

**AN ACT CREATING THE FORESTRY
DEVELOPMENT AUTHORITY**

*Approved November 1, 1976
December 20, 1976*

**AN ACT CREATING THE FORESTRY DEVELOPMENT
AUTHORITY**

*It is enacted by the Senate and House of Representatives of the
Republic of Liberia, in Legislature Assembled:*

- § 1. Repeal of certain sections of the Natural Resources Law.
- § 2. Creation of the Forestry Development Authority.
- § 3. Objects of the Forestry development Authority.
- § 4. Powers of the Forestry Development Authority.
- § 5. Penalty for violation of rules and regulations.
- § 6. Board of Directors.
- § 7. Officers.
- § 8. Appointment of Assistant Managing Director.
- § 9. Collection of revenues and expenditures.
- § 10. Duration.
- § 11. Audits.
- § 12. Reports.
- § 13. Power of Forest Officer to arrest offenders.
- § 14. Power of Forest Officer with regards to trees.
- § 15. Advisory Conservation Committees.
- § 16. Form and contents of Forest Utilization Agreement.
- § 17. Performance Bond and minimum expenditure.
- § 18. Protection of Liberian Salvage Permit Holders.
- § 19. Land rental fee.
- § 20. Import duties.
- § 21. Payment of forestry fees in U.S. Currency.
- § 22. Wood processing.
- § 23. Employment of professional Liberian Foresters.

§ 1. Repeal of certain sections of the Natural Resources Law.

Chapters 1 through 4 of the National Resources Law with respect to the Bureau of Forest Conservation, the Conservation of Forests, National Parks and the Conservation of Wild Life are hereby

repealed.

§ 2. Creation of Forestry Development Authority.

An authority to be known as the "Forestry Development Authority" is hereby created as a corporate body pursuant to the Public Authorities Law. As used in this Act, the term "Authority" means the authority hereby created.

§ 3. Objects.

The primary objectives of the Authority shall be to:

- (a) Establish a permanent forest estate made up of reserved areas upon which scientific forestry will be practised;
- (b) Devote all publicly owned forest lands to their most productive use for the permanent good of the whole people considering both direct and indirect values;
- (c) Stop needless waste and destruction of the forest and associated natural resources and bring about the profitable harvesting of all forest products while assuring that supplies of these products are perpetuated;
- (d) Correlate forestry to all other land use and adjust the forest economy to the overall national economy;
- (e) Conduct essential research in conservation of forest and pattern action programs upon the results of such research;
- (f) Give training in the practice of forestry; offer technical assistance to all those engaged in forestry activities; and spread knowledge of forestry and the acceptance of conservation of natural resources throughout the country;

- (g) Conserve recreational and wildlife resources of the country concurrently with the development of forestry program.

§ 4. Powers.

In addition to the powers conferred upon an authority by the Public Authorities Law, the Authority shall have the following powers:

- (a) To take all actions necessary to create and establish Government Forest Reserves, Native Authority Forest Reserves, Communal Forests, and national parks;
- (b) To administer all such reserved areas to fulfill the policies and objectives set out in Section 3 of this Act;
- (c) To enforce all laws and regulations for the conservation of forests and the development of their resources;
- (d) To assist the owners of timber land in applying sustained yield forest management;
- (e) To carry out a program for the wise use and perpetuation of the forest, recreational, and wildlife resources of the country except that regulations for the zoning of hunting grounds and the restriction of hunting to stated periods shall be promulgated by the President;
- (f) To prescribe the form of all licenses, permits, agreements, and other instruments dealing with the use of forest resources;
- (g) To control the issuance of such instruments, and determine the conditions under which they may be granted, exercised, produced, revoked or returned;
- (h) To control the transportation or export of forest products by

land, water, or air;

(i) To be responsible for the collection of all fees payable under the rules and regulations promulgated under the authorization of this Section;

(j) To promulgate rules and regulations required to insure the accomplishment of all the policies and objectives of the Authority;

(k) To open and operate a main and subsidiary banking accounts, to receive and expend monies;

(l) To continue existing services and to initiate new services, such as:

- (i) To establish a unit for market cost-component analysis;
- (ii) To monitor real timber prices and production costs;
- (iii) To commission and carry out feasibility studies;
- (iv) To establish research, education and training facilities;
- (v) To levy fees on other components of the wood-using industries for purposes connected with the Authority's functions;

(m) To negotiate, raise and make loans;

(n) The power to issue, amend and rescind forestry regulations;

(o) The power to engage in commercial undertakings as a principal or in conjunction with others, to enter into contracts, to sue and be sued;

(p) As a principal or in conjunction with others to fell trees and

prepare them for export or to have them processed locally, or both; to trade with such timber in the raw or processed state and to engage in all other operations directly or indirectly connected with the trade in forest products;

(q) To make by-laws for its internal administration.

§ 5. Penalty for violation of rules and regulations.

Any person who contravenes any rule or regulation made under Sub-section (j) of Section 4 or fails to comply with the conditions made a part of any license, permit, agreement, other instrument issued or entered into, under any such rule or regulation for which no penalty is expressly provided in the rules and regulations is guilty of a misdemeanor and punishable by a fine not exceeding five hundred dollars or by imprisonment for not more than one year. If any person shall be convicted of any offense under this Act, the court may in addition to or in lieu of the imposition of any fine or term of imprisonment, order that the whole or any part of the forest product or wildlife resource with respect to which the offense was committed, be confiscated and forfeited to the Government to be sold or otherwise disposed of in such manner as the Managing Director may prescribe.

§ 6. Board of Directors.

1. Composition. The policies of the Authority shall be formulated by the Board of Directors consisting of:

- (a) The Minister of Agriculture as Chairman, the Minister of Finance, the Minister of Local Government, the Minister of Planning and Economic Affairs, the Minister of Commerce, Industry and Transportation, and the President of the Liberian Bank for Development and Investment;

(b) The Managing Director of the Authority, to be appointed by the President.

(c) Two Liberian nationals, one with experience in the field of law, and the other with experience in the field of business, to be appointed by the President.

2. *Voting by Board Members without meeting.* The Board may by regulation establish a procedure whereby the Managing Director, when he considers such action in the best interest of the Authority, may obtain a vote of the Board members on a special question without calling a meeting of the Board.

3. *Quorum.* A quorum for any meeting of the Board shall be a majority of its members.

4. *Financial interest.* No Director or member of his immediate family shall hold any financial interest in a forestry concession or in any auxiliary undertaking in Liberia.

5. *Reimbursement.* The members of the Board, in their capacity as such, shall not receive salaries, but they may receive from the Authority a stipend for each meeting attended and reimbursement for all expenses they incur in discharging their duties to the Authority.

§ 7. Officers.

The Authority shall have a Managing Director and such other officers and staff as the Board may determine to be necessary or desirable for carrying out its lawful functions. The Managing Director shall be professionally qualified in forestry. He shall be responsible for the conduct of the general operation of the Authority and for that purpose shall exercise all powers delegated to him by the Board. Subject to the approval of the Board with

regard to senior officers and staff, the Managing Director shall be responsible for the organization of the staff and the appointment and dismissal of the officers.

§ 8. Appointment of Assistant Managing Director.

The President shall appoint an Assistant Managing Director for administration and finance who shall be a qualified financial controller and administrator rather than a professional forester.

§ 9. Collection of revenues and expenditures.

The Authority shall be responsible for the collection of its revenues, settlement of its financial obligations and all other matters connected with the collection and disbursement of funds of the Authority.

§ 10. Duration.

The existence of the Authority shall continue until it shall be terminated by the Legislature. Upon the termination of the existence of the Authority, all its rights and property shall rest in the Republic.

§ 11. Audits.

The Accounts of the Authority shall be subject to periodic audits by the Government. The accounts of the Authority shall also be audited annually by a firm of independent accountants appointed by the Board.

§ 12. Reports.

The Authority shall submit an annual report to the President and such other periodic reports as he may from time to time require.

