

FORESTRY DEVELOPMENT AUTHORITY
REGULATION #26
THE BAN ON PIT SAWING/POWER CHAIN SAWING

WHEREAS, according to Section 3(e) of the Act creating the Forestry Development Authority (FDA), approved on November 1, 1976, and published December 20, 1976, it is one of the primary objectives of the Forestry Development Authority to stop needless waste and destruction of the forest and associated natural resources and bring about the profitable harvesting of all forest products while ensuring that the supply of these products are perpetuated; and

WHEREAS, Government has realized that the Pit-Sawing/Power Sawing activity are become so pronounced in recent times, and the FDA has recognized it as a destructive commercial venture which expedite forest destruction and thus

WHEREAS, during Pit-Sawing operation the recovery rate is about 20-30% which the below the international standardized acceptable recovery need and the quality of saw timber usually result in uneven thickness of the lumber being produced; and

WHEREAS, Section 4(f), (j) and (n) of said 1976 Act empower the FDA to promulgate rules and regulations from time to time as may be necessary to carry into effect the purposes and provision of this Act; and

WHEREAS, the FDA is to ensure the conservation and wise use of the forest and the associated resources which constitute sources of economic, aesthetic, cultural and recreational values that must be maintained; and

NOW, THEREFORE, the Forestry Development Authority does hereby rule and regulate as follows:

Section I: Definition:

1. Authority: Means the Forestry Development Authority
2. Boules T & T: (Sawn Through and Through) includes:
 - a) a log which is sawn through and through without the individual lumber having been further processed but is rebundled to its original round log form; and
 - b) The individual lumber from a log sawn through and through without the lumber having been further processed.
3. Even-thickness: Lumber from the saw whose thickness throughout is not wavy, but rather even throughout.
4. Pit-Sawn: An art of breaking down a log into pieces of lumber by means of a hand saw, chain-saw/power saw and or other powered tools.

5. Plane-Sawn: Lumber produced during sawing such that the grains run parallel to the wide face.
6. Quarter Sawn Timber: Lumber produced during sawing such that the grains of the wood are nearly at right angles or perpendicular to the wide face.
7. Square-Edge Lumber: is lumber produced from a sawmill with the four (4) corners/edges being at right/angles.

Section II Ban of Pit Sawing/Power Chain Sawing

- a) The Authority in considering of serious ecological destruction of the ecosystem done to National and communal forests, has resolved to put a total ban on all categories of pit-sawing and the sale of the product thereof.

Section III: Establishment of Saw Mills

In compliance with the guidelines regarding the international timber trade of both the African Timber Organization (ATO) and the International Trade Timber Organization (ITTO), the Authority is mandating all Forest Resources Utilization Rights Holders to establish wood processing plants in the country. The ATO and ITTO have regulated that no round logs will be accepted on the international timber market as of the beginning of this new millennium, this regulation is intended to make forest products from the Liberian timber industry more competitive within the international timber trade circles.

Section IV: Forest Resources Utilization Rights Holders without Sawmills:

To ensure the availability of quality sawn timber for the local market; it is hereby regulated that all Forest Resources Utilization Rights Holders are to export eight percent (80%) of their monthly roundlog production unprocessed while the balance twenty percent (20%) is to be sawn locally. This 20% is intended to go to sawmills already installed by other entrepreneurs.

Section V: Sawmill Established without Forest Resources Utilization Right Agreement

For this category of entrepreneurs in the timber industry it is hereby ruled that seventy-five percent (75%) of their total monthly sawn timber production is to be exported while the balance twenty-five percent (25%) is to be sold on the local market. This will guarantee the availability of even thickness, square-edged, quality plane-sawn and quarter-sawn timber for the local consumption to be used during reconstruction works.

Section VI: Local Waybill

All Saw millers will be required to purchase a local log waybill from the Authority Central Office. All logs going to a sawmill must be accompanied by a local log waybill. Any timber and/or planks transported for sale at local lumber depots must be accompanied by FDA sawn timber waybill. These are to be signed and stamped by the Authority sawmill scaler.

Section VII: Violation:

Failure on the part of any forest resources utilization right holder or a saw-miller to adhere to the provision of this regulation shall be considered a violation, breach of contract, or non-observance and is punishable by law.

Section VIII: Penalty

- a) Any pit-sawer who directly or indirectly either by commission or omission fails to adhere to this regulation shall be fined an amount not less than US\$1,000.00 (one thousand United States dollars).
- b) All planks or timber transported to sales depot shall be confiscated and auctioned, and proceeds thereof deposited into Government's revenue.
- c) All materials; tools and equipment (chain saw and attachments) used in the violation of this regulation shall be confiscated and become the sole property of the Government of Liberia or FDA.
- d) Any Forest Resources Utilization Right Holder who does not comply with the quota on the availability of round logs and subsequently sawn timber for local consumption shall be fined an amount five thousand United States dollars (US\$5,000) for the first offense, eight thousand United States dollars (US\$8,000) for the second offense, ten thousand United States dollars (US\$10,000) for third, finally their operator's permit/right shall be withdrawn for the fourth offense. The same penalties apply to sawmill operators who do not hold forest resource utilization rights agreements.
- e) All processed wood products, including T & T and sawn timber, while being transported from the sawmill to a lumberyard for sale if not accompanied by the Authority sawn timber waybill shall be confiscated, auctioned, and proceeds deposited into Government's revenue.

All agreements, arrangements and undertakings as well as operations of pit-sawers/chain sawers prior to coming into effect of this regulation are hereby rescinded, revoked and annulled.

Section IX: Repeal

Regulation No. 22 on Pit-sawing of Timber and Regulation No. 23 Section IV(c) on Administrative Fees on Forest and Wildlife Conservation are hereby repealed.

Section X: Effective Date

This regulation shall become effective on 15th day of September 2000 A.D. and shall be announced and published in the public media.

Dated this 30th day of June A.D. 2000

SIGNED:

Demetrious B. Taylor
MANAGING DIRECTOR