

## GOVERNMENT OF ZAMBIA

## STATUTORY INSTRUMENT No.94 OF 2015

**The Forests Act, 2015***(Act No. 4 of 2015)***The Forests (Export of Timber) Regulations, 2015**

IN EXERCISE of the powers contained in section *sixty-four* of the Forests Act, 2015, the following Regulations are made:

1. These Regulations may be cited as the Forests (Export of Timber) Regulations, 2015. Title
2. In these Regulations unless the context otherwise requires— Interpretation
  - “Concession licence” has the meaning assigned to it in the Act;
  - “exporter” means a holder of a concession licence or timber merchant who exports forest produce;
  - “finished timber products” means timber products which have been processed and are in component pieces;
  - “forest officer” has the meaning assigned to it in the Act;
  - “inspector” has the meaning assigned to it in the Standards Act; Cap. 416
  - “letter” means a letter of credit;
  - “permit” means a forest produce export permit issued under these Regulations;
  - “plantation” has the meaning assigned to it in the Act;
  - “plantation tree” means a tree from a plantation;
  - “planted species” means cultivated trees;
  - “quota” means the maximum volume of timber which an exporter may export at a time, calculated as a percentage of the total production;
  - “sawn timber” means timber which has been sawn by a sawmill or pitsaw in accordance with a customer’s specifications;
  - “timber” has the meaning assigned to it in the Act;
  - “timber merchant” means a person who buys and sells timber or timber products but does not hold a concession licence; and

“ timber products ” means sawn timber and includes cant wood with cross ends of selected timber species and finished timber products.

3. (1) Subject to these Regulations, the following timber may be exported:

- (a) sawn timber;
- (b) railway sleepers which shall be drilled on both sides;
- (c) poles from planted species;
- (d) finished timber products; or
- (e) plantation trees

(2) Despite subregulation (1), the Director may grant a permit for the export of any other timber the Director may, in consultation with the Minister, consider necessary in the interest of the Republic.

(3) An exporter shall not export any of the following:

- (a) charcoal;
- (b) non-finished timber products from national forests; and
- (c) peelers and saw logs of any species.

4. A person shall not use any of the following species of timber to manufacture railway sleepers:

- (a) *Azelia quanzensis* (Mupapa);
- (b) *Entandrophragma* spp.(Mofu);
- (c) *Faurea Saligna* (Saninga);
- (d) *Guibourtia coleosperma* (Muzauli);
- (e) *Khaya nyasica* (Mululu);
- (f) *Pericopsis angolensis* (Mubanga);
- (g) *Pterocarpus angolensis* (Mukwa); and
- (h) *Pterocarpus chrysothrix* (Mukula)

Application for permit

5. (1) Subject to subregulation (3), a holder of a concession licence or timber merchant may apply to the Director for a permit in Form I set out in the Schedule.

(2) The Director shall, within thirty days of the receipt of an application, notify the applicant of the decision of the Director in respect of the application.

(3) Notwithstanding subregulation (1), a timber merchant who does not have a written agreement with a holder of a concession licence authorising the timber merchant to export timber of the concession licence is not eligible to apply for a permit.

6. (1) The Director shall reject an application for a permit if—
- (a) the applicant fails to meet the requirements of the Act;
  - (b) the permit issued to the applicant was cancelled by the Director; or
  - (c) the applicant is convicted of an offence under the Act or any other written law.
- (2) The Director shall, where the Director rejects an application under subregulation (1), inform the applicant of the reasons for the rejection in Form II set out in the Schedule.
7. (1) The Director shall, where the applicant meets the requirements of the Act, issue a permit in Form III set out in the Schedule.
- (2) A permit shall be valid for six months from the date of issue.
8. (1) An application for the renewal of a permit shall be made to the Director in Form IV set out in the Schedule at least three months before the expiry of the permit.
- (2) The Director may within thirty days of receipt of an application for the renewal of a permit, renew the permit if the applicant meets the requirements of the Act and has complied with the terms and conditions of the permit.
- (3) The Director shall, where the Director renews a permit, endorse the renewal on the permit.
- (4) A permit that is not renewed by the Director lapses on its date of expiry.
9. A holder of a permit may, where a permit is lost, damaged or defaced, apply to the Director for a duplicate permit in Form V set out in the Schedule.
10. (1) The Director may suspend or cancel a permit if the holder—
- (a) obtained the permit by fraud or deliberate or negligent submission of false information or statements; or
  - (b) contravenes any terms and conditions of the permit or the Act.
- (2) The Director shall, before suspending or cancelling a permit, notify the holder in writing of the intention to suspend or cancel the permit specifying the reasons for the intended suspension or cancellation of the permit and require the holder to show cause, within a period of thirty days, why the permit should not be suspended or cancelled.

Rejection of application for permit

Issuance of permit

Application for renewal of permit

Application for duplicate permit

Suspension or cancellation of permit