

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 47 OF 2006

The Forest Act
(Laws, Volume 12, Cap. 199)

**The Local Forests (Control and management) Regulations,
2006**

IN EXERCISE of the powers contained in sections *twenty-two* and *sixty-eight* of the Forest Act, the following Regulations are hereby made:

1. These Regulations may be cited as the Local Forests (Control and management) Regulations, 2006.

Title

2. In these Regulations, unless the context otherwise requires—
“area” means an area declared a Joint Forest Management Area under these Regulations;

Interpreta-
tion

“Department” means the Forestry Department;

“Forest Committee” means the Forest Management Committee established under these Regulations;

“Joint Forest Management Area” means an area declared as such under regulation 3;

“Local community” means residents within or adjacent to a declared Joint Forest Management Area, who by virtue of their rights over land, invest in and derived benefits from sustainable management and utilisation of forest resources in their area;

“user group” means individuals or groups involved in one common activity in an area and bound by a common agreement or constitution; and

“Village committee” means a Village Resource Management Committee established under these Regulations.

3. The forest area listed in the Schedule to these Regulations are hereby declared Joint Forest Management Areas for the purpose of their control and management.

Declaration
of Joint
Forest
Management
Area

Forest
Management
Committee

4. (1) There shall be a Forest Management Committee for each area which shall comprise of the following members:
- (a) one representative of each chief in the area appointed by the Chief;
 - (b) one representative of the Forest Department at district level;
 - (c) one representative of each Village Committee in the area elected by the respective Village Committee; and
 - (d) one representative of the District Council.
- (2) The members of the Forest Committee, shall elect from amongst themselves, a Chairperson, a Secretary and a Treasurer.
- (3) The Forest Committee shall regulate its own procedure.
- (4) A member of the Forest Committee shall hold office for such term as shall be stipulated by the constitution of the area.

Functions of
Forest
committees

5. The Forest Committee shall—
- (a) develop and manage the area;
 - (b) implement the Joint Forest Management Plan for the Joint Forest Management Area;
 - (c) appoint forestry reserve guards and issue identity cards to such forestry reserve guards;
 - (d) share benefits derived from within their area in accordance with the Joint Forest management Plan; and
 - (e) advise the Chief Conservator of Forests concerning prices at which firewood, poles, minor forest products and other forest produce may be sold.

Village
Resource
Management
Committee

6. (1) There shall be constituted in each area such number of village resource management committees as may be determined by the Department in consultation with village headmen in the area.
- (2) A village Committee shall comprise of the following:
- (a) a forestry officer;
 - (b) the village headmen of villages in the Area;
 - (c) one representative of the honorary forest officers from the area; and
 - (d) one representative from each user group in the area.
- (3) A village Committee shall—
- (a) advise the forestry officer concerning the issue of licences in respect of forestry produce in their area;
 - (b) elect members of the Forest Management Committee;
 - (c) nominate persons for appointment as honorary forest officers;
 - (d) prepare and submit work plans to the Forest Committee; and

(e) prepare and submit progress reports to the Forest Committee.

(4) The Forest Department shall facilitate the constitution of a Village Committee.

(5) The members of the Village Committee shall elect the Chairperson, Secretary and Treasurer from amongst themselves.

(6) The Village Committee shall regulate its own procedure.

(7) A member of a Village Committee shall hold office for such term as shall be stipulated by the constitution of the area.

(8) The Village Committee may invite any other person to take part in a meeting but such person shall not vote.

(9) A member of a Village Committee shall be removed in accordance with the provisions of the constitution for the area.

7. A local community shall, where a Forest Committee and Village Committees have been formed for the area, register the group as a Forest Trust for the area with the Registrar of Societies under the Societies Act.

Registration
of Forest
Trust for
Area
Cap. 119

8. (1) A forest Committee shall prepare a management plan for the area according to the guidelines stipulated by the Department.

Joint Forest
Management
Plan

(2) The Department shall cause a notice of the completion of a management plan to be published in a newspaper of general circulation in Zambia.

(3) A notice published under subregulation (2) shall State the time and place at which the management plan may be inspected by members of the public, and shall request for objections in writing to be lodged with the Department within thirty days from the date of publication of the notice.

(4) A management plan shall, where no objections have been lodged with the Department be legally binding after thirty days from the date of notice.

(5) The Department shall hear and determine any objection lodged and shall cause the decision to be published in a newspaper of general circulation in the Republic of Zambia.

9. (1) A forestry officer may reject an application if—

Application
and approval
of licences

(a) it is not in the interest of the local community to issue a licence;

(b) the issue of the licence does not comply with the Joint Forest Management Plan;

(c) the applicant has failed to provide all the information required, on the application form;

(d) the applicant does not produce upon request by an authorised person, a national registration card, passport or any other form of recognised identity; or

(e) payment is not made in full.

Appeals

10. (1) A person aggrieved by a decision of the Village Committee taken under paragraph (b) or (c) of subregulation (3) of regulation 6 may appeal to the Forest Committee.

(2) Where a person appeals to the Forest Committee but is not satisfied with its decision that person may appeal to the Provincial Forestry Office.

Restriction
on the
removal of
forest
products

11. A person shall not harvest or remove any forest produce from an area without a licence issued by a forest officer under these Regulations.

Revocation
of SI No. 52
of 1999

12. The Forests (Control and management) Regulations, 1999 are hereby revoked.

SCHEDULE
(Regulations 3)

1. Protected Forest Area No. 149: Lukangaba
2. Forest reserve No. 22: Dambwa
3. Protected Forest Area No. 181: Ndoni
4. Protected Forest Area No. 174: Mwewa
5. Protected Forest Area No. 34: Kataino

LUSAKA

20th April, 2006

[MTENR.101/12/12]

K. PANDE,

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and Natural Resources*