

*NATIONAL ASSEMBLY OF THE FIRST SESSION OF
THE NINTH PARLIAMENT OF GUYANA (2006-2009)*

*REPORT OF
THE SPECIAL SELECT COMMITTEE
OF THE NATIONAL ASSEMBLY*

*ON THE
FORESTS BILL 2007
BILL NO. 21 OF 2007*

PRESENTED TO THE NATIONAL ASSEMBLY

*BY
THE CHAIRMAN OF THE COMMITTEE*

ON

15TH JANUARY, 2009.

**REPORT OF THE SPECIAL SELECT COMMITTEE OF
THE NATIONAL ASSEMBLY ON THE
FORESTS BILL 2007 – BILL NO. 21 OF 2007**

Publication and First Reading

The Forests Bill 2007, (Bill No. 21 of 2007) which seeks to consolidate and amend the law relating to forests was published on the 24th January, 2007.

Introduction and First Reading

The Bill was introduced in the National Assembly and read for the first time on 2nd August, 2007.

It was debated and read the second time on 7th November, 2007.

Committal to Select Committee

Following its first reading the Bill was committed by the National Assembly for consideration by a Special Select Committee.

Members of the Special Select Committee

At a meeting held on the 29th November, 2007 the Committee of Selection nominated the following Members to comprise the Special Select Committee to consider the Forests Bill 2007.

Members of the People's Progressive Party/Civic (PPP/C) (6)

The Hon. Robert M. Persaud, M.P.

The Hon. Carolyn Rodrigues-Birkett, M.P.

The Hon. B. H. Robeson Benn, M.P.

Mr. Mohabir A Nandlall, M.P.

Mr. Parmanand P. Persaud, J.P., M.P.

**Members of the People's National Congress Reform – 1 Guyana
(PNC/R-IG) (3)**

Mr. E. Lance Carberry, M.P., Chief Whip

Mr. Anthony Vieira, M.P.

Mr. Aubrey C. Norton, M.P.

Member of the Alliance For Change (AFC)(1)

Mr. Khemraj Ramjattan, M.P.

First Meeting of the Committee – Election of Chairman

At its first meeting held on Tuesday, 15th January, 2008, the Committee elected the Hon. Robert M. Persaud, M.P., Minister of Agriculture as Chairman of the Special Select Committee.

Statutory Meeting

At the second meeting held on 19th February, 2008, the Committee agreed to meet on the first and third Tuesdays of every month with a minimum of three hours deliberations and should the need arise, to meet on Saturdays, once it was convenient to Members.

Other Meetings of the Committee

The Committee met on 15 other occasions .

See Appendix I

Consultation Process

At the first meeting, the Committee agreed on the methodology to be used in the consideration of the Bill. It was agreed that:-

- (i) the Bill would be read clause by clause during its consideration;
- (ii) in operating within its mandate, the Committee would establish a process whereby members of the public would be able to comment on the bill; and
- (iii) in order to obtain widest consultations on the Bill, invitations would be posted in the print media inviting members of the public to make both written or oral presentations before the Committee.

In this regard, advertisements were placed in the media on 24th and 27th February, and 2nd and 5th March, 2008, extending invitation to members of the public – individual/s and organizations – to submit written and oral presentations to the Committee not later than 7th March, 2008.

See Appendix II

The Committee scheduled Tuesday, 8th and Wednesday, 9th April, 2008, respectively for the oral presentations.

Response to Invitations

The Committee received a total of five (5) written submissions to make oral presentations from two (2) organizations, two (2) individuals and a petition from citizens.

Hearings

The oral presentations were held as follows:-

Mr. David Persaud, President, Forest Products Association of Guyana	8 th April, 2008	at 2.00 pm
Ms Vanda Radzik	8 th April, 2008	at 2.00 p.m
Mr. L. John P Willems, A.A.	9 th April, 2008	at 2.00 p.m
Dr. Patrick Dyal Guyana Consumers Association.	9 th April, 2008	at 2.00 p.m

Review of Recommendations from Consultation/Hearings

Following the consultation/hearings the Committee met to discuss the merits and practicality of the recommendations made by the stakeholders.

Consideration of Bill

The Committee considered the short title, clauses and preamble of the Bill.

The following clauses were amended:-

2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,21,22,23,27,28,30,31,35,37,40,42,45,46,47,51,
53,54,58,60,65,68,69,72,75,76,78 and 80.

The following clauses were unaltered :-

1,19,20,24,25,26,29,32,33,34,36,38,39,41,43,44,48,49,50,52,55,56,57,59,61,62,63,
66,67,70,71,73,74,77,79,81,82,,83,84,85,86,87,88,89,90 and 91.

The details of the amendments made to the Bill by the Committee are attached at Appendix III.

Report of the Special Select Committee

At its meeting held on Tuesday, 13th January, 2009, the Special Select Committee on the Forests Bill agreed that this Report on its consideration of the Bill should be presented to the National Assembly.

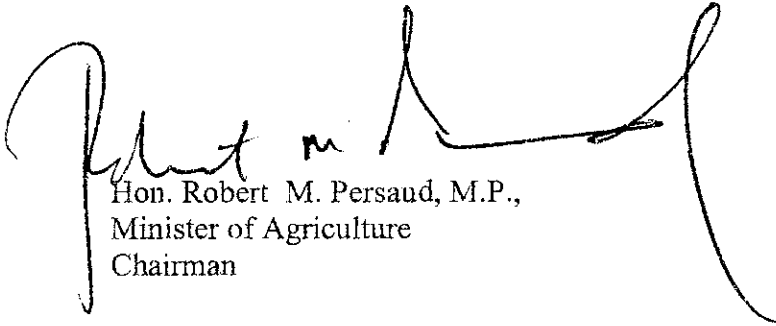
The Report is accordingly hereby submitted.

Minutes

The Minutes of Proceedings of the Committee are at Appendix IV

Verbatim Records

Verbatim Records of the proceedings of the Committee have been prepared and are available at the Parliament Office.



Hon. Robert M. Persaud, M.P.,
Minister of Agriculture
Chairman

Committees Division
Parliament Office
Public Buildings
Brickdam,
Georgetown.

13th January, 2009.

APPENDIX

I

Appendix I

Schedule of Meetings

1st Meeting held on 15th January, 2008.

2nd Meeting held on 19th February, 2008.

3rd Meeting held on 18th March, 2008.

4th Meeting held on 3rd April, 2008.

5th Meeting held on 8th April, 2008.

6th Meeting held on 9th April, 2008.

7th Meeting held on 24th April, 2008.

8th Meeting held on 13th May, 2008.

9th Meeting held on 27th May, 2008.

10th Meeting held on 10th June, 2008.

11th Meeting held on 8th July, 2008.

12th Meeting held on 15th July, 2008.

13th Meeting held on 11th November, 2008.

14th Meeting held on 2nd December, 2008.

15th Meeting held on 13th January, 2009.

APPENDIX

II

PARLIAMENT OFFICE

FORESTS BILL 2007 - BILL NO. 21 OF 2007 INVITATION TO

THE PUBLIC FOR WRITTEN SUBMISSION

The Forests Bill 2007 - Bill No. 21 of 2007 has been committed to a Special Select Committee of the National Assembly. This Bill seeks to consolidate and amend the law relating to forests.

The Committee has begun its work, but wishes to receive from members of the public, individuals as well as organizations, their views on the Forests Bill 2007.

The Committee is, therefore, extending an invitation to members of the Public to forward written submissions of their views on this matter not later than Friday 7th March. 2008.

Individuals and organizations who are willing to appear before the Committee to give oral evidence should indicate this in their submissions.

All written submissions and request to make oral evidence must be addressed to:

The Clerk of Committee
Special Select Committee of the National Assembly
(Forests Bill 2007 - Bill No. 21 of 2007)
Committees Division
Parliament Office
Public Buildings
Brickdam
Georgetown

Clerk of the National Assembly
20th February, 2008

APPENDIX

III

APPENDIX III

Clauses of Present Bill	Amendments to Clauses – New Clause
<p>CLAUSE 1</p>	<p>Unaltered</p>
<p>CLAUSE 2 “Amerindian Community”</p> <p>“Amerindian Community” has the meaning given to it by section 2 of the Amerindian Act 2006;</p> <p>“Village land” has the meaning given to it by section 2 of the Amerindian Act 2006.</p> <p>Clause 2 “compliance history”, in relation to any person –</p> <p>(b) includes –</p> <p>(i) any conviction for an offence; and</p> <p>(ii) any evidence that the person has committed an offence</p>	<p>“Amerindian Village” has the meaning given to it by section 2 of the Amerindian Act 2006;</p> <p>“Amerindian Village land” has the meaning given to it by section 2 of the Amerindian Act 2006.</p> <p><u>Thereafter, the definition was removed and placed above to reflect its alphabetical change.</u></p> <p>(b) includes –</p> <p>(i) “any conviction for, or any evidence of, a serious criminal offence; punishable by imprisonment.”</p> <p>(ii) this item was deleted.</p>

<p>Clause 2 “damage”</p> <p>“damage”, in relation to forest produce includes tap, bleed, or injure</p> <p>Clause 2 “forest produce” includes</p> <p>Paragraph (d)</p> <p>any other thing that the Commission, by public notice, declares to be forest Produce.</p> <p>Clause 2</p> <p>“Kaieteur National Park” means the Kaieteur National Park constituted by the Kaieteur National Park Act.</p> <p>Clause 2</p> <p>“manage”, in relation to any forest, includes carrying out forest operations in or in relation to the forest;</p> <p>Clause 2</p> <p>and “public notice” has a corresponding meaning;</p> <p>(b) includes a sawpit;</p>	<p>“damage”, in relation to forest produce, including taps, bleed, or any action that may have a negative impact on the forest;”</p> <p>any other thing, after public consultation, that the Commission, by public notice, declares to be forest Produce;</p> <p>“Kaieteur National Park” means the Kaieteur National Park constituted by section 2 of the Kaieteur National Park Act</p> <p>“manage”, in relation to the forest, includes carrying out forest operations, includes conservation activities;</p> <p>and “public notice” means a publication in the official gazette;</p> <p>(b) includes a saw pit;</p> <p>“sawpit” means an area or pit made to facilitate the operation of a pit-saw by manual labour.</p>
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<p>CLAUSE 3</p> <p>Subsection (1)</p> <p>The Minister may, by public notice make an order declaring any area of public land to be a State forest.</p> <p>Subsection (4)</p> <p>(a) Village lands</p>	<p>The Minister may, by public notice make an order declaring any area of public forested land to be a State forest.</p> <p>(a) Amerindian Village lands as defined by section 2 of the Amerindian Act 2006;”</p>
<p>CLAUSE 4</p> <p>Insertion of new subsection (c)</p>	<p>Insertion of a new subsection (c) to read as follows:-</p> <p>“recommendations arising from public consultation”.</p>
<p>CLAUSE 5</p> <p>Paragraph (a) “enter a State forest;”</p>	<p>“enter a State forest;” provided that a person may travel through a state forest in the course of his journey and may reasonably occupy or use the forest for the purpose of his journey;</p>

<p>Subsection(2), paragraph (e)</p> <p>“held by any Amerindian Community under custom immediately before the commencement of this Act, if the right, power, duty, or privilege (as the case may be) is exercised or performed sustainable in accordance with the spiritual relationship of the group with the land.”</p>	<p>“held by any Amerindian Village or Community under sustainable non commercial practices immediately before the commencement of this Act, if the right, power, duty, or privilege (as the case may be) is exercised or performed sustainable in accordance with the spiritual relationship of the group with the land.”</p>
<p>CLAUSE 6</p> <p>Subsection (7)</p> <p>On application made by the holder of a concession no later than 3 months before expiry of the forest concession agreement concerned, the Commission may renew that concession on any conditions it thinks fit.</p>	<p>Where the holder of a concession under a Forest Concession Agreement applies to the Commission for the renewal of the agreement three months before the expiry of the agreement; the Commission may renew the agreement, extending the duration of the concession in accordance with the regulations and on conditions the Commission thinks fit.”</p>
<p>CLAUSE 7</p> <p>Subsection (1)</p> <p>“Before granting or renewing any concession over an area of State forest 8047 hectares or smaller, the Commission shall –“</p>	<p>“Before granting or renewing any concession over an area of State forest 8097 hectares or smaller, the Commission shall – “</p> <p>The figure 8097 is to be substituted for 8047 where it may occur thereafter.</p>

<p>CLAUSE 8</p> <p>Subsection (1), paragraph (b)</p> <p>“on application by a reputable person (including any duly constituted local or international environmental non-governmental organization) for the right to carry out forest conservation operations in that area.”</p> <p>Subsection (2), paragraph (a)</p> <p>“after the Commission has approved, a forest management plan and an annual operations plan for the concession area; and”</p>	<p>“on application by a person (including any duly constituted local or international environmental non-governmental organization) who satisfies the compliance, and other requirements for the right to carry out forest conservation operations in that area.”</p> <p>“after the Commission has approved, a forest management plan of at least 5 years duration and an annual operations plan for the concession area; and”</p>
<p>CLAUSE 9</p> <p>Subsection (2), paragraph (b)</p> <p>“to cut and take specified kinds and quantities of forest produce from the exploratory area for commercial purposes to the extent necessary to recoup no more than the appointed percentage of the costs and expenses (excluding capital expenditure) incurred in the exploratory operations during the life of the permit.”</p>	<p>“to cut and take specified kinds and quantities of forest produce from the exploratory area for testing, research and limited commercial purposes to the extent necessary to recoup no more than the appointed percentage of the costs and expenses (excluding capital expenditure) incurred in the exploratory operations during the life of the permit.”</p>

Subsection (4)

“The Commission shall make available for inspection at its offices and for sale at a reasonable price copies of all documents in its possession concerning the forest produce and other features of the area that the Commission considers relevant to the preparation of application.

“The Commission shall make available for inspection at its offices and for sale **on a cost recovery basis** copies of all documents in its possession concerning the forest produce and other features of the area that the Commission considers relevant to the preparation of application.

The phrase “on a cost recovery basis” is to be substituted for the phrase “at a reasonable price” where ever it may occur thereafter.

Subsection (5)

“In determining an application for an exploratory permit, the Commission shall evaluate the technical and financial qualifications and compliance history of the applicant and every person having effective control of the applicant.”

“In determining an application for an exploratory permit, the Commission shall evaluate the technical and financial qualifications and compliance history of the applicant and **where applicable** every person having effective control of the applicant.”

Subsection (6)

“If the Commission is satisfied that an applicant qualifies under **this Act** for the grant of an exploratory permit, the Commission may invite the applicant to submit a bid specifying the premium the applicant is offering to pay for the exploratory permit.”

“If the Commission is satisfied that an applicant qualifies under **this Act** for the grant of an exploratory permit, the Commission may invite the applicant to submit a bid specifying the premium (**which must be above the minimum value specified**) by the Commission the applicant is offering to pay for the exploratory permit.”

<p>Subsection (7)</p> <p>“If more than one applicant qualifies for the exploratory permit, the Commission may choose the person to whom to grant the permit by-“</p> <p>Subsection (7), paragraph (b)</p> <p>“offering the exploratory permit to the public by competitive tender.”</p> <p>Subsection(9)</p> <p>“No exploratory permit may be renewed.”</p>	<p>“If more than one applicant qualifies for the exploratory permit, the Commission may grant the permit by-“</p> <p>“offering the exploratory permit to the public by competitive tender in accordance with the regulations.</p> <p>“An exploratory permit shall not be renewed.”</p>
<p>CLAUSE 10</p> <p>Subsection (1)</p> <p>The Commission may on application grant any person a use permit to enter, occupy, and use a specified area of State forest for one or more of the following purposes –</p> <p>Subsection (1), paragraph (c)</p> <p>recreation or eco-tourism, including hiking, camping, and hunting;</p>	<p>The Commission may, on application and after consultations with relevant stakeholders, grant any person a Use Permit to enter, occupy, and use a specified area of State forest for one or more of the following purposes –</p> <p>recreation or eco-tourism, including hiking and camping;</p>

<p>Subsection (1), paragraph (d)</p> <p>taking any photograph or making any film or video or sound recording;</p> <p>Subsection (2)</p> <p>No person shall cut or take any forest produce under a use permit except where --</p> <p>Subsection (2), paragraph (a)</p> <p>the applicant satisfies the Commission that this is necessary for or incidental to <i>bona fide</i> scientific research;</p> <p>Subsection (3)</p> <p>Unless sooner surrendered, revoked, or renewed under this Act, a use permit expires on the earlier of --</p>	<p>taking photographs or making films or videos or sound recordings;</p> <p>No person shall cut or take any forest produce under a Use Permit except where --</p> <p>the applicant satisfies the Commission that this is necessary for or incidental to <i>bona fide</i> scientific research; and</p> <p>Unless sooner surrendered, revoked, or renewed under this Act, a Use Permit expires on --</p>
<p>CLAUSE 11</p> <p>Subsection (1)</p> <p>"In this section, "community group" means:-</p>	<p>"In this section, "community group" means:- persons living within and having strong ties with the community and includes-</p> <p>Insertion of a new paragraph (d) to read as follows:-</p> <p>"and any other similar society, formed under any other law, within the community group".</p>

<p>CLAUSE 12</p> <p>The Commission may on application grant any person an afforestation agreement by entering into a legally binding agreement with the person concerned authorizing that person to -</p>	<p>The Commission after consultation with relevant stakeholders, may on application grant any person an afforestation agreement by entering into an agreement with the person concerned authorizing that person to --</p>
<p>CLAUSE 13</p> <p>Subsection (1)</p> <p>Subject to subsection (2), the Commission may require the holder of any State forest authorisation (other than a community forest management agreement), upon the grant or renewal of the authorization --</p> <p>Subsection (2)</p> <p>The bond and arrangements referred to in subsection (1) are mandatory where a concession or exploratory permit is granted or renewed, but the Commission may, in exceptional circumstances, waive this requirement by publicly notifying the waiver and the Commission's reason for it.</p> <p>Subsection (3)</p> <p>"The Commission may forfeit a bond or any part of it to secure any matter specified in subsection (1)(a)"</p>	<p>Subject to subsection (2), upon the grant or renewal of the Forest Authorization, the Commission shall require the holder of any State Forest Authorisation (other than a community forest management agreement)</p> <p>The bond and arrangements referred to in subsection (1) are mandatory where a concession or exploratory permit is granted or renewed, but the Commission may, in exceptional circumstances, waive this requirement, by publicly notifying that the waiver was granted and the Commission's reason for granting it.</p> <p>"The Commission may forfeit a bond or any part of it for failure to comply with any matter specified in subsection (1)(a)"</p>

<p>CLAUSE 14</p> <p>Subsection (1)</p> <p>“A State forest authorisation over an area -- “</p> <p>Subsection (1), paragraph (f)</p> <p>subject to subsection (2), does not preclude another State forest authorization (whether of the same or a different kind) being granted in relation to that area.</p> <p>Subsection (2)</p> <p>Where a State forest authorisation is in force in respect of forest produce in any area, no other State forest authorisation may be granted in respect of the same or a similar kind of forest produce in that area.</p>	<p>“A State Forest Authorisation over an area unless otherwise provided-”</p> <p>subject to subsection (2), does not preclude another State Forest Authorisation of a different kind being granted in relation to that area.</p> <p>Where a State Forest Authorisation is in force in respect of forest produce in any area, no other State Forest Authorisation may be granted in respect of the same or a similar kind of forest produce in that area.</p>
<p>CLAUSE 15</p> <p>Subsections (1) and (2)</p>	<p>Substitution of the words “State Forest Authorisation” for the words “State forest authorisation” in all cases where it may occur in subsections (1) and (2).</p>

<p>CLAUSE 16</p> <p>Subsections (1) and (2)</p> <p>Subsection (3)</p>	<p>Substitution of the words "State Forest Authorisation" for the words "State forest authorisation" in all cases where it may occur in subsections (1) and (2).</p> <p>Insertion of a new paragraph (c) to read as follows:-</p> <p>(c) "enter into sub-contracting and or sub-letting arrangements".</p>
<p>CLAUSE 17</p>	<p>Substitution of the words "State Forest Authorisation" for the words "State forest authorization".</p>
<p>CLAUSE 18</p> <p>Subsection (2), paragraph (a)</p> <p>"at least 2 weeks" written notice of the proposed suspension"</p> <p>Subsection (6)</p> <p>The Commission may, if it thinks fit, give the holder an opportunity to be heard before making a decision under subsection (5).</p>	<p>"at least 2 weeks written notice of the proposed suspension which period shall commence on the date of the delivery of the notice"</p> <p>The Commission shall, if it thinks fit, give the holder an opportunity to be heard before making a decision under subsection (5).</p>

<p>CLAUSE 19</p>	<p>Unaltered</p>
<p>CLAUSE 20</p>	<p>Unaltered</p>
<p>CLAUSE 21</p> <p>Subsection (2)</p> <p>“If any movable property remains on that land for more than 90 days after the expiry, surrender, or revocation of the authorization, the Commissioner may”</p>	<p>“If any movable property remains on that land for more than 90 days after the expiry, surrender, or revocation of the authorization, the Commissioner shall-”</p>
<p>CLAUSE 22</p> <p>Subsection (2)</p> <p>Nothing in this Part applies to –</p> <p>(a) Iwokrama Rainforest; or (b) Kaieteur National Park</p> <p>New Paragraph (c)</p>	<p>Nothing in this Part applies to –</p> <p>(a) Iwokrama Rainforest; (b) Kaieteur National Park; or</p> <p>Insertion of the following as the new paragraph (c):</p> <p>“any other area designated as a conservation area”.</p>

<p>CLAUSE 23</p> <p>Subsection (2), paragraph (d)</p> <p>If it determines that there is sufficient public interest, hold a public hearing to discuss the proposed order and receive oral submissions; and</p> <p>Subsection 3</p> <p>The Commission shall make available for inspection at its offices, and for sale at a reasonable price, any documents that the Commission believes would assist the public to develop a reasonable understanding of the reasons for the proposed order.</p>	<p>hold public hearings to discuss the proposed order and receive oral or written submissions; and</p> <p>The Commission shall make available for inspection at its offices, and for sale on a cost recovery basis at a reasonable price, any documents that the Commission believes would assist the public to develop a reasonable understanding of the reasons for the proposed order.</p>
<p>CLAUSE 24</p>	<p>Unaltered</p>
<p>CLAUSE 25</p>	<p>Unaltered</p>
<p>CLAUSE 26</p>	<p>Unaltered</p>
<p>CLAUSE 27</p> <p>Subsection (2)</p> <p>A person to whom this section applies shall, as soon as practicable inform or cause to be informed the nearest available forest officer or police constable of the existence and location of the fire.</p>	<p>A person to whom this applies shall, as soon as practicable inform or cause to be informed the nearest available forest officer or a member of the Guyana Police Force of the existence and location of the fire.</p>

<p>CLAUSE 28</p> <p>Subsection 1, paragraph (b)</p> <p>if it appears that with the resources at his disposal he will be unable to extinguish the fire, as soon as practicable inform or cause to be informed the nearest available forest officer or police constable of the existence and location of the fire.</p>	<p>if it appears that with the resources at his disposal he will be unable to extinguish the fire, as soon as practicable inform or cause to be informed the nearest available forest officer or a member of the Guyana Police Force of the existence and location of the fire.</p>
<p>CLAUSE 29</p>	<p>Unaltered</p>
<p>CLAUSE 30</p> <p>Subsection (5)</p> <p>Nothing in this section affects or limits any measures for the conservation of wildlife or biological diversity, or for the protection of any area, adopted under or given force by any written law.</p>	<p>Nothing in this section affects or limits any measures for the conservation of biological diversity, or for the protection of any area, adopted under or given force by the Environmental Protection Act 1996 or any written law.</p>
<p>CLAUSE 31</p> <p>Subsection (6)</p> <p>The State shall give the owner and the lawful occupier of any land declared to be a forest conversation area reasonable compensation for the disturbance of their rights, including the fair value of all forest produce to which that owner or occupier would, but for the order, be entitled to remove from the land.</p>	<p>The State shall give the owner and the lawful occupier of any land declared to be a forest conversation area adequate compensation for the disturbance of their rights, including the fair value of all forest produce to which that owner or occupier would, but for the order, be entitled to remove from the land.</p>

<p>CLAUSE 32</p>	<p>Unaltered</p>
<p>CLAUSE 33</p> <p>Subsection (1)</p> <p>“The owner of any private land may request the Commission to carry out sustainable forest management in relation to forests on that land in a manner and on terms agreed between the Commission and the owner.</p>	<p>“The owner of any private land may request the Commission to carry out sustainable forest management activities including training in relation to forest on that land in a manner and on terms agreed between the Commission and the owner.</p>
<p>CLAUSE 34</p>	<p>Unaltered</p>
<p>CLAUSE 35</p> <p>Subsection (2)</p> <p>“if the Minister considers it necessary; hold a public hearing to discuss the proposed code and receive oral submissions; and</p> <p>Subsection (3)</p> <p>The Commission shall make available for inspection at its offices and for sale at a reasonable price.</p>	<p>Clause 35</p> <p>The Minister shall hold public hearings to discuss the proposed code and received oral submissions; and</p> <p>Subsection (3)</p> <p>The Commission shall make available for inspection at its offices and for sale on a cost recovery basis-</p>
<p>CLAUSE 36</p>	<p>Unaltered</p>

<p>CLAUSE 37</p> <p>Insertion of a new Subsection (1)</p> <p>(1) No person shall import into or convey within Guyana any forest produce that has been unlawfully obtained in or unlawfully exported from any country.</p> <p>(2) In any prosecution for an offence of contravening or failing to comply with subsection (1), the defendant shall have the burden of proving that any imported forest produce has been legally obtained in and legally exported from its country of origin</p>	<p>Clause 37</p> <p>(1) The Minister may by order provide for prohibiting absolutely the importation of forest produce or any class or description of forest produce from any country, except under the authority of an import license granted by the Minister.</p> <p>Renumber as Subsection (2)</p> <p>(2) No person shall import into or convey within Guyana any forest produce that has been unlawfully obtained in or unlawfully exported from any country.</p> <p>Renumber as Subsection (3)</p> <p>(3) In any prosecution for an offence of contravening or failing to comply with subsection (1), the defendant shall have the burden of proving that any imported forest produce has been legally obtained in and legally exported from its any country of origin.</p>
<p>CLAUSE 38</p>	<p>Unaltered</p>
<p>CLAUSE 39</p>	<p>Unaltered</p>

<p>CLAUSE 40</p> <p>Subsection (1)</p> <p>“In this section and section 87, lumber yard” means any premises from which the business of selling timber is carried out.”</p>	<p>“In this section and section 87, lumber yard” means any premises from which the business of buying, storing and selling timber is carried out.”</p>
<p>CLAUSE 41</p>	<p>Unaltered</p>
<p>CLAUSE 42</p> <p>Subsection (3)</p> <p>The Commission shall make copies of any guideline made under this section available for inspection at its offices and for sale at a reasonable price.</p> <p>Subsection (4), paragraph (c)</p> <p>“may exempt any class of persons, activities, or land.”</p>	<p>The Commission shall make copies of any guideline made under this section available for inspection at its offices and for sale on a cost recovery basis.</p> <p>“may exempt any class of persons, activities, or land, in accordance with the regulations.”</p>
<p>CLAUSE 43</p>	<p>Unaltered</p>
<p>CLAUSE 44</p>	<p>Unaltered</p>

<p>CLAUSE 45</p> <p>Subsection (1)</p> <p>“In this section, “true market value” means the price published in the Gazette by a prescribed body, or if no body is prescribed, the Forest Products Marketing Council, as the market price for specified kinds, grades, and classes of forest produce exported from Guyana</p> <p>Subsection (3)</p> <p>“The prescribed body (or as the case may be, the Forest Products Marketing Council) shall consult the Commission before Gazetting any market price for the purposes of subsection (1).</p>	<p>In this section, “true market value” means the price published in the Gazette by a prescribed body, or if no body is prescribed, the Forest Products Development and Marketing Council or any successor agency , as the market price for specified kinds, grades, and classes of forest produce exported from Guyana.</p> <p>“The prescribed body (or as the case may be, the Forest Products Development and Marketing Council) or any successor agency shall consult the Commission before Gazetting any market price for the purpose of subsection (1).</p>
<p>CLAUSE 46</p> <p>Subsection (c)</p> <p>May be renewed by the Commission on any conditions it thinks fit.</p>	<p>Clause 46</p> <p>Subsection (c)</p> <p>May be renewed by the Commission in accordance with the regulations on any conditions it thinks fit.</p>

<p>CLAUSE 47</p>	<p>Insertion of a new subsection (4) to read as follows:-</p> <p>“(4) subsection (3) shall only apply where there is justification for the lapse of four months, otherwise the Commission is obliged to notify its decision to the holder at the earliest date after the date of the commencement of the suspension.”</p>
<p>CLAUSE 48</p>	<p>Unaltered</p>
<p>CLAUSE 49</p>	<p>Unaltered</p>
<p>CLAUSE 50</p>	<p>Unaltered</p>
<p>CLAUSE 51</p> <p>Subsection (3), paragraph (a), item (i)</p> <p>“any trade secrets, information obtained in commercial confidence, or other commercially sensitive information; and”</p>	<p>“any information obtained in commercial confidence, or other commercially sensitive information; and”</p>
<p>CLAUSE 52</p>	<p>Unaltered</p>
<p>CLAUSE 53</p> <p>Subsection (4)</p> <p>“A person appointed as a forest officer-”</p>	<p>“A person appointed as a forest officer who has committed an offence under this Act”-</p>

<p>Subsection (4), paragraph (a)</p> <p>“may at any time, after being afforded natural justice be removed from office at the discretion of the Commissioner”.</p> <p>Subsection (4), paragraph (b)</p> <p>“may resign office by giving written notice to the Commissioner; and</p>	<p>“may at any time, after being afforded natural justice be removed from office in accordance with Guyana Forestry Commission Human Resource Manual of Procedures 2008.”</p> <p>“may resign his office by giving written notice to the Commissioner; and</p>
<p>CLAUSE 54</p> <p>Subsection (3)</p> <p>“Any officer of the Guyana Lands and Surveys Commission when authorized by a forest officer may enter, survey, demarcate, and make a map of any area of State forest during business hours.”</p>	<p>“Any officer of the Guyana Lands and Surveys Commission duly authorized may enter, survey, demarcate, and make a map of any area of State forest during business hours.”</p>
<p>CLAUSE 55</p>	<p>Unaltered</p>
<p>CLAUSE 56</p>	<p>Unaltered.</p>
<p>CLAUSE 57</p>	<p>Unaltered</p>
<p>CLAUSE 58</p> <p>Subsection (2), paragraph (b)</p> <p>shall report the seizure to the Commissioner as soon as practicable.</p>	<p>Clause 58</p> <p>Subsection (2), paragraph (b)</p> <p>shall report the seizure to the Commissioner as soon as practicable, but not later than 72 hours;</p>

<p>Subsection (3)</p> <p>Except as provided in subsections (4) and (5), all things seized under this section shall be taken to and detained at a secure place determined by the Commissioner</p> <p>Insertion of a new Subsection (9)</p>	<p>Add subsection (2) (c)</p> <p>shall not alter or dispose of the thing unless authorised to do so by the Commissioner.</p> <p>Except as provided in subsections (4) and (5), all things seized under this section shall be inventorised and taken to and detained at a secure place determined by the Commissioner.</p> <p>(9) Any forest officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to forfeiture under this Act may be subject to disciplinary action in accordance with the Guyana Forestry Commission Human Resource Manual 2008 and or be liable on summary conviction to a fine and or imprisonment of up to 6 months.</p>
<p>CLAUSE 59</p>	<p>Unaltered</p>
<p>CLAUSE 60</p>	<p>Insertion of a new subsection (2) to read as follows:-</p> <p>“Where anything is forfeited, the Commission may retain or dispose of it in such manner as the Commission thinks fit.”</p>
<p>CLAUSE 61</p>	<p>Unaltered</p>
<p>CLAUSE 62</p>	<p>Unaltered</p>
<p>CLAUSE 63</p>	<p>Unaltered</p>
<p>CLAUSE 64</p>	<p>Unaltered</p>

<p>CLAUSE 65</p> <p>Subsection (1)</p> <p>Any person may lodge a complaint in writing with the Commissioner if the person believes that a forest officer is guilty of misconduct or neglect of duty in the exercise, or alleged exercise, of a power conferred on forest officers by this Act.</p>	<p>Clause 65</p> <p>Subsection (1)</p> <p>Any person may lodge an oral or a written complaint with the Commissioner if the person believes that a forest officer is guilty of misconduct or neglect of duty in the exercise, or alleged exercise, of a power conferred on forest officers by this Act.</p>
<p>CLAUSE 66</p>	<p>Unaltered</p>
<p>CLAUSE 67</p>	<p>Unaltered</p>
<p>CLAUSE 68</p> <p>Subsection (c) (vi)</p> <p>“section 37 (1) (imported forest produce);”</p> <p>Subsection (c)(vii)</p> <p>“section 58(5) or (7) (power to seize);”</p>	<p>“section 37 (2) (imported forest produce);”</p> <p>“section 58(5), (7) or (9) (power to seize);”</p>
<p>CLAUSE 69</p> <p>Subsection (3)</p> <p>Where proceedings are brought summarily, the complaint in respect of the offence may be laid at any time within 2 years after the time when the matter of the complaint arose.</p>	<p>Where proceedings are brought summarily, the complaint in respect of the offence may be laid at any time within 6 months after the time when the matter of the complaint arose.</p>

CLAUSE 70	Unaltered
CLAUSE 71	Unaltered
<p>CLAUSE 72</p> <p>Subsection (6)</p> <p>The Commission may renew a licence granted under this section on any conditions it thinks fit .</p>	<p>The Commission may renew a licence granted under this section on any conditions it think fit, in accordance with any regulations.</p>
CLAUSE 73	Unaltered
CLAUSE 74	Unaltered
<p>CLAUSE 75</p> <p>In no case whatsoever is the Commission obliged to grant, issue, or renew any State forest authorization or any permit, licence, or certificate under this Act.</p>	<p>Where circumstances so dictate, the Commission is not obliged to grand, issue, or renew any State forest authorization r any permit, licence, or certificate under this Act.</p>
CLAUSE 76	Unaltered
CLAUSE 77	Unaltered
<p>CLAUSE 78</p> <p>Subject to section 79, nothing in this Act affects or limits the Environmental Protection Act 1996.</p>	<p>Subject to section 79, nothing in this Act affects or limits the application of the Environmental Protection Act 1996.</p>
CLAUSE 79	Unaltered

<p>CLAUSE 80</p> <p>Subsection (2), paragraph (b)</p> <p>the manner in which the fee, charge, or levy shall be paid;</p>	<p>the manner in which the fee, charge, or levy shall be paid, including the use of inflation rates;</p>
<p>CLAUSE 81</p>	<p>Unaltered</p>
<p>CLAUSE 82</p>	<p>Unaltered</p>
<p>CLAUSE 83</p>	<p>Unaltered</p>
<p>CLAUSE 84</p>	<p>Unaltered</p>
<p>CLAUSE 85</p>	<p>Unaltered</p>
<p>CLAUSE 86</p>	<p>Unaltered</p>
<p>CLAUSE 87</p>	<p>Unaltered</p>
<p>CLAUSE 88</p>	<p>Unaltered</p>
<p>CLAUSE 89</p>	<p>Unaltered</p>
<p>CLAUSE 90</p>	<p>Unaltered</p>
<p>CLAUSE 91</p>	<p>Unaltered</p>

APPENDIX

IV

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
1ST MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.05 P.M
ON TUESDAY, 15TH JANUARY, 2008
IN THE SPEAKER'S CHAMBER, PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

ATTENDANCE

The Hon. Hari N. Ramkarran, S.C., M.P.
The Speaker of the National Assembly
(As Presiding Officer for the election of a Chairman)

Other Members

**From the People's Progressive Party/Civic (PPP/C) (6)
(Nominated by the Committee of Selection on 29th November, 2007)**

The Hon. Carolyn Rodrigues-Birkett, M.P. - (Excused)
Minister of Amerindian Affairs

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

**From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)
(Nominated by the Committee of Selection on 29th November, 2007)**

Mr. E. Lance Carberry, M. P. Chief Whip

Mr. Anthony Vieira, M. P. - (Excused)

Mr. Aubrey C. Norton, M.P. - (Excused)

**From the Alliance For Change (AFC) (1)
(Nominated by the Committee of Selection on 29th November, 2007)**

Mr. Khemraj Ramjattan, M.P

Officers

Mr. Sherlock E. Isaacs - Clerk of the National Assembly
Ms. Debra H. Cadogan - Assistant Head of Committees Division
Ms. Letta Barker - Assistant Clerk of Committee

ITEM 1: CALL TO ORDER

- 1.1 The Speaker as Presiding Officer for the election of a Chairman for the Committee called the meeting to order at 3.05 p.m.

ITEM 2: ANNOUNCEMENT

2.1 Excuses

- 2.1.1 The Chairman informed the meeting that the following persons had asked to be excused:

- (i) The Hon. Carolyn Rodrigues-Birkett, M.P.
- (ii) Mr. Anthony Vieira, M. P.
- (iii) Mr. Aubrey C. Norton, M.P.

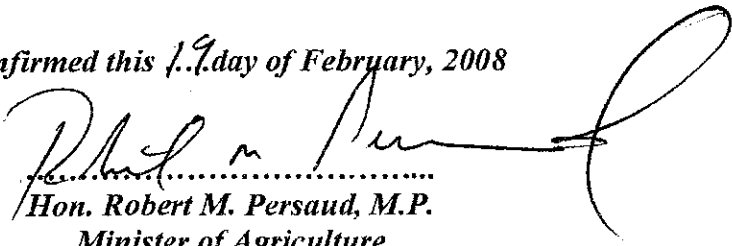
ITEM 2: ELECTION OF CHAIRMAN OF THE SPECIAL SELECT COMMITTEE ON THE FOREST BILL 2007- BILL NO. 21 OF 2007

- 2.1 The Speaker called for nomination of a Chairman of the Committee.
- 2.1.1 Mr. Mohabir A. Nandall proposed and Mr. Parmanand P. Persaud seconded the nomination of the Hon. Robert M. Persaud.
- 2.1.2 There being no other nominations, the Speaker declared the Hon. Robert M. Persaud elected as Chairman of the Committee.

Adjournment

At 3.07 p.m. the meeting was adjourned *sine die*.

Confirmed this 19 day of February, 2008


.....
/Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)

MINUTES OF THE
2ND MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.15 P.M
ON TUESDAY, 19TH FEBRUARY, 2008
IN THE COMMITTEES ROOM, PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Amerindian Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip - (Absent)

Mr. Anthony Vieira, M. P. - (Excused)

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P

- (Absent)

Officers

Ms. Sherene Warren

- Clerk of Committee (ag)

Ms. Tanzadell Bentinck

- Assistant Clerk of Committee

In Attendance

Mr. James Singh

- Commissioner of Forest (Guyana Forestry Commission)

Mr. Jacy Archibald

- Corporate Secretary (Guyana Forestry Commission)

Ms. Debra Cadogan

- Assistant Head of Committees Division

ITEM 1: CALL TO ORDER

1.1 The Meeting was called to order at 3.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Welcome

2.1.1 The Chairman extended a warm welcome to Members of the Committee, Staff and Officials from the Forestry Commission to the meeting.

2.1.2 He stated that, from time to time, Officials from the Guyana Forestry Commission would be attending meetings of the Committee.

2.2 Excuses

2.2.1 The Chairman informed the meeting that Mr. Cecil Dhurjon, C.C.H., Chief Parliamentary Counsel and Mr. Anthony Vieira, M.S., M.P., had asked to be excused from the Meeting.

2.3 Clerking of Committee

2.3.1 The Chairman informed the Committee that the Officers assigned to the Committee were Ms. Sherene Warren, Clerk of the Committee and Ms. Tanzadell Bentinck, Assistant Clerk of Committee.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the Meeting:

- (i) Notice to attend the 2nd Meeting of the Special Select Committee on The Forest Bill 2007 – Bill No. 21/2007 to be held on Tuesday, 19th February, 2008; and
- (ii) Minutes of 1st Meeting held on Tuesday, 15th January, 2008.

ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 1ST MEETING HELD ON 15TH JANUARY, 2008.

4.1 Page 1 – From the People’s Progressive Party/Civic (PPP/C)

4.1.1 Substitution of the name “Nandlall” for “Nandalall”.

4.2 Thereafter, the Minutes were confirmed, as corrected, on a motion moved and seconded by Messrs Kumar and Nandlall, respectively.

ITEM 5: CONSIDERATION OF THE METHODOLOGY, TIME AND DATE OF THE COMMITTEE’S PROCEEDINGS.

5.1 Methodology

5.1.1 It was suggested that the widest possible contributions should be sought from members of the public.

5.1.2 After discussions with regard to a suitable strategy, Members agreed to include members of the public in the process. They agreed that a notice inviting organizations/individuals to submit written and/or oral presentations to the Committee be placed in the press.

5.1.3 The Clerk of Committee was requested to prepare the notice on behalf of the Committee and have the notice published in the print media.

5.1.4 Thereafter, the Chairman encouraged Members to familiarise themselves with the contents of the Bill and if any clarification/explanation was needed, arrangements would be made to have an official from the Forestry Ministry meet with them on a one on one basis to provide the necessary clarification/explanation.

5.2 Statutory Meetings

5.2.1 The Committee agreed to meet on the first and third Tuesday of every month with a minimum of three hours deliberations and should the need arise, to meet on Saturdays, once it was convenient to Members.

5.2.2 Thereafter, the Committee agreed that it would proceed with the consideration of the Bill clause by clause, simultaneously with the submissions.

5.3 Deadline for Submissions

5.3.1 It was suggested and agreed that the deadline for the submissions would be two weeks after the date the notice would have been published in the print media.

ITEM 6: ANY OTHER BUSINESS

6.1 Purpose/Intention of the Bill

6.1.1 In response to an enquiry as to the purpose or intent of the Bill, the Chairman informed Members that the Bill would replace the Forest Act which had been in existence for 50 years and also to meet new obligations and changes brought about by global warming/climate change.

6.1.2 He further noted that the Bill reflected 10 years of consultation and that the Bill addressed some new areas, such as, consolidation, competitive bidding, multiple uses of forest areas, transfer pricing, and change of ownership among other things.

6.2 Correction to the Bill

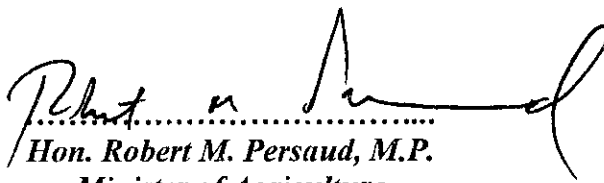
6.2.1 The Chairman informed Members that there was an error in the Bill and drew Members' attention to page 13, paragraph 7 (1) – *Grant or renewal of smaller concessions.*

6.2.2 He explained that the figure "8047" should be substituted for "8097" in that paragraph and every other paragraph in the Bill where it occurred.

Adjournment

At 3.45 p.m., the meeting was adjourned *sine die*.

Confirmed this12.....day of March, 2008


.....
Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
3RD MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.20 P.M
ON TUESDAY, 18TH MARCH, 2008
IN THE COMMITTEE ROOM NO.1 , PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Amerindian Affairs

The Hon. B. H. Robeson Benn, M.P. - (Absent)
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P. - (Absent)

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip - (Excused)

Mr. Anthony Vieira, M. P.

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P

Officers

Ms. Sonia Maxwell - Clerk of Committee (ag)
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

1.1 The Meeting was called to order at 3.20 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Welcome

2.1.1 The Chairman extended a warm welcome to Members of the Committee, Staff, and Officials from the Forestry Commission to the meeting.

2.1.2 The Chairman informed Members that Ms Sonia Maxwell was deputizing in the absence of Ms Sherene Warren, Clerk.

2.2 Excuses

2.2.1 The Chairman informed the meeting that Mr. E. Lance Carberry, M.P., had asked to be excused from the Meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the Meeting:

(i) Notice to attend the 3rd Meeting of the Special Select Committee on The Forest Bill 2007 – Bill No. 21/2007 to be held on Tuesday, 18th March, 2008;

(ii) Minutes of 2nd Meeting held on Tuesday, 19th February, 2008; and

(iii) Submissions:

- (1) Letter dated 4th March, 2008 from Forest Products Association of Guyana
- (2) Letter dated 7th March, 2008 from Mr. L. John P. Willems, A.A
- (3) Petition dated 29th February, 2008 from concerned citizens
- (4) Letter (undated) from Ms. Vanda Radzik re: Request to make an Oral Submission on the Forest Bill of 2007

3.2 The following document was circulated at the Meeting:-

- Letter dated 17th March, 2008 from Ms. Eileen Cox - Guyana Consumer Association re: Forest Bill 2007

ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 2ND MEETING HELD ON 19TH FEBRUARY, 2008.

4.1 **Corrections**

4.2 The Minutes were confirmed, without corrections, on a motion moved and seconded by Mr. Neenkumar and the Hon. Rodrigues, respectively.

ITEM 5: MATTERS ARISING

5.1 **Page 4, Paragraph 5.3.1 – Publication of Advertisement**

5.1.1 The Clerk of the Committee was requested to circulate to Members copies of the advertisement which was published in the print media inviting oral and written submissions on the Forest Bill.

5.2 **Preliminary Discussions**

5.2.1 **2004 Draft Bill**

5.2.2 A Member opined that the 2004 Draft Bill had received wide spread support and that it seemed to have had Ministerial as well as Parliamentary Oversight. He enquired whether the Committee would be examining the 2004 Draft and the 2007 Bills simultaneously with a view to ascertain what would supersede the other.

- 5.2.3 The Chairman explained that the 2007 Bill evolved from the 2004 Draft Bill. He further explained that there was a process of further consultation and modification that led to the drafting of the 2007 Bill.
- 5.2.4 The Chairman reiterated that the 2007 Forest Bill had received international support since the World Bank and the Consultants worked in collaboration with the Forestry Commission and other Stakeholders which resulted in additional recommendations.
- 5.2.5 A Member expressed the view that according to the petition submitted by a group of concerned citizens the Bill seemed to be lacking protection of the Amerindian demarcated areas.
- 5.2.6 The Chairman posited that the objective of the 2007 Forest Bill was to facilitate management and sustainability of the forest industry. He further stated that the issues raised by the petitioners were ventilated both at the legal and technical levels. Reviews were also done to ascertain the reasons for the adjustments.
- 5.2.7 Upon enquiry, the Chairman advised Members that the previously circulated 2007 Forest Bill was recalled and that it should be disregarded.
- (i) **Page 13 paragraph 7 (1)**
- Insertion of the figure “8097” for “8047” after the word “forest” and where ever it occurred in the Bill.
- (ii) **Page 14 paragraph 8(1)** of the corrected version of the Bill should be captioned – “*Grant or renewal of larger concessions*”.
- 5.2.8 The Chairman undertook to circulate to Members a copy of the Draft 2004 Forest Bill.

ITEM 6: EXAMINATION OF SUBMISSIONS RECEIVED FROM MEMBERS OF THE PUBLIC

- 6.1 The Chairperson informed Members that based on the publications in the print media the Committee received the following three submissions:
- (1) Letter dated 4th March, 2008 from Forest Products Association of Guyana;
- (2) Letter dated 7th March, 2008 from Mr. L. John P. Willems, A.A;

- (3) Petition dated 29th February, 2008 from concerned Citizens, and
- (4) Letter (undated) from Ms. Vanda Radzik re: Request to make an Oral Submission on the Forest Bill of 2007.

- 6.2 The Chairman also informed Members that the Committee had received a late submission dated 17th March, 2008 from Ms. Eileen Cox - Guyana Consumer Association and enquired from Members whether it should be accepted.
- 6.2.1 The Committee agreed to accept the submission and that it would not open the process further.
- 6.2.2 The Chairman sought the views of Members on the determination of the process to review the submissions.
- 6.2.3 The Committee, after some discussions, agreed to employ a uniformed methodology and invite the following to an interactive session with the Commissioners and drafters:
- (i) The Forest Production Association of Guyana , and
 - (ii) Ms. Vanda Radzik
 - (iii) Ms Eileen Cox - Guyana Consumer Association
 - (iv) Mr. John Willems, and
 - (v) A Representative from the Petitioners
- 6.2.4 The Committee also agreed to invite the presenters at the same time in order that they would benefit from each other discussion and presentation. This they felt would eliminate repetitive or duplication of presentations.
- 6.2.5 The Committee further agreed in principle to commence oral presentations on the 8th April, 2008 from 2.00 p.m. to 6.00 p.m. and conclude on the 9th of April, 2008 from 2.00 p.m. to 7.00 p.m., if the need arose.
- 6.2.6 The Clerk was requested to write the petitioners and the Agencies inviting them to make oral presentations.
- 6.2.7 Mr. Ramjattan was requested to inform the Petitioners on the date and time accordingly.
- 6.2.8 The Chairman undertook to email to Members a matrix outlining the submissions and the opinions of the legal and technical staff on the submissions; it would indicate their perspective and possible explanations of the Bill. This would guide the Committee in its deliberations and interaction with the presenters appearing before it.

- 6.2.9 The Committee agreed to meet with the Guyana Forestry Commission on the 3rd April, 2008 at 3.00 p.m. to review the matrix prepared on the submissions.
- 6.2.10 The Committee agreed that the Chief Parliamentary Counsel should attend the meeting.
- 6.2.11 The Chairman advised Mr. Vieira that he should inform his colleagues of the Committees' decisions.

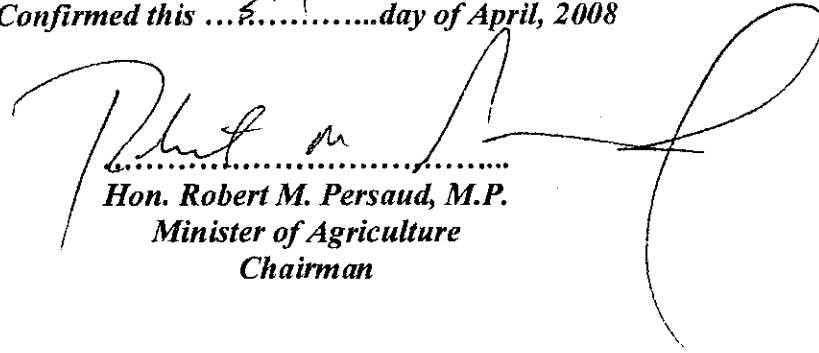
ITEM 7: COMMENCEMENT OF CONSIDERATION OF THE FOREST BILL 2007 – BILL NO. 21 OF 2007.

- 7.1 The Committee agreed to defer considerations of the Bill until the hearing of the oral presentations.

Adjournment

At 4.15 p.m., the meeting was adjourned to Thursday, 3rd April, 2008 at 3.00 p.m.

Confirmed this ...^{2nd}.....day of April, 2008


.....
Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)

MINUTES OF THE
4TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.20 P.M
ON THURSDAY, 3RD APRIL, 2008
IN THE COMMITTEE ROOM NO.1 , PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Amerindian Affairs

The Hon. B. H. Robeson Benn, M.P. - (Absent)
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip

Mr. Anthony Vieira, M. P.

Mr. Aubrey C. Norton, M.P.

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P. - (Absent)

Officers

Ms. Sonia Maxwell - Clerk of Committee (ag)
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. James Singh - Commissioner (Guyana Forestry Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

- 1.1 The Chairman called the Meeting to order at 3.20 p.m. and apologised for his late arrival which was due to some impromptu matters.

ITEM 3: CIRCULATION OF DOCUMENTS

- 3.1 The following documents were circulated prior to the Meeting:
- (i) Notice to attend the 4th Meeting of the Special Select Committee on The Forest Bill 2007 – Bill No. 21/2007 to be held on Thursday, 3rd April 2008;
 - (ii) Minutes of 3rd Meeting held on Tuesday, 18th March, 2008;
 - (iii) Review by the Guyana Forestry Commission on the comments received from the following on the Forests Bill 2007:
 - Forest Products Association of Guyana
 - Citizens Petition
 - (iv) Copies of draft Forests Bill - 2004.

ITEM 4: CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 3RD MEETING HELD ON 18TH MARCH, 2008.

Corrections

4.1 **Page 4, paragraph 5.2.5**

4.1.1 Insertion of the following as the new 5.2.6:

“The Hon. Minister Carolyn Rodrigues-Birkett, indicated that those issues were addressed in the Amerindian Act No. 6 /2006”.

4.1.2 Renumbering of paragraphs 5.2.6, 5.2.7 and 5.2.8 as 5.2.7, 5.2.8 and 5.2.9, respectively.

4.2 Thereafter the Minutes were confirmed, on a motion moved and seconded by the Hon. Rodrigues and Mr. Anthony Vieira, respectively.

ITEM 5: MATTERS ARISING

5.1 **Page 5, Paragraph 6.2.8**

5.1.1 The Chairman informed the Committee that the Guyana Forestry Commission had submitted to Members the matrices which sought to provide from a legal perspective clarifications on the submissions received from the petitioners and the Forestry Products Association (FPA).

ITEM 6: REVIEW OF THE MATRIX ON THE SUBMISSIONS PREPARED BY THE GUYANA FORESTRY COMMISSION.

6.1 The Committee commenced consideration of the matrices prepared by the Guyana Forestry Commission, page by page.

Review of Petitioners Submission

PAGE 1

6.2 **Vesting of wide discretion and monopoly power in “the Commission” Part 1.1.2, page 1)**

6.2.1 The Commissioner stated that the GFC could not act in a unilateral manner, decisions made had to be in accordance with the Guyana Forestry Commission Act of 2007.

- 6.2.3 The Forest Bill of 2007 allowed for the independence of the Commission in the execution of its mandate under the relevant policy direction of the Minister.

PAGE 2

6.3 **Part 1.1.3 – Draft Regulations**

- 6.3.1 Some Members expressed the view that it would have been useful to have available the regulations simultaneously for consideration with the draft Bill of 2007, to ensure consistency.

6.4 **Part 1.1.4 – Section 9**

- 6.4.1 The Commissioner stated that section 9 of the 2007 Forest Bill dealt extensively with the issue of the process of State Forest Exploratory Permit.

6.5 **Part 1.1.5 and 1.1.6 – Section 80**

- 6.5.1 In light of the Commissioner's explanation that section 80 of the 2007 Forest Bill dealt with the issue relating to the charge of revenue and that the regulations would address other issues, the Committee agreed to consider those issues during the consideration the Bill clause by clause.

- 6.5.2 The Committee advised the Commissioner to revise the matrices indicating the corresponding section of the 2007 forest Bill.

6.6 **Oral Presentations**

- 6.6.1 At this point, the Committee agreed to reverse its previous decision and to have all the presenters except the petitioners appear before it on the 8th April, 2008. The petitioners would appear before it on the 9th April, 2008.

- 6.6.2 Mr. Ramjattan was requested to inform the Petitioners of the new date.

PAGE 3

6.5 **Part 1.1.7 – Waiver of Security Bond**

- 6.5.1 A Member proposed that the Commissioner could consider the inclusion of criteria for the waiver of the security bond.

- 6.5.2 The Committee noted the concerns of the petitioners and agreed to consider the issue when it was considering the 2007 Forest Bill clause by clause.

PAGE 4

- 6.6 **Part 1.2 – Restriction of activities Amerindian Customary Rights in State Forest**
- 6.6.1 Members sought clarifications from the Chief Parliamentary Counsel as to what was meant by “custom”.
- 6.6.2 The Chief Parliamentary Counsel in his response informed Members that the word “custom” would have varying meanings depending on the circumstance. However within its present context it meant what existed before the passing of the Act. The Bill should seek to maintain the *status quo*.
- 6.6.3 A Member emphasized that State lands could be used for commercial purposes in a sustainable manner under the pretext of “customary rights”. Hence, consideration could also be given to amend the Amerindian Act 6/2006 to limit such “rights” for domestic purposes.
- 6.6.4 The Committee agreed to synchronize this section with the Amerindian Act No. 6/2006 limiting the operations to commercial lands.
- 6.6.5 A Member proposed that the Commissioner should examine the situation in Australia and Canada with a view to ascertain what existed as it related to traditional lands. The Commissioner should also consult with the conventional biological biodiversity on the issue of traditional land.
- 6.6.6 At this point, the Committee agreed that the Commissioner should revise the matrices. The matrices should present an argument for the perspectives of the Commissioners; citing the corresponding sections of the 2007 Forest Bill.
- 6.7 Details of the proceedings are recorded in the verbatim records of that date.

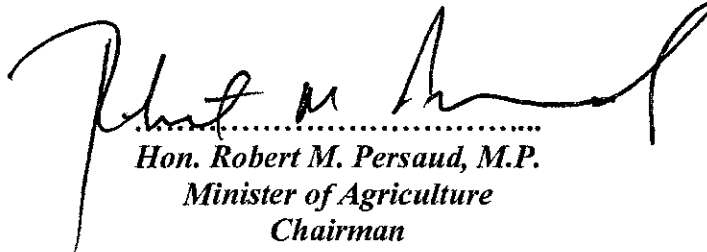
ITEM 7: COMMENCEMENT OF CONSIDERATION OF THE FOREST BILL 2007 – BILL NO. 21 OF 2007.

- 7.1 The Committee agreed to defer considerations of the Bill to a subsequent meeting.

Adjournment

At 5.05 p.m., the meeting was adjourned to Tuesday, 8th April, 2008 at 2.00 p.m.

Confirmed thisday of April, 2008


.....
Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
5TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.15 P.M
ON TUESDAY, 8TH APRIL, 2008
IN THE COMMITTEE ROOM NO.1 , PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Amerindian Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip

Mr. Anthony Vieira, M. P.

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P

Officers

Ms. Sonia Maxwell - Clerk of Committee (ag)
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. James Singh - Commissioner (Guyana Forestry Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the Meeting was called to order at 3.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Excuses**

2.1.1 The Chairman informed the meeting that the following persons had asked to be excused from the Meeting

- (i) Mr. Anil Nandlall, M.P and
- (ii) Mr. Cecil Dhurjon, C.C.H., S.C

2.2 **Attendance of Meetings by the Chief Parliamentary Counsel**

2.2.1 The Chairman expressed concerns that the Chief Parliamentary Counsel had not been attending meetings to provide legal clarifications to the Committee, where necessary.

2.2.2 The Clerk of the Committee was requested to remind the Chief Parliamentary Counsel that he was required to attend meetings of the Committee and that he should attend the meeting scheduled for 9th April, 2008.

ITEM 3:

CIRCULATION OF DOCUMENTS

3.1

The following documents were circulated prior to the Meeting:

- Notice to attend the 5th Meeting of the Special Select Committee on The Forest Bill 2007 – Bill No. 21/2007 to be held on Tuesday, 8th April 2008.
- Matrices dated April, 2008 submitted by the Minister of Agriculture on the following submissions:
 - (i) Petitioners
 - (ii) Forests Products Association of Guyana

ITEM 4:

ORAL PRESENTATION ON THE FOREST BILL 2007 – BILL NO. 21/2007

4.1

Preliminary Remarks

4.1.1

The Chairman reminded the Members that the Committee had received five submissions on the 2007 Forest Bill and that it had decided to interact with all the presenters, except the Petitioners, at the meeting.

4.2

Presentation by the Forestry Products Association

4.2.1

The Chairman welcomed the following three presenters:

- (i) Representatives from the Forest Products Association (FPA)
- (ii) Ms. Vanda Radzik
- (iii) Mr. John Willem
- (iv) Dr. Patrick Dyal

4.2.2

The Chairman drew to the attention of the Members of the FPA the matrix prepared by the Guyana Forestry Commission which sought to provide, from a legal perspective, clarifications on their submissions. Copies were circulated to the presenters.

4.2.3

On invitation by the Chairman, the President of the (FPA) introduced the following Members of his team and commenced his presentation:

- (i) Mr. David Persaud, President
- (i) Mr. Mirza Ally
- (ii) Mr. Mohindra Chand
- (iii) Mr. Khalawan
- (iv) Mr. Christopher A. Nascimento
- (v) Mr. Mona Bynoe

- (vi) A. Brian Gittens
- (viii) Mr. Irfan Ally

4.2.4 The President of the Forest Products Association highlighted numerous issues in the 2007 Forest Bill which he felt the Committee could adopt in the consideration of the 2007 Forest Bill.

4.2.5 The Committee concurred in some instances and undertook to review those issues upon examination of the 2007 Forest Bill, clause by clause.

4.2.6 At 6.25 p.m. Mr. David Persaud concluded his presentation.

4.3. **Presentation by Ms. Vanda Radzik**

4.3.1 The Chairman invited Ms. Vanda Radzik to commence her presentation. The following concerns were highlighted:

- (i) The Guyana Forestry Commission should engage stakeholders when drafting the regulations and it would have been useful to have those regulations considered simultaneously with the Bill.
- (ii) The strengthening of Savannahs.
- (iii) The inclusion of an environmental services clause.
- (iv) The Bill was not "*user friendly*" and lacked modern terminologies.

4.3.2 Discussions ensued and the Chairman informed Ms Radzik that the Committee would review her proposals upon consideration of the 2007 Forest Bill.

4.3.3 Details of the proceedings are recorded in the verbatim records of that date.

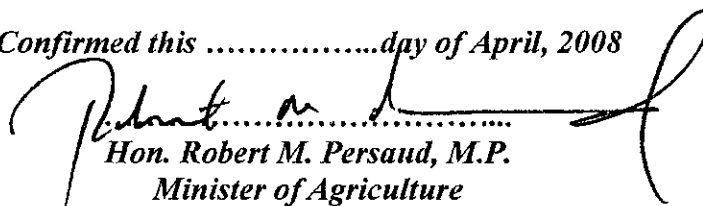
4.3.4 At this point, the Committee agreed to defer the following presentations to the next meeting schedule for the 9th April, 2008:

- (i) Mr. John Willem, and
- (iv) Dr. Patrick Dyal

Adjournment

At 7.10 p.m., the meeting was adjourned to the 9th April, 2008 at 3.00 p.m.

Confirmed thisday of April, 2008



Hon. Robert M. Persaud, M.P.

Minister of Agriculture

Chairman

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
6TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.20 P.M
ON WEDNESDAY, 9TH APRIL, 2008
IN THE COMMITTEE ROOM NO.1 , PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Amerindian Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip

Mr. Anthony Vieira, M. P.

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)
(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P

Officers

Ms. Sonia Maxwell - Clerk of Committee (ag)
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. James Singh - Commissioner (Guyana Forestry Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.10 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Welcome**

2.1.1 The Chairman extended a warm welcome to the following presenters:

- (i) Dr. Patrick Dyal, representative from the Guyana Consumers' Association
- (ii) Mr. John Willems, A.A.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following document was circulated prior to the Meeting:

- Notice to attend the 6th Meeting of the Special Select Committee on The Forest Bill 2007 – Bill No. 21/2007 to be held on Wednesday, 9th April 2008;

ITEM 4:

**ORAL PRESENTATION ON THE FOREST BILL 2007 –
BILL NO. 21/2007**

4.1 **Preliminary Statements**

4.1.1 The Chairman informed the Committee that he was informed that the Petitioners were of the view that there was no need to make an oral presentation since their concerns were exhausted in their written submission.

Presentation by Mr. John Willems

4.2 The Chairman thanked Mr. Willems for attending the meeting and invited him to commence his presentation.

4.2.1 The presentation commenced at 3.15 p.m. and the following issues were highlighted:

- (i) There were no attempts made to establish trial plantations of fast growing species or to secure grants to assist in the planting of such trees. This programme was considered to be of immense value to Guyana.
- (ii) The Guyana Forestry Commission ignored the issue that there should be no charges for the number of machines existing in a sawmill. This was considered a breach of the law.
- (iii) The law must stipulate clearly, when the log becomes the sole property of the Concessionaire.
- (iv) The Guyana Forestry Commission should strive to work in a harmonious relationship with all stakeholders.
- (v) The view was expressed that the Bill had not been ventilated properly.
- (vi) Proposed that the Guyana Forestry Commission provide a list of grades which would enable the Commissioner to determine whether the quality of wood presented by conservators met required grade.
- (vii) Detailed Inventory should be the responsibility of the Concessionaires
- (viii) Volunteered to offer guide to Officers of the Guyana Forestry Commission on the grading of wood.

- (ix) Recommended that the Forestry Industry be dealt with in a bipartisan manner, as it was a matter of the State, affecting the future of Guyana's Industry.

4.3

Reponses by the Guyana Forestry Commission

The Commissioner, Guyana Forestry Commission in his response stated the following:

- (i) The Forestry Commission had begun trial planting of fast growing species at Chicabaru in 2005.
- (ii) The Forestry Commission was advised that the felling of trees within ten meters of each other could create gaps in the canopy which could result in a change of the dynamics of the forest. This resulted in the introduction of the existing law.
- (iii) The Guyana Forestry Commission role was to ensure the resource was used efficiently and to maximize returns, not to allow for inefficiency, low recovery and wastage.
- (iv) Records have revealed that the GFC had always been engaged in a consultative process and that it had employed mechanisms to encourage constructive engagement with stakeholders.
- (vi) The guidelines developed by the GFC were intended to promote sustainable forest practice.
- (vii) The Guyana Forestry Commission had assisted the Forest Products Association in the establishment of a strategic plan in 2005. The plan was still to be implemented by the Association

4.3.1

At 4.59 Mr. Willems concluded his presentation. The Chairman thanked Mr. Willems for his presentation

4.3.2

Some Members requested the following documents from the Guyana Forestry Commission:

- (i) The Clarke Report in the regeneration of Greenheart;
- (ii) The Franshawe Bulletin No 1 – Principal Timbers;
- (iii) Thompson Report (Drafts and Final Report of a Forest Economist of GFC);
- (iv) The Tropendos Inventory of 1999 of the Bartica Triangle.

- 4.3.3 Questions were asked and clarifications sought by the Chairman, the Hon. B. H. Robeson Benn, Messrs Neendkumar, Parmanand P. Persaud, E. Lance Carberry, Anthony Vieira and Khemraj Ramjattan, respectively.
- 4.3.4 Details of the proceedings are recorded in the verbatim records of that date.
- 4.5 **Presentation by Dr. Patrick Dyal – Guyana Consumers' Association**
- 4.5.1 The Chairman thanked Dr. Dyal for attending the meeting and invited him to commence his presentation.
- 4.5.2 The presentation commenced at 5.00 p.m. and the following issues were highlighted:
- (i) Dr. Dyal intimated that the Guyana Consumers' Association had adopted the position of the petitioners. Hence he would not elaborate.
 - (ii) The need for wider consultation with the forest industry.
 - (iii) The need for ongoing training for Forest Officers.
 - (iv) Consumers were of the view that the Bill was dominated with opportunities for expatriates. The bulk of the wealth was garnered by expatriates.
 - (v) The need for the establishment of an economic intelligence unit within the Commission.
 - (vi) Greater dialogue with expatriates and enforcement of the law to ensure strict adherence.
 - (vii) Linkages between the foreign and tourist industries.
 - (viii) Guyana Forestry Commission should benefit from the expertise of locals who had migrated as much as possible.
- 4.5.3 At 5.15 p.m. Dr. Dyal concluded his presentation.
- 4.5.4 The Chairman thanked Dr. Dyal for his presentation and highlighted the following:
- (i) The Guyana Forest Commission had expended huge sums of monies on training for its staff.

- (ii) Both Foreign and Local investors were required to adhere to the law.
- (iii) Where there were reports that importers were not adhering to the laws as it related to the provision of protective gears for employees the Occupational Health & Safety Officials were alerted.
- (iv) Forest was a multipurpose industry that included such components as ecotourism.
- (iv) A National Logging Policy would be established shortly.
- (vi) The Guyana Forestry Commission had always enlisted support from Guyanese from the Diasporas. The Commission was exploring the possibility of a VSO arrangement in this regard.
- (vii) The Guyana Forestry Commission had been conducting onsite training for forestry officials.

4.5.5 Questions were asked and clarifications sought by the Chairman, Messrs Neendkumar, E. Lance Carberry and Anthony Vieira, respectively.

4.5.6 Details of the proceedings are recorded in the verbatim records of that date.

ITEM 5: ANY OTHER BUSINESS

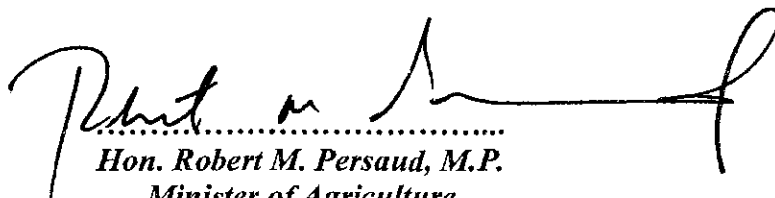
Consideration of The Forest Bill 2007

5.1.1 The Committee agreed that it would commence consideration of The Forest Bill 2007- Bill No. 21 of 2007 on the 23rd April, 2008.

Adjournment

At 5.35 p.m., the meeting was adjourned to 23rd April, 2008 at 3.00 p.m.

Confirmed thisday of April, 2008



Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
7TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.30 P.M
ON THURSDAY, 24TH APRIL, 2008
IN THE COMMITTEE ROOM NO.1 , PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Amerindian Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics - (Absent)

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip - (Excused)

Mr. Anthony Vieira, M. P. - (Excused)

Mr. Aubrey C. Norton, M.P. - (Excused)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P

Officers

Ms. Sonia Maxwell - Clerk of Committee (ag)
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. James Singh - Commissioner (Guyana Forestry Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Excuses**

2.1.1 The Chairman announced to the Committee that Members of the Opposition had requested that the Meeting be rescheduled due to other impromptu matters.

2.1.2 **Best Wishes**

2.1.3 The Chairman congratulated the Hon. Carolyn Rodrigues – Birkett, M.P., and former Minister of Amerindian Affairs on her appointment as Minister of Foreign Affairs. He informed Members that the Hon. Minister had indicated that she would continue to serve as a Member of the Committee.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the Meeting:

- (i) Notice to attend the 7th Meeting of the Special Select Committee on The Forest Bill 2007 – Bill No. 21/2007 to be held on Thursday 24th April 2008;

- (iii) Minutes of the 4th, 5th and 6th Meetings held on the 3rd, 8th and 9th of April, 2008 respectively;
- (iv) Memorandum dated April 22, 2008 from the Guyana Forestry Commission with the following attachments:
 - Long –Term Effect of Timber Harvesting in Central Guyana
 - The Regeneration of Worked –Out Greenheart Forest in British Guiana;
 - An Economic Analysis of Forest Resource Charges in Guyana.
 - Forest Products of Guyana – Principal Timbers-Forestry Bulletin No.1
 - Guyana Forestry Commission Support Project – Phase 2 dated November, 2000 and
 - Response to GFC Rebuttal of comments/suggestions on Forestry Bill 2007.

ITEM 4: CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 4TH, 5TH AND 6TH MEETINGS HELD ON 3RD, 8TH AND 9TH APRIL, 2008, RESPECTIVELY

4.1 This item was deferred to a subsequent meeting.

ITEM 5: TO COMMENCE CONSIDERATION OF THE FOREST BILL 2007 – BILL NO. 21 OF 2007.

5.1 The Committee agreed that the Chief Parliamentary Counsel and the technical personnel of the Guyana Forestry Commission should collaborate with a view to devise parliamentary language for those proposed amendments by the stakeholders it had accepted in principle.

5.1.1 The Guyana Forestry Commission was required to prepare a matrix reflecting the amendments to the 2007 Forest Bill the Committee had agreed to in principle. The Commission was also required to reflect the amendments by indicating the insertions and or deletions to the 2007 Bill for circulation to Members.

5.1.2 The Committee agreed to consider those issues it had agreed to, in principle, along with the issues highlighted during the interaction with the stakeholders.

ITEM 6: ANY OTHER BUSINESS

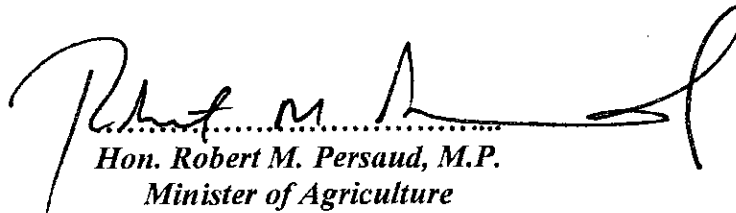
6.1 Schedule of next Meeting

6.1.1 The Committee agreed to meet on the 13th May from 3.30 p.m. to 6.00 p.m. to consider the proposals by stakeholders on the Forestry Bill.

Adjournment

At 3.50 p.m., the meeting was adjourned to Tuesday, 13th May, 2008 at 3.30 p.m.

Confirmed thisday of May, 2008


Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)

MINUTES OF THE
8TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.40 P.M
ON TUESDAY, 13TH MAY, 2008
IN THE COMMITTEE ROOM NO.1, PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P. (Absent)
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P. - (Excused)
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip

Mr. Anthony Vieira, M. P.

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P (Absent)

Officers

Mr. Oscar Moore - Clerk of Committee

Also in Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. James Singh - Commissioner (Guyana Forestry Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.40 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Excuses**

2.1.1 The Chairman announced to the Committee that Hon. Robeson Benn, Minister of Transportation and Hydraulics asked to be excused.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the Meeting:

- (i) Notice to attend the 8th Meeting of the Special Select Committee on The Forests Bill 2007 – Bill No. 21/2007 to be held on Tuesday 13th May, 2008;
- (ii) Minutes of the 4th, 5th, 6th and 7th Meetings held on the 3rd, 8th, 9th and 24th of April, 2008 respectively;
- (iii) Documentation from the Guyana Forestry Commission
 - Matrix reflecting the Amendments to the 2007 Forests Bill.
 - Copy of 2007 Forests Bill with proposed insertions and deletions.

APPENDIX

Page Number	Clauses of Present Bill	Amendments made at the meeting
Page 5	<p>Clause 2 “Amerindian Community”</p> <p>“Amerindian Community” has the meaning given to it by section 2 of the Amerindian Act 2006;</p>	<p>Substitution of the word “village” for the word “community” in <i>line 1</i>.</p>
Page 6	<p>Clause 2 “compliance history”, in relation to any person –</p> <p>(b) includes –</p> <p>(i) any conviction for an offence; and</p> <p>(ii) any evidence that the person has committed an offence</p>	<p>Substitution of the following paragraph for subsection (b), items (i) and (ii).</p> <p>“any conviction for or any evidence of a serious criminal offence; punishable by imprisonment.”</p>
	<p>Clause 2 “damage”</p> <p>“damage”, in relation to forest produce includes tap, bleed, or injure</p>	<p>Substitution of the words “or any action that may have a negative impact on the forest” for the word “injure”.</p>
Page 8	<p>Clause 2 “forest produce” includes</p> <p>Paragraph (d)</p> <p>Any other thing that the Commission, by public notice, declares to be forest Produce</p>	<p>Insertion of the words “after public consultation” after the word “thing” in <i>line 1</i>.</p>
Page 9	<p>Clause 2</p> <p>“Kaieteur National Park” means the Kaieteur National Park constituted by the Kaieteur National Park Act.</p>	<p><u>In the marginal notes – insertion of the number for the Kaieteur National Park Act.</u></p>

	<p>Clause 2 “manage”, in relation to any forest, includes carrying out forest operations in or in relation to the forest;</p>	<p>Deletion of the words “in or in relation to the forest” and the insertion of the words “including conservation activities;” after the word “operations”.</p>
Page 10	<p>Clause 2 and “public notice” has a corresponding meaning;</p>	<p>Deletion of the words “has a corresponding meaning;” and substitution of the words “means a publication in the official gazette;”</p>
	<p>(b) includes a sawpit;</p>	<p><u>This subsection was deferred to another meeting pending a definition of “sawpit” from the GFC.</u></p>
Page 11	<p>Clause 2 “Village land” has the meaning given to it by section 2 of the Amerindian Act 2006.</p>	<p>Insertion of the word “Amerindian” before the word “Village land”.</p> <p><u>Thereafter, the definition was removed and placed above to reflect its alphabetical change.</u></p> <p>Clause 2 was accepted as amended.</p>
	<p>Clause 3 Subsection (1) The Minister may, by public notice make an order declaring any area of public land to be a State forest.</p>	<p>Insertion of the word “forested” after the word “public” in <i>line 2</i>.</p>
	<p>Clause 3 Subsection (4) (a)Village lands</p>	<p>Insertion of the word “Amerindian” before the words “Village lands” and</p> <p>Insertion of the words “as defined by Section 2 of the Amerindian Act 2006;” at the end.</p>

		Clause 3 was then accepted as amended
Page 12	Clause 4	<p>Insertion of a new subsection (c) to read as follows:-</p> <p>“Recommendations arising from a public consultation process”.</p> <p>Clause 4 was then accepted as amended</p>
	<p>Clause 5 Paragraph (a) “enter a State forest;”</p>	<p>Insertion of the words “provided that a person may travel through a state forest in the course of his journey and may reasonably occupy or use the forest for the purpose of his journey” at the end of paragraph (a).</p>
	<p>Clause 5, subsection(2), paragraph (e)</p> <p>“held by any Amerindian Community under custom immediately before the commencement of this Act, if the right, power, duty, or privilege (as the case may be) is exercised or performed sustainable in accordance with the spiritual relationship of the group with the land.”</p>	<p>Substitution of the word “sustainable none commercial practice” for the word “custom” after the word “under” in <i>line 2</i>.</p> <p>Clause 5 was then accepted as amended</p>
Page 14	<p>Clause 6 Subsection (7)</p> <p>On application made by the holder of a concession no later than 3 months before expiry of the forest concession agreement concerned, the Commission may renew that concession on any conditions it thinks fit.</p>	<p><u>This section is to be redrafted by the GFC in consultation with the CPC.</u></p>
	<p>Clause 7 Subsection (1)</p> <p>“Before granting or renewing any concession over an area of State forest 8047 hectares or smaller, the Commission shall –“</p>	<p>Substitution of the figure “8097” for “8047” in the paragraph and all subsequent areas where it maybe occur thereafter.</p>

		<p>Clause 7 was then accepted as amended.</p>
	<p>Clause 8 Subsection (1), paragraph (b)</p> <p>“on application by a reputable person (including any duly constituted local or international environmental non-governmental organization) for the right to carry out forest conservation operations in that area.”</p>	<p>Deletion of the word “reputable” after the words “by a” in line 1; and</p> <p>Insertion of the words “who satisfies the compliance, and other requirements” after the word “organization” in <i>line 3</i>.</p>
	<p>Clause 8 Subsection (2), paragraph (a)</p> <p>“after the Commission has approved, a forest management plan and an annual operations plan for the concession area; and”</p> <p>Clause 9 Subsection (2), paragraph (b)</p> <p>“to cut and take specified kinds and quantities of forest produce from the exploratory area for commercial purposes to the extent necessary to recoup no more than the appointed percentage of the costs and expenses (excluding capital expenditure) incurred in the exploratory operations during the life of the permit.”</p>	<p>Insertion of the words “of at least 5 years duration” after the words “management plan” in <i>line 2</i>.</p> <p>Clause 8 was then accepted as amended.</p> <p>Insertion of the words “testing, research and limited” after the word “for” in the <i>line 2</i>.</p> <p>Clause 9, subsection (2), paragraph (b) was accepted as amended.</p>

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
9TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.35 P.M
ON TUESDAY, 27TH MAY, 2008
IN THE COMMITTEE ROOM NO.1, PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics - (Absent)

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip -

Mr. Anthony Vieira, M. P. -

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P

(Absent)

Officers

Ms Sherene Warren

- Clerk of Committee

Ms Tanzadell Bentinck

- Assistant Clerk of Committee

Also in Attendance

Mr. Cecil Dhurjon

- Chief Parliamentary Counsel

Mr. James Singh

- Commissioner (Guyana Forestry Commission)

Mr. Jacy Archibald

- Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

- 1.1 The Chairman called the meeting to order at 3.35 p.m.

ITEM 2: ANNOUNCEMENTS

- 2.1 **Excuses**

ITEM 3: CIRCULATION OF DOCUMENTS

- 3.1 The following documents were circulated prior to the Meeting:

- (i) Notice to attend the 9th Meeting of the Special Select Committee on The Forests Bill 2007 – Bill No. 21/2007 to be held on Tuesday 27th May, 2008;
- (ii) Minutes of the 8th Meeting held on the 13th of May, 2008;

ITEM 4 CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 8th MEETING HELD ON THE 13TH MAY, 2008,

- 4.1 **Correction of Minutes**

- 4.1.1 The Minutes of the 8th Meeting was recommitted to the next Meeting.

**ITEM 5: TO CONTINUE CONSIDERATION OF THE FORESTS
BILL 2007 – BILL NO. 21 OF 2007.**

5.1 The Committee proceeded to review sections of the Bill from the previous meeting.

5.2 **Page 5**

5.2.1 The Committee decided on the substitution of the word “Village” for the word “Community” after the word “Amerindian” in lines 1 and 3 of the interpretation and wherever it may occur after.

5.3 **Page 9**

5.3.1 Members sought clarifications on the distinctions between “public notice” and “publicly notify”.

5.3.2 Thereafter, the Forestry Commissioner explained that “public notice” means a publication in official gazette while “publicly notify” refers to the notification in the daily newspapers.

5.3.3 The Forestry Commissioner also informed Members that clarification was sought for the definition of the word “sawpit” as requested by a Member at the previous meeting.

5.4 **Page 11: Clause 4 (a)**

5.4.1 The Committee agreed on the insertion of the word “Amerindian” before the words “village lands” in part (a).

5.5 **The Committee then continued the consideration of the Bill clause by clause.**

5.6 **Page 15 – Clause 9**

5.6.1 **Subsection 3 was accepted as presented**

5.6.2 **Subsection 4 was accepted as presented**

5.7 **Page 16 – Clause 9**

Subsection 5

5.7.1 The following amendment was made:-

Insertion of the words “where applicable” after the word “and” in *line 3*.

5.7.1.1 Subsection 5 was then **accepted as amended**.

Subsection 6

5.7.2 The following amendment was made:-

Insertion of the words “which must be above the minimum value specified by the Commission” after the word “premium” in *line 3*.

5.7.2.1 Subsection 6 was then **accepted as amended**.

Subsection 7

5.7.3 The following amendments were made:-

Deletion of the words “choose the person to whom to” after the word “may” in *line 2*.

Subsection (7) (b)

5.7.3.1 Insertion of the words “in accordance with the regulations” at the end of the sentence.

5.7.3.2 Subsection 7 was then **accepted as amended**

5.7.4 **Subsection 8 was accepted as presented**

Subsection 9

5.7.5 The following amendment was made:-

Substitution of the word “The” for the word “No” at the beginning of the line and the words “shall not” for the word “may” after the word “permit” in the same line.

5.7.5.1 Subsection 9 was then **accepted as amended**

Subsection 10

5.7.6 Subsection 10 was **accepted as presented**

Subsection 11

5.7.7 Subsection 11 was **accepted as presented**

Subsection 12

5.7.8 Subsection 12 was **accepted as presented**

ITEM 6: ANY OTHER BUSINESS

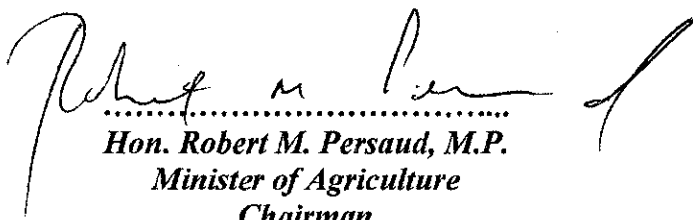
6.1 **Matrix with amendments**

6.1.1 It was agreed that the Secretariat in collaboration with the Guyana Forestry Commission would prepare and circulate a matrix reflecting the changes made to the Bill to date (pages 1 – 16) to Members for their information/guidance.

Adjournment

At 4.30 p.m., the meeting was adjourned to 3:00 pm on Tuesday, 10th June, 2008.

Confirmed thisday of June, 2008


.....
Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
10TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.25 P.M
ON TUESDAY, 10TH JUNE, 2008
IN THE COMMITTEE ROOM NO.1, PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P.
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics - (Absent)

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M. P. - (Excused)

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform – 1 Guyana (PNCR – 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip

Mr. Anthony Vieira, M. P.

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P - (Absent)

Officers

Ms Sherene Warren - Clerk of Committee
Ms Tanzadell Bentinck - Assistant Clerk of Committee
Mr. Nickolai Pryce - Assistant Clerk of Committee

Also in Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. Edward Goberdhan - Deputy Commissioner (Guyana Forestry
Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.25 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Excuses**

2.1.1 Mr. Neenkumar, M.P. had asked to be excused from the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the Meeting:

- (i) Notice to attend the 10th Meeting of the Special Select Committee on The Forests Bill 2007 – Bill No. 21/2007 to be held on Tuesday 10th June, 2008;
- (ii) Minutes of the 9th Meeting held on the 27th of May, 2008; and
- (iii) Matrix reflecting changes made to the Bill from clauses 1-9 (pages 1-16.)

ITEM 4

CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 8th AND 9th MEETINGS HELD ON THE 13th AND THE 27th MAY, 2008 RESPECTIVELY,

4.1 **Correction of 8th Minutes**

4.1.1 The Minutes of the 8th Meeting were confirmed, without corrections.

4.2 **Correction of 9th Minutes**

Page 3, Paragraph 5.3.2

4.2.1 Deletion of the word "Forestry" after the word "the" and insertion of the words "of Forests" after the word "Commissioner" in *line 1*.

Paragraph 5.4

4.2.2 Substitution of "Clause 3, subsection (4), paragraph (a), for "Clause 4 (a)" in the headline.

4.3 Thereafter, the Minutes of the 9th Meeting were confirmed, as corrected, pending collaboration with the changes made by the Guyana Forestry Commission .

4.4 The Matrix reflecting the amendments made to the Bill from pages 1 to 16 (clauses 1-9) were also accepted as presented.

ITEM 5:

TO CONTINUE CONSIDERATION OF THE FORESTS BILL 2007 – BILL NO. 21 OF 2007.

5.1 Before proceeding to continue the consideration of the Bill, the Committee agreed that Clause numbers alone would be used when referring to or recording the changes/amendments made to the Bill in the matrix when considering the Bill.

5.2 **Recommittal of Clause 9 of the Bill to the meeting**

Clause 9:

5.2.1 **Subsection (4):**

5.2.1.1 The following amendments were made:-

(i) Deletion of the words "at a reasonable price" after the word "sale" in *line 2, and*

(ii) Insertion of the words "on a cost recovery basis" after the word "sale" in *line 2*.

5.2.2 Subsection 8:

5.2.2.1 The following amendment was made:-

Deletion of the words "the earlier of" in *line 2*.

5.2.3 Clause 9 was then accepted as amended.

5.2.3.1 The Committee then proceeded to consider the Bill clause by clause.

5.2.3.2 All amendments made to the Bill can be seen in the matrix attached.

Adjournment

At 5.20 p.m., the meeting was adjourned to 3:00 pm on Tuesday, 17th June, 2008.

Confirmed this *R.M.P.* day of June, 2008

R.M.P.

Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

**Matrix reflecting changes/amendments to clauses of the Bill from
Clauses 10 – 17 (pages 16 – 22) at the 10 Meeting held on June 10th, 2008.**

Clauses of Present Bill	Amendment to Clauses – New Clauses/Remarks
<p>CLAUSE 10 Subsection (1) The Commission may on application grant any person a use permit to enter, occupy, and use a specified area of State forest for one or more of the following purposes –</p> <p>Subsection (1), paragraph (c) recreation or eco-tourism, including hiking, camping, and hunting;</p> <p>Subsection (1), paragraph (d) taking any photograph or making any film or video or sound recording;</p>	<p>The Commission may, on application and after consultations with relevant stakeholders, grant any person a Use Permit to enter, occupy, and use a specified area of State forest for one or more of the following purposes –</p> <p>recreation or eco-tourism, including hiking and camping;</p> <p>taking photographs or making films or videos or sound recordings;</p>
<p>Subsection (2) No person shall cut or take any forest produce under a use permit except where –</p> <p>Subsection (2), paragraph (a) the applicant satisfies the Commission that this is necessary for or incidental to <i>bona fide</i> scientific research;</p>	<p>No person shall cut or take any forest produce under a Use Permit except where –</p> <p>the applicant satisfies the Commission that this is necessary for or incidental to <i>bona fide</i> scientific research; and</p> <p>Subsection (2) was deferred</p>
<p>Subsection (3) Unless sooner surrendered, revoked, or renewed under this Act, a use permit expires on the earlier of -</p>	<p>Unless sooner surrendered, revoked, or renewed under this Act, a Use Permit expires on –</p>
<p>Subsection (4)</p>	<p>Subsection (4) was accepted as presented</p> <p>Clause 10 was then accepted as amended</p>

<p>CLAUSE 11</p> <p>Subsection (1)</p> <p>Subsections (2) to (5)</p>	<p>Insertion of a new paragraph (d) to read as follows:-</p> <p>“and any other similar society; formed under any other law”.</p> <p>Subsection (1) was deferred</p> <p>Subsections (2) to (5) were accepted as presented</p> <p>Clause 11 was deferred pending a definition of “community group” from the Guyana Forestry Commission in collaboration with the Chief Parliamentary Counsel.</p>
<p>CLAUSE 12</p> <p>The Commission may on application grant any person an afforestation agreement by entering into a legally binding agreement with the person concerned authorizing that person to -</p>	<p>The Commission after consultation with relevant stakeholders, may on application grant any person an afforestation agreement by entering into an agreement with the person concerned authorizing that person to -</p> <p>Clause 12 was then accepted as amended.</p>
<p>CLAUSE 13</p> <p>Subsection (1)</p> <p>Subject to subsection (2), the Commission may require the holder of any State forest authorisation (other than a community forest management agreement), upon the grant or renewal of the authorization -</p> <p>Subsection (2)</p> <p>The bond and arrangements referred to in subsection (1) are mandatory where a concession or exploratory permit is granted or renewed, but the Commission may, in exceptional circumstances, waive this requirement by publicly notifying the waiver and the Commission’s reason for it.</p>	<p>Subject to subsection (2), upon the grant or renewal of the authorization, the Commission shall require the holder of any State Forest Authorisation (other than a community forest management agreement)</p> <p>The bond and arrangements referred to in subsection (1) are mandatory where a concession or exploratory permit is granted or renewed, but the Commission may, in exceptional circumstances, waive this requirement, by publicly notifying that the waiver was granted and the Commission’s reason for granting it.</p>

<p>Subsection (3)</p>	<p>Subsection (3) was deferred pending the rewording by the Guyana Forestry Commission in collaboration with the Chief Parliamentary Counsel.</p>
<p>CLAUSE 14</p> <p>Subsection (1) A State forest authorisation over an area –</p> <p>Subsection (1) Subsection (1), paragraph (d) does not authorise the holder to occupy or take any forest produce from any land that is lawfully occupied by any other person or group of persons;</p> <p>Subsection (1), paragraph (f) subject to subsection (2), does not preclude another State forest authorization (whether of the same or a different kind) being granted in relation to that area.</p> <p>Subsection (2) Where a State forest authorisation is in force in respect of forest produce in any area, no other State forest authorisation may be granted in respect of the same or a similar kind of forest produce in that area.</p>	<p>A State Forest Authorisation over an area –</p> <p>does not authorise the holder to occupy or take any forest produce from any land that is lawfully occupied by any other person or group of persons unless otherwise authorised;</p> <p>subject to subsection (2), does not preclude another State Forest Authorisation of a different kind being granted in relation to that area.</p> <p>Where a State Forest Authorisation is in force in respect of forest produce in any area, no other State Forest Authorisation may be granted in respect of the same or a similar kind of forest produce in that area.</p> <p>Clause 14 was then accepted as amended</p>
<p>CLAUSE 15</p> <p>Subsections (1) and (2)</p>	<p>Substitution of the words “State Forest Authorisation” for the words “State forest authorisation” in all cases where it may occur in subsections (1) and (2).</p> <p>Clause 15 was then accepted as amended.</p>

<p>CLAUSE 16</p> <p>Subsections (1) and (2)</p> <p>Subsection (3)</p>	<p>Substitution of the words "State Forest Authorisation" for the words "State forest authorisation" in all cases where it may occur in subsections (1) and (2).</p> <p>Insertion of a new paragraph (c) to read as follows:-</p> <p>(c) "enter into sub-contracting and or sub-letting arrangements".</p> <p>Clause 16 was then accepted as amended.</p>
<p>CLAUSE 17</p>	<p>Substitution of the words "State Forest Authorisation" for the words "State forest authorization".</p> <p>Clause 17 was then accepted as amended.</p>

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006 -2008)**

**MINUTES OF THE
11TH MEETING OF THE SPECIAL SELECT COMMITTEE ON
THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD AT 3.15 P.M
ON TUESDAY, 8TH JULY, 2008
IN THE COMMITTEE ROOM NO.1, PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN**

MEMBERS OF THE COMMITTEE

Chairman PPP/C (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P. - (Excused)
Minister of Agriculture

Other Members

From the People's Progressive Party/Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues-Birkett, M.P. - (Absent)
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Neendkumar, J.P, M. P.

Mr. Parmanand P. Persaud, J.P, M.P.

From the People's National Congress Reform - 1 Guyana (PNCR - 1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M. P. Chief Whip

Mr. Anthony Vieira, M. P. - (Absent)

Mr. Aubrey C. Norton, M.P. - (Absent)

From the Alliance For Change (AFC) (1)
(Nominated by the Committee of Selection on 29th November, 2007)

Mr. Khemraj Ramjattan, M.P - (Absent)

Officers

Ms Claudia Daniels - Greenidge - Clerk of Committee
Ms Tanzadell Bentinck - Assistant Clerk of Committee
Mr. Nickolai Pryce - Assistant Clerk of Committee

Also in Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. Edward Goberdhan - Deputy Commissioner (Guyana Forestry
Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Excuses**

2.1.1 At the request of the substantive Chairman, the Hon. Minister Robert Persaud, the Hon. Minister Robeson Benn presided over the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the Meeting:

- (i) Notice dated 2nd July, 2008 to attend the 11th Meeting;
- (ii) Minutes of the 10th Meeting held on the 10th June, 2008; and
- (iii) Matrix reflecting changes made to the Bill from pages 16-22.

ITEM 4

CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 10TH MEETING HELD ON THE 10TH JUNE, 2008

4.1 Correction

4.1.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by Mr. Neendkumar and Mr. Parmanand Persaud respectively.

ITEM 5:

MATTERS ARISING

5.1 Re-committal of the following Clauses of the Bill to the meeting

5.1.1 Clause 10:

5.1.1.1 Subsections (1) and (2) were **accepted as previously amended**

5.1.2 Subsection (3):

5.1.2.1 The Chief Parliamentary Counsel, in response to a query, reported there was no difficulty with the language of the above subsection.

5.1.2.2 Subsection (3) was **accepted as presented**

5.1.3 Subsection (4) was **accepted as presented.**

5.2 Clause 11:

5.2.1 Subsection (1):

5.2.1.1 (i) Insertion of the words "persons living within and having strong ties with the community and includes (a), (b), (c) and (d) after the word "means" in line 1;

(ii) Substitution of the following as (d) "and any other similar society; formed under any law within any **within the community group**".

(iii) The subsection was then accepted as amended.

5.2.2 Subsections (2) to (5) were **accepted as presented.**

5.3 Clause 13:

5.3.1 Subsections (1) and (2) were **accepted as previously amended.**

5.3.2 **Subsection 3:**

- 5.3.2.1 Substitution of the following amendment for the above subsection.
- “The Commission may forfeit a bond or any part of it for failure to comply with any matter specified in subsection (1) (a).”
- 5.3.3 **Clause 13 was then accepted as amended**
- 5.4 **Clause 14:**
- 5.4.1 **Subsection (1):**
- 5.4.1.1 The following amendment was made:-
- Insertion of the words “unless otherwise provided” after the word “area” at the end of the line.
- 5.5 **Clause 14: Subsection (1) was then accepted as amended.**
- 5.5.1 Thereafter, Clause 14 subsection (1), paragraphs (a) to (f) were accepted as previously amended.
- 5.6 **Clause 16: Subsections (1) was accepted as previously amended.**
- 5.6.1 **Subsection 2:**
- 5.6.1.1 The following amendment was made:
- Insertion of the following as a new subsection (c):
- “enter into subcontracting or subletting arrangements”.
- 5.6.1.2 **Clause 16 was then accepted as amended**
- ITEM 6 TO CONTINUE CONSIDERATION OF THE FORESTS BILL 2007 – BILL NO. 21 OF 2007.**
- 6.1 Matrix at appendix 1 of the Minutes reflects clauses 18 – 25 (pages 22 - 25).

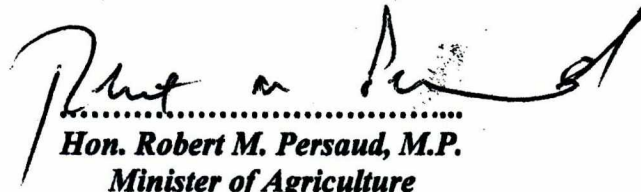
6.1.1

The Committee proceeded to continue consideration of the Bill Amendments made to the Bill have been appended to the Minutes.

Adjournment

At 4.30 p.m., the meeting was adjourned to 3:00 pm on Tuesday, 15th July, 2008.

Confirmed thisday of July, 2008



Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

THE NATIONAL ASSEMBLY OF THE FRIST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006-2008)

MINUTES OF THE
12TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD ON TUESDAY 15TH JULY, 2008
AT 3:00 P.M.
IN THE COMMITTEES ROOM NO. 1, COMMITTEES DIVISION,
PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE COMMITTEE

Chairman (PNCR- G) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

Members from the Peoples Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues- Birkett - (Excused)
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M.P.

Mr. Parmanand P. Persaud, J.P, M.P.

Members of the People's National Congress/ Reform 1 Guyana (PNCR-1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M.P. Chief Whip

Mr. Anthony Vieira, M.P. - (Absent)

Mr. Aubrey C. Norton, M.P.

Member of the Alliance for Change (AFC) (1)
(Nominated by the Committee of Selection on 29th December, 2007)

Mr. Khemraj Ramjattan, M.P - (Absent)

Officers

Ms. Claudia Daniels- Greenidge - Clerk of Committees
Ms. Tanzadell Bentinck - Assistant Clerk of Committee
Mr. Nickalai Pryce - Assistant Clerk of Committee

In Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. James Singh - Commissioner (Guyana Forestry
Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry
Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.00 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Excuse**

2.2.1 The Hon. Carolyn Rodrigues- Birkett, M.P Minister of Foreign Affairs
asked to be excused from the meeting:

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:

- (i) Notice of the 12th Meeting dated 9th July, 2008;
- (ii) Minutes of the 11th Meeting held on 8th July, 2008;
- (iii) Matrix reflecting changes made to the Bill from page 18-25.

**ITEM 4: CORRECTIONS AND CONFIRMATION OF MINUTES OF THE
11TH MEETING HELD ON 8TH JULY, 2008.**

4.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by Mr. E. Lance Carberry and Mr. Parmanand P. Persaud respectively.

ITEM 5: MATTERS ARISING

Re- committal of the following clauses of the Bill to the meeting

5.1 Clause 18:

5.1.1 Subsection (2) Paragraph (a):

(i) Insertion of the following words “of the” after the word “weeks” in line 1,

(ii) “being delivered” after the word “notice” in line 1.

5.1.2 Subsection (6)

5.1.2.1 Substitution of the word “shall” for the words “may if it thinks fit”.

5.1.3 Clause 18: was then accepted as amended.

5.2 Clause 22:

5.2.1 Subsections (1), paragraphs (a) to (d) were deferred pending a review by the Officials from the Forestry Commission.

5.3 Clause 23

5.3.1 Subsection 1 paragraph (b)

5.3.1.1 Substitution of the words “to prohibit” for the word “prohibiting” in line 1.

5.3.2 Subsection (4)

5.3.2.1 Insertion of the word “fauna” after the word “soil” in line 4.

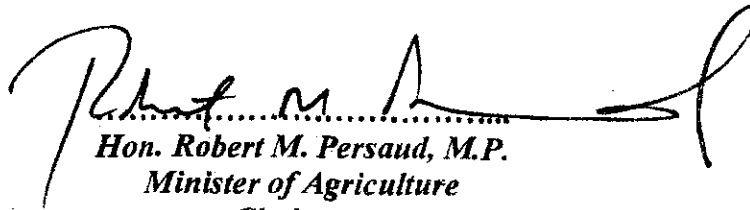
**ITEM 6: TO CONTINUE CONSIDERATION OF THE FORESTS BILL 2007-
BILL NO. 21 OF 2007.**

6.1 The Committee proceeded to continue consideration of the Bill
Amendments made to the Bill have been appended to the Minutes.

Adjournment

At 5.05 p.m., the meeting was adjourned to 3.00 p.m. on 29th July, 2008.

Confirmed this day of November, 2008


.....
Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

**Matrix reflecting changes/ amendments to clauses of the Bill from
Clauses 26- 51 (pages 25- 37) at the 12th Meeting held on the 14th July, 2008.**

Clauses of Present Bill	Amendments to Clause- New Clause/ Remarks
<p>Clause 26</p>	<p>Clause 26 was accepted as presented.</p>
<p>Clause 27 Subsection (2) A person to whom this section applies shall, as soon as practicable inform or cause to be informed the nearest available forest officer or police constable of the existence and location of the fire.</p>	<p>A person to whom this applies shall, as soon as practicable inform or cause to be informed the nearest available forest officer or any member of the Guyana Police Force of the existence and location of the fire.</p> <p>Clause 27 was then accepted as amended.</p>
<p>Clause 28</p>	<p>Clause 28 was accepted as presented.</p>
<p>Clause 29</p>	<p>Clause 29 was deferred pending a review by the Officials from the Forestry Commission on the definition of natural disaster.</p>
<p>Clause 30 Subsection (5) Nothing in this section affects or limits any measures for the conservation of wildlife or biological diversity, or for the protection of any area, adopted under or given force by any written law.</p>	<p>Nothing in this section affects or limits any measures for the conservation of wildlife or biological diversity, or for the protection of any area, adopted under or given force by the Environmental Protection Act or any written law.</p> <p>Clause 30 was then accepted as amended.</p>
<p>Clause 31 Subsection (6) The state shall give the owner and the lawful occupier of any land declared to be a forest</p>	<p>The state shall give the owner and the lawful occupier of any land declared to be a forest</p>

<p>conversation area reasonable compensation for the disturbance of their rights, including the fair value of all forest produce to which that owner or occupier would, but for the order, be entitled to remove from the land.</p>	<p>conversation area reasonable compensation for the disturbance of their rights, including the fair value of all forest produce to which that owner or occupier would, but for the order, be entitled to remove from the land.</p> <p>Clause 31 was then accepted as amended.</p>
<p>Clause 32</p>	<p>Clause 32 was accepted as presented.</p>
<p>Clause 33</p>	<p>Clause 33 was accepted as presented.</p>
<p>Clause 34</p>	<p>Clause 34 was accepted as presented.</p>
<p>Clause 35</p> <p>Subsection (3) The Commission shall make available for inspection at offices and for sale at a reasonable price.</p>	<p>Clause 35</p> <p>Subsection (3) The Commission shall make available for inspection at offices and for sale on a cost recovery basis.</p> <p>Clause 35 was then accepted as presented</p>
<p>Clause 36</p>	<p>Clause 36 was accepted as presented.</p>
<p>Clause 37</p> <p>Insertion of a new Subsection (1) (1) No person shall import into or convey within Guyana any forest produce that has been unlawfully obtained in or unlawfully exported from any country.</p> <p>(2) In any prosecution for an offence of contravening or failing to comply with subsection (1), the defendant shall have the burden of proving that any imported forest produce has been legally obtained in and legally exported from its country of origin.</p>	<p>Clause 37</p> <p>(1) The Minister may by order provide for prohibiting absolutely the importation of forest produce or any class or description of forest produce from any country, except under the authority of an import license granted by the Minister.</p> <p>Renumber as Subsection (2)</p> <p>(2) No person shall import into or convey within Guyana any forest produce that has been unlawfully obtained in or unlawfully</p>

	<p>exported from any country.</p> <p>Renumber as Subsection (3)</p> <p>(3) In any prosecution for an offence of contravening or failing to comply with subsection (1), the defendant shall have the burden of proving that any imported forest produce has been legally obtained in and legally exported from its any country of origin.</p> <p>Clause 37 was then accepted as amended.</p>
Clause 38	Clause 38 was accepted as presented.
Clause 39	Clause 39 was accepted as presented.
Clause 40	Clause 40 was accepted as presented.
Clause 41	Clause 41 was accepted as presented.
<p>Clause 42 Subsection (3)</p> <p>The Commission shall make copies of any guideline made under this section available for inspection at its offices and for sale at a reasonable price.</p>	<p>Clause 42 Subsection (3)</p> <p>The Commission shall make copies of any guideline made under this section available for inspection at its offices and for sale on a cost recovery basis.</p> <p>Clause 42 was then accepted as amended.</p>
Clause 43	Clause 43 was accepted as presented.
Clause 44	Clause 44 was accepted as presented.

<p>Clause 46: Subsection (c)</p> <p>May be renewed by the Commission on any conditions it thinks fit.</p>	<p>Clause 46 Subsection (c)</p> <p>May be renewed by the Commission in accordance with the regulation on any conditions it thinks fit. Clause 46 was then accepted as amended.</p>
<p>Clause 47: Subsection 1,2, and 3</p>	<p>Subsection 1, 2, and 3 were deferred pending a review by the Officials from the Forestry Commission.</p>
<p>Clause 48:</p>	<p>Clause 48 was accepted as presented.</p>
<p>Clause 49:</p>	<p>Clause 49 was accepted as presented.</p>
<p>Clause 50:</p>	<p>Clause 50: was accepted as presented.</p>
<p>Clause 51: Subsection (3), (a), i</p>	<p>Clause 51 Subsection (3), (a), (i) Was deferred pending a review by the Officials from the Forestry Commission on the definition of trade secrets.</p>

THE NATIONAL ASSEMBLY OF THE FRIST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006-2008)

MINUTES OF THE
13TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD ON TUESDAY, 11TH NOVEMBER, 2008
AT 3:05 P.M.
IN THE COMMITTEES ROOM NO. 1, COMMITTEES DIVISION,
PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE COMMITTEE

Chairman (PNCR- G) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

Members from the Peoples Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues- Birkett - (Excused)
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Neendkumar, J.P, M.P.

Mr. Parmanand P. Persaud, J.P, M.P.

Members of the People's National Congress/ Reform 1 Guyana (PNCR-1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M.P. Chief Whip

Mr. Anthony Vieira, M.P. - (Excused)

Mr. Aubrey C. Norton, M.P.

Member of the Alliance for Change (AFC) (1)
(Nominated by the Committee of Selection on 29th December, 2007)

Mr. Khemraj Ramjattan, M.P - (Absent)

Officers

Ms. Sherene Warren - Clerk of Committees
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. James Singh - Commissioner (Guyana Forestry
Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry
Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.05 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

2.2.1 The following Members had asked to be excused from the Meeting:

- (i) Hon. Carolyn Rodrigues- Birkett, M.P, Minister of Foreign Affairs and
- (ii) Mr. Anthony Vieira, M.P.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:

- (i) Notice of the 13th Meeting dated 6th November , 2008;
- (ii) Minutes of the 12th Meeting held on 15th July, 2008; and
- (iii) Matrix reflecting changes made to the Bill from pages 25 - 37.

3.2 **Preliminary Remarks**

3.2.1 The Chairman welcomed Members, advisors and staff to the first meeting after the Parliamentary recess and anticipated submitting a report to the National Assembly by the end of the year.

ITEM 4: CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 12TH MEETING HELD ON 15TH JULY, 2008.

4.1 **Page 2, paragraph 3.1, (iii)**

4.2 Substitution of the word "pages" for the word "page" before the numerals "18-25."

4.3 Thereafter, the Minutes were confirmed, on a motion moved and seconded by Mr. Neenkumar and Mr. Parmanand P. Persaud respectively.

ITEM 5: MATTERS ARISING

5.1 **Re- committal of the following clauses of the Bill to the Meeting:**

5.2 **Clause 18:**

5.2.1 **Subsection 6:**

5.2.2 Substitution of the word "shall" for the word "may" in *line 1*.

5.2.3 **Clause 18 was then accepted as amended.**

5.3 **Clause 28:**

5.3.1 **Subsection (1) Paragraph (b):**

5.3.2 Substitution of the words "member of the Guyana Police Force" for the words "police constable" in the *penultimate line*.

5.3.3 **Clause 28 was then accepted as amended**

5.4 **Clause 29:**

5.4.1 The Committee continued to defer the above clause pending a review by the Officials from the Guyana Forestry Commission and the Chief Parliamentary Counsel.

- 5.5 **Clause 30:**
- 5.5.1 Deletion of the words "wildlife or" in *line 2* of the matrix.
- 5.6 **Clause 31:**
- 5.6.1 **Subsection 6:**
- 5.6.2 Substitution of the word "adequate" for the word "reasonable" in *line 2*.
- 5.6.3 **Clause 31 was then accepted as amended.**
- 5.7 **Clause 37** was deferred for further consideration by Members.
- 5.8 **Clause 45:**
- 5.8.1 **Subsection (3):**
- (i) Insertion of the words "Development and" after the word "Products" in *line 2*.
- (ii) Insertion of the words "or any successor agency" before the word "shall" in *line 2*.
- 5.8.2 **Clause 45 was then accepted as amended.**
- 5.9 **Clause 46:**
- 5.9.1 **Paragraph (c) :**
- 5.9.2 Substitution of the words "in accordance with the regulations" for the words "on any conditions it thinks fit" at the end of the last line.
- 5.9.3 **Clause 46 was then accepted as amended.**
- 5.10 **Clause 47:**
- 5.11 **Clause 47** continued to be deferred pending a review by the Officials from the Guyana Forestry Commission.
- 5.12 **Clause 51:**
- 5.12.1 **Subsection (3), (a), i:**
- 5.12.2 The words "trade secrets" were retained in *line 1*.

5.12.3 **Clause 51** was then accepted as amended.

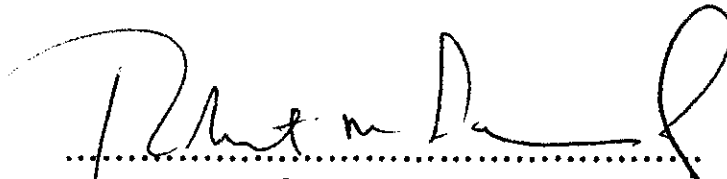
**ITEM 6: TO CONTINUE CONSIDERATION OF THE FORESTS BILL 2007-
BILL NO. 21 OF 2007.**

6.1 The Committee proceeded to continue consideration of the Bill. Amendments made to the Bill have been appended to the Minutes.

Adjournment

At 5.05 p.m., the meeting was adjourned to 3.00 p.m. on Tuesday, 18th November, 2008.

Confirmed this day of November, 2008


.....
Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman

Matrix reflecting changes/ amendments to clauses of the Bill from Clauses 52-65 (pages 38 - 43) at the 13th Meeting held on the 11th November, 2008.

Clauses of Present Bill	Amendments to Clause- New Clause/ Remarks
Clause 52	Clause 52 was deferred pending a review by the Officials from the Guyana Forestry Commission and the Chief Parliamentary Counsel.
Clause 53	Clause 53 was accepted as presented.
Clause 54 Subsection (3)	Clause 54 subsections (1) and (2) were accepted as presented. Subsection 3 was deferred pending a review by the Officials from the Guyana Forestry Commission and the Chief Parliamentary Counsel.
Clause 55	Clause 55 was accepted as presented.
Clause 56	Clause 56 was accepted as presented.
Clause 57	Clause 57 was accepted as presented

<p>Clause 58 Subsection (2), paragraph (b)</p> <p>Shall report the seizure to the Commissioner as soon as practicable.</p> <p>Subsection (3)</p> <p>Except as provided in subsections (4) and (5), all things seized under this section shall be taken to and detained at a secure place determined by the Commissioner.</p> <p>Insertion of a new Subsection (9)</p>	<p>Clause 58 Subsection (2), paragraph (b)</p> <p>Shall report the seizure to the Commissioner as soon as practicable, but not later than 72 hours.</p> <p>Subsection (3)</p> <p>Except as provided in subsections (4) and (5), all things seized under this section shall be inventorised and taken to and detained at a secure place determined by the Commissioner.</p> <p>(9) Any forest officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be subject to internal disciplinary action as defined by Guyana Forestry Commission HR Manual and or be liable on summary conviction to a fine and or imprisonment of up to 6 months.</p> <p>Clause 58 was then accepted as amended</p>
<p>Clause 59</p>	<p>Clause 59 was accepted as presented</p>
<p>Clause 60</p>	<p>Clause 60 was deferred pending a review by the Officials from the Guyana Forestry Commission and the Chief Parliamentary Counsel.</p>
<p>Clause 61</p>	<p>Clause 61 was accepted as presented.</p>
<p>Clause 62</p>	<p>Clause 62 was accepted as presented.</p>
<p>Clause 63</p>	<p>Clause 63 was accepted as presented.</p>

<p>Clause 64</p> <p>Subsection (1)</p> <p>Subsection (2)</p>	<p>Clause 64</p> <p>Subsection (1) was accepted as presented</p> <p>Subsection (2)</p> <p>Clause 64, subsection (2) was deferred pending a review by the Committee.</p>
<p>Clause 65 Subsection (1)</p> <p>Any person may lodge a complaint in writing with the Commissioner if the person believes that a forest officer is guilty of misconduct or neglect of duty in the exercise, or alleged exercise, of a power conferred on forest officers by this Act.</p>	<p>Clause 65 Subsection (1)</p> <p>Any person may lodge an oral or written complaint with the Commissioner if the person believes that a forest officer is guilty of misconduct or neglect of duty in the exercise, or alleged exercise, of a power conferred on forest officers by this Act.</p> <p>Clause 65 was then accepted as amended.</p>

THE NATIONAL ASSEMBLY OF THE FRIST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006-2008)

MINUTES OF THE
14TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD ON TUESDAY, 2ND DECEMBER, 2008
AT 3:15 P.M.

IN THE COMMITTEES ROOM NO. 1, COMMITTEES DIVISION,
PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE COMMITTEE

Chairman (PNCR- G) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.

Minister of Agriculture

Other Members

Members from the Peoples Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues- Birkett - (Excused)
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M.P.

Mr. Parmanand P. Persaud, J.P, M.P.

Members of the People's National Congress/ Reform 1 Guyana (PNCR-1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M.P. Chief Whip - (Excused)

Mr. Anthony Vieira, M.P. - (Excused)

Mr. Aubrey C. Norton, M.P.

Member of the Alliance for Change (AFC) (1)
(Nominated by the Committee of Selection on 29th December, 2007)

Mr. Khemraj Ramjattan, M.P - (Absent)

Officers

Ms. Sherene Warren - Clerk of Committees
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Mr. James Singh - Commissioner (Guyana Forestry
Commission)
Mr. Edward Goberdhan - Deputy Commissioner (Guyana Forestry
Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry
Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

2.2.1 The following Members had asked to be excused from the Meeting:-

- (i) Hon. Carolyn Rodrigues- Birkett, M.P, Minister of Foreign Affairs.
- (ii) Mr. Parmanand P. Persaud, J.P, M.P.
- (iii) Mr. E. Lance Carberry, M.P., Chief Whip.
- (iv) Mr. Anthony Veira, M.P.
- (v)

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:

- (i) Notice of the 14th Meeting dated 28th November , 2008;
- (ii) Minutes of the 13th Meeting held on 11th November, 2008 with matrix reflecting changes made to the Bill from pages 38 – 43 attached; and
- (iii) Guyana Forestry Commission’s Human Resources Manual

ITEM 4: CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 13TH MEETING HELD ON 11TH NOVEMBER, 2008.

4.1 The Minutes were confirmed without corrections, on a motion moved and seconded by the Hon. B.H. Robeson Benn and Mr. Parmanand P. Persaud respectively.

ITEM 5: MATTERS ARISING

5.1 **Re- committal of the following clauses of the Bill to the Meeting:**

5.2 **Clause 51:**

5.2.1 Subsection (3), paragraph (a), bullet (i)

5.2.2 Deletion of the words “trade secrets” in line 1.

5.2.3 **Clause 51 was then accepted as amended.**

5.3 **Clause 54:**

5.3.1 Subsection (3)

5.3.2 The following amendments were made:

- (i) Substitution of the word “duly” for the word “when” after the word “Commission” in line 2.
- (ii) Deletion of the words “by a forest officer” after the word “authorized” in line 2.

5.4 Clause 60:

5.4.1 The following amendments were made:

- (i) Clause 60 to read, "60 (1)" and
- (ii) Insertion of a new subsection (2) to read:

"Where anything is forfeited, the Commission may retain or dispose of it in such manner as the Commissioner thinks fit.

5.5 Clause 64:

5.5.1 After further consultations and discussions, **Clause 64** was retained

**ITEM 6: TO CONTINUE CONSIDERATION OF THE FORESTS BILL 2007-
BILL NO. 21 OF 2007.**

6.1 The Committee proceeded to continue consideration of the Bill.

6.1.1 Amendments made to the Bill have been appended to the Minutes.

ITEM 7: ANY OTHER BUSINESS

7.1 Chairman's Remarks

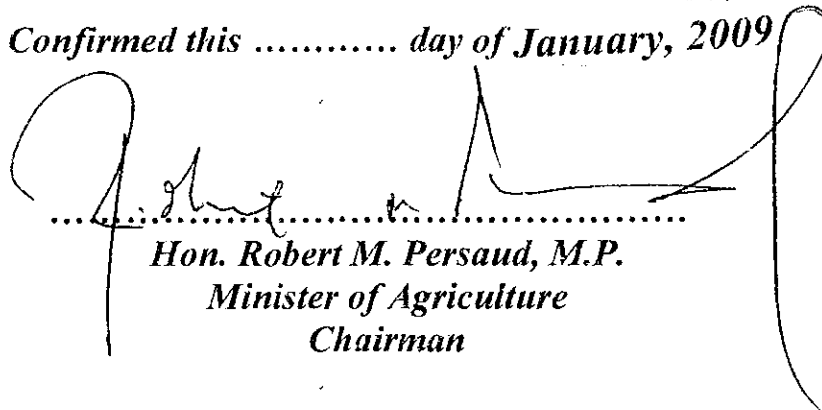
7.1.1 The Chairman informed Members that the Committee had completed the consideration of the Bill. He cited that discussions and debates were very useful and gave a relevant piece of legislation that captured the stake holder's consideration. He further expressed the view that the draft report would be considered before the end of the year, and further that the report of the Committee would be ready for submission to the National Assembly by early January.

7.1.2 The Clerk of the Committee was requested to circulate the Draft Report to Members for consideration on the 16th December, 2008.

Adjournment

At 4.25 p.m., the meeting was adjourned to 3.00 p.m. on Tuesday, 16th December, 2008.

Confirmed this day of January, 2009



.....

*Hon. Robert M. Persaud, M.P.
Minister of Agriculture
Chairman*

Matrix reflecting changes/ amendments to clauses of the Bill from Clauses 66-91 (pages 44 - 56) at the 14th Meeting held on the 2nd December, 2008.

Clauses of Present Bill	Amendments to Clause- New Clause/ Remarks
Clause 66	Clause 66 was accepted as presented.
Clause 67	Clause 67 was accepted as presented.
<p>Clause 68</p> <p>Subsection (c) (vi) "section 37 (1) (imported forest produce);"</p> <p>Subsection (c) (vii) " section 58 (5) or (7) (power to seize);"</p>	<p>Clause 68</p> <p>"section 37 (2) (imported forest produce);"</p> <p>Subsection (c) (vii) " section 58 (5), (7) or (9) (power to seize);"</p> <p>Clause 68 was then accepted as amended.</p>
<p>Clause 69</p> <p>Subsection (3)</p> <p>Where proceedings are brought summarily, the complaint in respect of the offence may be laid at any time within 2 years after the time when the matter of the complaint arose.</p>	<p>Clause 69</p> <p>Subsection (3)</p> <p>Where proceedings are brought summarily, the complaint in respect of the offence may be laid at any time within 6 months after the time when the matter of the complaint arose.</p> <p>Clause 69 was then accepted as amended.</p>
Clause 70	Clause 70 was accepted as presented.
Clause 71	Clause 71 was accepted as presented

<p>Clause 72</p> <p>Subsection (6)</p> <p>The Commission may renew a licence granted under this section on any conditions it thinks fit.</p>	<p>Clause 72</p> <p>Subsection (6)</p> <p>The Commission may renew a licence granted under this section on any conditions it thinks fit, in accordance with the regulations.</p> <p>Clause 72 was then accepted as amended</p>
<p>Clause 73</p>	<p>Clause 73 was accepted as presented</p>
<p>Clause 74</p>	<p>Clause 74 was accepted as presented</p>
<p>Clause 75</p> <p>In no case whatsoever is the Commission obliged to grant, issue, or renew any State forest authorization or any permit, licence, or certificate under this Act.</p>	<p>Clause 75</p> <p>Where circumstances so dictate, the Commission is not obliged to grant, issue, or renew any State forest authorization or any permit, licence, or certificate under this Act.</p> <p>Clause 75 was then accepted as amended</p>
<p>Clause 76</p>	<p>Clause 76 was accepted as presented</p>
<p>Clause 77</p>	<p>Clause 77 was accepted as presented</p>
<p>Clause 78</p> <p>Subject to section 79, nothing in this Act affects or limits the Environmental Protection Act 1996.</p>	<p>Clause 78</p> <p>Subject to section 79, nothing in this Act affects or limits the application of the Environmental Protection Act 1996.</p> <p>Clause 78 was then accepted as amended</p>
<p>Clause 79</p>	<p>Clause 79 was accepted as presented</p>

<p>Clause 80</p> <p>Subsection (2), paragraph (b)</p> <p>The manner in which the fee, charge, or levy shall be paid;</p>	<p>Clause 80</p> <p>Subsection (2), paragraph (b)</p> <p>The manner in which the fee, charge, or levy shall be paid; including the use of inflation rates.</p> <p>Clause 80 was then accepted as amended</p>
<p>Clause 81</p>	<p>Clause 81 was accepted as presented</p>
<p>Clause 82</p>	<p>Clause 82 was accepted as presented</p>
<p>Clause 83</p>	<p>Clause 83 was accepted as presented</p>
<p>Clause 84</p>	<p>Clause 84 was accepted as presented</p>
<p>Clause 85</p>	<p>Clause 85 was accepted as presented</p>
<p>Clause 86</p>	<p>Clause 86 was accepted as presented</p>
<p>Clause 87</p>	<p>Clause 87 was accepted as presented</p>
<p>Clause 88</p>	<p>Clause 88 was accepted as presented</p>
<p>Clause 89</p>	<p>Clause 89 was accepted as presented</p>
<p>Clause 90</p>	<p>Clause 90 was accepted as presented</p>
<p>Clause 91</p>	<p>Clause 91 was accepted as presented</p>

THE NATIONAL ASSEMBLY OF THE FRIST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006-2009)

MINUTES OF THE
15TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE FOREST BILL 2007- BILL NO. 21 OF 2007
HELD ON TUESDAY, 13TH JANUARY, 2009
AT 3:05 P.M.

IN THE COMMITTEES ROOM NO. 1, COMMITTEES DIVISION,
PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE COMMITTEE

Chairman (PNCR- G) (1)

(Nominated by the Committee of Selection on 29th November, 2007)

(Elected by the Committee on 15th January, 2008)

The Hon. Robert M. Persaud, M.P.
Minister of Agriculture

Other Members

Members from the Peoples Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 29th November, 2007)

The Hon. Carolyn Rodrigues- Birkett - (Excused)
Minister of Foreign Affairs

The Hon. B. H. Robeson Benn, M.P.
Minister of Transport and Hydraulics

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P, M.P.

Mr. Parmanand P. Persaud, J.P, M.P.

Members of the People's National Congress/ Reform 1 Guyana (PNCR-1G) (3)

(Nominated by the Committee of Selection on 29th November, 2007)

Mr. E. Lance Carberry, M.P. Chief Whip - (Excused)

Mr. Anthony Vieira, M.P.

Mr. Aubrey C. Norton, M.P. - (Absent)

Member of the Alliance for Change (AFC) (1)
(Nominated by the Committee of Selection on 29th December, 2007)

Mr. Khemraj Ramjattan, M.P - (Absent)

Officers

Ms. Sherene Warren - Clerk of Committees
Ms. Tanzadell Bentinck - Assistant Clerk of Committee

In Attendance

Mr. James Singh - Commissioner (Guyana Forestry
Commission)
Mr. Jacy Archibald - Corporate Secretary (Guyana Forestry
Commission)

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 3.05 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

2.2.1 The following Members had asked to be excused from the Meeting:

- (i) The Hon. Carolyn Rodrigues- Birkett, M.P, Minister of Foreign Affairs; and
- (iii) Mr. E. Lance Carberry, M.P., Chief Whip,

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:

- (i) Notice of the 15th Meeting dated 7th January, 2009;
- (ii) Minutes of the 14th meeting held on the 2nd December, 2008 with matrix attached; and
- (iii) The Forests Bill 2007 Draft Report of the Committee.

ITEM 4: CORRECTIONS AND CONFIRMATION OF MINUTES OF THE 15TH MEETING HELD ON 13TH JANUARY, 2009.

Correction

4.1 Page 4, paragraph 7.1.1

Substitution of the word "observed" for the word "cited" in line 2.

4.1.1 There being no further corrections, the Minutes were confirmed on a motion moved and seconded by Mr. Neendkumar and Mr. Parmanand P. Persaud, respectively.

ITEM 5: MATTERS ARISING

5.1 There were no matters arising from the Minutes.

ITEM 6: CONSIDERATION OF DRAFT REPORT OF THE SPECIAL SELECT COMMITTEE ON THE FORESTS BILL 2007- BILL NO. 21 OF 2007

6.1 In his opening remarks, the Chairman welcomed Members and staff to the first meeting for 2009. He expressed New Year greetings to Members and especially to the staff. He also expressed thanks for the work done in 2008 and was hopeful for continued cooperation in 2009.

6.1.1 The Chairman then enquired whether every Member was in possession of the Draft Report on the Forests Bill which would have been circulated since December 16th 2008.

6.1.2 He further enquired whether any Member had any amendments to be made to the Report, and/or had submitted changes to the Secretariat. In this regard, there was a negative response.

6.1.3 The Chairman drew Members' attention to the amendments which were circulated at the meeting.

6.1.4 The Chairman also indicated that the Chief Parliamentary Counsel had made a few amendments/corrections which were basically for tidying the report.

6.1.5 The Committee, by consensus, agreed that the amendments made by the Chief Parliamentary Counsel and the Guyana Forestry Commission and which are appended to the Minutes would be incorporated into the Report.

6.1.6 The Committee then proceeded to consider the Report on the Forests Bill 2007, page by page.

6.2 The following corrections were made to the Report:

Cover Page:

6.2.1 Substitution of "15th January 2009" for "December 2008".

Page 4 - Consultation Process

6.2.2 Substitution of the following:

At the first meeting, the Committee agreed on the methodology to be used in the consideration of the Bill. It was agreed that:

- (i) the Bill would be read Clause by Clause during its consideration*
- (ii) in operating within its mandate, the Committee would establish a process whereby Members of the Public would be able to comment on the Bill*
- (iii) in order to obtain the widest consultations on the Bill, invitations would be posted in the print media, inviting Members of the*

public/individuals/groups to make both written and oral presentations.

For:

“The Committee agreed that it would have the widest possible contributions from the public at large to facilitate the process”.

Page 5 - Response to Invitations

- 6.2.3 Insertion of the words “from citizens” after “petitions” in line 2.

Hearings

- 6.2.4 Substitution of the name “Willems” for “Williams”;

- 6.2.5 Insertion of a new section before **Consideration of Bill** to read as follows:

Review of Recommendations from Consultations/Hearings

“Following the consultations/hearings, the Committee met to discuss the merits and practicality of the recommendations made by the stakeholders”.

Page 6: paragraph 2

- 6.2.6 Substitution of the word “unaltered” for the words “agreed to as printed”

6.3 Mr. Anthony Vieira pointed out that the Members of his party did not indicate to him that they had any fundamental objections to the Report, he gave his support for the Report to be tabled in the National Assembly.

6.4 Thereafter, the Committee agreed that the Report, as amended, be forwarded to the Clerk of the National Assembly with the Motion to be tabled in the National Assembly.

6.5 **Closing Remarks**

6.5.1 The Chairman, in closing, commented that the exercise was a very useful one which showed cooperation, understanding and patience. It brought about understanding on the issues in a more detailed manner. He was hopeful that persons would go out and represent the Forests Bill and what it sought to do through the legislation.

6.6 **Expression of Thanks**

6.6.1 The Chairman expressed "thanks" to the Members and staff, and other Officials of the Committee for their attendance, support and participation.

CONCLUSION

At 3.45 pm, the meeting concluded.

(Unconfirmed)

Appendix 1

Amendments made by the Minister of Agriculture

Clause 2: The word **"including"** to be changed to **"includes"**

Clause 4: "Recommendations arising from a **public consultation process**" to be changed to "Recommendations arising from **public consultation**"

Clause 5 (Subsection (2), paragraph (e)): "sustainable **none** commercial practices: to be changed to "sustainable **non** commercial practices"

Clause 9 (Subsection (5)): "... the Commission shall evaluate the technical **and where applicable financial qualifications and compliance history of the applicant and every person** having effective control of the applicant" to be changed to "...the Commission shall evaluate the technical **and financial qualifications and compliance history of the applicaut and where applicable every person** having effective control of the applicant".

Clause 9 (Subsection (6)): "...which must be above the minimum value **specify** by ..." to be changed to "...which must be above the minimum value **specified** by..."

Clause 11 (Subsection (1)): new paragraph (d) should conclude as "and any other similar society, formed under any other law, **within the community group**"

Clause 69 (3): "...at any time within **6 months**..." is missing.

Amendments made by the Chief Parliamentary Counsel

Clause 18, subsection (2) paragraph (a)

Substitution of the following paragraph:

"at least 2 weeks' written notice of the proposed suspension which period shall commence on the date of the delivery of the notice;"

For:

"at least two weeks' of the written notice being delivered of the proposed suspension;"

Clause 30, subsection (5)

Insertion of "1996" after the word "Act" in line 3.

Clause 53, subsection (4), paragraph (b)

Insertion of the word "his" after the word "resign" in line 1.

Schedule 2-Consequential Amendments

Substitution of the following for the last paragraph to read as follows:

Public lands (Private Roads)(Wood Cutting) Regulations (Cap. 62:03)	Regulation 3	<ol style="list-style-type: none">1. Substitute, for the words "a fine of seventy-five dollars", the words "the penalties specified, in section 70 (2) of the Forests Act 2008, for an offence against section 68(b) of that Act".2. Substitute, for the words "officer of the Lands Department", the words "forest officer appointed under the Forests Act 2008".
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