

CHAPTER 116
FOREST, SOIL AND WATER CONSERVATION ACT

• Act • Subsidiary Legislation •

ACT

Amended by

Act No. 12 of 1967

Act No. 34 of 1984

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CHAPTER 116
FOREST, SOIL AND WATER CONSERVATION ACT

An Act to make provision for the conservation of the forest, soil, water and other natural resources of Grenada.

[Amended by Act No. 12 of 1967, Act No. 34 of 1984.]

[1st August, 1949.]

PART I

Preliminary

1. Short title

This Act may be cited as the Forest, Soil and Water Conservation Act.

2. Interpretation

In this Act—

“Crown land” includes—

- (a) the waste or vacant land of the Crown or the Government; and
- (b) all lands vested in Her Majesty or the Government whether by forfeiture, escheat, purchase or exchange;

“forest offence” means any offence punishable under this Act or rules made thereunder;

“forest officer” includes a person appointed to discharge any function of a forest officer under this Act or rules made thereunder;

“forest produce” includes the following when found in, or brought from, Crown land or protected forests—

- (a) trees and all parts or produce of such trees; and
- (b) plants not being trees and all parts or produce of such plants, including charcoal;

“livestock” includes cattle, horses, mules, asses, goats, sheep, pigs and such other animals as the Minister by notice in the *Gazette* may declare to be livestock;

“Minister” means the Minister responsible for agriculture;

“private land” means land other than Crown land;

“prohibited area” means an area on to which entry is forbidden, except to forest officers and to police officers in the execution of their duties and to other persons having the written permission of the Chief Forestry Officer;

“property mark”, in section 33, means a mark placed on timber to denote that after all purchase money or royalties due to the Crown or the Government have been paid, the owner has or will have a right of property in the timber;

“timber” includes trees when they have fallen or been felled, and all wood whether cut up or fashioned for any purpose or not;

“tree” includes palms, bamboos, stumps, brushwood and canes.

3. Forestry Department

(1) The Minister shall establish and maintain a Forestry Department within his or her Ministry and generally promote the interests of forestry.

(2) The Public Service Commission shall appoint a suitable person to be Chief Forestry Officer.

(3) The Forestry Department shall, for the purpose of implementing forest policy, plant, manage and use land vested in it or put at its disposal by the Minister.

(4) The aims of forest policy are—

- (a) to effect the permanent preservation of tree cover so as to prevent soil erosion and flooding and to protect water supplies;
- (b) to ensure a continuous supply of forest products by the setting aside of land as forest reserves;
- (c) to maintain the level of forest growing stock, to ensure sound silvicultural practices are employed, and to direct harvesting so that growing stock is not reduced;
- (d) to protect such areas as may be required for the provision of a natural and undisturbed habitat for indigenous flora and fauna;
- (e) to encourage and assist the owners and managers of forests, woodlands and plantations on private land and Crown land;
- (f) to create, where necessary, areas within the forest to satisfy urban man’s needs for recreation within a peaceful natural environment;
- (g) to stimulate the fullest development of productive forests and the establishment of appropriate forest industries;
- (h) to protect consumers by ensuring that well manufactured forest products can be supplied in correlation with market demand;
- (i) to extend to forestry personnel educational and training opportunities at professional, technical and vocational levels;
- (j) to initiate and conduct where possible the forest research necessary to achieve the aims of forest policy.

4. Appointment of forest officers

The Minister may appoint such and so many persons to be forest officers as may be necessary to carry out the provisions of this Act under the supervision of the Chief Forestry Officer, and may, by writing under his or her hand, confer upon any such officer power or authority, either generally or in a specific case, to do any act or grant any permission for which power or authority is required under the provisions of this Act.

5. *Ex officio* forest officers

The Chief Technical Officer (Agriculture), all agricultural assistants, agricultural instructors, forest supervisors, forest rangers and forest guards shall be *ex officio* forest officers.

PART II

Forest Reserves

6. Proclamation of forest reserves

(1) The Governor-General shall have power to declare, by Proclamation published in the *Gazette*, any area of Crown land to be forest reserve.

(2) No land shall be granted, devised or sold within a forest reserve.

7. Protected forest on private land

(1) It shall be lawful for the Governor-General by Order from time to time, to declare any land other than Crown land to be a protected forest whenever in his or her opinion this appears to be necessary for any of the following purposes—

- (a) for protection against storms, winds, rolling stones, floods and landslides;
- (b) for the prevention of soil erosion and landslip, of the formation of ravines and torrents, and of the deposit of mud, stones and sand upon agricultural land;
- (c) for the prevention of wastage of resources of timber and for securing the proper management of lands whereon trees are growing and which are not under permanent agricultural cultivation;
- (d) for the maintenance of water supplies in springs, rivers, canals and reservoirs;
- (e) for the protection of roads, bridges, airstrips, and other lines of communication; and
- (f) for the preservation of health.

(2) An Order made under this section shall have no effect until approved by the House of Representatives.

8. Power to make rules concerning protected forest

(1) The Minister may make rules to regulate or prohibit within a protected forest—

- (a) the felling, cutting, lopping and burning of or injury to any tree or timber;
- (b) the breaking up or clearing of lands for cultivation;
- (c) the pasturing or trespass of livestock;
- (d) the setting of fire; and
- (e) any other acts which appear to be prejudicial to the purposes set out in the preceding section.

(2) Rules made under this section shall have no effect until approved by the House of Representatives.

9. Power to enter and carry out works

(1) It shall be lawful for a forest officer or a person authorised by the Minister in writing for the purposes set out in section 7 to enter any protected forest at any time without notice to inspect the area and to carry out such surveys or works as the Minister may direct.

(2) Upon the declaration of any private land as a protected forest the Chief Forestry Officer shall cause the area to be marked out and kept defined and shall have right of access for this purpose as hereinbefore provided.

10. Remission of taxation

If and for so long as the owner of a protected forest complies with the rules made by the Minister he or she shall be entitled to a remission of any land tax for the time being in force in respect of the area declared to be protected forest.

11. Compensation when lands declared protected forest

(1) When the owner of land declared to be a protected forest claims that he or she ought to be pecuniarily compensated by reason of the land having been declared to be a protected forest, he or she shall within three months of the declaration lodge with the Ministry of Agriculture a statement of his or her claim with full particulars of his or her estimated loss.

(2) On such claim being lodged as aforesaid the Minister shall appoint an Assessment Board consisting of—

- (a) a magistrate, or, if the claim for compensation exceeds two hundred and fifty dollars, a Judge of the High Court;
- (b) such person as the claimant may nominate; and
- (c) such other person as the Minister may appoint.

The Judge or magistrate, as the case may be, shall be the chairperson of the Board.

(3) The Board shall inquire into the claim and shall hear the claimant and other persons in relation thereto, and make recommendations thereon to the Minister. If the Board is not satisfied that the claimant can be adequately compensated by the granting of special permits or by the making of special regulations with regard to the land declared to be a protected forest, they shall recommend a sum of money to be paid as compensation and it shall be lawful for the Minister to instruct the Accountant-General to pay such sum of money from the Consolidated Fund as compensation to the owner of the land.

(4) The decision of the majority of the members of the Board shall be deemed to be the decision of the Board. If all the members differ with respect to the amount of compensation to be paid, the mean between the amount decided upon by the chairperson and the one of the amounts decided upon by the two other members of the Board which approximates most nearly to the amount decided upon by the chairperson, shall be deemed to be the compensation awarded by the Board.

(5) No appeal shall lie against the decision of the Board.

12. Voluntary protection

(1) The owner of land may, with a view to the formation or conservation of forest thereon or the conservation of natural resources, represent in writing to the Chief Forestry Officer his or her desire—

- (a) that such land be supervised or managed on his or her behalf by the Chief Forestry Officer in such manner as may be agreed upon; and
- (b) that any or all of the provisions of this Act or rules made thereunder be applied to such land.

(2) In such case the Minister may by Order apply to such land such provisions of this Act or rules made thereunder as he or she may consider suitable to the circumstances and as may be desired and agreed upon by the applicant.

13. Prohibited areas

It shall be lawful for the Governor-General by Order from time to time, to declare any Crown land to be a prohibited area whenever in his or her opinion this appears to be necessary for any of the purposes set out in section 7.

PART III

Squatting on Crown Land

14. Proceedings against person in wrongful possession of Crown land

(1) It shall be lawful for a magistrate, on information that any person is in possession, without any probable claim or pretence of title, of any Crown land, to issue a summons calling on such person to appear and answer to such information, and if such person, after being duly summoned, shall not appear or appearing shall fail to satisfy the magistrate that he or she or those under whom he or she claims has or had some probable claim or pretence of title to such land, the magistrate shall make an order for putting the person in possession of such land out of possession of the same, and for the delivering of the possession thereof to the Governor-General within a period of not more than nine months from the date of the order.

(2) If on the hearing of such information the person against whom the same has been laid fails to satisfy the magistrate that he or she was in possession of such land prior to the first day of August, 1949, the magistrate may make a further order that the person so informed against shall be imprisoned for six months.

(3) If the person against whom an order for delivery of possession of such land has been made under subsection (1) fails to quit and deliver up possession of the same within the time prescribed in the order, the magistrate may make a further order that such person be imprisoned for any term not exceeding six months in addition to the term of imprisonment imposed under subsection (2).

15. Mode of serving summons on information

Every summons issuing upon any information under this Act shall specify the time and place at which the person informed against is to appear, and every such summons shall be served at least eight days next before the day appointed for such appearance, by delivering the same to the person summoned in person, or by leaving the same at his or her usual place of abode, or if such abode is not known, then by affixing the same to some building upon, or in some open and conspicuous part of, the land mentioned in the information.

16. Evidence of petition and proceeding thereon

On the hearing of an information under this Act a copy of any petition to the Minister and of any proceeding on such petition, which is certified under the hand of the Chief Forestry Officer to be a true copy, shall be admissible in evidence of the fact of such

petition having been filed and of the proceeding had thereon, without any further proof of the same.

17. Forms

The Forms contained in the First Schedule may be used with such modifications as circumstances may require in the cases to which they apply.

PART IV

Offences and Procedure

18. Forest offences

If a person shall do any of the following acts on Crown land, namely—

- (a) fell, cut, girdle, mark, lop, tap or bleed a tree or injure by fire or otherwise any tree or timber;
- (b) cause damage by negligence in felling a tree or cutting or dragging timber;
- (c) subject to any manufacturing process or convey or remove any forest produce;
- (d) kindle, keep or carry any fire;
- (e) pasture livestock or permit livestock to trespass;
- (f) clear, cultivate or break up land for cultivation or for any other purpose;
- (g) enter a prohibited area,

he or she shall be guilty of an offence and liable, on summary conviction, to a fine of three thousand dollars and to imprisonment for six months:

Provided that nothing in this section shall subject any person to any penalty thereunder for any act done in accordance with rules made by the Minister or with permission in writing given by a forest officer authorised to grant such permission or under any tenancy agreement made with the Chief Forestry Officer.

19. Felling of certain trees on private land unlawful without permit

(1) Unless with the authority of a permit issued by the Chief Forestry Officer a person on private land shall not fell a mahogany tree of any size nor any of the trees listed in the Second Schedule having a diameter, measured over the bark at a point 5 feet above ground level, of more than 6 inches.

(2) A person who contravenes subsection (1) shall be guilty, in respect of each tree that he or she fells, of an offence.

(3) The Chief Forestry Officer may, on application by a person to fell a tree to which subsection (1) applies, issue a permit to that person.

(4) A person found guilty of an offence under subsection (2) shall, on summary conviction, be liable to a fine of one thousand dollars and to imprisonment for six months.

(5) Notwithstanding section 27(2) proceedings for an offence under subsection (2) shall not be instituted more than six months after the discovery of the offence, and no such proceedings shall be instituted more than two years after the date of the offence.

20. Livestock straying

(1) Any forest officer, rural constable, police officer or person authorised by any of them may seize livestock found trespassing on Crown land.

(2) All such livestock shall be forfeited unless the owner thereof or some person authorised by him or her shall, within seven days of seizing such livestock, claim the same.

(3) Any person claiming livestock so seized may be charged with a forest offence under section 18(e).

21. Offences with intent to cause damage or wrongful gain

Whosoever—

- (a) knowingly counterfeits upon any tree or timber, or has in his or her possession any implement for counterfeiting, a mark used by forest officers to indicate that such tree or timber is the property of the Government, or of some person, or that it may lawfully be felled or removed by some person; or
- (b) unlawfully or fraudulently affixes to any tree or timber a mark used by forest officers; or
- (c) alters, defaces, or obliterates any such mark placed on any tree or timber by or under the authority of a forest officer,

shall be liable to a fine of three thousand dollars and to imprisonment for three months.

22. Power to arrest

(1) A forest officer, rural constable, or police officer may, without a warrant, arrest any person reasonably suspected of having been concerned in a forest offence if such person refuses to give his or her name or residence or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he or she will abscond.

(2) Every person making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a magistrate or Justice of the Peace or the officer or non-commissioned officer in charge of the nearest police station to be dealt with according to law.

23. Power to seize tools and forest produce, and to condemn

(1) When there is reason to believe that a forest offence has been committed in respect of any forest produce, such produce, together with all tools, rope, chains, boats, craft, carriages, carts and livestock used in the commission of the offence, may be seized by a forest officer or person authorised by him, or by a rural constable or police officer.

(2) Every person seizing any property under this section shall, as soon as may be, make a report of such seizure to a magistrate:

Provided that when the forest produce with respect to which such offence is believed to have been committed is the property of the Government, and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his or her official superior.

(3) All such property shall be forfeited and shall be taken to be condemned and may be sold by the forest officer of the district in which the seizure took place, unless the person from whom the same shall have been seized or the owner thereof or some person authorised by him or her shall, within fourteen days of the seizure, claim it and shall, within the said term of fourteen days, or such further term as a magistrate may allow, prove to the satisfaction of such magistrate that it was not obtained from Crown land, or that such person had some sufficient licence or authority in that behalf.

(4) In lieu of the forfeiture of any of the things other than forest produce mentioned in this section, the magistrate may order the owner thereof to pay such penalty, not exceeding one hundred dollars, as the magistrate may think fit, and on payment of the penalty those things shall be returned to the owner.

(5) Whoever seizes any forest produce or any property under this section shall place on such forest produce or property, or the receptacle (if any) in which it is contained, a mark indicating that the same has been seized.

(6) Notwithstanding anything in this section contained, a forest officer may direct at any time the immediate release of any property seized under the provisions of this section which is not the property of the Crown or the Government, and the withdrawal of any charge made in respect of such property.

24. Compensation in addition to penalty

(1) When a person is convicted of felling, cutting, removing, girdling, marking, lopping, tapping, or bleeding trees or timber, or of injuring them by fire or otherwise, in contravention of this Act, the convicting magistrate may, in addition to any other punishment which he or she may award, order that person to pay to the Government such compensation, not exceeding five dollars for each tree or log of timber with respect to which the offence was committed, as he or she deems just.

(2) If the person convicted of the offence committed is the agent or employee of another person, the convicting magistrate may, unless, after hearing that other person, he or she is satisfied that the commission of the offence was not a consequence of such other person's instigation or of any neglect or default on his or her part, order such other person, instead of the person who committed the offence, to pay the compensation referred to in this section.

25. Produce, tools, etc., liable to forfeiture

(1) When a person is convicted of a forest offence, all forest produce in respect of which such offence has been committed, and all tools, ropes, chains, boats, craft, carriages, carts and livestock used in the commission of such offence, shall be liable, by order of the convicting magistrate, to be forfeited or to be otherwise dealt with as to the magistrate, in the particular circumstances of the case, seems just. Such forfeiture may be in addition to any other penalty or compensation prescribed for such offence.

(2) Anything or any livestock mentioned in this section shall if forfeited be taken possession of by a forest officer empowered in this behalf, and in any other case may be disposed of in such manner as the magistrate may order.

26. Sale of perishable goods

The magistrate may, notwithstanding any other provision of this Act, direct the sale of property seized under this Act that is subject to speedy or natural decay, and may deal with the proceeds as he or she might have dealt with such property if it had not been sold.

27. Recovery of penalties, and right of forest officer to conduct case

(1) Any offence under this Act may be prosecuted and any penalty incurred may be imposed or recovered summarily on the complaint of a forest officer or police officer.

(2) All such complaints may be made at any time within one year from the time when such matter of complaint arose.

(3) Where a forest officer makes a complaint against a person, any other forest officer may appear before the magistrate who is trying or inquiring into the matter of the complaint, and shall have the same privileges as to addressing the said magistrate and as

to examining the witnesses adduced in the matter as the forest officer who made the complaint would have had.

28. Prevention of offences and penalty for assaulting or obstructing a forest officer

(1) Every forest officer, rural constable and police officer is hereby authorised to prevent the commission of a forest offence.

(2) Every person who assaults, molests, obstructs or resists a forest officer or any person authorised by him or her in the execution of his or her duty, or aids or incites any other person so to assault, molest, obstruct or resist a forest officer or any person authorised by him, or any person aiding or assisting such forest officer or any person authorised by him or her in the execution of his or her duty, shall be liable to a fine of one thousand five hundred dollars and to imprisonment for six months.

29. Protection of persons acting *bona fide* in exercise of powers

In an action brought against a person for anything done or *bona fide* intended to be done in the exercise or supposed exercise of the powers given by this Act or by rules made thereunder, it shall be expressly alleged that the defendant acted maliciously and without reasonable and probable cause, and if at the trial the plaintiff fails to prove such allegation judgement shall be given for the defendant.

30. Presumption as to ownership of produce

When, in any proceedings taken under this Act or in consequence of anything done under this Act, a question arises as to whether any forest produce is the property of the Government, or whether any land is Crown land, such produce shall be presumed to be the property of the Government, and such land shall be deemed to be Crown land until the contrary is proved.

31. Minister may authorise forest officer to accept compensation

(1) The Minister may, by writing under his or her hand, empower a forest officer—

- (a) to accept from any person against whom a reasonable suspicion exists that he or she has committed any forest offence, other than an offence specified in section 21, a sum of money not exceeding fifty dollars by way of compensation for the offence which such person is suspected to have committed; and
- (b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On payment of such sum of money or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged; the property, if any, seized shall be released, and no further proceedings shall be taken against such person or property in respect of such suspected offence.

(3) All monies received by the forest officer under this section shall be paid into the Treasury by him or her as soon as possible, and in any event within seven days, after receipt thereof.

32. Rewards

The Minister may order such rewards as he or she thinks fit to be paid in respect of any seizure made under this Act to the person making such seizure or through whose information or means such seizure was made.

33. Rules

The Minister may make rules—

- (a) prescribing the form of permits and providing for their issue, production and return;
- (b) regulating the issue of property marks and classification marks for timber and the registration of such marks, and declaring the circumstances in which the registration of any property mark or classification mark may be refused or cancelled; prescribing the time for which such registration shall hold good; limiting the number of such marks that may be registered by any one person, and providing for the levy of fees for such registration;
- (c) prescribing the duties of forest officers; and
- (d) generally for carrying into effect the provisions of this Act.

34. General penalty

Any person who commits an offence against this Act or against rules made thereunder, for which no specific penalty is provided, shall be liable on summary conviction to a fine of two thousand dollars and to imprisonment for six months.

First Schedule

Forms

FORM 1

FOREST, SOIL AND WATER CONSERVATION ACT

Information against Person in Wrongful Possession of Crown Land

District

[Sections 14(1) and 17.]

Be it remembered that on this (date) (name of forest officer), Forest Officer (or as the case may be), came before me, the undersigned Magistrate, and informed me that one of is, without any probable claim or pretence of title, in possession of certain lands belonging to Her Majesty the Queen situate in (describe situation) and comprising (extent of lands).

.....
Forest Officer

Taken before me, the undersigned Magistrate this (date)

.....
Magistrate

.....
District

FORM 2

FOREST, SOIL AND WATER CONSERVATION ACT

Summons to Person in Wrongful Possession of Crown Land

[Section 15.]

In the District

To of

Whereas Information has been laid before me, the undersigned Magistrate by (name of forest officer) Forest Officer (or as the case may be) that you, the said are without any probable claim or pretence of title, in possession of certain lands belonging to Her Majesty the Queen

(describe situation and extent of lands, according to the Information): Now I the said Magistrate do hereby summon you to attend before me at the Magistrate's Court at

..... at o'clock in the noon on the (date)

then and there to answer touching the matter of the said Information; and in default of your so appearing, or if you shall fail to show to my satisfaction that you have some probable claim or pretence of title to such lands, then I, the said Magistrate, will forthwith make an order for putting you out of the possession of the said lands.

Dated: etc.

.....
Magistrate
.....
District

FORM 3

FOREST, SOIL AND WATER CONSERVATION ACT

Order for Delivery of Possession of Lands

[Section 14(1).]

District

To Police Officer, and to all other Police Officers

Whereas an Information was, on the (date) laid before me, the undersigned Magistrate, by (name of forest officer), Forest Officer (or as the case may be) that is in possession of certain lands belonging to Her Majesty the Queen situate in

(describe situation and extent of the lands, according to the Information), and I, the said Magistrate, thereupon issued my summons to the said to appear before me at on the (date) and answer touching the matter of the said Information;

And whereas the said summons was on the (date) duly served on the said by delivering the same to him or her personally (or, by leaving the same at being his or her usual place of abode, or, by affixing a copy of such summons on being an open and conspicuous part of the lands mentioned in the said Information);

And whereas the said failed to appear before me on the (date) (or, did appear before me, but failed to satisfy me that he or she had any probable claim or pretence of title to such lands):

Now I, the said Magistrate, do hereby order and require you taking such force as may be required for the purpose to enter upon the said lands situate in and comprising

..... being the lands mentioned in the said Information, or any part thereof in the name of the whole, and then and there to put the said out of possession of the said lands, and to deliver possession of the said lands, together with all buildings, if any, thereon, and all crops growing thereon, to the said Forest Officer on behalf of Her Majesty.

Dated: etc.

.....
Magistrate

.....
District

Second Schedule

FOREST, SOIL AND WATER CONSERVATION ACT

Felling Permits

[Section 19.]

Bois Gris	Mahoe (all species)
Bois Lait	Maruba
Bullet	Pine (all species)
Cedar (Red)	Saman
Cedar (White) (Tabebuia)	Silk Cotton
Eucalyptus (all species)	Tapana
Galba	Teak
Gommier	Zabricot
Laurier (all species)	

CHAPTER 116

FOREST, SOIL AND WATER CONSERVATION ACT

SUBSIDIARY LEGISLATION

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Crown Lands Forest Produce Rules

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CROWN LANDS FOREST PRODUCE RULES

[Section 33.]

1. Citation

These Rules may be cited as the Crown Lands Forest Produce Rules.

2. Definitions

In these Rules unless the context otherwise requires—

“forest produce” includes—

- (i) trees and leaves, flowers and fruits, and all other parts or produce of trees,
- (ii) plants not being trees (including grass and creepers) and all parts and produce of such plants;

“Forest Rangers” includes any person for the time being carrying on the duties of a Forest Ranger;

“registered property mark” means a property mark registered under rules 23 to 31 of these Rules the registration of which has not expired and which is covered by a licence to carry and use the same;

“remnant” includes parts of trees that have fallen, of which some considerable part has already been worked or destroyed by fire or otherwise;

“timber” includes trees before and after they have fallen or been felled and all wood whether cut up or fashioned for any purpose or not;

“tree” includes palms, bamboos, stumps, brushwood and canes.

3. Concessions

Concessions to cut timber or to extract forest produce, may either be put up to tender or to auction or may be granted by the Chief Forestry and Lands Officer on conditions approved by the Minister.

4. Licences

(1) Licences to cut timber or to extract forest produce may be granted at his or her direction by the Chief Forestry and Lands Officer.

(2) Applications for licences shall be made in Form 1 in the First Schedule to these Rules and shall be addressed to the Chief Forestry and Lands Officer. Such applications shall state clearly the nature and quantity of the timber required, the purpose for which it is required, the area and locality in which it is proposed to cut or extract the same, the period for which the licence is required, and such other particulars as may be desirable. Applications for licences for timber to be cut by contractors to Government Departments shall be accompanied by a certificate of authority from the Head of the Department concerned or from some officer duly authorised by him or her to issue such certificate.

(3) Licences shall include licences to cut a specified number of trees, a specified quantity of timber to extract a specified quantity of forest produce in or from a specified area of Crown Lands and Forest Reserves or to burn charcoal on Crown Lands. Such licences shall be in the appropriate Form of the First Schedule to these Rules, *viz.*—

Form 2 – Forest Produce other than timber.

Form 3 – A special number of trees or quantity of timber.

Form 4 – Timber to burn charcoal on Crown Lands.

5. Receipts

Receipts for compensation for forest offences, for extension fees and for royalties paid under licences in Forms 2, 3 and 4 in the First Schedule shall be in Form 5 in the First Schedule to these Rules.

6. Forest ranger to assist in filling in application form

On verbal application being made for a licence, the Forest Ranger of the locality in which the forest produce is situate shall assist the applicant to fill in Part (1) of Form 1 of the First Schedule to these Rules and where the applicant is illiterate, shall certify his or her signature or mark.

7. Stamping of trees

(1) If the Forest Ranger recommends the issue of a licence in Form 3 where royalty is to be paid according to girth measurement, he or she shall inspect, measure, and stamp with the Government Sale Marking Die the trees applied for, in the presence of the applicant or his or her agent, and shall record in Part (2) of Form 1 their description and girth measurements together with his or her recommendation for a licence. He or she shall then hand the Form 1 to the applicant or his or her agent who shall present it at the Revenue Office.

(2) If the Forest Ranger recommends the issue of a licence in Form 3 where royalty is to be paid according to cubical measurement or according to number where shingles are being worked he or she shall stamp with the Government Sale Marking Die such trees or remnants of such trees as he or she considers necessary, and shall record their particulars in Part (2) of Form 1 together with his or her recommendation for a licence. He or she shall then hand the Form 1 to the applicant or his or her agent who shall present it at the Revenue Office.

(3) No tree or timber stamped under this Rule shall be cut or worked till a licence has been issued therefor.

8. Granting of licence

The Chief Forestry and Lands Officer shall at his or her discretion decide whether or not he or she shall grant a licence and shall note his or her decision on Part (3) of Form 1. Should he or she refuse to grant a licence applied for in Form 3, he or she shall instruct the Forest Ranger to seize with the Government Seizure Mark all trees or remnants which have been marked with the Government Sale Marking Die under rule 7 of these Rules.

9. When trees may be cut

No trees or timber shall be cut under a licence in Form 3 with royalty paid according to cubical measurement, or according to number where shingles are being worked, unless it be dead, windfallen, diseased, unsound or a remnant or unless the length of workable stem is less than 24 feet. All other trees shall be paid for by girth measurement, save where specially authorised by the Chief Forestry and Lands Officer for silvicultural reasons.

10. Payment in advance

All royalties payable under licences shall be paid before such licences are delivered to the licensee or his or her agent.

11. Trees to be stamped before being cut

No tree or remnant shall be cut under a licence in Form 3 unless the same has been stamped with the Government Sale Marking Die by an Officer duly authorised in that behalf, in the presence of the licensee or his or her agent, and the girth measurement of every such tree, and the measurement of every such remnant shall be recorded on the licence. No green standing tree of classes I and II shall be stamped for cutting or shall be cut under a licence in Form 3 unless it exceeds at the point at which it is measured the minimum girth shown in the right-hand column in the Fourth Schedule to these Rules.

12. Measurement of trees

All trees exceeding 5 feet in girth to be cut under any licence granted under these Rules on which royalty is calculated according to their girth measurements shall be measured at a height of four feet three inches from the ground:

Provided that if the tree has large buttresses its girth may be measured at such height from the ground not exceeding 8 feet as represents the junction of the top of the buttresses with the trunk, and a note to that effect shall be made on the licence form. Trees of less than 5 feet in girth shall be measured for the calculation of royalty at such lesser height from the ground at which they are to be cut. In all cases where trees are to be cut at a height less than 4 feet 3 inches from the ground, the Forest Ranger shall make a check measurement at a point below that at which the tree is to be cut, and shall record such measurement on the licence.

13. Marking of trees

No tree or remnant shall be cut under licence in Form 3 until the same has been marked in paint or tar with the serial number allotted by the Forest Ranger and either with the initials of the licensee in letters not less than three inches high, or with his or her registered property mark, on a blaze prepared for that purpose by the licensee or his or her agent.

14. Removal permits

(1) No timber shall be removed from any tree or remnant cut under a licence in Form 3 nor any other produce cut under a licence in Form 2 until all royalty payable under such licence in addition to that already paid under rule 10 of these Rules has been paid and receipt for such payments has been obtained from the Revenue Officer and a removal permit has been obtained from an Officer duly authorised to grant the same.

(2) Removal permits shall be in Form 6 in the First Schedule to these Rules and shall be granted by such person as may be duly authorised in writing in that behalf by the Chief Forestry and Lands Officer. The date of expiry of a removal permit in Form 6 shall in no case be later than the date of expiry (including extensions if any) of the licence under which the timber to be removed was cut. Such licence shall be presented to the officer issuing the permit when a removal permit is applied for.

(3) No removal permit shall be granted for any timber cut under a licence in Form 3 until each piece has been stamped with a Government Sale Marking Die by an Officer duly authorised in that behalf. It shall be the duty of the licensee to have the timber so arranged as to facilitate the stamping of the same. Each piece of timber to be removed that exceeds half a cubic foot in measurement shall, in addition, be clearly marked in paint or tar with a serial number, with the initials of the licensee in letters not less than three inches high and with the serial number of the tree by the licensee or his or her agent:

Provided that such timber may be marked with the licensee's registered property mark instead of with his or her initials in paint or tar, and the serial numbers may, in like manner, be stamped in figures not less than $\frac{3}{4}$ of an inch high.

(4) No removal permit shall be granted for any timber on which royalty is payable by the cubic foot obtained from a tree or remnant cut under a licence in Form 3 until all marketable timber obtainable from such tree or remnant has been fashioned and paid for.

15. Unsound trees

If any tree to be cut under any licence granted under these Rules on which royalty is calculated according to its girth measurements shall prove to be unsound the licensee shall work up all sound timber in such tree and shall pay royalty thereon by the cubic foot; and the Forest Ranger may stamp another tree of as nearly as possible the same size, and the licensee shall pay any increase of "royalty" which may thereby be incurred.

16. Expiry and extensions of licence

Every licence granted under these Rules shall be returned to the Officer who granted the same on its expiry, or on any previous date on which work under it has been completed; and all timber or other forest produce cut, collected or extracted under it that has not been removed under a duly authorised removal permit, shall remain the property of the Crown free of all claims unless such licence has been extended by the proper Officer. A fee of fifty cents a week may be charged for any such extension unless otherwise provided in such licence. Every receipt for such fee shall be in Form 5. Every extension shall commence from the date of expiry of any previous extension. Such extension shall be obtained on a certificate of the Forest Ranger, showing the amount of work remaining to be done under the licence.

17. Timber, etc., property of Government

No timber or other forest produce cut, collected or extracted under a licence granted under these Rules shall become the property of the licensee until all royalties and dues payable in respect of such timber or forest produce have been paid, and until a receipt in Form 5 has been obtained from the Revenue Office and until such timber or forest produce has been removed under a duly issued removal permit, or licence permitting removal.

18. Royalties and dues

The royalties and dues payable under licences granted under these Rules shall be those prescribed in the Second and Third Schedules to these Rules:

Provided that where for silvicultural reasons it is desirable to dispose of forest produce, and in the case of stunted and abnormal trees, the royalties shall be such as may be fixed by the Chief Forestry and Lands Officer.

19. Licence regarding property marks

Licences to possess, carry and use a registered property mark on Crown Lands shall be granted by the Chief Forestry and Lands Officer in Form 7 in the First Schedule to these Rules and shall be subject to the conditions therein stated.

20. Registered property marks

(1) The Chief Forestry and Lands Officer at his or her discretion may refuse to register any property mark on account of its similarity to any existing mark, or to any mark used by Forest Officers or for any other reason which to him or her may seem sufficient.

(2) Registration of a property mark shall hold good from the date of such registration until the following 31st day of December and for the next succeeding two years, and registration of a classification mark shall hold good for the same period as that for which the property mark to which it is subsidiary is registered.

(3) A registered property mark shall, so long as its registration has not expired and it is covered by an unexpired licence to carry and use the same, be available for use on any Crown Lands within Grenada.

(4) The design of a registered property mark may be borne by one or more hammers. When the design of such after the first shall be numbered serially from the number 2 onwards, it shall denote that it forms one of a series of hammers registered as the same mark. No additional registration fee shall be payable in respect of such additional hammers, but any modification or alteration, other than the addition of such number in the design of such mark shall be separately registered.

21. Fees for registration of property marks

Fees for the registration of property marks shall be as follows—

For each property mark registered	\$4.80
For each year for which the registration of a property mark is renewed	\$1.20
For the transfer of a property mark	\$2.40

22. Renewal of registration of property mark

Every renewal of the registration of a property mark shall commence from the date of expiry of the original registration or the last subsequent of such registrations.

23. Property mark certificate

The Chief Forestry and Lands Officer on registering a property mark shall grant to the owner thereof a certificate in Form 8 in the First Schedule to these Rules.

24. Payment in advance for renewal of property mark

No registration or renewal of the registration of a property mark shall be granted until the fees payable in respect of such registration or renewal of registration have been paid.

25. Offences

Any person who—

- (a) marks any standing tree or any timber on Crown Lands with a marking hammer or other implement for impressing marks on timber other than a property mark or a classification mark duly registered under these Rules, the registration of which has not expired and which is covered by an unexpired licence granted by a duly authorised Forest Officer; or
- (b) impresses any property mark or classification mark on any tree or timber on Crown Lands save under the authority of a duly authorised Forest Officer; or
- (c) alters, defaces or obliterates any registered property mark or classification mark placed on any tree or timber under the authority of a duly authorised Forest Officer; or
- (d) impresses a classification mark on any timber on Crown Lands which does not already bear the impressed property mark of the owner of such classification mark,

shall be liable on summary conviction to a penalty not exceeding two hundred and fifty dollars or, in default, to imprisonment with or without hard labour for a term not exceeding two months and in addition to such punishment, the registration of his or her property mark may be cancelled.

26. Cancellation of licence

Breach of any of these Rules or of the conditions of any licence granted under them shall render any such licence liable to cancellation in addition to the forfeiture of all claims to timber or forest produce cut, collected or extracted under such licence.

First Schedule

Forms

FORM 1

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Application for Woodcutting Licence

[Rule 4(2).]

To Chief Forestry and Lands Officer—

PART (1)

No.

Species of tree and Quantity or Nature of Forest Produce

Locality

Purpose for which required
Residence of applicant
Date of application
Witness to Marks:
.....
Dated

Signature of Applicant

PART (2)*

I recommend that a licence in Form for
.....
be granted to the applicant and I certify that on the ,
20 , I inspected, measured and stamped the undermentioned tree with the Government
Sale Marking Die No.
Royalty payable
Dated, 20

Forest Ranger
Forest Guard

Notes.— * Fill in number of Form.

Strike out words not required.

If licence is to be in Form 3 by girth measurement insert species and girth measurement of tree
and if by cubical measurement insert species and whether dead or fallen trees or remnants: state
clearly whether royalty is to be paid according to girth or cubical measurement.

If licence is to be in any Form no entry is required.

PART (3)

Licence No. in Form $\frac{\text{issued on}}{\text{refused}}$, 20.....
Receipt No. Royalty paid—\$

For Permanent Secretary (Finance)

FORM 2

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Licence for Forest Produce other than Timber from Crown Lands and Forest Reserves

[Rule 4(3).]

Licence No.

Licence to extract the under-mentioned forest produce from Crown
collect

Lands at

Forest Reserve

during the next ensuing $\frac{\text{days}}{\text{months}}$ is hereby granted

to of

under the Crown Lands Forest Produce Rules and subject to the following conditions—

1. That this licence is not transferable. It may not be sublet nor may the licensee allow any person to work under it on payment to him or her of any consideration whatsoever.
2. This licence expires on and must then be returned to the Forest Ranger whether the whole of the produce has been extracted or not.
3. That the licensee pays to the Revenue Officer at the royalty due on all the forest produce to be extracted or collected under this licence before it is issued.
4. That this licence together with every receipt for money paid in respect of it must always be kept with the licensee or his or her agent in the forest while forest produce is being cut, extracted or collected, and must be produced on the demand of any Forest Officer or member of the Police Force.
5. That the licensee only cuts firewood or rods from such green standing trees as are pointed out to him or her or his or her agent by the Forest Ranger and are stamped with the Government Sale Marking Die for this purpose.
6. That all forest produce extracted or collected under this licence must be brought to for inspection and check and that the licensee shall not, from such place, dispose of or consume any of the forest produce until it has been checked or measured by the Forest Ranger and a permit has been duly issued to remove same.
7. That no tree may be felled for the purpose of collecting or extracting “Wist”, “Mahaut”, “Lianes”, “Seguine”, “Tanbark”, or “Orchids”. No tree may be cut or injured except branches under three inches in diameter.
8. Breach of any condition of this licence or of the Crown Lands Forest Produce Rules under which it is issued renders it liable to cancellation in addition to the forfeiture of all claims to forest produce cut or collected under it.

Kind of Produce

Amount or quality or number of men to be employed

....., 20

.....
For Chief Forestry and Lands Officer

Note.— Strike out words not required.

Reverse Side of Licence

<i>Produce</i>	<i>Royalty Value \$</i>	<i>No. of Receipt</i>	<i>Date of Payment</i>	<i>Initials of inspecting officer and date of inspection</i>

FORM 3

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Licence to Cut Timber on Crown Lands and Forest Reserves

[Rule 4(3).]

Licence No.

Licence to cut within that parcel of Crown Lands or Forest Reserve situate in and described below—

.....
.....
is hereby granted to of

for $\frac{\text{weeks}}{\text{months}}$ from the

20, under the Crown Lands Forest Produce Rules and subject to the following conditions—

1. That this licence is not transferable, nor may it be sublet, nor may the licensee allow any person to work under it on payment to him or her of any consideration whatever.
2. That the licensee only cuts such trees or such remnants as are stamped for cutting under this licence with the Government Sale Marking Die by the Forest Ranger, and before cutting such trees or remnants marks the stumps below the felling point or such portions of the remnants as are to be left over, with his or her initials in paint or tar in letters not less than 3 inches high, or with his or her registered property mark, and with the serial number allotted by the Forest Ranger, in such a way that such marks are visible at the expiration of the licence.
3. That no timber cut under this licence shall become the property of the licensee until all royalties and dues payable under it have been paid and until the timber has been removed under a removal permit duly granted for that purpose.
4. That the licensee pays at the Revenue Office, at at the rates prescribed in the Crown Lands Forest Produce Rules the royalty due under this licence before it is issued.
5. That the Chief Forestry and Lands Officer may require that any tree cut under this licence must be sawn into boards, planks or scantlings at the place where the tree is cut.
6. That this licence together with every receipt for money paid in respect thereof must be kept in the possession of the person in charge of work in the forest as long as the timber is being cut, converted or removed. It must be produced on the demand of any Forest Officer or member of the Police Force, and it must be returned to the Forest Ranger on its expiry or on any previous date on which work under it has been completed.
7. That no timber is removed from the place where any tree or remnants are cut or worked until the whole of the marketable timber obtainable from such tree or remnant has been cut and paid for, and has been inspected, measured and stamped with the Government Sale Marking Die by the Forest Ranger and until a removal permit has been issued. No removal permit will be granted until all pieces of timber obtained that exceed half of a cubic foot in measurement have been clearly marked by the licensee with his or her initials in paint or tar, or with his or her registered property mark, and with the serial number of the tree.
8. That this licence must be produced when a removal permit is applied for, in order that the number and date of expiry of the removal permit and the quantity of timber to be removed may be indorsed on it by the Officer issuing the removal permit. The date of expiry of the removal permit must not be later than the date of expiry of the licence.
9. That on the expiry of this licence any timber cut under it and left in the forest shall remain the property of the Crown unless an extension of this licence has, on the application of the licensee been granted. A charge of forty-eight cents per week may be made for any such extension.
10. Breach of any condition of this licence or of any of the Crown Lands Forest Produce Rules under which it is granted renders it liable to cancellation in addition to the forfeiture of all claims to timber cut under it.

.....
For Chief Forestry and Lands Officer

Note.—Insert particulars of trees or timber granted under the licence.

Reverse Side of Licence

To be filled in at the Revenue Office

Payment to be made according to measurement.

<i>Serial No.</i>	<i>Species</i>	<i>Girth or Quantity</i>	<i>Royalty Value \$</i>	<i>No. of Receipt</i>	<i>Date of Payment</i>

To be filled in by the Forest Ranger

<i>Serial No.</i>	<i>Species</i>	<i>Amount Obtained</i>	<i>Initials of inspecting officer; date of inspection</i>

Details of removal permit

<i>No. of Permit</i>	<i>Date of Issue</i>	<i>Date of Expiry</i>	<i>Species and quantity of timber and dimensions</i>

Notes.—Insert the words “girth” or “cubical”.

Insert girth if payment is to be made by girth measurement and quantity in cubic feet if by cubical measurement.

Measurement only required to be filled in where it is cubical.

FORM 4

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Licence to Cut Timber to Burn Charcoal on Crown Lands or Forest Reserves

[Rule 4(3).]

Licence No.

Licence to cut timber to burn Charcoal on

Crown Lands

Forest Reserve

..... situated in

is hereby granted to

of under the Crown Lands

Forest Produce Rules and subject to the following conditions—

1. This licence is not transferable.
2. This licence expires on and must then be returned to the Forest Ranger.
3. The licensee must pay royalty due to the Revenue Officer at
4. This licence, together with every receipt for money paid in respect of it, must always be kept with the licensee or his or her agent in the forest while wood is being cut or charcoal extracted and must be produced on the demand of any Forest Officer.

5. On the expiry of the licence all wood cut and all charcoal obtained under it and left on Crown Lands shall remain the sole property of the Crown.
6. The licensee may only open charcoal pits on sites indicated by the Forest Ranger.
7. No shed, hut or other temporary structure shall be erected without the permission of the Forest Ranger and any such structure must be destroyed on the expiry of the licence.
8. The licensee shall only cut such trees as are stamped with the Government Sale Marking Die.
9. The licensee may be called upon to pay at girth royalty rates for any tree not stamped with the Government Sale Hammer and carelessly knocked down or damaged by the licensee or his or her agents.
10. The licensee shall not begin the burning of his or her pit until it has been measured by the Forest Ranger and this licence issued.
11. Royalty shall be paid at the rate of per stacked cord. (One cord—8 feet × 4 feet × 4 feet.)
12. Breach of any condition of this licence or of the Crown Lands Forest Produce Rules renders it liable to cancellation in addition to the forfeiture of all claims to wood or charcoal obtained under it.

.....
For Chief Forestry and Lands Officer

Reverse Side of Licence

<i>Subject</i>	<i>Dimension of pits</i>	<i>No. of cords</i>	<i>Royalty value</i>	<i>No. of receipt</i>	<i>Date of payment</i>	<i>Initials of Inspecting Officer</i>

FORM 5

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

[Rule 5.]

Revenue Office

Received from the sum of
 dollars

cents being the amount payable in respect of the undermentioned trees or forest produce to be cut, collected or extracted, fees for extension of licences, or compensation for a forest offence.

<i>1 No. of trees or quantity of forest produce</i>	<i>2 Species of trees or nature of forest produce</i>	<i>3 Girth</i> ft. in.	<i>Value</i> \$	<i>Licence No.</i>	<i>Form No.</i>	<i>Remarks</i>

Total

Date

.....

(Name of Revenue Officer)

For Permanent Secretary (Finance)

Note.—If compensation or fees for extension of licence write “compensation for a forest offence” or “fees for extension of licences” across columns 1, 2 and 3.

FORM 6

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Removal Permit

[Rule 14.]

No.

Permission is hereby granted to

of Crown Lands at
Forest Reserve

..... to

the following timber, firewood or other produce:

Species

Marks

No. of pieces and dimensions

Reference:

Licence No.

Serial No. of trees

Inspected by

Date of Issue

Date of Expiry

.....
Officer Authorised to Issue Permit

Note.—Strike out words not required.

Information to be recorded at back if space is insufficient.

This permit must be returned to the office of issue within fifteen days of the date of expiry.

FORM 7

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Licence to Possess, Carry and Use a Property Mark on Crown Lands

[Rule 19.]

Licence is hereby granted to of to possess,
carry and use a property mark bearing the design shown on the back of this licence for

..... months from the 20 subject to the following conditions—

1. That this licence is not transferable save with the permission in writing of the Chief Forestry and Lands Officer and the payment of the prescribed transfer fee.
2. That the property mark is only impressed by the licensee or his or her agent on the *bona fide* property of the licensee or as required by the conditions of the licence granted to him or her under the Crown Lands Forest Produce Rules.
3. That the licence is granted under the Crown Lands Forest Produce Rules and expires on the .
..... and must then be returned to the Officer who issued the same.
4. That breach of any condition of this licence renders it liable to cancellation in addition to forfeiture of all claims to trees or timber marked with the registered “property mark” herein licensed.

Dated, 20

.....
Chief Forestry and Lands Officer

This licence is hereby extended to, 20

.....
Chief Forestry and Lands Officer

FORM 8

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Certificate of Registration of a Property Mark under the Crown Lands Forest Produce Rules

[Rule 23.]

I certify that I have on this day of, 20..... registered the property mark of of the design of which is shown on the back hereof.

The registration of the property mark expires on the day of , 20.....

.....
Chief Forestry and Lands Officer

Second Schedule

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Scale of Royalty Rates for Timber According to Girth Measurement

[Rule 18.]

CLASS I	CLASS II	CLASS III	CLASS IV
<i>\$2.00 for each complete foot of Girth</i>	<i>\$1.50 for each complete foot of Girth</i>	<i>50c. for each complete foot of Girth</i>	<i>15c. for each complete foot of Girth</i>

Balata or Bullet; Laurier senti Tapana	Angeleein Balata laite Bois bande or Zabricot grandes feuilles Bois Blanc Bois rada or Greenheart Bois rouge Crappa Dalmare Gommier Laurier (other kinds than Laurier senti) Maruba Mauricif Serrette	Bois agouti Bois d'ail Bois lait Bois or Wild balata Grosse Graine and all other species not mentioned by name in this Schedule other than Mahaut cochon to which a special rate is applicable under the Third Schedule	Bois canon Bois flot Bois gris Chataignier Mapou Pois doux All palms
--	---	---	--

Note.—Dead and wind-fallen trees of Classes I, II and III two-thirds of the above rates.

Third Schedule

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Scale of Royalty Rates for Timber According to Cubical Measurement and for other Forest Produce

[Rule 18.]

Timbers from trees of Class I	per cubit foot	.....Twenty	cents
do. Class II	do.	.....Ten	"
do. Class III	do.	.....Five	"
do. Class IV	do.	.....Five	"
Firewood, per cord of 128 stacked cubic feet		Fifty	"
Bamboo, per bundle		Fifteen	"
Palm seeds, any other seeds, per bag of 100 lbs.		Ten	"
Tan bark, per bag of 100 lbs.		Two dollars	"
Liance, Seguine, Honey and Bee's wax, Bois flot and Silk-cotton floss, Orchids	for each person employed on cutting and collecting per month	Fifty cents	
L'Arouma, Mahaut, fibre, per bundle		Fifteen cents	
Pickets or rods of trees of Classes III, and IV under 3 inches diameter, each		Five cents	
Grass, per bundle		Ten cents	
Masts and spars of Mahaut cochon	20 ft. and under	.....Four	dollars
	21 – 25 ft.	.....Five	"
	26 – 30 ft.	.....Six	"
	31 – 35 ft.	.....Seven	"

	36 – 40 ft.	.....Eight	"
	41 – 45 ft.	.....Nine	"
	46 – 50 ft.	.....Ten	"
	51 – 60 ft.	.....Twelve	"
Mountain cabbage, each		Fifteen cents	
Piles, 5 – 8 inches diameter, each		One dollar	
Piles, 9 inches and over diameter		One dollar	
Posts, 3 – 4 inches diameter, each		Twenty cents	
Roots, 3 – 6 inches in head, each		Ten cents	

FOURTH SCHEDULE

FOREST, SOIL AND WATER CONSERVATION ACT

CROWN LANDS FOREST PRODUCE RULES

Scale of Minimum Girth Limits

[Rule 11.]

Balata and Gommier	Six feet
Other trees of Classes I and II	Five feet
Classes III and IV	No limit

Protected Forests Order

ARRANGEMENT OF ORDERS

1. Citation.
 2. Protected forests.
- Schedule Protected Forest

PROTECTED FORESTS ORDER

[Section 7.]

1. Citation

This Order may be cited as the Protected Forests Order.

2. Protected forests

The lands described in the Schedule hereto are hereby declared to be Protected Forests.

Schedule

FOREST, SOIL AND WATER CONSERVATION ACT

PROTECTED FORESTS ORDER

Protected Forest

1. All that lot of land being a part of the Tuilleries Estate situate in the parish of Saint Andrew in the Island of Grenada of an area of sixty acres bounded as follows—

On the North by lands of the Bagatelle Estate.

On the South by lands of Dadoo Francis, Raleigh Rougier, Crippin Edwards, Nelson Lord, Johnson Benjamin, Grand Bacolet Estate, Edward Tillock and Levi Henry.

On the West by lands of David Pierre, Lenny Antoine, Camrol Findley and Henry Antoine.

On the East by other lands of the Tuilleries Estate.

2. All that lot of land being a part of the Bagatelle Estate situate in the parish of Saint Andrew in the Island of Grenada of an area of thirty acres bounded as follows—

On the North by lands of the Bagatelle Estate.

On the South by lands of the Tuilleries Estate.

On the East by lands of the Bagatelle Estate.

On the West by lands of the Bagatelle Estate.

Protected Forests Rules

ARRANGEMENT OF RULES

1. Citation.
 2. Offences.
 3. Power of seizure.
 4. Cattle and other livestock trespassing.
-

PROTECTED FORESTS RULES

[Section 8.]

1. Citation

These Rules may be cited as the Protected Forests Rules.

2. Offences

(1) Any person who, within the area of a Protected Forest, does any of the following acts—

- (a) fells, cuts, girdles, marks, lops, taps or bleeds any tree, other than a cacao or nutmeg tree, or strips off the bark or leaves or injures by fire or otherwise any tree; or
- (b) depastures or permits to trespass any cattle, horses, mules, asses, pigs, sheep or goats; or
- (c) kindles, keeps or carries any fire; or

- (d) damages, alters, defaces or removes any boundary mark or landmark; or
- (e) plants any annual crop such as corn, maize, adlay, dasheen, eddoes, tannias, manioc, yams, sweet potatoes, peas and beans or cotton; or
- (f) knowingly counterfeits on any tree or timber or has in his or her possession any implement for counterfeiting a mark used by forest officers or unlawfully or fraudulently affixes or alters, defaces or obliterates any such mark on any tree or timber,

shall be guilty of an offence, and shall on summary conviction be liable to a penalty not exceeding two hundred and fifty dollars or to imprisonment with hard labour for a period not exceeding two months.

(2) Nothing in this Rule shall apply to any person who does any of the acts set out in paragraph (1) hereof with the permission in writing of the Chief Technical Officer (Extension).

3. Power of seizure

(1) When any tree or timber has been felled, worked or removed contrary to rule 2 of these Rules, such tree or timber together with all tools, ropes, chains, boats, crafts, carriages or carts used in connection with the commission of the offence shall be forfeited, and may be seized by any public officer or forest officer.

(2) Any public officer or forest officer effecting such seizure shall forthwith report the same to a Magistrate.

(3) All property so seized shall be sold by the officer effecting the same unless the owner thereof or the person from whom it was seized or some person authorised by him or her shall within fourteen days of the seizure, or such further terms as a Magistrate may allow, prove to the satisfaction of such Magistrate that no breach of these Rules has in fact been committed.

4. Cattle and other livestock trespassing

Any cattle or other livestock found depastured or trespassing shall be taken into possession by a public officer or a forest officer and shall be disposed of in such manner as a Magistrate may direct.

Protected Forests (Tuilleries – Bagatelle) Rules

ARRANGEMENT OF RULES

1. Citation.
2. Definitions
3. Restrictions.
4. Banks of Stream.
5. Penalties.

PROTECTED FORESTS (TUILLERIES – BAGATELLE) RULES

[Section 8.]

1. Citation

These Rules may be cited as the Protected Forests (Tuilleries – Bagatelle) Rules.

2. Definitions

In these Rules, “Protected Forest Area” means all the lands declared to be Protected Forests by the Protected Forests Order.

3. Restrictions

(1) Within the Protected Forests Area, no person shall without the written approval of the Chief Forestry and Lands Officer—

- (a) erect any building or shelter;
- (b) live or reside;
- (c) tether, pasture or graze any animal;
- (d) kindle, keep or carry any fire;
- (e) cultivate any land or plant or grow any crops thereon.

(2) In granting approval under this Rule the Chief Forestry and Lands Officer may lay down such terms and conditions as he or she may consider necessary.

4. Banks of Stream

(1) The Chief Forestry and Lands Officer shall cause a strip of land one chain in width to be demarcated by inter-visible immortal plants on each side of the stream running through the Protected Forest Areas.

(2) Within such strip of land no person shall cultivate, clear, burn, plant or occupy any land or graze, tether or pasture any animal or allow any animal to stray or wander.

(3) Any animal found on such strip of land shall be impounded.

5. Penalties

Any person who contravenes any of these Rules shall be guilty of an offence against these Rules and shall on summary conviction be liable to a fine not exceeding two hundred dollars.