"CONSERVING THE NATION'S FOREST RESOURCES IS OUR BUSINESS"

FDA NEWSLETTER

MAIN ITEM

FORESTRY DEVELOPMENT AUTHORITY

REGULATION NO. 6

ON EXPLOITATION PERMITS FOR NON-CONCESSION PUBLIC FOREST LAND

FORESTRY DEVELOPMENT AUTHORITY
REGULATION NO. 6
REGULATION ON FOREST EXPLOITATION
FOR NON-CONCESSION PUBLIC FOREST LAND

WHEREAS, the Liberian publicly owned forest land since 1959 having been almost totally granted to forest concessions so that only small areas, usually less than 100,000 acres remain free for new granting and new investment; and

WHEREAS, the present model Liberian Concession Agreement, applied since 1973, its management rules, investment and processing requirements as well as its investment incentives having been designed for forest concessions of 100,000 or more acres is evidently not being applicable for the special circumstances of the remaining small-sized parcels of publicly owned forest land; and

WHEREAS, the Forestry Development Authority according to the Act creating the Forestry Development Authority, approved November 1, 1976, published December 20, 1976, is charged, according to Section 3 (b), to devote ALL publicly owned forest lands to their most productive use for the permanent good of the whole people considering both direct and indirect values; and

WHEREAS, said FDA Act has conferred upon the Forestry Development Authority the power to prescribe the form of all licenses, permits, agreements and other instruments dealing with the use of forest resources, as well as the power to control the issuance of such instruments, and determine the conditions under which they may be granted, exercised, produced, revoked, or returned through rules and regulations (Sections 4 (f) (j) and (n);

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

PART I   DEFINITIONS

Section I.   Definitions:

    (a) FDA - Forestry Development Authority;
    (b) Forest Exploitation Area - publicly owned forest land of 100,000 or less acres.

PART II.   APPLICATION

Section 2.   Application for FDA Forest Exploitation Permit:

Anyone desiring and able to invest in Forest Exploitation Area may apply in writing to the FDA, Sinkor Old Road, P. O. Box 3010, Monrovia, Liberia, for the granting of an FDA Forest Exploitation Permit.

Section 3.   Attachments:

The application according to Section 2 above shall be accompanied by:

(a) a rough sketch/map of the envisaged area;
(b) a rough feasibility study based on sustained yield management of the area;
(c) a description of the technical know-how, the equipment and financial resources of the applicant including bank references.

Section 4.   Evaluation:

FDA shall have the right and duty, if necessary, to

(a) request clarification as well as further information regarding Section 3 above from the applicant; and
(b) make a field investigation of the requested area.

PART III.   FDA'S RESERVATIONS

Section 5.   Reservations:

Upon receipt of an application for FDA Forest Exploitation Permit, FDA reserves the right to refuse the application if one of the following forms of management of the requested area promise a more productive use of the parcel of publicly owned forest land in question:

(a) offer the area publicly for competitive bidding,
(b) grant it to an existing neighboring concession with proven technical know-how, superior equipment, management and financial resources,
(c) manage the are itself, as a principal or in conjunction with others, as provided for in said FDA-Act, Section 4 (o) and (p).

PART IV.   FDA FOREST SURVEY PERMIT

Section 6.   FDA Survey Permit:

In the event that FDA is satisfied that application and applicant meet the requirements and standards according to Section 3 and 4, FDA shall first issue an FDA Forest Survey Permit.

Section 7.   Contents of FDA Forest Survey Permit:

The FDA Forest Survey Permit shall require, including bot not limited to, the following:

(a) surveying and drawing of precise maps,
(b) demarcate the boundaries on the ground,
(c) a 5% sample enumeration of the survey area,
(d) the term of the FDA Survey Permit which shall be 6 months

PART IV.   FDA FOREST EXPLOITATION PERMIT

Section 8.   Grant of FDA Forest Exploitation Permit:

In the event that the conditions of the FDA Forest Survey Permit have been met on time, FDA shall issue an FDA Forest Exploitation Permit to the Applicant.

Section 9.   Contents of FDA Forest Exploitation Permit:

The FDA Forest Exploitation Permit shall require including, but not limited to,

(a) the deposit of a sum of money, the amount to be determined by FDA, as an advance payment of the anticipated forest fees and taxes,

(b) the payment of land rental at the regular rate in force,

(c) the elaboration and determination with FDA of the number of years of the felling cycle and consequently of the annual coupe considering the special size of the specific forest area,

(d) the submission of an operational plan, based on the result of renumeration (Section 7 c) and the felling cycle plus annual coupe (above c),

(e) the determination of the percentages/quotas of logs that shall be sold on the local market for local processing and the percentage/quota of logs that may be exported,

(f) the term of the Exploitation Permit which shall not be less than 5 years and not be more than 10 years depending on the size of the Forest Exploitation Area.

Section 10.   Incentives:

The FDA Forest Exploitation Permit does not grant any exemptions from the Liberian laws of general application (Investment Incentives) but the FDA may or may not recommend the granting of Investment Incentives by the proper authority under the law depending on the circumstances of the individual FDA Forest Exploitation Permit.

PART V.   EFFECTIVE DATE

Section 11.   Effective Date:

This Regulation shall become effective on September 4, 1979 and shall be announced in the public media and be published in the FDA Newsletter.

Monrovia, Liberia, September 1, 1979.

John T. Woods

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MANAGING DIRECTOR