

SECTION 35 - FOREST (SAWMILLS) REGULATIONS

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First Schedule - Application for a Sawmill Licence

Second Schedule - Licence to Operate a Sawmill

Legal Notices Nos. 147 of 1968, 112 of 1970, 58 of 1977.

Short title

1. These Regulation may be cited as the Forest (Sawmills) Regulations.

Interpretation

2. In these Regulations -

"sawmill" includes any wood processing plant, converting logs into sawn timber, wood particles or veneer by sawing, slicing, chipping or rotary peeling.

(Amended by Legal Notice 112 of 1970)

Application for licence

3. -(1) Any person intended to install or operate, for commercial purposes, a sawmill shall apply to the Conservator for a licence on the form appearing in the First Schedule and shall attach to such application a plan showing the location and layout of the proposed sawmill.

(2) Any licensee may, upon the expiry of a licence granted under the provisions of these Regulations, apply in writing for the renewal thereof stating any change proposed to be made in the location, layout, machinery or equipment of the existing sawmill and every such

application shall, subject to the provisions of paragraph (3), be deemed to be an application for a new licence and be dealt with accordingly.

(3) Where an application for the renewal of a licence is lodged with the Conservator not less than 3 months before the date of its expiry, the Conservator shall not refuse the renewal thereof, or impose new conditions on its renewal, unless he serves upon the applicant not less than one month before the date of such expiry a written notice stating his intention so to do and his reasons therefore.

(4) The Conservator may require an applicant to furnish any relevant information in addition to the information supplied under the provisions of this regulation.

Power to refuse licence

4.-(1) The Conservator may refuse to grant or renew a licence under these Regulations if the application fails to satisfy him that -

(a) the applicant's source of supply of logs is assured and adequate to enable the proposed sawmill to be operated throughout the entire period of the licence;

(b) the location, layout, machinery and equipment specified in the application are satisfactory and adequate for producing timber products of high quality with the minimum wastage of timber;

(c) the applicant's arrangements for preservative treatment, storage and handling of timber are satisfactory; and

(d) the applicant's financial resources are adequate.

(2) Any person who, without the permission in writing of the Conservator operates a sawmill in respect of which the renewal of a licence under these Regulations has been refused in terms of paragraph (1) shall be guilty of an offence and liable, upon conviction, to imprisonment for a period not exceeding 2 months or a fine not exceeding \$200 or to both such imprisonment and fine. (*Inserted by Legal Notice 58 of 1977.*)

(3) Nothing in this regulation shall be construed as giving the Conservation power to authorise any person to install or operate a sawmill for commercial purposes without a licence issued under these Regulations. (*Inserted by Legal Notice 58 of 1977.*)

Form of licence

5. Every licence granted under these Regulations shall be in the form appearing in the Second Schedule and may be made subject to such conditions as the Conservator may deem necessary, including conditions relating to -

(a) the location and layout of the sawmill;

(b) the quantity and nature of the machinery to be installed and used;

- (c) maintenance of adequate records and accounts by the licensee; and
- (d) submission of annual or other periodic returns of statistical information, including details of stocks, sales, employment, purchases, equipment and capital employed.

Period of licence

6. Every licence granted under these Regulations shall be free of charge and shall be valid -

(a) in the case of sawmills equipped, in the opinion of the Conservator, to produce annually not less than half a million super feet of sawn timber of the standards required by the Conservator for a period of 5 years;

(b) in every other case, for a period of one year.

Revocation and suspension of licences

7. -(1) The Conservator may revoke or suspend any licence granted under the provisions of the these Regulations if the licensee fails to comply with any condition thereof:

Provided that the Conservator shall, before exercising his powers under this paragraph, give to the licensee adequate notice of his intention and reasonable time within which to remedy the failure.

(2) Where a sawmill ceases production for a period of more than 6 months without the written approval of the Conservator, the licence granted in respect thereof shall be deemed to have been revoked.

Appeal

8. -(1) Any applicant or licensee aggrieved by the Conservator's refusal to grant or renew a licence, or by his decision to revoke or suspend a licence, may appeal to the Minister within one month of such refusal, revocation or suspension.

(2) Every appeal under this regulation shall be in writing and shall be lodged with the Conservator for transmission to the Minister whose decision shall be final

Offence

9. Any person who installs or operates a sawmill for commercial purposes without a licence issued under these Regulations shall be guilty of an offence and liable, upon conviction, to imprisonment for a period not exceeding 2 months or a fine not exceeding \$200 or to both such imprisonment and fine.
