

THE FOREST ACT
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SCHEDULE

THE FOREST ACT

Act
17 of 1996.

[15th October, 1996.]

PART I. *Preliminary*

1. This Act may be cited as the Forest Act. Short title.
2. In this Act, unless the context otherwise requires— Interpreta-
tion.
- “allowable annual cut” means a rate of timber harvesting specified for an area of land;
- “authorized officer” means a forest officer, a member of the Jamaica Constabulary Force or any other person designated as such by the Minister;
- “cattle” includes horses, mules, asses, goats, sheep and swine;
- “Conservator” means the Conservator of Forests;
- “Crown land” includes all waste or vacant land in the Island vested in the Commissioner of Lands in trust for the Government of Jamaica, and all land leased by the Commissioner of Lands on behalf of the Government of Jamaica as forest reserves;
- “Forest Management and Conservation plan” means the national Forest Management and Conservation plan prepared under section 16;
- “forest management area” means any area of land declared under this Act to be a forest management area;
- “forest officer” means the Conservator and any other person appointed to be a forest officer;
- “forest produce” includes—

(a) trees, plants, fauna, stones, sand and soil existing in or taken from a forest reserve, Crown land or forest management area; or

(b) all parts and produce of such trees and plants;
 “forest reserve” means any area of land declared by or under this Act to be a forest reserve;

“functions” includes duties and powers;

“private land” means land that is not Crown land;

“protected area” means any area of land declared by the Minister pursuant to section 23 to be a protected area;

“timber” means—

(a) trees, whether standing, fallen, living, dead, limbed, bucked or peeled; and

(b) logs;

“tree” includes shrubs and bushes of all kinds, seedlings, saplings and reshoots of all ages, and any part of a tree.

PART II. *Forest Administration*

Establishment of Forestry Department.

3.—(1) There is hereby established a department of Government to be called the Forestry Department, hereinafter referred to as the Department.

(2) For the due administration of the Department, the Governor-General may appoint—

(a) a Conservator of Forests;

(b) such other officers and employees as may be necessary for the efficient operation of the Department.

(3) On the application of a person who is engaged in the establishment or conservation of a forest in a forest management area or on land leased from the Commissioner of Lands, the Conservator may, by instrument in writing,

designate as a special forest officer, any person whom the applicant wishes to exercise the powers of a forest officer under this Act in relation to the applicant's forest.

(4) A person who makes an application referred to in subsection (3) may make a written request to the Conservator for revocation of the designation referred to in that subsection.

(5) A special forest officer—

- (a) may exercise the powers of an authorized officer under sections 27 and 29 and any other powers conferred on special forest officers by regulations relating to forest management areas or lands leased from the Commissioner of Lands;
- (b) shall not, by reason only of his designation as a special forest officer, be subject to the control of the Conservator or be entitled to receive any remuneration from the Government;
- (c) shall cease to be a special forest officer when the Conservator withdraws the designation, whether or not upon a request made under subsection (4).

4. The functions of the Department shall include—

- (a) sustainable management of forests in Crown lands or in forest reserves and the effective conservation of those forests;
- (b) directing and controlling the exploitation, in a rational manner, of forest resources by the introduction of adequate systems for renewal of those resources;
- (c) preparing and implementing a national forest management and conservation plan;
- (d) promoting the development of forests on private lands;

Functions
of the
Department.