort River forms limit);

- (b) Duranty de La Calade No. 58B, Stanislaus Roblot No. 45R, Marche Gaye No. 54B and Son Cartier No. 36R.

EAST : By lands of:

- (a) H. Burke, Crown, W. Telliam et al (Des Etangs No. 43R);
- (b) Crown, E. James, W. Sevevin et al (La Porte No. 35R);
- (c) La Porte No. 35R and Ve Fresson et al No. 29R (Canelles River forms limit).

The whole as shown on a Plan of Survey by Robert K. Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown Lands on 24 July 1984, as Plan No. M – 931T and recorded under No. 214/84.

*(Inserted by S.I. 77/1985)*

#### ADDITION TO THE CENTRAL FOREST RESERVE

12. All that portion of land, marked Part 1 on Plan No. D – 1036 referred to below, being 229 acres more or less in extent and bounded as follows—

NORTH AND WEST : By lands of:

Barre de l'isle Forest Reserve South (Grande Riviere du Mabouya forms limit).

SOUTH : By lands of:

Central Forest Reserve "B".

EAST : By lands of:

- (2) J. Cassius and R. Lashley (marked Parts 2 and 5 on Plan No. below);
- (2) J. Cassius and R. Lashley (marked Parts 2 and 5 on Plan No. D – 1036 referred to below).

The whole as shown on a Plan of Survey by Robert K. Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown Lands on the 26 April 1985, as Plan No. D – 1036 and recorded under No. 116/85.

*(Inserted by S.I. 77/1985)*

## DENNERY WATERWORKS FOREST RESERVE

13. All that portion of land being 359 acres, more or less in extent and bounded as follows—

NORTH : By lands of:

- (1) F. Prospere, M. James, A. Monte et al (Chateau L'Aine No. 12R);
- (2) St. Joseph's Estate (DesCleres No. 11R);
- (3) Anse Canot Estate (Hastin Fils No. 5R).

SOUTH : By lands of:

- (1) Praslin Estate (Roche de Rupees No. 4B);
- (2) I. Alexandre, P. Rudolph, G. Philogene et al (Ve Huighens No. 10R).

WEST : By lands of:

- (1) Ungranted Crown lands;
- (2) R. Hope, F. Prospere, M. James et al (Chateau L'Aine No. 12R).

EAST : By lands of:

- (1) Anse Canot Estate (Hastin Fils No. 5R);
- (2) Roche du Cournou No. 9R).

The whole as shown on a Plan of Survey by Robert K. Harris, Licensed Land Surveyor, lodged at the Office of the Commissioner of Crown lands on the 15 May 1985, as Plan No. D – 1035T and recorded under No. 361/84.

*(Inserted by S.I. 77/1985)*

## **PROTECTED FORESTS, RULES AND DECLARATIONS – SECTIONS 21 and 22**

(Statutory Instrument 18/1951)

### *Rules*

1. A person commits an offence under the Act if he or she does any of the following acts on any protected forest—
  - (a) fell, cut, girdle, mark, lop, tap, or bleed any tree or injure by fire or otherwise any tree or timber;
  - (b) cause any damage by negligence in felling any tree or cutting or dragging any timber;
  - (c) subject to any manufacturing process or convey or remove any forest produce;
  - (d) clear, cultivate or break up any land for cultivation or for any other purpose.

However, this order does not subject any person to any penalty thereunder for any act done with permission in writing given by a forest officer authorised to grant such permission or under any tenancy agreement approved and countersigned by the Chief forest officer.

2. As soon as may be after the publication of the order in the Gazette the Chief Forest Officer shall cause the areas to be marked out and kept defined and shall have right of access for this purpose to carry out such survey or works as the Governor General may direct.
3. At least 7 days notice shall be served by the Chief Forest Officer on the owner of any land declared to be a Protected Forest of the intention to mark out the limits of such Protected Forest.
4. On the day fixed for the marking out of the said area unless the work has been postponed to some future day the Chief Forest Officer or his or her agents shall in the presence of the owner of the land if he or she wishes to be present, carry out the said work and fix further days for the completion thereof.

5. The owner of any land declared to be a Protected Forest may enter into an agreement with the Chief Forest Officer for the supervision or management of such land.
6. The owner of any land who has entered into an agreement with the Chief Forest Officer as provided in the preceding paragraph shall not by reason only that an offence has been committed contrary to this order after the publication hereof be deemed to have committed such offence as provided by section 26 of the Act.

### *Declared Protected Forests*

#### **Quarter of Praslin**

- (1) *Durocher* No. 12 Black situated in the Quarter of Praslin and bounded as follows— *North* by a portion of the Praslin River, *South* by Devoconnu Nos. 10 and 11 Black *East* by the Baron de Micoud No. 2 Black, and *West* by Beghin No. 7 Black, containing approximately 60 carrés as shown on the Map of the Island of Saint Lucia by Lefort de Latour.
- (2) *Ungranted Crown lands* situated in the Quarter of Praslin comprising the portions, viz:
  - (1) The portion bounded *North* and *West* by a portion of the ridge between the Praslin and Dennery Rivers, *South* partly by Bazile Linas No. 8 Black and Raillon No. 9 Black, *East* partly by Heirs David No. 6 Black, partly by a portion of the Praslin River and partly by Beghin No. 7 Black.
  - (2) That portion bounded as follows— *North* by a line from the source of the Mabouya River and along the ridge between the Dennery and Petit Mabouya Rivers, *South* partly by a portion of Desessarts No. 42 Red of the Quarter of Soufrière and partly by Desuze No. 41 Red and Mahaut No. 44 Red of the Quarter of Micoud, *East* partly by the west boundary of Bazile Linas No. 8 Black and along a portion of the Petit Mabouya River to the west boundary of Chretiennot No. 22 Black and partly by the eastern boundaries of Chretiennot No. 22 Black and de Grenouville No. 23 Black, *West* by a line along the ridge separating the Roseau and Petit Mabouya Rivers from the

source of the Mabouya River to the north boundary of Desessarts No. 42 Red of the Quarter of Soufrière.

#### Quarter of Anse-la-Raye

- (3) Heirs Common et Pere Chatin No. 28 Red situated in the Quarter of Anse-la-Raye and bounded as follows— *North* partly by Palin St. Omer No. 24 Black and partly by Francois Marragon No. 36 Black, *South* partly by Terrier Freres No. 19 Black and partly by Les Verges No. 30 Red, *East* partly by Son Etienne Tesse No. 38 Black, partly by Francois Mallet No. 39 Black and partly by Heirs Houelemon No. 43 Black, *West* by Mineurs Redort No. 22 Black, containing approximately 60 carrés as shown on the Map of the Island of Saint Lucia by Lefort de Latour—but save and except those portions in the said estate sold by the Government to the following persons viz: Ferdinand Clement, A. R. C. Mallet, Sydney St. Omer, Flavien Marquis, Xerces Edward, Theophile Francis, Gilbert Marquis, Philip St. Ange, Noemie Prospere, Albert Noel, Hubert Prospere, and the portion surveyed for escheat to be sold to Victor Jude.
- (4) Les Vergers No. 30 Red situated in the Quarter of Anse-la-Raye and bounded as follows— *North* partly by Heirs Common et Pere Chatin No. 28 Red, and partly by Heirs Houelemon No. 43 Black, Veuve Tiffagner No. 29 Red and Jeanville No. 42 Black, *South* by a portion of the Canaries River, *East* by a line drawn from the Canaries River at the junction of the estates Heirs Debremont Roblot No. 96 Red and Archard No. 15 Red of the Quarter of Soufrière to the source of a branch of the Roseau River where the said branch forms the east boundary of Jeanville No. 42 Black of the Quarter of Anse-la-Raye, *West* partly by Terrier Freres No. 19 Black and partly by Colombe Veuve Fenvuillean No. 26 Red and Fois Dugu, et Veuve Robin No. 27 Red the whole estate as shown on the Map of the Island of St Lucia by Lefort de Latour—but save and except those portions in the said estate sold by the Government to Xerces Edouard, Theophile Francis, J. B. Frederick, Henry Charles, Louis Mayeuse, Fernand Alphonse, Philomon Jean, Dorman St. Cyr, Annius Sylvanise and Dame Denise Allain, the portion surveyed for escheat to be sold to Victor Jude and the portion owned by Arnold Mallet and Heirs Allain.

- (5) The Ungranted Crown lands situated in the Quarter of Anse-la-Rayé bounded as follows— *North* partly by Son de Michel Coulon No. 63 Black and partly by Clauzier No. 65 Black, *South* by a portion of the Canaries River towards its source, *East* partly by the Roseau River and partly by a line joining the sources of the Roseau and Canaries Rivers, *West* partly by Les Vergers No. 30 Red viz: by a line drawn from the Canaries River at the junction of the estates Heirs Debremont Roblot No. 96 Red and Archard No. 15 Red of the Quarter of Soufrière to the source of a branch of the Roseau River where the said branch forms the east boundary of Jeanville No. 42 Black of the Quarter of Anse-la-Rayé, partly by the said branch of the Roseau River, and partly by a portion of the said Ungranted Crown lands escheated by the Government and sold to Charles Nelson.

#### **Quarter of Castries**

- (6) The Ungranted Crown lands situated in the Quarter of Castries and bounded as follows— *North* by that portion of the Ungranted Crown lands escheated by the Government in June 1924 and shown on plan No. C1298 dated 18th September by R. A. McNamara deposited in the Lands and Survey Department, *South* by a portion of the north boundary of Desessarts No. 42 Red of the Quarter of Soufrière, *East* by a line along the ridge separating the Roseau and Petit Mabouya Rivers from the source of the Mabouya River to the north boundary of Desessarts No. 42 Red by a portion of the Roseau River.

#### **Quarter of Soufriere**

- (7) The ungranted Crown lands situated in the Quarter of Soufrière and bounded as follows—*North* by Cornibert Frere No. 40 Red, *South* partly by a portion of D,rache No. 17 Red and partly by Son Cartier No. 36 Red, *East* partly by Son James Cortez No. 38 Red and partly by Son Mondon No. 37 Red, *West* partly by a line joining the sources of the Roseau and Canaries Rivers and partly by the east boundary of Diampr, No. 16 Red.

#### **Quarter of Dennery**

- (8) The Ungranted Crown lands situated in the Quarter of Dennery and bounded as follows—*North* by the south boundary of Maisonneuve No. 41 Red, *South* by a line from the source of the Mabouya River and along the ridges between the Dennery and Petit Mabouya Rivers and the ridge between the Praslin and Dennery Rivers, East partly by the Mabouya River from its junction and the south boundary of Maisonneuve No. 41 Red and along the Mabouya River to its junction with the south boundary of Heirs Vig, No. 19 Red, partly by the south boundary of Heirs Vig, No. 19 Red to its junction with the Dennery River, partly by the Dennery River to the south boundary of Heirs de la Ribadiere No. 18 Red and along the south boundary of Heirs de la Ribadiere No. 18 Red, partly by the south boundaries of Errard No. 16 Red, Chateau St. Rose No. 17 Red and Veuve LaForce No. 14 Red and partly by the west boundary of Pelouze No. 5 Black of the Quarter of Praslin, *West* by the ridges between the Grand Cul-de-Sac and Mabouya Rivers from the source of the Mabouya River to the south boundary of Malsonneuve No. 14 Red,—the whole area as described above but save and except the portions sold by the Government to Edlouay Francis, St. Romain Satnay, Palmer Faucher, Felix Ninval, Chastanet Heady Satnay, Ferdinand Avril, Stephen Stanislaus, Mathurin Daniel, Emmanuel Belmar and Jos. Hippolyte.

#### **Marquis Estate Area**

- (9) All that portion of land being a dismemberment of subdivisions at Marquis Estate being 29 acres more or less and owned by—  
Michael Toussaint, Lawrence Toussaint, Benoit Toussaint, Sylvestre Hilaire, S. D. Gage, Collin Quintin and others.

Bounded as follows—

North: by the remainder of lots 18 and 22;

South: by Hrs. Leonty Alphonse, Leon Leonce, Emmanuel Melius, Hrs. Demille (Boniface Gond N. 15R);

East: partly by the Vergallier River;

West: partly by the Marquis River, partly by Francis Placide, and partly by Lot 23.

The whole as shown on Plan of Survey by J. F. Modeste, Licensed Land Surveyor, lodged at the office of the Commissioner of Crown Lands on the 26th June, 1981 as Plan No. Dn. 511 and recorded under No. 126/81 and on the 11th October, 1983 as Plan No. Dn. 550 recorded under No. 420/83. *(Inserted by S.I. 48/1985)*

- (10) All that portion of land being a dismemberment of subdivisions at Marquis Estate being 40 acres more or less and owned by—

Toussaint et al, Jean Baptiste, Julius Melius, ‘Sonny Boy’ and others.

Bounded as follows—

North: partly by J. F. Modeste and partly by Lot 14;

South: partly by Hrs. Mackenzie Provest and partly by Lot 69;

East: partly by Lot 63 and partly by the Vergallier River;

West: partly by Vergallier River and partly by Hrs. Demille, James Melius and Drysdale Melius (Boniface Gond No. 15R).

The whole as shown on Plans of Survey by J. F. Modeste, Licensed Land Surveyor, lodged at the office of the Commissioner of Crown Lands on the 26th June, 1981 as Plan No. Dn. 511 and recorded under No. 126/81 and on the 21st June, 1983 as Plan No. Dn. 540 and recorded under No. 238/83 and on 25th August, 1983 as Plan No. Dn. 546B and recorded under No. 365/83 and various unlodged Plans by J. F. Modeste. *(Inserted by S.I. 48/1985)*

- (11) All that portion of land being a remainder of a subdivision of land at Marquis Estate being 35 acres more or less owned by Marquis Estate and bounded as follows—

North: By a ravine;

South: Partly by Lot 46, partly by Lot 31 and partly by an access road;

East: By Lot 60;

West: By Lot 31.

The whole as shown on Plans of Survey by J. F. Modeste, Licensed Land Surveyor, lodged at the office of the Commissioner of Crown Lands on the 26th June, 1981 as Plan

No. Dn. 511 and recorded under No. 126/81 and on the 4th August, 1983 as Plan No. Dn. 544 and recorded under No. 340/83.

*(Inserted by S.I. 48/1985)*

- (12) All that portion of land being a remainder of a subdivision of land at Marquis Estate being 3.3 acres more or less and owned by Marquis Estate and bounded as follows—

North: By Lot 71;

South: By the Marquis to Des Barras public road;

East: By Government Lands;

West: Partly by Lot 12 and partly by Lot 13.

The whole is shown as Lot 70 on a Plan of Survey by J. F. Modeste, Licensed Land Surveyor, lodged at the office of the Commissioner of Crown Lands as Plan No. Dn. 568K recorded under No. 56/85.

*(Inserted by S.I. 48/1985)*

- (13) All that portion of land being a remainder of a subdivision of land at Marquis Estate being 4 acres more or less and owned by Marquis Estate and bounded as follows—

North: By Lot 1;

South: By Lot 71;

East: By Grand Anse Estate;

West: Partly by Lots 2, 3, 4, 5 and 6 and partly by an access road.

The whole as shown on a Plan of Survey by J. F. Modeste, Licensed Land Surveyor, lodged at the office of the Commissioner of Crown Lands on the 26th June, 1981 as Plan No. Dn. 511 and recorded under No. 126/81.

*(Inserted by S.I. 48/1985)*

#### **Monier — Plateau**

- (14) All that portion of the Quarters of Dauphin and Gros-Islet being part of the upper watersheds of Grande Riviere, Esperance, Dauphin and Marquis rivers and bounded as follows—

NORTH: by a line joining Grande Riviere and La Borne;  
SOUTH and WEST: by the road from Grande Riviere  
through Monier, through Paix Bouche to La Gare;  
EAST: by the road from La Gare to La Borne.

*(Inserted by S.I. 48/1985)*

#### **Balata — Girard**

- (15) All that portion of the Quarters of Castries and Gros-Islet being part of the upper watersheds of the Girard, Balata and Grande Riviere rivers and bounded as follows—

NORTH: by the road from Union through Grande Riviere to Paix Bouche;

SOUTH: by the road from Babonneau through Guesneau to Ti Rocher;

EAST: by the road from Paix Bouche to Babonneau;

WEST: by the road from Ti Rocher to Mon Dudon and thence in a straight line to Union.

*(Inserted by S.I. 48/1985)*

#### **Forestiere — Chassin**

- (16) All that portion of the Quarters of Castries and Dauphin being the head-waters of the Marquis river and bounded as follows—

NORTH: by the road from Guesneau through Fond Assau to Chassin and thence in a straight line to Des Barras;

SOUTH AND WEST: by the Quarter of Dennery and the road from Piton Flore through Forestiere to Guesneau;

EAST: by the line joining Des Barras to La Sorciere.

*(Inserted by S.I. 48/1985)*

#### **Derniere Riviere**

- (17) All that portion of the Quarter of Dennery being the upper watershed of Ravines Bassin Noire, Cochon and Derniere Riviere and bounded as follows—

NORTH: by the Quarters of Castries and Dauphin;

SOUTH: by a line drawn due west from Grande Ravine to the Quarter of Castries;

EAST: by a line from La Sorciere to Derniere Riviere to Grande Ravine;

WEST: by the Quarter of Castries (Barre de L'isle forms limit).

*(Inserted by S.I. 48/1985)*

#### **Ravine Poisson**

- (18) All that portion of the Quarter of Dennery being part of the watershed Ravine Poisson and bounded as follows—

NORTH: by the Sarrot Road and the Castries—Dennery Highway

SOUTH: by the Barre de L'isle Forest Reserve South;

EAST: by the Quarter of Dennery (Barre de L'isle forms limit);

WEST: by the Chopin Ridge and its extension southerly to the Barre de L'isle Forest Reserve south.

*(Inserted by S.I. 48/1985)*



## **PROHIBITED AREAS PROCLAMATION – SECTION 28**

### **(Statutory Instrument 49/1949)**

1. All that area of Crown lands comprising 2,600 acres more or less in the Quarters of Castries, Dauphin and Dennery which, forming the gathering grounds of the Castries Water Supply, was declared to be a Forest Reserve under the Castries Water Supply Act which is shown on a plan marked “A” lodged in the Crown lands Department. The said Reserve is known as the Castries Water Works Reserve.
2. All that area of Crown lands in the Quarter of Dennery comprising 365 acres more or less and forming the gathering grounds of the Dennery Water Supply which was escheated in 1899 and 1900 and is shown on the plan marked “B” lodged in the Crown lands Department. The said Reserve is known as the Dennery Water Works Reserve.



## CROWN LAND FOREST PRODUCE RULES

### ARRANGEMENT OF RULES

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## **CROWN LAND FOREST PRODUCE RULES – SECTION 48**

(Statutory Instruments 45/1946, 9/1951 and 11/1983)

Commencement [1 August 1946]

### **1. SHORT TITLE**

These Rules may be cited as the Forest, Soil and Water Conservation (Crown Land Forest Produce) Rules.

### **2. DEFINITIONS**

In these Rules, unless the context otherwise requires—

“**forest ranger**” includes any person carrying on the duties of a forest ranger;

“**registered property mark**” means a property mark registered under these Rules, the registration of which has not expired and which is covered by a licence to carry and use the same;

“**remnant**” includes parts of trees that have fallen of which some considerable part has already been worked or destroyed by fire or otherwise.

### **3. GRANT OF CONCESSIONS**

Concessions to cut timber or to extract forest produce may either be put up to tender or to auction or may be granted by the Chief Forest Officer on conditions approved by the Governor General.

### **4. GRANT OF LICENCES**

Licences to cut timber or to extract forest produce may be granted at his or her discretion by the Chief Forest Officer.

## **5. APPLICATION FOR LICENCES**

Applications for licences shall be made in the Form 1 of Schedule 1 to these Rules and shall be addressed to the Chief Forest Officer. Such applications shall state clearly the nature and quantity of the timber required, the purpose for which it is wanted, the area and locality in which it is proposed to cut or extract the same the period for which the licence is required, and such other particulars as may be desirable. Applications for licences for timber to be cut by contractors to Government departments must be accompanied by a certificate of authority from the head of the department concerned or from some officer duly authorised by him or her to issue such certificate.

## **6. SCOPE OF LICENCES**

Licences shall include licences to cut a specified number of trees, a specified quantity of timber, to extract a specified quantity of forest produce in or from a specified area of Crown lands and Forest Reserves or to burn charcoal on Crown lands. Such licences shall be in the forms included in Schedule 1 to these Rules, namely—

Form 2 — Forest Produce other than timber.

Form 3 — A specified number of trees or quantity of timber.

Form 4 — Timber to burn charcoal on Crown lands.

## **7. RECEIPTS FOR COMPENSATION**

Receipts for compensation for forest offences, for extension fees and for royalties paid under licences in Forms 2, 3 and 4 of Schedule 1 shall be in Form 5 of Schedule 1 to these Rules.

## **8. PROCEDURE WHERE APPLICANT FOR LICENCE IS ILLITERATE**

On receipt of a verbal application for a licence, the Forest Ranger of the locality in which the forest produce is situated shall assist the applicant to fill Part (1) of Form 1 of Schedule 1 and where the applicant is illiterate shall certify the signature or mark.

**9. PROCEDURE WHERE ROYALTY IS TO BE PAID ACCORDING TO GIRTH MEASUREMENT**

- (1) If the Forest Ranger recommends the issue of a licence in Form 3 where royalty is to be paid according to girth measurement, he or she shall inspect, measure, and stamp with the Government Sale Marking Die the trees applied for, in the presence of the licensee or his or her agent, and shall record in Part (2) of Form 1 their description and girth measurements together with his or her recommendation for a licence. He or she shall then hand the Form 1 to the applicant or his or her agent who shall present it at the Treasury.
- (2) If the Forest Ranger recommends the issue of a licence in Form 3 where royalty is to be paid according to cubical measurement or according to number where shingles are being worked he or she shall stamp with the Government Sale Marking Die such trees or remnants of such trees as he or she considers necessary and shall record their particulars in Part (2) of Form 1 together with his or her recommendation for a licence. He or she shall then hand the Form 1 to the applicant or his or her agent who shall present it at the Treasury.
- (3) No tree or timber stamped under this rule shall be cut or worked until a licence has been issued.

**10. DISCRETION OF CHIEF FOREST OFFICER TO GRANT LICENCE**

The Chief Forest Officer shall at his or her discretion decide whether or not he or she shall grant a licence and shall note his or her decision on Part (3) of Form 1. Should he or she refuse to grant a licence applied for in Form 3, he or she shall instruct the Forest Ranger to seize with the Government Seizure Mark all trees or remnants which have been marked with the Government Sale Marking Die under rule 9.

**11. NATURE OF TREE OR TIMBER TO BE CUT**

No tree or timber shall be cut under a licence in Form 3 with royalty paid according to cubical measurement or according to number where shingles are being worked unless it be dead, wind-fallen, diseased, unsound or a remnant or unless the length of workable stem is less than 24 feet. All other trees must be paid for by girth measurement,

save where specially authorised by the Chief Forest Officer for silvicultural reasons.

## **12. ROYALTIES TO BE PAID BEFORE DELIVERY OF LICENCE**

All royalties payable under licences shall be paid before such licences are delivered to the licensee or his or her agent.

## **13. CONDITION OF CUTTING TREES OR REMNANTS**

No tree or remnant shall be cut under a licence in Form 3 unless the same has been stamped with the Government Sale Marking Die by an Officer duly authorised in that behalf, in the presence of the licensee or his or her agent, and the girth measurement of every such tree, and the measurement of every such remnant shall be recorded on the licence. No green standing tree of Classes I and II shall be stamped for cutting or shall be cut under a licence in Form 3 unless it exceeds at the point at which it is measured the minimum girth shown in the right hand column in Schedule IV to these Rules.

## **14. MEASUREMENT OF TREES TO BE CUT**

All trees exceeding 5 feet in girth to be cut under any licence granted under these Rules on which royalty is calculated according to their girth measurements shall be measured at height of 4 feet 3 inches from the ground. However, if the tree has large buttresses its girth may be measured at such height from the ground not exceeding 8 feet as represents the junction of the top of the buttresses with the trunk, and a note to that effect must be made on the licence form. Trees of less than 5 feet in girth shall be measured for the calculation of royalty at such lesser height from the ground at which they are to be cut. In all cases where trees are to be cut at a height less than 4 feet 3 inches from the ground, the forest ranger shall make a check measurement at a point below that at which the tree is to be cut, and shall record such measurement on the licence.

## **15. MARKING OF TREES TO BE CUT**

No tree or remnant shall be cut under licence in Form 3 until the same has been marked in paint or tar with the serial number allotted by the forest ranger, and either with the initials of the licensee in letters not

less than 3 inches high, or with his or her registered property mark, on a blaze prepared for that purpose by the licensee or his or her agent.

**16. PROHIBITION AGAINST REMOVAL OF TIMBER**

No timber shall be removed from any tree or remnant cut under a licence in Form 3 nor any other produce cut under a licence in Form 2 until all royalty payable under such licence in addition to that already paid under rule 11 has been paid and receipt for such payment has been obtained from the Treasury and a removal permit has been obtained from an officer duly authorised to grant the same.

**17. GRANT OF REMOVAL PERMITS**

Removal permits shall be in Form 6 of Schedule 1 to these Rules and shall be granted by such person as may be duly authorised in writing in that behalf by the Chief Forest Officer. The date of expiry of a removal permit in Form 6 shall in no case be later than the date of expiry (including extensions if any) of the licence under which the timber to be removed was cut. Such licence must be presented to the Officer issuing the permit when a removal permit is applied for.

**18. CONDITIONS CONCERNING GRANT OF REMOVAL PERMIT**

No removal permit shall be granted for any timber cut under a licence in Form 3 until each piece has been stamped with a Government Sale Marking Die by an officer duly authorised in that behalf. It shall be the duty of the licensee to have the timber so arranged as to facilitate the stamping of the same. Each piece of timber to be removed that exceeds  $\frac{1}{2}$  a cubic foot in measurement must, in addition, be clearly marked in paint or tar with a serial number, with the initials of the licensee in letters not less than 3 inches high and with the serial number of the tree by the licensee or his or her agent. However, such timber may be marked with the licensee's registered property mark instead of with his or her initials in paint or tar and the serial numbers may, in like manner, be stamped in figures not less than  $\frac{3}{4}$  of an inch high.

**19. PROHIBITION AGAINST GRANT OF REMOVAL PERMIT TILL PAYMENT MADE FOR TIMBER**

No removal permit shall be granted for any timber on which royalty is payable by the cubic foot obtained from a tree or remnant cut under a licence in Form 3 until all marketable timber obtainable from such tree or remnant has been fashioned and paid for.

**20. ROYALTY PAID ON SOUND TIMBER BY THE CUBIC FOOT**

If any tree to be cut under any licence granted under these Rules, on which royalty is calculated according to its girth measurements, should prove to be unsound, the licensee shall work up all sound timber in such tree and shall pay royalty thereon by the cubic foot; and the Forest Ranger may stamp another tree of as nearly as possible the same size, and the licensee shall pay any increase of royalty which may thereby be incurred.

**21. RETURN OF EXPIRED LICENCES**

Every licence granted under these Rules shall be returned to the Officer who granted the same on its expiry, or on any previous date on which work under it has been completed; and all timber or other forest produce cut, collected or extracted under it that has not been removed under a duly authorised removal permit, shall remain the property of the Crown free of all claims unless such licence has been extended by the proper officer. A fee of \$0.48 a week may be charged for any such extension unless otherwise provided in such licence. Every receipt for such fee shall be in Form 5. Every such extension shall commence from the date of expiry of the licence or the date of expiry of any previous extension. Such extension shall be obtained on a certificate of the Forest Ranger, showing the amount of work remaining to be done under the licence.

**22. CONDITIONS TO BE OBSERVED BEFORE TIMBER OR FOREST PRODUCE BECOMES PROPERTY OF LICENSEE**

No timber or other forest produce cut, collected or extracted under a licence granted under these Rules shall become the property of the licensee until all royalties and dues payable in respect of such timber or forest produce have been paid, and until a receipt in Form 5 has been obtained from the Treasury and until such timber or forest

produce has been removed under a duly issued removal permit or licence permitting removal.

### **23. PAYMENT OF ROYALTIES AND DUES**

The royalties and dues payable under licences granted under these Rules with respect to the items listed in Schedules 2 and 3 shall be as prescribed by the Chief Forest Officer. The species and classes of timber and other forest produce listed therein may be reassessed by the Chief Forest Officer as deemed necessary. (*Substituted by S.I. 11/1983*)

### **24. LICENCES TO POSSESS, CARRY AND USE A PROPERTY MARK**

Licences to possess, carry and use a registered property mark on Crown land shall be granted by the Chief Forest Officer in Form 7 of Schedule 1, and shall be subject to the conditions therein stated.

### **25. DISCRETION IN CHIEF FOREST OFFICER TO REFUSE TO REGISTER PROPERTY MARK**

- (1) The Chief Forest Officer at his or her discretion may refuse to register any property mark on account of its similarity to any existing mark, or to any mark used by forest officers, or for any other reason which to him or her may seem sufficient.
- (2) Registration of a property mark shall hold good from the date of such registration until the following 31 December and for the next succeeding 2 years, and registration of a classification mark shall hold good for the same period as that for which the property mark to which its subsidiary is registered.

### **26. USE OF REGISTERED PROPERTY MARK**

A registered property mark shall, so long as its registration has not expired and it is covered by an unexpired licence to carry and use the same, be available for use on any Crown land within Saint Lucia.

**27. DESIGN OF REGISTERED PROPERTY MARK**

The design of a registered property mark may be borne by one or more hammers. When the design of such property mark is borne by more than one hammer, each hammer after the first shall be numbered serially from the number 2 onwards, to denote that it forms one of a series of hammers registered as the same mark. No additional registration fee shall be payable in respect of such additional hammers, but any modification or alteration, other than the addition of such number, in the design of such mark shall be separately registered.

**28. FEES PAYABLE ON REGISTRATION OF PROPERTY MARK**

Fees for the registration of property marks shall be as follows—

For each property mark registered .....	\$20.00
For each year for which the registration of a property mark is renewed .....	\$10.00
For the transfer of a property mark .....	\$15.00

*(Substituted by S.I. 11/1983)*

**29. RENEWAL OF REGISTRATION OF PROPERTY MARK**

Every renewal of the registration of a property mark shall commence from the date of expiry of the original registration or of the last subsequent renewal of such registration.

**30. CERTIFICATE TO BE GRANTED ON REGISTRATION**

The Chief Forest Officer on registering a property mark shall grant to the owner thereof a certificate in Form 8 of Schedule 1 to these Rules.

**31. CONDITION OF GRANT OF REGISTRATION OR RENEWAL OF PROPERTY MARK**

No registration or renewal of the registration of a property mark shall be granted until the fees payable in respect of such registration or renewal of registration have been duly paid.

**32. PENALTY**

Any person who—

- (a) marks any standing tree or any timber on Crown land with a marking hammer or other implement for impressing marks on timber other than a property mark or a classification mark duly registered under these Rules, the registration of which has not expired and which is covered by an unexpired licence granted by a duly authorised forest officer; or
- (b) impresses any property mark or classification mark on any tree or timber on Crown land save under the authority of a duly authorised forest officer; or
- (c) alters, defaces or obliterates any registered property mark or classification mark placed on any tree or timber under the authority of a duly authorised forest officer; or
- (d) impresses a classification mark on any timber on Crown land which does not already bear the impressed property mark of the owner of such classification mark

is liable on summary conviction to a penalty not exceeding \$ 48 or in default to imprisonment with or without hard labour for a term not exceeding 2 months and in addition to such punishment, the registration of his or her property mark may be cancelled.

**33. CANCELLATION OF LICENCE ON BREACH OF ANY RULE**

Breach of any of these Rules or of the conditions of any licence granted under them shall render any such licence liable to cancellation in addition to the forfeiture of all claims to timber or forest produce cut, collected or extracted under such licence.

**34. FEES**

For every licence issued in Form 3 a fee of \$1 is payable, and must be paid before the licence is issued.

*(Amended by S.I.11/1983)*

### SCHEDULE 1

#### Form 1

#### APPLICATION FOR WOODCUTTING LICENCE.

TO THE CHIEF FOREST OFFICER.

#### Part (1)

No .....

Species of trees and quantity or nature of Forest Produce  
.....

Locality .....

Purpose for which required .....

Residence of applicant .....

Date of application .....

Witness to mark  
.....

Dated .....

.....  
*Signature of Applicant.*

#### Part (2)

I recommend that a licence in Form\* ..... for  
..... be  
granted to the applicant and I certify that on the .....  
..... 20..... I inspected, measured and  
stamped the undermentioned † tree/trees with the Government Sale  
Marking Die No. .... ‡ .....

Royalty payable .....

Dated ..... 20.....

.....  
*Forest Ranger.*

Part (3)

Licence No. .... in Form ..... † issued/refused on  
..... 20.....

\$ ¢

Receipt No..... Royalty paid .....

Licence Fee paid ..... 48

.....  
*for Director of Finance and Planning*

\* Fill in number of Form.

† Strike out words not required.

‡ If licence is to be in Form 3 by girth measurement insert species and girth measurement of trees and if by cubical measurement insert species and whether dead or fallen trees or remnants: state clearly whether royalty is to be paid according to girth or cubical measurement.

If licence is to be in any other form no entry is required.

**Form 2**

LICENCE FOR FOREST PRODUCE OTHER THAN TIMBER FROM  
CROWN LANDS AND FOREST RESERVES

Licence No. ....

Licence to \* extract/collect the undermentioned forest produce from Crown lands at .....

Forest Reserve ..... during the next ensuing \* days/months is hereby granted to .....

.....  
under the Forest, Soil, and Water Conservation (Crown Land Forest Produce) Rules and subject to the following conditions—

1. That this licence is not transferable. It may not be sublet nor may the licensee allow any person to work under it on payment to him or her of any consideration whatsoever.

2. This licence expires on ..... and must then be returned to the forest ranger whether the whole the produce has been extracted or not.

3. That the licensee pay to the sub-collector at ..... the royalty due on all the forest produce to extracted or collected under this licence before it is issued.

4. That this licence together with every receipt for money paid in respect of it must always be kept with the licensee or his or her agent in the forest whilst forest produce is being cut, extracted or collected and must be produced on the demand of any forest officer or police officer.

5. That the licensee only cuts for firewood or rods such green standing trees as are pointed out to him or her or his or her agent by the Forest Ranger and are stamped with the Government Sale Marking Die for this purpose.

6. That all forest produce extracted or collected under this licence must be brought to ..... for inspection and check and that the licensees shall not remove from such place, dispose of or consume any of the forest produce until has been checked or measured by the Forest Ranger and a permit has been duly issued to remove same.

7. That no tree may be felled for the purpose of collecting or extracting "Mahoe", "Cable", "Lianes", "Seguine", "Meby", "Tanbark" or "Orchids". No tree may be cut or injured except branches under 3 inches in diameter.

8. Breach of any condition of this licence or of the Rules under which it is issued renders it liable to cancellation in addition to the forfeiture of all claims to forest produce cut or collected under it.

Kind of Produce .....

Amount of quantity or number of men to be employed .....

..... 20.....

.....  
*for Chief Forest Officer.*

\* Strike out words not required.

REVERSE OF LICENCE

Produce.	Royalty Value \$ ¢	No. of Receipt.	Date of Payment.	Initials of inspecting officer and date of inspection.

**Form 3**

LICENCE TO CUT TIMBER ON CROWN LANDS AND FOREST RESERVES

Licence No. ....

Licence to cut\* .....  
 within that parcel of Crown land or Forest Reserve situate in  
 ..... and described below—  
 .....  
 .....

is hereby granted to ..... of ..... for  
 ..... † weeks/months from the ..... 20.....  
 under the Forest, Soil and Water Conservation (Crown Land Forest Produce) Rules and subject to the following conditions—

1. That this licence is not transferable, nor may it be sublet, nor may the licensee allow any person to work under it on payment to him or her of any consideration whatever.

2. That the licensee only cuts such trees or such remnants as are stamped for cutting under this licence with the Government Sale Marking Die by the forest ranger, and before cutting such trees or remnants marks the stumps below the felling point or such portions of the remnants as are to be left over, with his or her initials in paint or tar in letters not less than 3 inches high, or with his or her registered property mark, and with the serial number allotted by the forest ranger, in such a way that such marks are

visible at the expiration of the licence.

3. That no timber cut under this licence shall become the property of the licensee until all royalties and dues payable under it have been paid and until the timber has been removed under a removal permit duly granted for that purpose.

4. That the licensee pays at the sub-collector's office at ..... at the rates prescribed in the Forest, Soil and Water Conservation (Crown Land Forest Produce) Rules the royalty due under this licence before it is issued.

5. That the Chief Forest Officer may require that any tree cut under this licence must be sawn into boards, planks or scantlings at the place where the tree is cut.

6. That this licence together with every receipt for money paid in respect thereof must be kept in the possession of the person in charge of the work in the forest as long as the timber is being cut, converted or removed. It must be produced on the demand of any forest officer or police officer, and it must be returned to the Forest Ranger on its expiry, or on any previous date on which work under it has been completed.

7. That no timber is removed from the place where any tree or remnant is cut or worked until the whole of the marketable timber obtainable from such tree or remnant has been cut and paid for, and has been inspected, measured and stamped with the Government Sale Marking Die by the Forest Ranger and until a removal permit has been issued. No removal permit will be granted until all pieces of timber obtained that exceed half a cubic foot in measurement have been clearly marked by the licensee with his or her initials in paint or tar, with his or her registered property mark, and with the serial number of the tree.

8. That this licence must be produced when a removal permit is applied for, in order that the number and date of expiry of the removal permit and the quantity of timber to be removed may be endorsed on it by the Officer issuing the removal permit. The date of expiry of the removal permit must not be later than the date of expiry of the licence.

9. That on the expiry of this licence any timber cut under it and left in the forest shall remain the property of the Crown unless an extension of this licence has, on the application of this licensee, been granted. A charge of \$0.48 per week may be made for any such extension.

10. Breach of any condition of this licence or of any of the Forest, Soil and Water Conservation (Crown Land Forest Produce) Rules under which it

Revision Date: 31 Dec 2008

is granted renders it liable to cancellation in addition to the forfeiture of all claims to timber cut under it.

..... 20.....

.....  
for Chief Forest Officer

\* Insert particulars of trees or timber granted under the licence.

† Strike out words not required.

#### REVERSE OF LICENCE

To be filled in at the Revenue Office.

Payment to be made according to ..... \* measurement

Serial No.	Species	Girth or Quantity †	Royalty value		No. of Receipt	Date of payment.
			\$	¢		

\* Insert the words “girth” or “cubical”.

† Insert girth if payment is to be made by girth measurement and quantity in cubic feet if by cubical measurement.

#### TO BE FILLED IN BY THE FOREST RANGER.\*

Serial No.	Species	Amount Obtained.	Initials of Inspecting Officer and date of inspection.

--	--	--	--

DETAILS OF REMOVAL PERMITS

No. of permit	Date of Issue.	Data of expiry.	Species and quantity of timber and dimensions.

\* Only required to be filled in where measurement is cubical.

**Form 4**

Licence No. ....

LICENCE TO CUT TIMBER TO BURN CHARCOAL ON CROWN  
LANDS OR FOREST RESERVES

Licence to cut timber to burn charcoal on .....

..... Crown Lands  
Forest Reserves

situated in .....  
is granted to .....  
of .....  
under the Forest, Soil and Water Conservation (Crown Land Forest Produce) Rules, and subject to the following conditions—

1. This licence is not transferable.
2. This licence expires on .....  
and must be returned to the forest ranger.
3. The licensee must pay the royalty due to the sub-collector at .....
4. This licence, together with every receipt for money paid in respect of it, must always be kept with the licensee or his or her agent in the forest, while wood is being cut or charcoal extracted and must be produced on the demand of any forest officer.
5. On the expiry of the licence all wood cut and all charcoal obtained under it and left on Crown lands shall remain the sole property of the Crown.
6. The licensee may only open charcoal pits on sites indicated by the forest ranger.
7. No shed, hut or other temporary structure shall be erected without the permission of the forest ranger and any such structure must be destroyed on the expiry of the licence.
8. The licensee shall only cut such trees as are stamped with the Government Sale Marking Die.
9. The licensee may be called upon to pay at girth royalty rates for any trees not stamped with the Government sale hammer and carelessly knocked down or damaged by the licensee or his or her agent.
10. The licensee shall not begin burning his or her pit until it has been measured by the forest ranger and this licence issued.
11. Royalty shall be paid at the rate of ..... per

stacked cord. (One cord x 8 feet x 4 feet x 4 feet.)

12. Breach of any condition of this licence or of the Rules renders it liable to cancellation in addition to the forfeiture of all claims to wood or charcoal obtained under it.

.....  
*for Chief Forest Officer.*

REVERSE OF LICENCE

Sub- cpt.	Dimension of pits.	No. of cords.	Royalty value.	No. of receipt.	Date of payment.	Initials of Inspecting Officer.

**Form 5**

..... \* Revenue Office.

..... † ..... 20.....

Received from ..... of  
 ..... the sum of \$ .....  
 being the amount payable in respect of the undermentioned trees or forest  
 produce to be cut, collected or extracted, fees for extension of licences or  
 compensation for a forest offence.

Revision Date: 31 Dec 2008

1	2	3	Value	Licence No.	Form No.	Remarks
No. of trees or quantity of forest produce.	Species of trees or nature of forest produce.	Girth ft. in.	\$ ¢			
					\$ ¢	
				Licence fee.....	48	
			Total			

.....  
for *Director of Finance and Planning.*

\* Here fill in name of revenue office.

† Here fill in date.

N.B.—If compensation or fees for extension of licences write “compensation for a forest offence” or “fees for extension of licence” across columns 1, 2 and 3.

### Form 6

#### REMOVAL PERMIT

No. ....

Permission is hereby granted to .....  
of ..... to remove from Crown Lands  
Forest Reserves  
at ..... to ..... the  
following \* timber, firewood or other produce.

Species .....

Marks .....

Reference † No. of pieces and dimensions .....

Licence No. .... .....

Serial No. of trees— .....

.....

.....

Inspected by — .....

.....

.....

Date of issue .....

Date of expiry .....

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

\* Strike out words not required.

† Information to be recorded at back if space is insufficient.

N.B.—This permit must be returned to the office of issue within 15 days.

**Form 7.**

LICENCE TO POSSESS, CARRY AND USE A PROPERTY MARK ON CROWN LAND

Licence is hereby granted to .....  
of ..... to possess, carry and use a property  
mark bearing the design shown on the back of this licence for  
..... months from the ..... 20.....  
subject to the following conditions—

1. That this licence is not transferable save with the permission in writing of the Chief Forest Officer and the payment of the prescribed transfer fee.

2. That the property mark is only impressed by the licensee or his or her agent on the *bona fide* property of the licensee or as required by the

conditions of the licence granted to him or her under the Forest, Soil and Water Conservation (Crown land Forest Produce) Rules.

3. That the licence is granted under the said Rules and expires on the ..... and must then be returned to the Officer who issued the same.

4. That breach of any condition of this licence renders it liable to cancellation in addition to forfeiture of all claims to trees or timber marked with the registered "Property Mark" licensed.

..... 20.....

.....  
*Chief Forest Officer.*

This licence is hereby extended to ..... 20.....

.....  
*Chief Forest Officer.*

**Form 8.**

**CERTIFICATE OF REGISTRATION OF A PROPERTY MARK UNDER THE FOREST, SOIL AND WATER CONSERVATION ACT.**

I certify that I have on this ..... day of ..... 20..... registered the property mark of ..... of ..... the design of which is shown on the back hereof.

The registration of the property mark expires on the day of ..... , 20..... .

.....  
*Chief Forest Officer.*

## SCHEDULE 2

### TYPES OF TIMBER ACCORDING TO GIRTH MEASUREMENT

Class I	Class II	Class III	Class IV	Class V
ed Cedar-	Caribbean Pine	Balata Chien	Barbaquois	Aralis
Acajou	Blue Mahoe	Bois Blanc	Bois Agouti	Bois Canon
Teak	Acomat	Bois Lezard	Bois Creole	Bois Cendre
Mahogany	Bois d'orange	Bois Riviere	Bois de fer	Bois Cot
	Coubaril	Bois Tan	Bois de Masse	Bois Flot
	Laurier Canelle	Breadfruit	Bois grille	Bois l'orme
	Satin Wood	Contrevent	Case Rate or	Chataignier
		or	Cacarat	Biguier
	Bois Pain	Bois de Rose	Casse	Gommier
	Marron	Dalmare	Chrossol	Mahout
	Gommier	Dedefouden	Chypra	Cochon
	Laurier Mabre	Feuille foree	Goyavier	Mapou
	Merise	Laurier other	La Glu	Mombin
		than Mabre and	L'encens	Paletuvier
		Cannelle	L'epineaux	Palms (all
		Penny Piece	Pois Doux	kinds)
		Poirier or	Savonette	Silk Cotton
		White Cedar	Ti citron and all	
		Pommier	species not	
		Zolivier	mentioned in	
			Schedule	

Revision Date: 31 Dec 2008

**SCHEDULE 3****TIMBER AND OTHER PRODUCE ACCORDING TO CUBICAL OR OTHER MEASUREMENT**

<i>Nature of Produce</i>	<i>Unit of Measurement</i>
Timber from trees of Class I	per cubic foot
Timber from trees of Class II	per cubic foot
Timber from trees of Class III	per cubic foot
Timber from trees of Class IV	per cubic foot
Timber from trees of Class V	per cubic foot
Firewood	per cord of 125 stacked cubit foot
Bamboo	per bundle
Palm seeds and any other seeds	per bag of 100 lb
Can bark	per bag of 100 lb
Mahot fibre	per bundle
Grass	per bundle
Mountain Cabbage	each
Lianes, cable, seguine, meby, resin honey and bees wax, silk cotton, floss and orchids	For each person employed on cutting and collection per month
Pickets or rods of trees of Classes IV and V under 3 inches diameter	Each

## SCHEDULE 4

### SCALE OF MINIMUM GIRTH LIMITS

Balata, laurier canelle, bois pain marron, bois d'amande, gommier .....	6 feet
Grand 'feuille, poirier .....	4 feet
Other species of Classes I and II.....	5 feet
Classes III and IV .....	No girth limit.