

FORESTRY DEVELOPMENT AUTHORITY
REGULATION NO. 22
REGULATION ON PIT-SAWING OF TIMBER

Whereas, according to section 3 (c) of the Act Creating the Forestry Development Authority (FDA), approved on November 1, 1976, and published on 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, pursuant to the afore-mentioned primary goals and objectives of the Forestry Development Authority, it has been regulated that any tree felled within the Republic of Liberia for commercial purpose shall be levied a tax of \$1.50/m³ as Severance fee; and

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

WHEREAS, the same Act further confers upon the FDA the power to prescribe licenses, permits and other instruments and also levy fees on forest products; and

WHEREAS, Government has not benefited from pit-sawing in terms of revenue generation and conservation, while the activity has become so pronounced in recent times, and the FDA has recognized the activity as a commercial venture having the potential to create environmental problems if not checked;

NOW, THEREFORE, the Forestry Development Authority does hereby rule and regulate Pit-Sawing of timber products.

SECTION I. DEFINITIONS

In this regulation following words have the meanings indicated below unless otherwise required:

- (a) Pit-Sawing: Small scale commercial logging activities other than concession logging allowed in heavily fragmented patches of forest not capable of being concessioned out.
- (b) Deeded Property: Parcel of land or real property on which title is conveyed/conferred by a deed in fee simple.
- (c) Concession Area: Area granted a concessionaire by the Government of Liberia under the Forest Products Utilization (FPU) contract.
- (d) Commercial Logging: Logging activities undertaken for the purpose of deriving financial benefits.
- (e) Salvage Area: Area granted thru a Salvage Permit, outside national forests and other products areas, threatened by severe land-use activities such as farming and other development activities but which comprises a significant forest cover that could justify a profitable level of commercial logging.

SECTION II: APPLICATION

Before commencing any pit-sawing operation in Liberia each operator/pit sawer, whether individual or business entity, shall apply to the FDA for a permit and supply the following information:

- a. Name of individual or business entity

- b. Complete mailing address
- c. Business registration documents
- d. Proof of title or permission/authority from owner of land
- e. Agreement between lesser and lessee must witnessed by FDA
- f. Description of operational area

Individual or business entity engaged in pit-sawing prior to the coming into effect of this regulation shall also be required to submit the above information.

SECTION III. AREAS EXEMPTED FROM PIT-SAWING

No pit-sawing will be allowed in the following areas: National Forests, Environmentally threatened areas, National Parks, Concession and Salvage areas.

SECTION IV. REGISTRATION AND OTHER FEES

- (a) A qualified Pit-Sawer shall be required to pay to FDA, a non-refundable fee of (US\$200.00) Two Hundred United States Dollars per annum and the permit granted shall be renewable annually.
- (b) Any tree felled for the purpose of pit-sawing shall be assessed at the rate of US\$1.50/m³ in the tree-length form.
- (c) The amount of (US\$0.10) United States ten cents per board foot on all or any timber or plank shall be paid to FDA central office by the Pit-Sawer when assessed by FDA scaler.

SECTION V. LOCAL WAYBILLS

- (a) All Pit-Sawers or perspective pit-sawers will be required to purchase a local waybill from FDA central office at the cost of (US\$10.00) Ten United States Dollars per copy. Any planks or timber transported for sale must be accompanied by such way-bill along with FDA label on each timber before off-loading at the sale depot.

SECTION VI: VIOLATION

- a. Failure on the part of any pit sawer to adhere to the provisions of this regulation shall be considered a violation/breach or no observance.

SECTION VIII: PENALTY

- a. Any pit-sawer who directly or indirectly either by commission or omission fails to apply for pit sawer's permit or its renewal shall be fined an amount not less than US\$500.00(Five Hundred United States Dollars).
- b. All planks or timbers transported to sales depot not accompanied by FDA waybill and label shall be confiscated and auctioned.
- c. All planks/timber from pit sawing operation shall only be sold locally. Any person caught exporting such timber/blanks or logs shall be fined an amount of US\$2,00.00(Two thousand United States Dollars) and his annual permit revoked.

All agreements, arrangements and undertakings as well as operations of pit-sawers prior to coming into effect of this regulation are hereby rescinded, revoked and annulled until, each pit sawer shall have properly satisfied all provisions of this regulation.

This regulation shall become effective on April 27, 1995 and shall be announced in the public media and be published in FDA Newsletter.

Dated this 27th day of April, A.D. 1995.

Benson Gwyan
MANAGING DIRECTOR, FDA