

FELLING OF TREES (PERMITS) (PRIVATE LAND) RULES

ARRANGEMENT OF RULES

RULE

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FIRST SCHEDULE.

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FELLING OF TREES (PERMITS) (PRIVATE LAND) RULES 309/2000.

made under section 23

1. These Rules may be cited as the Felling of Trees (Permits) (Private Land) Rules. Citation.

2. “Clearfell” means to fell all trees over ten centimetres (4 inches) in diameter at a height of 1.3 metres (4 feet three inches) above the ground on a given parcel of land. Interpretation.

3. A permit to fell any tree on Private Land shall be in the Form as set out in Part B of the First Schedule to these Rules. Felling Permit.

4. A permit to clearfell trees on any area of Private Land shall be in the form as set out in the Second Schedule to these Rules. Bulk Felling Permit, Second Schedule.

5. Every permit issued under these rules shall be issued by officers authorised by the Director of Forestry. Issuing of Permit.

6. An application for a permit under rule 3 shall be in the Form as set out in Part A of the First Schedule and accompanied by— Requirements for Felling Permit, First Schedule.

- (a) specific information of the land on which the tree is standing stating clearly the number of trees to be felled, the species of tree, and the girth of the tree at a height of 1.3 metres (four feet three inches) above the ground;
- (b) proof of ownership of the land and consent of the owner for the felling of the trees;
- (c) a sketch map of the land showing which trees are to be felled; and

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- (d) a Forest Management Plan approved by the Director of Forestry where the applicant is conducting commercial forest production on slopes of over thirty degrees.

Refusal to grant
Felling Permit.

7. An authorised officer may refuse to issue a permit under rule 2 until he has been satisfied that—

- (a) in the act of felling the tree no adjoining property, road, reserve line, waterway, transmission line, drain or public infrastructure is likely to be adversely affected;
- (b) upon removal of the trees large gaps will not be created so as to allow or induce soil erosion, landslides, rapid water run-off or removal of valuable top soil; and
- (c) the tree is not of historical, cultural or environmental significance.

Requirements
for Bulk
Felling Permit.

8. An authorised officer may refuse to issue a permit under rule 3 until the applicant for such permit has submitted to him—

- (a) application from the owner or occupier of the land on which the trees are standing stating clearly the number of trees to be felled and the species; and
- (b) proof of ownership of the land and consent of the owner for the felling of the trees.

Refusal to
grant Bulk
Felling Permit.

9. Any authorised officer may refuse to issue a permit under rule 3 until he has been satisfied that—

- (a) in the act of felling the tree no adjoining property, road, reserve line, waterway,

transmission line, drain or public infrastructure is likely to be adversely affected; and

(b) the tree is not of historical, cultural or environmental significance.

10. Where a permit is granted for the felling of trees on slopes of thirty degrees or more, the permit holder shall be required to replant on the said slope, one tree for each tree felled within eight months of such felling. Replanting trees.

11. Notwithstanding rule 9, where there is already a replacement tree within ten metres of a tree felled on a slope of thirty degrees or more, the permit holder shall be exempt from the requirement of replanting such tree. Exception.

12. The onus of proving that a tree has been replanted in accordance with rule 9 shall rest on the permit holder. Onus of Proof.

13. Breach of the conditions stated on a permit issued under these Rules may result in the refusal to grant any further permit. Breach.

FIRST SCHEDULE

PART A

APPLICATION FOR FELLING PERMIT

To: The Forest Officer, Range
I, Mr./Mrs./Ms. of
hereby apply for a permit to fell tree(s) listed hereunder, from private lands located at

I further declare that the said tree(s) are situated on bona fide private property belonging to
and is being felled with the consent of the owner.

Date: Signature Applicant

Date: Signature Owner

Table with 4 columns: No., Species, Diameter, For official use only. The 'For official use only' column contains fields for Date of application, Date of inspection, Land Assessment No., Name of Land Owner, Boundaries (North, South, East, West), and General Remarks and Recommendations.

Officer's Signature:

See Guidelines on next page

APPLICATION FOR FELLING PERMIT

GUIDELINES

1. An application must state clearly the number of trees to be felled, the size of the trees (girth at breast height (4'3" or 1.3 m above the ground) and the species.
2. The application must be submitted with a sketch map of the relevant area and proof of ownership of the land. This should include a Deed for unregistered land and a Certificate of Title for registered land. Where applicable, a letter of consent from the owner shall also be required.
3. An authorised Forest Officer from the Range must make an inspection of the property and tree(s) before a permit is granted.
4. The officer is expected to issue the Felling Permit immediately after the inspection is done, unless there are grounds for refusal. An authorised officer may request any other information as he thinks appropriate to enable him to make a decision on the matter.
5. The Director of Forestry or his agent may suspend or refuse to grant a Felling Permit if in the act of felling the trees, adjoining property, roads, reserve lines, waterways, transmission lines, drains or public infrastructure is likely to be adversely affected.
6. In the removal of trees, large gaps must not be created so as to allow the adverse effects of soil erosion, landslides or rapid water run-off to escalate. The Director of Forestry may refuse to grant a permit if the felling of a tree(s) may induce site degradation, e.g., soil erosion, landslides, rapid water run-off or removal of valuable topsoil, or if a tree is of historical, cultural or environmental significance.
7. Under private plantations where trees are to be removed, there must be adequate tree cover and undergrowth remaining so as to prevent any adverse effect mentioned in (6) above. Clearfelling of plantations will be allowed only if there are no adverse effects to site conditions.
8. Persons desirous of practising commercial forest production on slopes of over (30) thirty degrees are required to submit a Forest Management Plan to the Forestry Division for approval prior to such action.
9. This application may be refused on the grounds that the applicant has breached any of the Conditions of a previously issued Felling Permit.
10. Where land is to be converted to another use the applicant must show evidence of obtaining all relevant approval(s) from the respective institutions and government agencies.

PART B

(Rule 2).

FELLING PERMIT

Permit No.

Range

Permission is hereby granted to Mr./Mrs./Ms.

of to fell the

Trees listed hereunder on private lands belonging to

and located at These lands are shaded

..... on the attached sketch map:

DETAILS OF TREES TO BE FELLED

No.	Species	Girth at Breast Height (4' 3")

Date of Issue.....

Date of Expiry

.....
Signature of Authorised Officer

See Conditions on next page

FELLING PERMIT

CONDITIONS

1. The felling permit will be valid for a period of thirty (30) days.
2. Save where the applicant has received permission to change the use of the land, persons felling trees on slopes (30°) thirty degrees or more are required to replant a tree for each tree felled, within twelve months of felling, except where an exemption is granted by the Director of Forestry. The onus of proving that such trees were replanted shall be on the applicant. If a replacement tree is within 10 m from the tree felled, on a slope of (30°) thirty degrees or more, there shall be no need to replant a tree.
3. Breach of any of the conditions set out above will result in the refusal of any further application for a felling permit by the applicant.

(Rule 3).

SECOND SCHEDULE

BULK FELLING PERMIT

Permit No.

Range

Permission is hereby granted to Mr./Mrs./Ms.

of to fell the

trees listed hereunder on private lands belonging to

and located at These lands are shaded

..... on the attached sketch map:

DETAILS OF TREES TO BE FELLED

Species	Number of Trees
	Total:

Date of Issue

Date of Expiry

.....
Signature of Authorised Officer