

GUYANA

No. 7 of 1974.

**REGULATIONS**

**Made Under**

THE TIMBER MARKETING ACT 1973

(No. 30 of 1973)

**UNDER SECTION 29 OF THE TIMBER MARKETING ACT 1973 THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE MINISTER:—**

Citation  
and com-  
mencement.

1. These Regulations may be cited as the Timber Marketing Regulations 1974 and shall come into force on such date as the Minister may appoint by notice published in the Gazette.

**GRADING**

Application  
to be author-  
ised timber  
grader.

2. (1) Application for a licence to be an authorised timber grader shall be made in writing to the Conservator and shall contain such information and particulars as the Conservator may require.

(2) The application shall be accompanied by the precribed fee.

(3) The licence may be issued by the Conservator if he is satisfied by means of examinations and any other procedures which he may institute that the applicant is competent to grade timber.

Conditions  
attached to  
authorisation  
of timber  
grader.

3. (1) Every licence issued to an authorised timber grader shall be personal to the holder thereof and shall expire on the 31st December of the year in which it is issued or at such earlier time as may be provided for under these Regulations.

(2) A licence issued to an authorised timber grader may be subject to such conditions as the Conservator may think fit to impose.

Refusal of  
application  
to be timber  
grader.

4. (1) The Conservator may, in his discretion, refuse to issue a licence to a person to grade timber or, where he has previously issued such a licence, the Conservator may revoke or suspend the licence in any case where he is satisfied that timber has not been graded in accordance with approved grading rules by the authorised timber grader or where in the opinion of the Conservator the authorised timber grader has performed his duties negligently.

(2) In the event of the revocation or suspension of a licence by the Conservator the person to whom the licence was issued shall not use the registered brand and shall forthwith return to the Conservator the licence and the branding hammer issued to him by the Conservator.

5. The Conservator shall keep a register of all authorised timber graders in such form as he may determine.

Register of authorised timber graders to be kept.

6. Every authorised timber grader shall apply in writing to the Conservator for a branding hammer and a registered brand and shall pay the prescribed fee for the use of such hammer and shall deposit with the Conservator the prescribed fee for the issue of the branding hammer; the sum of money deposited for the issue of a branding hammer shall be refunded to the applicant when he ceases to perform the function of an authorised timber grader and returns the branding hammer issued to him by the Conservator.

Application for branding hammer.

7. (1) All branding hammers used for grading timber shall be the property of the State and shall be issued by the Conservator,

Ownership of branding hammer.

(2) A branding hammer shall be returned to the Conservator on demand being made therefor by him from the person to whom it was issued.

(3) Where a branding hammer has been lost the authorised timber grader shall make a report immediately in writing to the Conservator setting out the circumstance under which the loss occurred and where the Conservator is of the opinion that due care was not taken to safeguard such hammer he may revoke the licence issued to the authorised timber grader and the sum of money deposited for the issue of the branding hammer shall be forfeited if the Conservator is satisfied that the hammer is lost.

8. (1) The Conservator shall keep a record in such form as he may determine of all registered brands and branding hammer.

Record of registered brands.

(2) The record shall show the date of registration of the brand, the name of the authorised timber grader to whom it is issued, and an imprint of the brand.

9. (1) The record of registered brands and the imprints of the registered brands may be inspected by any person upon payment of the prescribed fee.

Inspection of record of registered brands and imprints.

(2) Each authorised timber grader, if so requested by a forest officer or a timber marketing inspector, shall provide an imprint of his brand on a piece of timber applied to the timber in the manner that such timber is normally branded by him.

Timber to be graded according to grading rules and marked and branded

10. An authorised timber grader shall grade timber in accordance with approved grading rules and shall mark such timber indelibly with the identifying number of the grading rule under which the timber is being graded and the classification which he assigns to such timber under such grading rule and shall then brand such timber with his registered brand.

Examination of grading rules.

11. The Conservator shall keep a record of approved grading rules which may be examined upon application in writing to the Conservator and upon payment of the prescribed fee.

Application of brand and marks to graded timber.

12. An authorised timber grader shall apply his brand to the end grain of timber which he has graded and shall apply the other marks required under regulation 10 either to the end grain or side grain of the timber so that the shortest distance measured along the surface of the timber from the centre of his brand to the furthest point of such markings shall not exceed nine inches.

Offence of branding timber before grading.

13. An authorised timber grader shall not brand such timber with his registered brand before he has applied the grade marks to such timber.

Unauthorised use of hammer or brand.

14. No person shall permit the use by any other person of any hammer or brand issued to him.

Timber incorrectly graded.

15. Where a timber marketing inspector or a senior officer is of the opinion that the grade marks are incorrectly applied to any timber he may cancel such grade marks in a manner approved by the Conservator and such timber shall no longer be deemed to be graded timber.

Application for grading or inspection of timber.

16. Any person who wishes timber to be graded by an authorised timber grader of the Forest Department or to be inspected by a timber marketing inspector shall apply in writing to the Conservator and shall pay the prescribed fee.

Dispute of timber grade.

17. (1) Where any dispute arises concerning the correctness of the grade assigned to any timber, the aggrieved person may appeal in writing to the Conservator whose decision shall be final.

(2) The aggrieved person shall at the time of making his appeal deposit the prescribed fee for investigating his complaint and the deposit shall be refunded if the Conservator allows the appeal.

### SEASONING

18. The owner of any timber offered for sale or intended for the manufacture of an article for sale as 'air dried' or 'dry' timber or which has been stacked for air drying shall keep records which shall show the number of the stack, the date stacking was completed and the number of tiers or layers in the stack; in addition, on each stack there shall be written the date tacking was completed and the number of the stack.

Record of timber stacked for air seasoning to be kept.

19. The moisture content of any timber or article shall be determined by the standard oven drying method carried out as follows —

Determination of moisture content of timber or article.

- (a) selection of test pieces for oven drying where laboratory facilities are available at the location of the timber or article to be tested —
  - (i) in the case of sawn or planed lumber, a test piece shall be cut 1 inch long along the grain and full cross section, not less than 18 inches from an end or from the centre of the piece of lumber to be tested;
  - (ii) in the case of articles, a test piece of suitable size shall be cut from any portion of the article;
- (b) selection of test piece for oven drying where laboratory facilities are not available at the location of the timber or article to be tested and where it is not convenient to transport the entire amount of timber or the article to the laboratory —
  - (i) in the case of sawn or planed lumber, a sample measuring at least 12 inches long along the grain and the full cross section shall be cut at least 18 inches from an end or from the centre of the piece;
  - (ii) in the case of an article, a sample measuring at least 12 inches long along the grain shall be cut from any selected point;
  - (iii) each sample selected as in subparagraphs (i) and (ii) of this paragraph shall, immediately after cutting, be placed in a separate sealed dry moisture proof container and transported to the laboratory for testing; on arrival at the laboratory a test piece as described in paragraph (a) shall be cut from the sample;
- (c) the standard oven drying method for the determination of moisture content of any timber or article shall be carried out as follows —

Immediately after cutting, the test piece shall be weighed to an accuracy of 1 in 500, placed in an oven maintained at 100 — 105° C and dried for at least twenty-four hours until its weight is constant to 1 part in 500 over any further two hours oven drying period. The percent moisture content shall be calculated by the following formula —

$$MC\% = \frac{W_g - W_o}{W_o} \times 100$$

Where MC% percent moisture content

W<sub>g</sub> Weight of test piece before drying  
g

W<sub>o</sub> Weight of test piece after drying  
o

### PRESERVATION

Application for approval of a preservative treatment.

20. (1) Application for approval of a preservative treatment for timber shall be made in writing to the Conservator and shall contain the following information —

- (a) the name and address of the person applying for approval of the preservative treatment;
- (b) the purpose for which the preservative treatment is required;
- (c) the ingredients of the preservative to be used;
- (d) the species, nature and dimensions of the timber to be treated;
- (e) the method by which the preservative is to be applied;
- (f) the methods of determining the concentration of preservative in treating solution or medium;
- (g) a certified report or statement providing evidence of the efficacy of the preservative treatment for which the approval is sought;
- (h) any other information which the Conservator may require.

(2) Every such application shall be accompanied by the prescribed fee.

21. In respect of any approval of a preservative treatment, the Conservator may specify in writing all or any of the following conditions which shall be observed in respect of the application of the preservative treatment to timber —

Conditions regarding approval of a preservative treatment.

- (a) the preservative to be used;
- (b) the method of application of the preservative;
- (c) the minimum concentration of preservative to be placed in the timber to be treated, and the distribution of the preservative in such timber;
- (d) the method of determining the concentration of preservative in the timber treated or proposed to be treated and in the treating solution or medium;
- (e) the precautions (if any) to be taken to maintain the protection given by the preservative treatment;
- (f) the records to be kept in relation to such preservative treatment;
- (g) the purpose for which the preservative treatment is approved;
- (h) any other conditions which the Conservator may deem necessary.

22. (1) The Conservator may, in his discretion, refuse any application for approval of a preservative treatment or where he has previously approved of a preservative treatment, the Conservator may revoke or suspend any such approval in any case where he is subsequently satisfied that such preservative treatment does not afford the protection for which it is intended or that the conditions imposed in respect of such approval are not being observed.

Refusal, suspension or revocation of approval of a preservative treatment.

(2) In the event of the revocation or suspension of any such approval the brand registered in respect of such treatment shall not be used.

23. (1) The owner or other person in control of a plant for the preservative treatment of timber shall institute and maintain, to the satisfaction of the Conservator, control of his preservative treatment by the use of such methods of treatment, processes, inspections, and tests as will ensure that every preservative treatment will comply with the relevant approved preservative treatment.

Preservative treatment to be carried out to satisfaction of Conservator.

(2) The owner or other person in control of a preservative treatment plant shall permit any forest officer or timber marketing inspector to take away samples of preservative solution or preservative treated timber for the purposes of testing or analysis.

(3) If the forest officer or timber marketing inspector is satisfied with the result of the tests or analysis, he shall except as may other-

will be agreed between him and the owner or other person in control of the preservative treatment plant, pay compensation for the volume of preservative solution or preservative treated timber taken away by him if the said preservative solution or preservative treated timber cannot be returned to the owner or other person in control of the preservative treatment without prejudice to the owner.

Condition regarding protection afforded

24. Where the Conservator is of opinion that a preservative treatment will be affected by banding, planing or sawing of the timber subsequent to the application of the preservative treatment thereto, he may impose as a condition of his approval of such preservative treatment that the seller of such timber shall supply each purchaser thereof with a written statement setting out the circumstance in which the protection afforded by the preservative treatment will be so affected and any subsequent treatment necessary to maintain that protection.

Records of approvals of preservative treatment to be kept.

25. The Conservator shall keep a record in such form as may be determined by him of all approval of preservative treatments

Application for approval and registration of a brand for preservative treatment

26. (1) Application for approval and registration of a brand to be used in connection with a plant for the preservative treatment of timber shall be made in duplicate in writing to the Conservator and shall contain the following information —

- (a) the name of the person who owns or is in control of the plant for the preservative treatment of timber;
- (b) the address of the premises;
- (c) the form, size and description of timber on which the brand is to be used;
- (d) the proposed form and design of the brand;
- (e) the details of the approved preservative treatment to be used;
- (f) the reference number of the preservative treatment approval certificate issued by the Conservator;
- (g) any other information which the Conservator may require.

(2) Every such application shall be accompanied by the prescribed fee.

Form and design of brand to be approved by Conservator.

27. A brand shall not be used until the Conservator has approved of its form and design.

28. The owner or person in control of a plant for the preservative treatment of timber shall brand or cause to be branded with the brand approved by the Conservator all preservative treated timber exposed or offered for sale.

All preservative treated timber to be branded.

29. The Conservator shall keep a record in such form as he may determine of all registered brands for preservative treated timber; the record shall show the date of the registration of the brand, the name of the owner of the brand, the design of the brand, and the approved preservative treatment with which the timber is to be treated before the brand is applied to it.

Record of registered brands for preservative treated timber to be kept

30. (1) The owner of each registered brand shall furnish the Conservator with an imprint of the approved brand.

Record of imprints of registered brands to be kept.

(2) The Conservator shall retain such imprints.

31. The record of registered brands and the imprints of the registered brands may be inspected by any person upon payment of the prescribed fee.

Inspection of record of registered brands and imprints.

32. The owner of a registered brand for preservative treated timber, if so requested by a forest officer or timber marketing inspector, shall provide an imprint of the brand on a piece of timber, applied to the timber in the manner that treated timber is normally branded by the owner of the brand or his agent.

Provision of facsimile of brand to forest officers or timber marketing inspectors.

33. In respect of any approval of a registered brand to be used in connection with preservative treated timber the Conservator may require that the branded timber be described and such description may include the following particulars —

Description of preservative treated timber.

- (a) the destructive agency for which the timber has been treated;
- (b) the efficacy of the preservative treatment;
- (c) the permanency or otherwise of such efficacy;
- (d) whether or not the protection of such timber is maintained on re-sawing;
- (e) any subsequent treatment required to ensure continued protection;
- (f) any other description which the Conservator may require.

34. The owner or person in control of a plant for the preservative treatment of timber shall on the removal from the plant of any timber branded with a registered brand cause to be forwarded therewith

Removal of preservative treated timber.



a copy of the description, if any, required by the Conservator with respect to that brand.

### MARKETING

Application for timber marketing certificate of inspection.

35. (1) Application for a timber marketing certificate shall be made in writing to the Conservator and shall contain the following information —

- (a) the name of the producer;
- (b) the address of the producer;
- (c) the location of the timber;
- (d) a complete description of the timber and the number of pieces;
- (e) a detailed specification of the timber to be inspected;
- (f) the grade description of the timber in terms of the approved grading rule;
- (g) the grade marks on the timber;
- (h) the name of the authorised timber grader;
- (i) the registered number of the grader;
- (j) the date of grading;
- (k) any other information which the Conservator may require.

(2) Every such application shall be accompanied by the prescribed fee.

Notice of inspection required.

36. Timber Marketing Inspectors shall be given at least forty-eight hours' notice of any inspection required.

Labour for inspecting to be provided by owner or consignor.

37. When application for a timber marketing certificate in respect of any timber is made such timber shall be stacked in convenient parcels to admit of inspection piece by piece by a timber marketing inspector at the mill of the owner or loading beach or such other convenient place as shall be agreed upon by the timber marketing inspector and the owner or consignor, and the owner or consignor shall provide all necessary labour for handling and shall bear the cost thereof.

of timber inspection

38. (1) Timber presented for inspection shall be displayed and shown in such manner as may be required by the timber marketing inspector for the purpose of facilitating its inspection by him. In any case

where sufficient labour is not provided for the satisfactory handling of timber at any inspection, the timber marketing inspector may decline to inspect the timber.

(2) A timber marketing inspector shall have power to direct the manner and places for storing and tacking timber which is subject to inspection and to define the spaces which shall be maintained for means of access, to direct the removal of rejected or condemned timber from the parcel of timber submitted for inspection, to decline inspection of any timber which, in his opinion, does not conform with the information furnished in the application, and to defer inspection of any timber which, in his opinion, is likely to develop defects on being exposed to weather.

(3) A senior officer may at any time inspect any timber which has been inspected or is capable of being inspected by a timber marketing inspector and may call for and shall be shown any documents containing the order, contract or specification for such timber.

39. Nothing in these Regulations shall impose any obligation to inspect timber or to grant a timber marketing certificate provided that in any case in which payment for inspection has been accepted the amount paid shall be refunded if the inspection is not made. No obligation to inspect timber.

40. When a timber marketing inspector examines any timber for the purpose of issuing a timber marketing certificate he shall be entitled to call for and shall be shown by the owner or consignor all documents relating to that timber which gives any information regarding the specification, quality, species and measurements required and he shall, before issuing a timber marketing certificate, check that each piece of timber has been graded by an authorised timber grader and satisfy himself that the timber he inspects and brands conforms with the requirements as to specification and quality shown on the application for a timber marketing certificate. Power of timber marketing inspector to call for documents.

41. Every timber marketing certificate shall expire on the sixtieth day after the date of inspection or at such earlier time as the Conservator may determine. Expiry of timber marketing certificate.

42. Application for an export certificate shall be made in writing by the exporter of the timber to the Conservator and shall contain the following information — Application for Export Certificate.

- (a) the number of the timber marketing certificate;
- (b) the name of the timber marketing inspector;
- (c) the date of inspection;
- (d) the result of the inspection;

- (e) the name of the vessel;
- (f) the port of final destination;
- (g) the consignee;
- (h) the owner or consignor of the timber;
- (i) the marks and brands on the timber;
- (j) description of the timber;
- (k) the name of the authorised timber grader
- (l) any other information which the Conservator may require.

Issue of  
export  
certificate.

43. An export certificate shall be issued unless the timber marketing certificate in respect of that timber certifies that the timber inspected complies with the grade description and specification shown on the application for a timber marketing certificate.

Expiry of  
export  
certificate.

44. (1) Every export certificate shall expire on the same date of expiry as the timber marketing certificate for such timber and the export certificate upon expiry shall not be valid for use in the export of timber.

(2) The Conservator may cancel an export certificate if, subsequent to the issue thereof, the timber in his opinion has suffered any deterioration in regard to specification or quality and such export certificate shall not be valid for use in the export of timber.

Records to  
be kept of  
forest  
produce.

45. Any person who sells, offers or exposes for sale, or exports, any forest produce shall keep and submit records in such form and give such particulars as the Conservator may direct and shall produce such records for inspection on the demand of any forest officer or timber marketing inspector.

Bill of  
lading or  
invoice to be  
delivered to  
Conservator.

46. The exporter of timber shall within twenty-four hours of the departure of the vessel by which the timber was exported deliver to the Conservator a certified copy of the bill of lading and the invoice of sale in respect of the timber exported.

Export of  
timber

47. No timber shall be exported, or prepared for export, or entered or offered for export unless it has been marked and branded by an authorised timber grader, inspected by a timber marketing inspector, and in respect of which a timber marketing certificate and an export certificate have been issued and all royalties and fees owing to the State have been paid.

Authorisation  
of timber  
marketing  
inspector.

48. Where any person has been authorised by the Conservator to perform the functions of a timber marketing inspector the authorisation may be of a general nature, or may be restricted to the inspection of certain kinds or qualities of timber, or to the inspection of timber for export to specified ports or countries.

49. The Conservator may refuse to issue or renew any authorisation or may suspend or revoke any such authorisation on the grounds that he is not satisfied with the qualification or experience of the holder or applicant or with the manner in which the holder has performed his functions.

Refusal or suspension of authorisation of timber marketing inspector.

50. The mark and brand used by the officers of the Forest Department or by timber marketing inspectors shall be in such form as shall be approved by the Conservator.

Form of marks and brands to be approved by the Conservator.

51. When the owner of a piece of marked timber desires to resaw it or otherwise alter its condition he shall before doing so effectively obliterate the mark so that it cannot be mistaken for an authorised mark.

Obligation to obliterate mark from resawn timber.

52. The fees to be prescribed for the several matters as mentioned in the Regulation shall be as set out in the schedule.

Fees.

53. Any person who contravenes, or fails to comply with, regulation 4 (2), 7 (2), 9 (2), 10, 12, 13, 14, 18, 19, 22 (2), 23 (1), 23 (2), 24, 27, 28, 30 (1), 32, 34, 38, 40, 43, 45, 46, 47, or 51, or any requirement made thereunder, shall be guilty of an offence.

Penalty for breach of regulations.

## SCHEDULE

### REGULATION 52

### TABLE OF FEES

1. For licence to be an authorised timber grader	\$ 5.00
2. For use of a branding hammer	40.00
3. Deposit for issue of branding hammer	100.00
4. For inspection of record of registered brands and imprints	2.00
5. For examining record of approved rules	2.00
6. For grading timber by an authorised timber grader of the Forest Department:	
(i) poles, piles, round logs	.50c per piece
(ii) fashioned timber the cross section of which is 64 sq. ins. and above	1.00 " "
(iii) fashioned timber the cross section of which is between 24.1 sq. ins. and 63.9 sq. ins.	.70 " "
(iv) fashioned timber the cross section of which is 24 sq. ins. and below	.02 " "
(v) slippers of approved species	.50 " "

7. Fee for inspection of timber by a timber marketing inspector:		
(i) poles, piles, round logs	.30 per piece	
(ii) fashioned timber the cross section of which is 64 sq. ins. and above	.60 " "	
(iii) fashioned timber the cross section of which is between 24.1 sq. ins. and 63.9 sq. ins.	.40 " "	
(iv) fashioned timber the cross section of which is 24 sq. inches and below	.01 " "	
(v) sleepers of approved species	.30 " "	
Minimum charge for inspection		3.00
8. For investigating any dispute		30.00
9. For filing any application for approval of a preservative treatment		30.00
10. Application for approval and registration of a brand to be used for preservative treatment of timber		5.00
11. For filing any application for a timber marketing certificate		1.00
Made this 11th day of June, 1974.		

*H. O. Jack,*  
Minister of Energy & Natural Resources.