

LEGAL NOTICE No. 309

REPUBLIC OF TRINIDAD AND TOBAGO

THE FORESTS ACT, CHAP. 66:01

RULES

MADE BY THE MINISTER UNDER SECTION 23 OF THE FOREST ACT

THE FELLING OF TREES (PERMITS) (PRIVATE LAND) RULES,
2000

1. These Rules may be cited as the Felling of Trees (Permits) Citation
(Private Land) Rules, 2000.
2. “Clearfell” means to fell all trees over ten centimeters (4 inches) Interpretation
in diameter at a height of 1.3 metres (4 feet three inches) above the
ground on a given parcel of land.
3. A permit to fell any tree on Private Land shall be in the Form as Felling
set out in Part B of the First Schedule to these Rules. Permit
4. A permit to clearfell trees on any area of Private Land shall be in Bulk Felling
the form as set out in the Second Schedule to these Rules. Permit
5. Every permit issued under these Rules shall be issued by officers Issuing of
authorised by the Director of Forestry. Permit
6. An application for a permit under Rule 3 shall be in the Form as Requirements
set out in Part A of the First Schedule and accompanied by— for Felling
Permit
 - (a) specific information of the land on which the tree is
standing stating clearly the number of trees to be felled, the
species of tree, and the girth of the tree at a height of
1.3 metres (four feet three inches) above the ground;
 - (b) proof of ownership of the land and consent of the owner for
the felling of the trees;
 - (c) a sketch map of the land showing which trees are to be
felled; and
 - (d) a Forest Management Plan approved by the Director of
Forestry where the applicant is conducting commercial
forest production on slopes of over thirty degrees.

Refusal to
grant Felling
Permit

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

- (a) in the act of felling the tree no adjoining property, road, reserve line, waterway, transmission line, drain or public infrastructure is likely to be adversely affected;
- (b) upon removal of the trees large gaps will not be created so as to allow or induce soil erosion, landslides, rapid water run-off or removal of valuable top soil; and
- (c) the tree is not of historical, cultural or environmental significance.

Requirements
for Bulk
Felling
Permit

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

- (a) application from the owner or occupier of the land on which the trees are standing stating clearly the number of trees to be felled and the species; and
- (b) proof of ownership of the land and consent of the owner for the felling of the trees.

Refusal to
grant Bulk
Felling
Permit

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

- (a) in the act of felling the tree no adjoining property, road, reserve line, waterway, transmission, line, drain or public infrastructure is likely to be adversely affected; and
- (b) the tree is not of historical, cultural or environmental significance.

Replanting
trees

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

Exception

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

Onus of Proof

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

Breach

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

FIRST SCHEDULE

PART A

APPLICATION FOR FELLING PERMIT

To: The Forest Officer, Range

I, Mr./Mrs./Ms. of

hereby apply for a permit to fell tree(s) listed hereunder, from private lands located at

I further declare that the said tree(s) are situated on *bona fide* private property belonging to

and is being felled with the consent of the owner.

Date:

Signature

Applicant

Date:

Signature

Owner

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

Officer's Signature:

See Guidelines on reverse side

APPLICATION FOR FELLING PERMIT

GUIDELINES

1. An application must state clearly the number of trees to be felled, the size of the trees (girth at breast height (4' 3" or 1.3 m above the ground) and the species.
2. The application must be submitted with a sketch map of the relevant area and proof of ownership of the land. This should include a Deed for unregistered land and a Certificate of Title for registered land. Where applicable, a letter of consent from the owner shall also be required.
3. An authorised Forest Officer from the Range must make an inspection of the property and tree(s) before a permit is granted.
4. The officer is expected to issue the Felling Permit immediately after the inspection is done, unless there are grounds for refusal. An authorised officer may request any other information as he thinks appropriate to enable him to make a decision on the matter.
5. The Director of Forestry or his agent may suspend or refuse to grant a Felling Permit if in the act of felling the trees, adjoining property, roads, reserve lines, waterways, transmission lines, drains or public infrastructure is likely to be adversely affected.
6. In the removal of trees, large gaps must not be created so as to allow the adverse effects of soil erosion, landslides or rapid water run-off to escalate. The Director of Forestry may refuse to grant a permit if the felling of a tree(s) may induce site degradation e.g. soil erosion, landslides, rapid water run-off or removal of valuable topsoil, or if a tree is of historical, cultural or environmental significance.
7. Under private plantations where trees are to be removed, there must be adequate tree cover and undergrowth remaining so as to prevent any adverse effect mentioned in (6) above. Clearfelling of plantations will be allowed only if there are no adverse effects to site conditions.
8. Persons desirous of practicing commercial forest production on slopes of over (30) thirty degrees are required to submit a Forest Management Plan to the Forestry Division for approval prior to such action.
9. This application may be refused on the grounds that the applicant has breached any of the Conditions of a previously issued Felling Permit.
10. Where land is to be converted to another use the applicant must show evidence of obtaining all relevant approval(s) from the respective institutions and government agencies.

FIRST SCHEDULE

PART B

(Rule 2)

FELLING PERMIT

Permit No

Range

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

of to fell the

Trees listed hereunder on private lands belonging to

and located at These lands are shaded

..... on the attached sketch map:

DETAILS OF TREES TO BE FELLED

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

Date of Issue

Date of Expiry

.....
*Signature of Authorised Officer**See Conditions on reverse side*

FELLING PERMIT

CONDITIONS

1. The felling permit will be valid for a period of thirty (30) days.
2. Save where the applicant has received permission to change the use of the land, persons felling trees on slopes (30°) thirty degrees or more are required to replant a tree for each tree felled, within twelve months of felling, except where an exemption is granted by the Director of Forestry. The onus of proving that such trees were replanted shall be on the applicant. If a replacement tree is within 10 m from the tree felled, on a slope of (30°) thirty degrees or more, there shall be no need to replant a tree.
3. Breach of any of the conditions set out above will result in the refusal of any further application for a felling permit by the applicant.

SECOND SCHEDULE
BULK FELLING PERMIT

(Rule 3)

Permit No

Range

Permission is hereby granted to Mr./Mrs./Ms.
of to fell the
trees listed hereunder on private lands belonging to
and located at These lands are shaded
..... on the attached sketch map:

DETAILS OF TREES TO BE FELLED

Species	Number of Trees
	Total:

Date of Issue

Date of Expiry

.....
Signature of Authorised Officer

Made this 20th day of July, 2000.

T. SUDAMA
*Minister of Agriculture, Land
and Marine Resources*

Laid in the Senate this 24th day of October, 2000.

N. COX
Clerk of the Senate

Laid in the House of Representatives this 25th day of October, 2000.

D. DOLLY
Acting Clerk of the House

LEGAL NOTICE NO. 310

REPUBLIC OF TRINIDAD AND TOBAGO

THE FORESTS ACT, CHAP. 66:01

RULES

MADE BY THE MINISTER UNDER SECTION 23 OF THE FOREST ACT

THE REMOVAL OF TIMBER (PERMITS) (AMENDMENT)
RULES, 2000

- Citation** 1. These Rules may be cited as the Removal of Timber (Permits) (Amendment) Rules, 2000.
- Interpretation** 2. In these Rules—
 “dimensional stock” means any lumber resulting from
 subjecting timber to a manufacturing process;
 “the Rules” refers to the Removal of Timber (Permits) Rules;
 “Timber Sales Agreement” means an agreement between the
 State and the purchaser for the sale of State owned timber
 in bulk.
- Rule 2
repealed and
replaced** 3. Rule 2 is repealed and replaced by the following Rule 2:
 “Form of permit A permit to convey or move timber—
 (a) from State Land, shall be in the Form as set out
 First Schedule in the First Schedule to these Rules;
 (b) in bulk from State Land or Private Land, shall
 Second Schedule be in the Form as set out in Parts A and B
 respectively of the Second Schedule to these
 Rules; and
 (c) from Private Land, shall be in the Form as set
 Third Schedule out in the Third Schedule to these Rules.”.
- Rule 3
amended** 4. Rule 3 is amended by deleting—
 (a) the words “of “Proclaimed District” ”;
 (b) the words “Conservator of Forests” and substituting the
 words “Director of Forestry”; and
 (c) in the last line, the words “within “Proclaimed Districts” ”.
- Rule 4
amended** 5. Rule 4 is amended by deleting in the first line the words “of a
 “Proclaimed District” ”.

6. Rule 5 is repealed and replaced as follows:

“Surrender of
permit

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

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

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

Rule 5
repealed and
replaced

7. Rule 6 is hereby repealed.

Rule 6
repealed

Schedule
amended

8. The Rules are amended by deleting the Schedule and substituting the the following Schedules:

"FIRST SCHEDULE

(Section 7A)

REMOVAL PERMIT

(STATE LAND)

RANGE DATE

PERMISSION is hereby granted to

of

to remove from to

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

Sale marketing Die No.

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

LICENCE No. DATE OF ISSUE DATE OF EXPIRY

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

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

SECOND SCHEDULE

[Section 7F(2)]

PART A

SPECIAL BULK TIMBER REMOVAL PERMIT

(STATE LAND)

Date

Permit No

Permission is hereby granted to of
..... to remove
the following teak/pine from State lands located at Plantation
to

No.	Species	Dimension	Vol.

Receipt No.

Date of Payment

Date of Issue

Date of Expiry

.....
*Director of Forestry**See Conditions on reverse side*

tri36607.max

SPECIAL BULK REMOVAL PERMIT

CONDITIONS

1. The permit shall be valid for a period stated on the Timber Sales Agreement.
 2. The Forestry Division must be informed of any changes in destination, prior to the transportation of the logs. This change must be endorsed on the permit by the Forestry Division.
 3. The dimensions of logs to be transported shall be stated on the accompanying removal permit(s) which shall form attachments to this Special Bulk Removal Permit.
 4. When logs reach the destined sawmills, the relevant Special Bulk Removal Permit and Removal Permits will form part of the sawmill records.
 5. A non-refundable/non-transferable fee of \$50.00 shall be charged for a Special Bulk Removal Permit.
 6. Breach of any of the conditions set out above will result in the cancellation of the Special Bulk Removal Permit.
- N.B.—Load limits may be established for access roads through Forest Reserves, State Lands, Agricultural Access Roads and Secondary Roads by the Forestry Division, Ministry of Agriculture, Land and Marine Resources or Ministry of Local Government.

SECOND SCHEDULE

(Sections 7E AND 7F)

PART B

BULK TIMBER REMOVAL PERMIT

(PRIVATE LAND)

Date

Permit No

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

No.	Species	Dimension	Vol.

Receipt No.

Date of Payment

Date of Issue

Date of Expiry

.....
 Director of Forestry

See Conditions on reverse side

tri36607.max

BULK REMOVAL PERMIT

CONDITIONS

1. The Forestry Division must be informed of any changes in destination, prior to the transportation of the logs. This change must be endorsed on the permit by the Forestry Division.
 2. The dimensions of logs to be transported shall be stated on the accompanying removal permit(s) which shall form attachments to this Bulk Removal Permit.
 3. When logs reach the destined sawmills, the relevant Bulk Removal Permit and Removal Permits will form part of the sawmill records.
 4. A non-refundable/non-transferable fee of \$50.00 shall be charged for a Bulk Removal Permit.
 5. Breach of any of the conditions set out above will result in the cancellation of the Bulk Removal Permit.
- N.B.—Load limits may be established for access roads through Forest Reserves, State Lands, Agricultural Access Roads and Secondary Roads by the Forestry Division, Ministry of Agriculture, Land and Marine Resources or Ministry of Local Government.

THIRD SCHEDULE

(Section 7A)

PART A

APPLICATION FOR REMOVAL PERMIT

(PRIVATE LAND)

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

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

Date Signature
Applicant

Date Signature
Owner

Address of owner

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

Officer's Signature:

Approved/Not approved

See Guidelines on reverse side

APPLICATION FOR REMOVAL PERMIT (PRIVATE LAND)

GUIDELINES

1. Where no Deed or Certificate of Title is produced, an application shall include a statutory declaration of ownership of the land by the owner thereof.
2. Where applicant is not the owner, the application must include written consent of the owner of the land for the Removal Permit being granted.
3. This permit may be refused on *inter alia* grounds prescribed by Order made by the Minister.
4. A non-refundable/non-transferable fee of thirty (\$30.00) dollars shall be charged for each Removal Permit.
5. The boundaries of private lands must be clearly identified by the owner/applicant prior to the issue of any removal permit.
6. The destination of the logs must be clearly identified by the applicant.
7. A felling permit required under the Forests Act must be obtained prior to the application for a private removal permit.
8. A maximum of 15 cubic metres or 416 hoppus feet will be released on a removal permit.
9. A permit may be refused to a person who has a conviction for a forest offence.

REMOVAL PERMIT (PRIVATE LAND)

CONDITIONS

1. The permit shall be valid for thirty (30) days. Any applicant requiring an extension will have to pay an additional ten dollars (\$10.00) for a week, up to a maximum of two weeks.
2. The Forestry Division must be informed of any changes in destination, prior to the transportation of the logs. This change must be endorsed on the permit.
3. Transportation of timber, including wood that has been cut up or fashioned originating from private lands must be accompanied by a valid removal permit.
4. When logs reach the destined sawmills, the relevant removal permit will form part of the sawmill records.
5. Breach of any of the conditions set out above will result in the cancellation of the removal permit.

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

Made this 20th day of July, 2000.

T. SUDAMA
*Minister of Agriculture, Land
and Marine Resources*

Laid before the Senate this 24th day of October, 2000.

N. COX
Clerk of the Senate

Laid before the House of Representatives this 25th day of October, 2000.

D. DOLLY
Acting Clerk of the House