

EKITI STATE FORESTRY LAW, 2016.

NO. 1 OF 2016

EKITI STATE OF NIGERIA

EKITI STATE FORESTRY LAW, 2016

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EKITI STATE FORESTRY LAW, 2016

NO. 1 OF 2016.

A LAW FOR THE ESTABLISHMENT OF EKITI STATE FORESTRY COMMISSION: PROVISION OF SUSTAINABLE FOREST MANAGEMENT, PRESERVATION AND PROTECTION OF WILD LIFE RESOURCES AND ECOSYSTEM IN EKITI STATE AND OTHER RELATED MATTERS.

Commencement []

ENACTED BY THE EKITI STATE HOUSE OF ASSEMBLY as follows:

PART I

Establishment, Constitution and Functions of Forestry Commission.

1. Establishment and constitution of Forestry Commission.

- (1) There is established a body to be known as the Forestry Commission.
- (2) The Commission shall be a body corporate with perpetual succession and a Common Seal and may sue and be sued in its name and to own, hold and dispose of property whether movable or immovable.
- (3) The Commission shall consist of Eleven (11) members as follows-
 - (a) A Chairman;
 - (b) Two members, one representing the State Timber Trade Association (TTA) and another representing the State Saw Millers Association;
 - (c) A member representing Private Wood Developers in the State;
 - (d) A member appointed from Non-Governmental Organizations/ Civil Society Organizations (NGO/CSO) whose activities are relevant to sustainable forestry management; Provided that such NGOs have been active and in consistent existence for at least the last five years;
 - (e) One person from the Private Sector or a retired forestry officer not below the rank of a Director.
- (4) Ex-Officio members as follows:
 - (a) A Legal Officer not below the rank of a Director, representing the office of the Attorney-General and Commissioner for Justice, Ministry of Justice.
 - (b) The Permanent Secretaries, Ministry of Environment, Ministry of Agriculture and Natural Resources and Ministry of Finance or their representatives.

- (c) The Executive Secretary, who shall act as Secretary to the Commission.
- (5) The Chairman and other full-time members of the Commission shall be appointed by the Governor: Provided that they shall be persons with work experience or proven ability and interest in forestry or conservation management.
- (6) Members of the Commission other than ex-officio members shall be full-time members.
- (7) The provisions contained in the First Schedule to this Law shall have effect with respect to the constitution and proceedings of the Commission.

2. Supervision of the Commission.

The Commission shall be under the supervision of the Ministry of Environment.

3. Tenure of Office and Remuneration.

- (1) Subject to the provisions of Section 1(3) of this Law, a member of the Commission, other than an ex-officio member, shall hold office for a period of 4 years and may be re-appointed for a further period of 4 years.
- (2) There shall be paid to members of the Commission, except the *ex officio* members, such remuneration and allowances as are applicable in the Public Service.

4. Vacation of Office.

- (1) Notwithstanding the provisions of Section 3(1) of this Law, a person shall cease to hold office as a member of the Commission if-
- (a) he becomes bankrupt;
 - (b) he is convicted of a felony or any offence involving dishonesty or fraud;
 - (c) he becomes of unsound mind or incapable of carrying out his duties;
 - (d) he is guilty of a serious misconduct in relation to his duties;
 - (e) in case of a professional, if he is disqualified or suspended, other than at his own request, from practicing his profession in any part of the world by an order of a competent authority made in respect of that member, or
 - (f) he resigns his appointment by a letter addressed to the Governor.
- (2) If a member of the Commission ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, any person representing the same interest as that member shall be appointed to the

Commission for the unexpired term.

- (3) A member of the Commission may be removed by the Governor in the interest of the Commission or the interest of the public.

5. Functions of the Commission.

The Commission shall-

- (a) Regulate the activities of Ministries, Parastatals, Local Government, Departments, Organizations, statutory bodies as they relate to forest and forest resources and conservation issues in the State;
- (b) undertake biotechnology and other forms of research that will enhance the development of scientifically sound forestry policies and programmes in line with current conservation, socio-economic and technology options;
- (c) establish link with relevant national and international regulatory policy-making and funding bodies for the benefit of bio-diversity conservation and sustainable forestry in the State;
- (d) ensure sound wildlife and forest management within the State;
- (e) ensure strict compliance with international conventions and treaties on natural resources management;
- (f) develop eco-tourism and generate revenue therefrom;
- (g) liaise with educational institutions for the purpose of integrating the institutions into tree planting and sustainable forestry development, enlightenment campaigns amongst others;
- (h) engage in survey and ongoing monitoring of existing forestry stocks regularly.
- (i) promote research and development; and
- (j) perform such other functions which are incidental to conservation and sustainable management of the State's forest resources and revenue generation.

PART III

General Powers of the Commission.

6. (1) The Commission shall, subject to the provisions of this Law, have power to do such things as are considered necessary and expedient in the carrying into effect of its functions.
- (2) The Commission shall, notwithstanding anything to the contrary in any other Law of the State have power to-
 - (a) formulate policies and evolve strategies for the promotion and effective implementation of sustainable forestry development and conservation;
 - (b) subject to the provisions of this Law, make, alter and revoke rules and

- regulations of the Commission;
- (c) by regulation, review forestry tariff from time to time, and
- (d) mediate on any dispute that may arise between the Commission and any person, community or organization.

7. Status of the Chairman.

The Chairman shall-

- (a) be the Chief Executive of the Commission;
- (b) be responsible for the implementation of policies of the Commission;
- (c) generally exercise control over the activities of the Commission.

8. Establishment of Departments.

- (1) The Commission shall have the following Departments-
 - (a) Forestry;
 - (b) Plantation Development and Agro forestry;
 - (c) Non- Timber Forest Produce;
 - (d) Enforcement and Compliance;
 - (e) Forestry Extension;
 - (f) Wildlife Service and Afforestation;
 - (g) Community and Private Forestry;
 - (h) Administration and Human Resources;
 - (i) Finance and Accounts;
 - (j) Research, Planning and Statistics.
- (2) Each Department shall be headed by an officer not below the rank of a Director.
- (3) In addition to the department stated in Subsection (1) of this Section, the Commission may also create zonal offices necessary for the purpose of giving effect to the provisions of this Law.
- (4) The Commission may merge or increase the number of Departments or change their nomenclatures subject to the approval of the Governor.

9. Appointment of Executive Secretary.

- (1) There shall be appointed for the Commission, by the Governor, an Executive Secretary, who shall be a person with work experience or proven ability and interest in forestry or conservation management.
- (2) The Executive Secretary shall-
 - (a) be the accounting officer of the Commission;
 - (b) be responsible for the day to day administration of the Commission;
 - (c) ensure accountability and proper administration of the Commission.

- (d) oversee the activities of all the departments in the Commission as may be directed by the Chairman.

10. Recruitment and Discipline of Staff.

- (1) The Commission may recruit its staff directly with the approval of the Governor or from the Civil Service or through posting or secondment from other Ministries as may be necessary for the performance of its functions in line with the extant Public Service Rule in the State.
- (2) The terms and conditions of service, including remuneration, allowances, benefits and pensions of the staff of the Commission shall be as obtained in the State Public Service.
- (3) The Commission shall exercise disciplinary control over all the staff of the Commission in accordance with the Public Service Rules.

11. Pensions and Gratuity.

- (1) Service in the Commission shall be pensionable.
- (2) The officers employed by the Commission shall be entitled to pensions, gratuities and other retirement benefits as applicable in the State Public Service.
- (3) Nothing in subsections (1) and (2) of this Section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

12. Sources of funds for the Commission.

- (1) The sources of funds for the Commission shall be:-
 - (a) budgetary allocation and any other monies to the Commission from the State Government;
 - (b) such revenue as the Commission may generate from –
 - (i) concessions;
 - (ii) forestry tariffs and;
 - (iii) fines for violation of existing Forestry Law and regulations.
 - (c) all such funds that may from time to time accrue from the Ecological Fund or any other designated fund as may be established by the Federal Government;
 - (d) all monies raised for the purposes of forestry and conservation by way of grants or gifts from-
 - (i) foreign/ international donors or agencies

- (ii) non-governmental organizations and
 - (iii) global environmental facilities.
- (e) all other funds which may accrue from investments or any other source whatever, from time to time.
- (2) The fund shall be managed in accordance with existing financial rules and regulations in the State.

13. Award of Contract and Appointment of Consultants.

- (1) The Commission shall have power to award contracts in accordance with the Due Process and Public Procurement Law and Regulations applicable in the State.
- (2) The Commission may, where necessary and subject to the rules and regulations guiding such consultancy as may be prescribed by the Commission, appoint consultant(s) for the purpose of revenue collection.

14. Power to Borrow.

The Commission may, by its resolution and subject to such terms and conditions as may be approved by the State Executive Council, borrow such monies, as it may from time to time require, and such monies shall not be in excess of the budget approved by the House of Assembly for the Commission.

15. Annual estimates and Expenditure.

- (1) The Commission shall keep proper accounts and records of the Commission in respect of each year.
- (2) The Commission shall cause the accounts to be audited by auditors to be approved by the State Auditor General in accordance with guidelines issued by him.

16. Annual Report and Audited Account.

- (1) The Commission shall:
 - (a) prepare and submit to the Governor, not later than 1st April in each year, an annual report of the Commission during the immediate proceeding year, and
 - (b) include in such report a copy of audited accounts of the Commission for

the year

- (2) The Auditor-General shall forward a copy of the audited account to the House of Assembly.

17. Bank Account.

- (1) The Commission shall keep and operate bank accounts with reputable banks and all monies received on behalf of the Commission shall be paid into such bank accounts.
- (2) No withdrawal shall be made from the accounts of the Commission unless the cheque or other instrument in respect of such withdrawals are signed by the Executive Secretary and the Head of the Finance and Accounts Department and confirmed by the Chairman.

18. Establishment of Reserve Fund.

- (1) There is established a Fund, known as the Forestry Reserve Fund into which shall be deposited:-
 - (a) all monies received by the Commission in excess of its budgetary allocation or other sources, in accordance with Sub-section (1) of Section 12 of this Law, and which monies remain unexpended at the end of the financial year except for subventions and grants from foreign governments or donor agencies.
 - (b) a certain percentage of the fees from Forestry licenses, permits, fines and concessions as the Governor may approve; and
 - (c) green regeneration fees
- (2) The Commission shall not disburse any money from the Reserve Fund without the approval of the Governor.

19. Directives by the Governor.

Subject to the provisions of this Law, the Governor may give to the Commission directives of a general nature relating to matters of policy with regard to the performance of its functions.

20. Conflict of interest with duties and Responsibilities.

- (1) A member of the Commission shall not put himself in a position where his

personal interest conflicts with his duties and responsibilities

- (2) A member of the Commission shall not ask for or accept property or benefits of any kind, for himself or any other person, on account of anything done or omitted to be done by him in the discharge of his duties.
- (3) For the purpose of Subsection 2 of this Section, the receipt by a member of the Commission of any gift or benefits from commercial firms, business enterprise or persons who have any contract or business transactions with the Commission shall be presumed to have been received in contravention of this Law, unless the contrary is proved.
- (4) A member of the Commission who receives or is paid any emolument of Public Office shall not at the same time receive or be paid the emolument of another office unless he is an ex officio member.
- (5) A member of the Commission shall not do or direct to be done, in abuse of his office, any arbitrary act prejudicial to the rights of any other person, knowing that such act is unlawful or contrary to the policy of the government.
- (6) A member of the Commission who violates the provisions of this Section commits an offence and shall, on conviction, be liable to imprisonment for one (1) year or a fine of ₦200, 000.00.

PART IV

Special Provisions Relating to Scope of Application of this Law, Classification of Forest and constitution of Forest Reserves and Protected Forests.

21. Scope of Application of this Law and Classification of Forest.

- (1) The provisions of this Law shall apply to all the forests reserve in the State as classified below:-
 - (a) Government Forest Reserve;
 - (b) Local Government Forest Reserve;
 - (c) Community Forest Reserve;
 - (d) Private Forest Reserve;
 - (e) Wildlife Sanctuary;
 - (f) Forest Plantation;
 - (g) Strict Nature Reserve; and
 - (h) Garden, Park and Urban Forest
- (2) Government Forest reserve is any forest classified as such by this Law or any other laws or orders having effect in the State before or after the commencement of this Law.

- (3) In the event of any dispute as to the boundary of existing Government Forest Reserve before the commencement of this Law, the Commission, in collaboration with the communities recognized in the applicable Forest Reserve Settlement Order and any person(s) or claimants living in a Government Forest Reserve Area shall identify and re-establish the boundary within the Government Forest Reserve Area using the approved Forest Reserve Maps.

22. Power to constitute forest reserves and protected forest.

- (1) The Commission may, for overriding public interest, and with the approval of the Governor, constitute as Government Forest Reserves, Local Government Forest Reserves on any of the following lands-
 - (a) lands at the disposal of Government;
 - (b) any land in respect of which it appears to the Commission that the forest growth on such lands should be protected or reserved or be established.
 - (c) land reserved under a community land use plan as Community Forest Reserve subject to the provisions of the Land Use Act.
- (2) The Commission may, by notice in the State *Gazette* declare:
 - (a) any such lands as Protected Forest; and
 - (b) that any protected forest so constituted, may, from the date specified in a similar notice, cease to be a protected forest:

Provided that the rights, if any, which may have been extinguished pursuant to such notice shall not revive in consequence of such cessation.

- (3) The provisions of Sections 25, 26, 27, 28 and 29 of this Law shall not apply in respect of any lands at the disposal of the Government which it is proposed to constitute a Government Forest Reserve.
- (4) For the purpose of this Law, and subject to the powers of the Commission to constitute additional forest reserves and declare other areas as protected forest, the forest reserves currently available in the State, their location and current state of exploitation are as stated in the Fifth Schedule to this Law

Preliminary Procedure for Constituting Forest Reserves.

23. Notification of intention.

- (1) Before constituting any land a Government Forest Reserve or a Local Government Forest Reserve, the Commission shall publish a notice in the

State *Gazette*-

- (a) specifying nearly as may be the situation and the limits of the lands;
 - (b) declaring that the lands now form a protected forest;
 - (c) declaring whether the lands are at the disposal of the Government or are lands coming within Section 22 (1) (b);
 - (d) declaring that it is intended to constitute such lands a Government Forest Reserve or a Local Government Forest Reserve, either for the general purposes of Government or for the particular use and benefit, wholly or in part, of any class of persons or for the benefit of any community or of any Local Government;
 - (e) appointing an officer hereinafter referred to as the “Reserve Settlement Officer”.
- (2) The Reserve Settlement Officer shall inquire into and determine the existence, nature and extent of any rights claimed by or alleged to exist in favour of any persons or communities or brought to the knowledge of the said officer affecting the lands or any other rights in or over the lands which it is proposed to constitute a Government Forest Reserve or a Local Government Forest Reserve:

Provided that the provisions of subsection (2) of this subsection shall not apply in respect of any lands at the disposal of the Government which it is proposed to constitute a Government Forest Reserve.

- (3) If for any reason the Reserve Settlement Officer appointed under this section is unable to perform his duties, the Commission may, by notice in the *State Gazette*, appoint any person to act on his behalf or as his successor.
- (4) Where any land which it is proposed to constitute a forest reserve are lands at the disposal of the Government, the notice published in the *State Gazette* pursuant to this Section shall set forth, with all such particulars as may be necessary to define their nature, duration, incidence and extent, all rights including rights of the State, affecting the lands and the special conditions intended to govern the reservation thereof. In addition, such notice shall be made known so far as may be practicable to every person other than the State and the head of any community which has any interest in such rights.

24. Notice of inquiry.

Upon publication of the notice under Section 23, the Reserve Settlement Officer shall-

- (a) immediately cause the particulars contained in the notice to be made known in the areas under the jurisdiction of the Local Government in which the land is situate, by causing the same and other information he

considers essential, to be read and interpreted in the local language to the Chiefs and people of the communities dwelling on the land and the Local Government having jurisdiction over the lands; and

- (b) fix and make known a period within which, and a place at which, any person or community claiming any rights in or over or affecting the land which is proposed to constitute a forest reserve shall either send in a written statement of claims or objection to him or appear before him and state orally the nature and extent of his rights or interest.

The Inquiry.

25. Duty of Reserve Settlement Officer at the inquiry.

- (1) After the expiration of the period fixed by the Reserve Settlement Officer, he shall-
 - (a) inquire into and determine the limits of the lands specified in the notice referred to above; and
 - (b) determine the nature and extent of any claims or alleged rights or interest affecting the land which has been brought to his notice.
- (2) The Reserve Settlement Officer shall keep a record in writing of-
 - (a) all such claims and alleged rights or interest;
 - (b) all objections which may be made to such claims or alleged rights or interest; and
 - (c) any evidence in support of or in opposition to any claim or alleged right or interest.

26. Reserve Settlement Officer to have administrative powers.

For the purposes of the inquiry, the reserve settlement officer shall have all the powers conferred upon a sole Commissioner by the Commission of Inquiry Law.

[Cap.C10, Laws of Ekiti State, 2012]

27. Reserve Settlement Officer may sever or join claims.

The Reserve Settlement Officer may at any time during the inquiry join any number of claims or sever any claims joined and in his findings, may join any number of claims or sever any claims which were formerly joined.

Findings of Reserve Settlement Officer.

28. Submission of findings on completion of the inquiry.

- (1) Upon the completion of the inquiry, the Reserve Settlement Officer shall submit his findings to the Commission for consideration.

- (2) For avoidance of any doubt, his findings shall include-
- (a) description of the limits of the land specified in the notice; and
 - (b) such particulars as may be necessary to define their nature, duration, incidence and extent of all claims and alleged rights or interest brought to his knowledge in respect of the lands; and admitting or rejecting the same wholly or in part.

Modification of Rights by the Commission.

29. Power to extinguish or modify rights.

Where any right has been set forth in a notice published in the State *Gazette* under Section 23, subsection (1) (a) to (d) and (3) of this Law or where the Reserve Settlement Officer has admitted wholly or in part any right or claim and in the opinion of the Commission the exercise of such right, or claim or any part thereof-

- (a) would stultify the objects of any forest reserve;
- (b) would seriously hinder the efficient working of any proposed forest reserve; or
- (c) would do serious damage to any forest reserve, the Commission-
 - (i) may extinguish any such rights or claims and shall either give monetary compensation, or grant in exchange an alternative land either within or without the final boundaries of the forest reserve;
 - (ii) may confine or restrict any rights or claims to certain areas either within or without the forest reserve or the exercise of such rights to certain times of the year; or
 - (iii) make an enclave or so amend the boundaries of the proposed forest reserve so as to exclude, from the forest reserve, any area over which such rights or claims have been admitted;
 - (iv) add such additional rights as shall be considered just and equitable, notwithstanding that the Reserve Settlement Officer has not admitted such rights; and
 - (v) adopt wholly, or in part, any one or any combination of the above methods of dealing with the matter.

Provided that, in altering the external boundaries of the proposed forest reserve, the Commission shall not include any area which lies outside the original limits set out in the notice published in accordance with the provisions of Section 23 of this Law.

30. Publication of Notice in respect of Land finally constituted as Forest Reserve.

- (1) The Commission shall thereupon, publish a notice in the *State Gazette*, specifying-
 - (a) the land which it has finally decided to constitute a forest reserve;
 - (b) the rights which may be exercised within the proposed forest reserve; and
 - (c) any other special conditions affecting the proposed forest reserve.
- (2) The Commission shall subsequently give notice to every person who presented any claim or community in respect of which any claim was brought to the Reserve Settlement Officer, of its final decision made under subsection(1) of this Section.

Judicial Review.

31. Judicial Review of Commission's decision.

- (1) Any person who has made a claim or where a claim has been made on behalf of a community, that person or the representative of that community, may, within three months of the date of the publication of the Commission's decision, apply to the High Court for a judicial review of any part of such decision which affects his claim or the claim made on behalf of the community which he represents.
- (2) Any person who on his own behalf or on behalf of a community claims that his rights or the rights of that community in any land at the disposal of the Government which it is proposed to constitute a Government reserve have not been set forth at all, or have not, in respect of their nature, duration, incidence or extent, been fully or correctly set forth in any notice in the *Gazette* published under Section 23, subsections (1) (a) to (d) and (3) of this Law, may within three months of the date of publication of the notice institute proceedings in a High Court for the better determination and declaration of such rights.
- (3) Within thirty days of the date of the decision of the High Court under subsections (1) or (2) of this Section, appeal shall lie to the Court of Appeal.

Constitution of the Forest Reserve.

32. Order of the Commission constituting the forest reserve.

- (1) The Commission may, at the expiration of three months from the date of publication of a notice in the *State Gazette*-
 - (a) under Section 23 subsections (1) (a) to (d) and (3) of this Law in relation to lands at the disposal of the Government; or
 - (b) under Section 28 in relation to lands in respect of which an inquiry has

been held, make, with the approval of the Governor, an order constituting such lands a Government forest reserve or a Local Government forest reserve as the case may be; Provided that, and subject to the power of the Commission to constitute forest reserves as aforesaid, a Local Government Council may on its own, and subject to the approval of the Commission create a Local Government forest reserve or plantation on a land not a subject of inquiry, and

- (c) at the request of any community, within the area of authority of a Local Government, declare any lands within the area occupied by such community a Community forest area.

Provided that if an appeal has been made under Section 31(3), no such order shall be made until such appeal has been determined or until the expiration of the time within which an appeal may be made.

- (2) Such order shall, subject to the provisions of subsection (3) of this Section, set forth-
 - (a) the limits of the lands which constitute the reserve;
 - (b) all rights affecting the same as set forth in the notice published in the *State Gazette* under Section 23, subsections (1) (a) to (d) and (3) of this Law in relation to lands at the disposal of the Government, or in relation to other lands all rights affecting the same as set forth in the Commission's decision or established by the court upon appeal under section 31; and
 - (c) such additional rights as the Commission shall deem just and equitable to allow notwithstanding that such rights have not been set forth in the notice under section 23 or allowed in the Commission's decision.
- (3) Such order shall not include therein such rights as may have been set forth in the notice aforesaid or allowed by the Commission's decision but which have been subsequently modified or extinguished as hereinafter provided and where the boundaries of the reserve have been modified as hereinafter provided the order shall set forth the boundaries as subsequently determined.
- (4) Such order shall be published in the *State Gazette* and made known in the same manner as was the notice aforesaid or the Commission's decision. Except that, in the case of Community Forest Area, such declaration shall be made known in the same manner as local Government orders are made known to the people of the community ordinarily subject to the jurisdiction of the local Government in which the land is situate
- (5) From the date of the publication of such order in the *State Gazette* such lands shall be a Government forest reserve or a Local Government forest reserve as

the case may be.

- (6) Any order made under this section may be revised or modified by the Commission at any time.
- (7) In any revision or modification made by the Commission under subsection (6), the Commission may after such inquiry, if any, as it shall in its discretion think fit-
 - (a) exercise the powers conferred upon it under Section 29 (c) (ii); and
 - (b) add such additional rights as he shall consider just and equitable to allow notwithstanding that such rights had not been set forth in the notice afore-said or allowed in the Commission's decision.

33. Power to vary or cancel declaration.

The Commission may declare that from a specified date, lands or any part thereof declared to be a community forestry area, shall cease to be a community forestry area or a part of such area and thereafter from such date such lands shall cease to be a community forestry area or a part of such area. Such declaration shall be made known in the same manner as a declaration declaring an area a Government Forest Area.

Further Provisions Affecting Rights.

34. Commission may close existing rights of way and watercourses if alternatives exist.

In any Government Forest reserve or Local Government Forest reserve the Commission may close any right of way or watercourse:

Provided that in its opinion another right of way or watercourse equally convenient already exists or is provided.

35. Extinguishment and revival of rights.

In relation to any Government forest reserve, every right in or over land, at the disposal of the Government which shall not have been set forth in a notice published in the State *Gazette* under Section 23, subsections (1) (a) to (d) and (3), and every right in or over any other land in respect of which no claim shall have been made to the Reserve Settlement Officer, or of which no knowledge shall have been acquired by that officer before submitting his findings shall be extinguished:

Provided that if any person shall, within three months of the publication of the Commission's decision in the State Gazette, claim and satisfy the Commission that he has a claim or right over land which should have been set forth in the notice or in respect of which he might have made a

claim to the Reserve Settlement Officer and that through ignorance of the fact that the notice had been published or that an inquiry was being held or for other sufficient reasons he failed to make an appeal as provided in Section 31 (2) and (3) or to make such claim, the Commission may direct-

- (a) that such right shall be revived; or
- (b) that such right shall be modified or extinguished in accordance with the provisions of Section 35 of this Law.

36. Rights in reserve may not be alienated without approval of the Commission.

- (1) No person shall alienate any right, affecting land included in a forest reserve, which has been set forth in a notice under Section 32 or established before the reserve settlement officer or before a court under Section 31 or revived under Section 35, by sale, mortgage or transfer without the approval of the Commission first had and obtained.
- (2) Any such sale, mortgage or transfer effected without such approval shall be null and void.
- (3) Any person who contravenes the provisions of this section commits an offence and upon conviction shall be liable to a fine of not less than Seven Hundred and Fifty Thousand Naira (₦750, 000.00) only or to five years imprisonment or both.

37. No new rights to be acquired in land to be constituted a reserve except with approval.

During the period between the dates of the publication by the Commission of the notice of its intention to create a Government forest reserve or a Local Government forest reserve and of the Commission's order constituting the reserve-

- (a) no right shall be acquired in or over the land comprised within such notice otherwise than by succession or under a grant or contract in writing entered into with the approval of the Commission; and
- (b) save as hereinafter provided-
 - (i) no new house shall be built;
 - (ii) no tree shall be cut; and
 - (iii) no forest produce shall be removed;
 - (iv) no new farm shall be made:

Provided that nothing in this Section shall be deemed to prohibit any act done with the permission in writing of the Commission.

38. Power to de-reserve.

The Commission, with the consent of the Governor, may by notice in the Gazette, direct that from a date named therein, any lands or any part thereof constituted a Government forest reserve or a Local Government forest reserve under Section 22 shall cease to be a Government forest reserve or a Local Government forest reserve or a part of such reserve and right from such date such lands shall cease to be a Government forest reserve or a local government forest reserve or a part of such reserve: Provided that the rights, if any, which may have been extinguished therein shall not revive in consequence of such cessation.

PART IV

Forestry trust funds and timber development levies.

39. Forestry Trust Fund.

- (1) There is established a Forest Trust Fund to fund forest regeneration in depleted areas and general sustenance of the forest.
- (2) The sources of funds for this Fund shall be-
 - (a) 25% of all fees received or collected under this Law which shall be paid into the fund;
 - (b) Subventions and grants from the Federal, State and Local Governments;
 - (c) Support from individuals, foreign governments, institutions and donor agencies; and
 - (d) Any other legal sources.
- (3) The said fund shall be applied for the purposes of regeneration or afforestation of particular forest reserves or generally for forest regeneration and afforestation in the State, accordingly as the Commission may from time to time deem necessary or expedient
- (4) The Commission shall not disburse money from the Fund without the approval of the Governor.

40. Timber Development Levy Fund.

- (1) There is established a Timber Development Levy Fund into which all Timber Development levies collected from Tree Permit Takers shall be paid.
- (2) In addition to the monies in Forestry Trust Fund, the levies shall also be used exclusively for regeneration of degraded forests and shall be managed by the Commission and Timber Trade Association and Saw millers Traders Association.

PART V

Private Sector Participation in Forest reserve management.

41. Establishment of Private Land Forest Plantation.

Any individual or private investor may establish a private land forest plantation on a community or private land including free forest and Government Development Areas with the permission of the Commission.

42. Private Sector's collaboration.

- (1) Private sector organizations operating in forest areas shall, in accordance with the provisions of this Law and other applicable Laws and Regulations –
 - (a) cooperate with the Commission and communities in the management of their forests;
 - (b) support the communities with infrastructures such as roads and bridges as may be in concessional or contractual or other legal arrangement;
 - (c) comply with the provisions of this Law or any other law or regulations made hereunder connected with concessions, contracts or any other legal arrangement as the case may be; and
 - (d) take measures of afforestation and reforestation in order to increase the forest cover in their areas of operation.
- (2) The Commission may revoke the licence concession or contract of any private sector organization for non compliance with the provisions of this Section.

43. Management of Private Forest.

- (1) A person, family, group or organization responsible for the management of a private forest shall manage such forest in a sustainable manner and develop it through enrichment planting and reforestation measures, and in accordance with the principles and general obligations provided for in this Law.
- (2) Harvesting of forest produce in relation to private or individual engaged in forestry plantation shall be as follows:
 - (a) At maturity, the owner of the private forest plantation shall have the right to harvest the plantation crop subject to the payment of a fee amounting to 10% of the existing tariff rate for such plantation specie.
- (3) Interested private individual and/or corporate organizations shall be allowed to participate in Government Forest Reserve development for direct plantation establishment, enrichment planting and natural regeneration under the technical control of the Commission.
In pursuance of the provisions of this sub-section-
 - (a) private individuals and corporate organizations both within and outside

the State shall participate in the development of the State's Forest Reserves in terms of the financing of enrichment planting programmes and plantation establishment in the degraded and /or encroached portions under the directive of the Commission.

- (b) such Forest Reserve land shall be allocated by the Government through the Commission as part of its contribution to this scheme; and
- (c) at maturity, the investor shall have the right to harvest the crop subject to the payment of a fee amounting to 10% and 5% of the existing tariff to the Commission and the Community respectively.
- (d) All Private Woodlot Owners shall register with the Commission and shall indicate the site, species and year of planting of their plantation.

44. Monitoring Private Forests and special product plantation.

To ensure sustainable management of the forest, the Commission, through its authorized officer or agent shall –

- (a) inspect, monitor and control private forest management to ensure its compliance with this Law; or
- (b) enter a private forest area for the purposes of supervision, inspection and monitoring the state of the forest area and its management activities.

45. Assistance to Private Forest by Commission.

The Commission shall assist in the management of private forest –

- (a) through the provision of information necessary to ensure sustainable management; and
- (b) through the provision of technical advice and free seedlings where feasible and appropriate.

PART VI

Local Government, Zonal Offices and the Commission.

46. The Role of Local Government in Forest Management.

1. The Local Government shall support the Forestry Commission in accordance with this Law and other applicable Laws and Regulations.
2. Local Governments shall support the communities situate in their respective jurisdictions with regard to community forest management which may include the provision of basic infrastructures.
3. Local Governments shall support the Commission to resolve any boundary and other disputes between Associations and other forest stakeholders, failing

which resort shall be made to the Boundary Dispute Settlement Committee to be set up under this Law or any regulation made hereunder.

4. Local Governments shall take necessary measures to assist Communities in afforestation and reforestation in order to increase the forest areas in their respective jurisdiction.
5. Local Governments shall appoint Forestry Liaison Officers to provide the necessary links with the Commission and the communities engaged in forest management.

47. Link with Commission's Zonal Offices, Local Government and the Commission.

- (1) The Forestry Liaison Officers appointed under Section 46(5) of this Law shall, from time to time liaise with all Zonal offices created by the Commission in the area of their jurisdiction for the purpose of coordinating the management, supervision and control of forestry activities in their area, communities and at the Local Government levels.
- (2) The Head of each Zonal office shall render monthly report of such forestry activities to the Commission for the purpose of carrying out its functions under this Law.
- (3) The Commission, for the purpose of coordinating the activities of the Zonal offices and the Liaison Officers, shall issue guidelines for their activities and duties.

PART VII

Entry upon lands, payment of royalties and power to issue permits.

48. Marking of boundaries.

The Commission may enter upon any land for the purpose of erecting any beacons or demarcating or cutting any boundary lines within and around any land which it is proposed to constitute a forest reserve or a protected forest and around any portions of land included as enclaves.

49. Improvement of ecological status of forest.

The Commission may, from time to time, direct any forestry officer not below the rank of assistant forest officer to enter upon any land and cut out and destroy any diseased, dead or dying tree or any tree likely to cause damage to any forestry property or to life or property.

50. Prevention of offences.

- (1) A forestry officer, Commission's officer or Police Officer, including the

Commissioner or Permanent Secretary of the Ministry of Environment shall:

- (a) prevent the commission of any forestry offence;
- (b) stop, enter, open and search a vehicle or any other means of transportation carrying forest produce for the purpose of inspection of the produce;

(2) Failure by-

- (a) the driver of a vehicle or any other means of transportation carrying forest produce to stop for the purpose of inspection by a forestry officer or Commission's officer or a police officer shall constitute an offence which on conviction shall be punishable by a fine of ₦100,000 or imprisonment for six months or both;
 - (b) the owner or management of the forest produce yard, store, beach, sawmill, container or any other thing to allow a forestry officer, an administrative officer or a Police Officer to open, enter and search such forest produce yard, store, beach, sawmill, containers or any other thing shall constitute an offence which on conviction shall be punishable by a fine of ₦100, 000 or imprisonment for six months or both.
- (3) The Commission may, where the Police have not been informed, invite the Police to take necessary action in respect of any offence that may be committed under this Section.

51. Power to exempt certain classes and zones.

The Commission may, by notice in the *State Gazette* withdraw from the operation of all or any of the provisions of this Law any class of persons or any tribe or part of a tribe, or any area specified therein, either for the period mentioned in the notice or without a period assigned.

52. Disposal of fees and royalties.

- (1) All fees payable under this Law shall be paid into a special account for this purpose.
- (2) Royalties received under this Law in respect of forest produce shall, when ownership of the lands from which the forest produce is taken has been proved, be paid to the owner(s) either in form of cash or seedling production to the communities or persons entitled to receive them.
- (3) In the case of villages, communities or group of persons, such royalties shall be paid directly to those villages, communities or group of persons concerned.
- (4) The Commission shall pay such royalties accruing to the villages,

communities or group of persons within the same financial year.

- (5) Where a fine imposed is in respect of Community Forest, it shall be shared between the Commission and the Community, in the ratio of 40:60 of the Commission and Community respectively.

53. Control of Forest Reserve and Protected Forests.

The protection, control and management of forest reserves and protected forest shall be exercised and directed by the Commission in collaboration with key stakeholders from communities, civil society, private sector and any Community Based Forest Management Association or other relevant Government Agencies.

54. Forest Produce required for public purposes may be taken.

The Commission may cause to be taken from any forest reserve or protected forest any forest produce which may be required for public purposes upon payment of a prescribed fee.

55. Permits for Use of Forest Produce.

- (1) The Commission may on the satisfaction of prescribed conditions issue permits to interested persons to harvest or trade in timber and non-timber forest produce from the forest.
- (2) Subject to compliance with the minimum girth requirements, only tree species declared exploitable in a forestry tariffs under this Law or regulations made pursuant to this Law shall be harvested from the forest.
- (3) Permits for harvesting of and trading in non-timber forest produce shall be required in the form provided for in this Law or any other Law.
- (4) The duration of a permit shall be for two months, unless the Commission extends same for a further period which shall not exceed one month in one case or four months in the aggregate.
- (5) The holder of any permit issued under this Law, shall produce same for inspection whenever required to do so by a Commission/ forestry or Police Officer.
- (6) No permit shall be transferred to another person except with the approval of the Commission.
- (7) No person shall alter, deface or destroy any permit, and within fifteen days from the date of expiry of any permit, the holder shall cause same to be returned to the Commission.

56. Protected Species.

- (1) The Commission may, for purposes of sustainable forest management development or the conservation of biodiversity and cultural importance declare any other plant or animal species and their habitats protected and prohibit the harvesting of such plant or animal species.
- (2) Any plant and animal species declared protected in the Schedules to or regulations under this Law or any other Law or Act shall remain protected.
- (3) The Commission shall from time to time update the list of species of animal and plants considered protected or endangered.
- (4) The Commission shall not grant any permits, licenses and concessions where the purpose shall impact negatively on the habitats of protected plant or animal species.

57. Water, Watershed and Fisheries Protection.

No permits, licenses and concessions shall be granted by the Commission where the purpose shall impact negatively on water quality, water supply, watershed and fisheries.

58. Protected Forest Area for the purpose of Ecological reasons or preservation of animal and plant.

- (1) The Commission may for ecological reasons or the preservation of animal and plant species and their habitats by regulation declare any forest area a protected forest.
- (2) No harvesting of forest produce shall be permitted in forest areas declared protected.
- (3) For purposes of Subsection (1) of this Section, the Commission shall in collaboration with forest stakeholders develop a proposal for declaring protected forest areas.

59. Prohibition of clear-cutting/bush burning.

- (1) Except permitted by the Commission in writing, no person or community shall engage in clear-cutting or burning of high forest land in a protected forest area for purposes of agriculture or any other use;
- (2) No person shall set fire in any bush indiscriminately without first demarcating

- and clearing the area required to be burnt;
- (3) Subject to subsection(1) and (2) of this section, any person wishing to carry out bush burning for any agricultural purpose shall first ensure that the area required for the agricultural purposes has been properly cleared, and demarcated from the adjoining land/bush;
 - (4) Any person who violates the provisions of this Section shall be guilty of an offence punishable under Section 95 of this Law.

60. Regeneration and Reforestation by the Commission or Private Investors.

- (1) The Commission may either alone or in collaboration with any person or organization embark on regeneration or reforestation of the forest in the event of deforestation in any forest reserve.
- (2) Any person who intends to reforest or reafforest a degraded forest reserve in order to acquire concession shall submit a 5 to 10 years reforestation plan and deposit sufficient funds to cover the full cost of implementation into the Forest Trust Fund, before the Commission may approve the concessions.
- (3) The Commission in collaboration with a particular stakeholder may restore areas of degraded forest by natural or artificial planting to the extent practicable using endemic or native species:

Provided that a non-native species may be introduced if the Commission so approves in writing and there is strict compliance with the necessary specific risk assessment.

- (4) Any organization or individual whose activities create gullies, pits and other man-made environmental hazards in any forest area shall restore the forest area so affected under the strict supervision of the Commission failing which the Commission shall prescribe a penalty.
- (5) Notwithstanding anything contained in this Section, Regeneration or afforestation programme must ensure a zero net loss and a net gain of biodiversity on ground with respect to species composition, habitat structure, ecosystem function and people use and cultural values.

61. Harvesting of Forest Produce in State Forest Reserve (wood and non-wood).

- (1) Subject to Section 43 of this Law, harvesting of forest produce in a State Forest Reserve is prohibited, except approved by the Commission in writing and carried out in compliance with the Land and Resource Use management plan for the respective reserve.
- (2) Where the plan in Subsection (1) of this Section has not been established, the proposed harvesting must meet the requirements of sustainable forestry, livelihood for the communities and conservation.
- (3) Any harvesting of forest produce shall be subject to valid permission granted by the

Commission, in accordance with this Law or regulation made under this Law.

62. Forest Sector Strategy.

- (1) Conservation and sustainable management of forest resources and livelihood for the communities in the State shall be based on the forest sector strategy.
- (2) The Commission shall review and where necessary revise the Forest Sector Strategy every five years, in collaboration with other key stakeholders.
- (3) The Forest Sector Strategy shall lay down the overall objectives of Forestry in the State.
- (4) The Forest Sector Strategy shall provide the guidance for forest management in all forest areas: be it State Forest Reserve, Community forests or Private Forest established and managed in accordance with this Law.

63. Working Plans.

- (1) The Commission shall, in collaboration with forest stakeholders develop a Land and Resource Use Plan; and Management Plan to be applied in the management of forest in the State.
- (2) Upon the development of the land use and resource plan, the Commission shall publish a notice in the Gazette setting out: -
 - (a) the name and nature of the working plan;
 - (b) a general description of the area covered by the working plan:
and
 - (c) the place or places at which a copy of the plan may be inspected by any interested person.

64. Grant of Licences and Concessions by Commission.

- (1) The Commission may grant licenses in such form and in such terms as it may decide, for the harvesting of forest produce in forest reserves.
- (2) A concession agreement for an area in a State Forest Reserve shall not be concluded by the Commission with any person or community or communities over a forest living area without the approval of the Governor.
- (3) The Commission shall not conclude any concession agreement with any entity unless that entity is a body corporate.

65. Environmental Impact Assessment for Concession Agreement.

The Commission shall not conclude any concession agreement unless Environmental Impact Assessment has been carried out by the concessionaire

in accordance with the applicable Law.

66. Power of Commission to make regulations and prescribe penalties.

- (1) The Commission may with the approval of the Governor make regulations for all or any of the purposes following and may specify the area or areas to which all or any of the regulations shall apply providing for the -
 - (a) management, protection and utilization of forest reserves:
 - (b) protection of forest produce in forest reserves by -
 - (i) prescribing the time at which and the manner in which the rights set forth in the Order constituting the reserve may be exercised;
 - (ii) prohibiting the taking or destruction of any specified kind of timber or minor forest produce in the exercise of such rights as aforesaid; and
 - (iii) prohibiting the exercise of all or any of such rights as aforesaid in any specified part of a forest reserve.
 - (c) regulating or prohibiting of the destruction of or any act which may tend to the destruction of or cause injury to, any forest produce or forest growth or forest property in any forest reserve on lands at the disposal of the Government;
 - (d) the control of protected forests and the protection of forest produce in a protected forest mutatis mutandis as if such protected forest were forest reserve;
 - (e) regulation of the kindling of fires for any purpose within a protected forest or a forest reserve, and prescribing the persons who may declare the period during which fires may or may not be allowed for any purpose;
 - (f) prohibition or regulation of the taking of forest produce or of any specified kind of forest produce on lands at the disposal of the Government;
 - (g) prohibition of possession, sale or purchase of forest produce, or of any specified kind of forest produce, by any person other than the holders of licenses and permits granted under this Law or by any other persons or by any classes of persons to be specified in the regulations;
 - (h) regulation of grant, issue of and prescribing the form that any licence or permits may take in any particular case to -
 - (i) take forest produce in forest reserves or on lands at the disposal of the Government;

- (ii) sell or purchase forest produce; or
 - (iii) erect or operate sawmills or other manufacturing plant, using wood as a raw material.
- (i) prescription of procedure for fixing, and making known to the public, the fees to be paid on the application for, and the grant of, any licence or permit and the royalties and fees to be paid by the holders thereof;
 - (j) prescription of persons who may declare any specified kind of tree to be a protected tree and any specified kind of minor forest produce to be protected minor forest produce under this Law and the procedure thereof;
 - (k) imposing conditions in respect of the collection, payment and disposal of fees, royalties, tolls and cost of survey and demarcation;
 - (l) cancellation, forfeiture, termination or revocation of licences and permits;
 - (m) remission or reduction by a forest officer of any royalty, fee or toll charged or payable under the provisions of this Law;
 - (n) the holders of licences and permits to render returns and accounts and to submit their books for inspections;
 - (o) authorization of the payment of grants and bonuses out of the public revenue for the encouragement of forestry;
 - (p) regulation of the collection, preparation and taking of forest produce;
 - (q) regulation of the marking of timber, the registration of marks and the manufacture, possession or use of marking instruments;
 - (r) regulation of transit of forest produce by land, water or by different means and classes of transport;
 - (s) examination, marking, reporting or stoppage of timber or other forest produce in transit;
 - (t) establishment, management or control of checking stations to which timber or other forest produce shall be taken for examination by those in charge of it; and the conditions under which such timber or other forest produce shall be brought to, stored at or removed from the checking stations;
 - (u) regulation of salvaging and disposal of drift timber;
 - (v) prohibition of any act which may cause the obstruction of any waterway or cause danger to navigation;
 - (w) the survey, and demarcation, of any lands for giving effect to the purposes of this Law;
 - (x) the establishment and maintenance of nurseries and for the afforestation

- of lands, the preservation and production of forest produce and the introduction of new species of trees or other forest produce;
- (y) prohibition or regulation of the use of power chain saw or other tools as well as prohibited methods or procedures for harvesting in the State forests;
 - (z) making guidelines for the establishment and registration of Community Based Forest Management Association and generally for giving effect to the purposes of this Law
- (2) The Commission may also make regulations to –
- (a) regulate acts and omissions within a wildlife protected areas;
 - (b) set conditions under which a person, vehicle, boat, aircraft or vessel may enter or travel through or be allowed in a protected area;
 - (c) regulate the use of weapon, traps, firearms, explosives or any other like device;
 - (d) control the disposal of liter or waste in a protected area;
 - (e) control the introduction of alien species of animals or plants;
 - (f) control the use of wildlife resources;
 - (g) prohibit or control commercial activities within a wildlife protected area;
 - (h) protect animals and any matters or issues not dealt with in the Law, such as Community By-Law on Wildlife conservation: and
 - (i) generally for giving effect to the purposes of this Law.
- (3) Any contravention of the provisions of any regulation made under this Law shall be punishable by a fine or imprisonment as provided under this Law.

67. Power to withdraw permits, licences, and Concessions.

In the event of any violation of the provisions of this Law or any regulations made pursuant to this Law, the Commission may, by notice in the Gazette, either for the period mentioned in the notice or without any period specified, withdraw any permit, license, or concession from any person or organization.

68. Establishment of Community Based Forest Management Association.

- (1) Every community or village or group of communities or villages shall have the right to establish Community Based Forest Management Associations, in this Law referred to as Association in accordance with the provisions of this Law.

- (2) An Association established in accordance with the provisions of Subsection (I) of this Section shall develop and manage the forest resources for sustainable use, socio-economic development of the community, protection and sharing of benefits.
- (3) The Association shall organize their members to involve every family in the community.
- (4) All Associations established pursuant to this section shall be registered with the Commission.

69. Management of Community Forest.

- (1) A Community Forest shall be managed in collaboration with the Commission and any other forest stakeholders.
- (2) Community Forest management shall be carried out through a Community Based Forest Management Association or any designated and legally recognized community-based forest management authority and operating according to the provisions of this Law.
- (3) The Association shall ensure that this Law is complied with in their respective Community forest areas and may use their enforcement officers to enforce compliance.
- (4) Community Forest Management shall be supported by the Commission which shall assist with planning, management and enforcement.
- (5) Any disputes on Community Forest Management shall be settled by a Dispute Settlement Committee to be established by the Commission pursuant to this Law or any regulation made under this Law.
- (6) Any Forest Management Committee or Association shall operate under the supervision of the Village or Town Council with adequate recognition of the role of the Traditional/Chiefs Council in peace and sustainable forest practices.

70. Establishment and Registration of Timber Markets and Business.

- (1) There shall be established in various locations in the State, by the Local Governments in collaboration with the Commission, special markets for the sale of timber.
- (2) Every timber market shall be registered with and licensed by the Commission on satisfaction or conditions to be prescribed in a regulation made pursuant to this Law.
- (3) No timber dealer shall operate in the State unless he is registered with and licensed by the Commission and operates within the designated market established in Subsection (1) of this Section or one approved by the relevant Local Government Council and the Commission.

- (4) A major wood-based company or large-scale sawmill operating in the State and duly registered with the Commission, may be permitted to market sawn timber or any product thereof in its premises.

71. Evacuation of Timber from extraction site.

- (1) A forest officer having jurisdiction over an area where timber is exploited may grant permit to any timber dealer or person interested to evacuate sawn timber from extraction site upon payment of any fee that may be prescribed in a regulation made pursuant to this Law:

Provided that such permit shall not exceed four days.

- (2) No vehicle shall evacuate sawn timber from any extraction site, unless cleared by the forest officer having jurisdiction over the area where the timber is exploited.
- (3) Evacuation of timber shall be carried out between the hours of 7.30am and 6.00pm only and within the period of four days granted by the forest officer in charge of the area:

Provided that the forest officer may in special circumstances, grant one additional day for the evacuation.

- (4) All timbers shall be properly pass-hammered and labeled as legally harvested wood produce at the extraction site.
- (5) To give effect to the foregoing provisions, the forest officer in charge of the area shall issue to a permit holder an evacuation pass which shall serve as a clearing document for timber evacuation and transportation.
- (6) The pass, together with the permit fee receipt and the pass hammer marks shall be presented to the forest officer at every Forestry Check Point:

Provided that the pass shall be surrendered at the last check point before the destination of the timber.

- (7) Notwithstanding the foregoing provisions of this Section, in the case of timber to be transported outside the State, the timber dealer shall be issued with another pass by the Commission's officer in charge of the area from where the timber is being evacuated, subject to the payment of any Fee applicable under any regulation made pursuant to this Law.

72. Restriction on movement of timber.

- (1) No person shall operate and/or move logs in any Forest in the State between seven o'clock in the evening and six o'clock in the morning from Mondays to Saturdays.

- (2) For the purpose of official monitoring by the Commission, there shall be no logging operation and movement of logs in any Forest in the State on Sundays.
- (3) Any person who contravenes the provisions of subsection (1) and (2) of this Section commits an offence and on conviction shall be liable to a fine of not less than Fifty Thousand Naira (₦50, 000.00) or to imprisonment for six months or both.

73. Restriction on operation of sawmills.

- (1) No person shall operate any sawmill in the State between seven o'clock in the evening and six o'clock in the morning from Mondays to Saturdays.
- (2) For the purpose of official monitoring by the Commission, no person shall operate any Sawmill in the State on Sundays under whatever circumstance.
- (3) Any person who contravenes the provisions of subsection (1) of this Section commits an offence and shall be liable on conviction to a fine of Fifty Thousand Naira(₦50,000.00) or to imprisonment of six months and in addition a withdrawal of the offender's sawmill licence.
- (4) Notwithstanding the above, the Commission may make an order:
 - (a) closing down a sawmill or saw bench either temporarily or permanently where such a sawmill or saw bench is being operated with illegal logs; or
 - (b) for the seizure and sale of any instrument or thing used in committing a forest offence.
- (5) Any person who contravenes any order made under subsection (4) (a) of this Section shall be liable to a fine of (₦50,000.00) or to imprisonment of six months or both.
- (6) Notwithstanding anything contained in any other provision of this Law or in any other law, the following acts are hereby prohibited-
 - (i) the unlawful felling of timber and the carriage or use of timber so felled;
 - (ii) the installation or operation of sawmills or other manufacturing plant using wood as raw material.
- (7) No person shall install or operate any sawmill or manufacturing plant using wood as raw material without a licence issued by the Commission, and licences so issued shall be in such form and be subject to such conditions as the Commission may determine.

- (8) Licences issued under subsection (2) of this section may, subject to the discretion of the Commission, be renewed yearly for such fees as prescribed in the Forestry Tariff or as may be determined by the Commission.
- (9) Any person who in contravention of sub-section (5) and (6) of this Section:
- (a) unlawfully fells any timber or is in any way concerned in such felling or who knowingly carries or uses such timber for any purpose shall be guilty of an offence and shall be liable on summary conviction to imprisonment for not less than three years or to a fine not less than Two Hundred Naira (₦200,000.00) or both;
 - (b) “pre-felling” means felling of trees before a timber permit or block permit is obtained for the purpose, notwithstanding the fact that necessary fees had been paid;
 - (c) fells any timber in the Free Forest Area or in his approved forest allocation without a timber permit or block permit issued by the Commission shall be guilty of an offence and liable on summary conviction to a fine of not less than twenty thousand Naira (₦20,000.00) or imprisonment of not less than three months or both; and
 - (d) unlawfully installs or operates any Sawmill or other manufacturing plant using wood as raw material without licence issued by the Commission shall be guilty of an offence and shall be liable on summary conviction to imprisonment of not less than two years or to a fine of not less than One Hundred Thousand Naira (₦100,000.00) or both.
- (10) The court convicting any person for any offence under subsection (4) of this section shall order the forfeiture to the Commission, of any timber, plank, saw, cutlass, axe, tractor, vehicle, sawmill, manufacturing plant, instrument or other thing whatsoever with or in respect of which the offence has been committed.
- (11) Offences under subsection (8) of this Section shall be tried by any Magistrate's Court or High Court.

74. Log (Round) Removal across the Border Fee.

- (1) Any person who intends to move logs across the border of the State to another State shall obtain from the Commission a special permit in the sum prescribed in the Forestry Tariff, in addition to the amount chargeable per log at control post.

- (2) The fee prescribed in subsection (1) of this section shall be reviewed from time to time by the Commission in collaboration with the Tariff Review Committee.
- (3) The fee stated in subsection (1) of this section shall be paid to Commission's Account at the nearest zonal office to source of removal or to the point of evacuation in the State.
- (4) Any person who contravenes the provisions of subsection (1) of this Section commits an offence and shall be liable on conviction to a fine of five times the fees so prescribed in subsection(1) of this Section or such fees as may be prescribed by the Commission from time to time or to imprisonment for one year or both.

75. Appearance of property hammer on logs illegally removed across prohibited across.

Any contractor whose Timber Mark or Forest Concession Hammer Mark is found on any log illegally removed across the border of the State to another State commits an offence and shall be liable on conviction to a fine of Fifty Thousand Naira (₦50, 000.00) and in default of payment have his Timber Mark impound and his forest allocation revoked.

76. Evacuation Certificate Schedule.

- (1) No logs shall be removed within or across the border of the State unless it is accompanied with a Log Certificate or a Log Evacuation Schedule in the form prescribed by the Commission.
- (2) Any person who contravenes the provisions of subsection (1) of this Section commits an offence and shall be liable on conviction to a fine of ₦50,000.00 or to imprisonment for one year or both.

77. Levy on the movement of planks and sawn logs to other State.

- (1) There shall be paid on every vehicle conveying planks and sawn logs removed from the State to other states such levy as may be stipulated in the Forestry Tariff or prescribed from time to time by the Commission.
- (2) The levy prescribed in sub-section (1) of this Section thereof shall be paid to the Commission's Account or at the nearest zonal office to the border or the point of evacuation and the payer shall be issued with the e-payment receipt which shall be valid only for the day on which it is issued.
- (3) Any person who contravenes the provision of this Section commits an

offence and shall be liable on conviction to a fine of Five Thousand Naira (₦5, 000.00) in the case of a lorry of ten tones or below and Ten Thousand Naira (₦10, 000.00) in case of a vehicle of over ten tones or to imprisonment for three months or both.

78. General Enforcement responsibilities.

- (1) The Commission, Forest communities and stakeholders associations registered with the Commission shall appoint enforcement officers to be charged with the responsibility of enforcing this Law and any regulation made pursuant to this Law or any by-Law or other regulations recognized therewith.
- (2) Forest laws and regulations including the Association Constitution and Regulations adopted in accordance with this Law, shall be enforced with regard to –
 - (a) State Forest Reserves by the Commission;
 - (b) Community Forests, by Associations enforcement officers or where Associations do not exist, Village Council enforcement officers; and
 - (c) Private forest, by the Commission enforcement officer or private owner if any
- (3) The Commission may collaborate with non-governmental organizations, donor agencies and other stakeholders to provide the Forest Management Committees Associations and village enforcement agents with any necessary assistance to fulfill their enforcement responsibilities.
- (4) Without prejudice to any arrangements made by the Commission or Association for the security of its enforcement officers, the Nigeria Police and other armed forces shall provide the necessary additional security needed by forestry enforcement officers.

Task Force.

- (5) Apart from the officers appointed pursuant to subsection (1) of this Section, the Commission may, when necessary, constitute a special Task Force for the purpose of enforcing the provisions of this Law and the regulations made thereunder.

79. Duties of enforcement officer.

- (1) The basic duties of enforcement officers shall be to monitor compliance with Law, regulations and applicable Associations' Constitution in the State Forest Reserve, Community Forest and Private Forest through –

- (a) regular patrols, inspection and investigations;
 - (b) arrest of offenders, impounding of vehicles and seizure of forest produce obtained illegally, and other tools involved in illegal forestry activities;
 - (c) reporting offences to the Commission;
 - (d) prevention of illegal forest activities and ensuring the conservation of forests, wildlife and habitats, as provided for in this Law and other applicable laws and regulations;
 - (e) mounting forest check points at appropriate places for the purpose of inspection to verify compliance; and
 - (f) request from any person whom he reasonably suspects of engaging in illegal forest activities to show any permit, licence, concession, or registration document relevant to the forest activity.
- (2) Any impounded and detained vehicle, seized vessels and other tools may be disposed of on the order of a Court by the Commission, and the proceeds shall be paid into the Commission's account.
 - (3) Where the goods seized are perishable, an application shall be made by the enforcement officer to the Magistrate's Court for leave to dispose of the goods as and when necessary.
 - (4) Notwithstanding the provisions of Subsection (2) and (3) of this Section, the Commission may dispose of any items and forest produce, which the owner might have abandoned to escape arrest and remains unclaimed for sixty days:

Provided that in the case of non-timber forest produce, it shall be disposed of after twenty-one days.

- (5) Any offence committed under this Law or any regulation made pursuant to this Law may be reported to the Police or charged to Court.

PART VIII

Preservation, Conservation and Protection of wild animals, birds and fish.

80. Control and Responsibilities over Wildlife.

The Commission through the Director of Wildlife Service and Afforestation shall exercise control and responsibilities over Wildlife service as may be necessary under the provisions of this Law.

81. Wildlife Conservation Advisory Committee for Ekiti State.

- (1) The Commission shall establish a four-man technical Committee to be known as Wildlife Conservation Advisory Committee.
- (2) There shall be a Chairman/Chairperson for the Committee, who shall be a person with requisite knowledge and experience in Wildlife preservation and protection.
- (3) Other members of the Committee shall be drawn from the following organizations –
 - (a) Ekiti State Tourism Board;
 - (b) Ministries of Environment and that of Agriculture & Natural Resources;
 - (c) Two Wildlife Conservation NGOs.
- (4) The Director of Wildlife and Afforestation shall be the Secretary of the Committee.
- (5) The Committee shall have the responsibility to advise and make recommendations to the Commission on matters and questions relating to the wildlife in the State.
- (6) The Chairman/Chairperson and members of the Advisory Committee shall be paid such remuneration and allowance (if any) as the Commission shall determine, but not above what is applicable in the Public Service.

82. Animals not to be hunted, etc

- (1) No person shall hunt, kill, capture, trade or be in possession of any of the protected animals either alive or dead, or parts thereof; or any or the animals listed in the Second Schedule if the animal is –
 - (a) immature, pregnant or nursing a young animal;
 - (b) a female accompanied by her young unless he is authorized by special license or other permits under this Law.
- (2) Any person who contravenes the provisions of this Section commits an offence and shall upon conviction be liable to a fine of not less than ₦50,000.00 in the case of a first offender, and ₦ 150,000.00 in respect of any subsequent offence, or one year or two years imprisonment respectively or both.
- (3) In the case of multiple offences, each offence will be treated separately and any fine or sentence shall apply consecutively.

83. Eggs of protected animals not to be taken

No person shall take the egg of a protected animal unless the animal is kept in a domesticated state.

84. Prohibitions of hunting or killing in the Wildlife Sanctuary.

- (1) Unless authorized, no person shall hunt, kill or trade in any animal whatsoever whether for game or sport in any area of the state designated and delineated as a Wildlife Sanctuary.
- (2) The Commission may, either in respect of the whole of the State or any Local Government Area or other areas covered by the provisions of this Law, make Regulations to –
 - (a) remove and add any animal to or from any of the Schedules;
 - (b) prescribe, add to or alter the areas in which any of the animals mentioned in the Second Schedule to this Law may not be hunted, killed, captured or traded unless authorized under this Law.

85. Prohibition and Restriction on existing Wildlife Artifacts.

Save with the permission in writing of the Commission, no person shall possess, purchase, sell or transfer any existing wildlife artifact or manufacture anything from any wildlife in the Second Schedule to this Law, and such permission shall not be given unless the Commission is satisfied that such wildlife artifact has been or is to be lawfully obtained for commercial purposes.

86. Animal killed in self defense and discovered carcass.

- (1) Notwithstanding anything contained in this Law, no person shall be deemed to have committed an offence against this Law by reason of his having killed or injured any animal in defense of himself or any other person:

Provided that he shall report such occurrence without delay to the Commission or its representatives within forty-eight hours.

- (2) When the carcass or remains of any protected animal shall be found, such carcass or remains of the animal shall be the property of the Government and shall be reported to the nearest Charge Office of the Commission which will decide on the disposal of the animal.

87. Prohibition on killing any animal by dangerous methods.

No person shall use any poison, agricultural pesticide, fire, steel jaw traps, snares, dynamite or other explosive or any other device or method designed to injure an animal regulated by the Commission as harmful, for the killing of animals listed in the Second Schedule to this Law.

88. Prohibition on use of motor vehicle or aircraft for hunting.

No person shall use any boat, motor vehicle or aircraft (which term shall include aircraft lighter than air) either for the purpose of hunting, killing or capturing any animal for the purpose of driving or stampeding any such animal.

Provided that nothing in this Section shall affect the right of occupiers in respect of land occupied by them, or of the Government or the Government of the Federation in respect of land utilized for public purposes, to use motor boats, vehicles or aircraft for the purpose of driving away, capturing or destroying any animal found on such land where such ejection, capture or destruction is not otherwise contrary to Law.

89. Power to prohibit destructive methods of capture.

Where it appears to the Director of Wildlife and Afforestation that any method used for killing or capturing animals is unduly destructive, the Commission may by regulations prohibit such methods: or prescribe the conditions under which any method may be used –

- (1) any person who uses any method so prohibited or uses any method otherwise than according to the conditions so prescribed, commits an offence;
- (2) no person shall enter the Wildlife Sanctuary except with permission from the relevant authorities;
- (3) no person entering the Sanctuary shall have in his possession firearms, traps, or any device capable of harming the animals; and
- (4) no person entering the protected areas shall be accompanied by domestic animals.

90. Power to declare and prohibit hunting within the protected area.

- (1) The Commission may make regulations declaring any area to be a protected area.
- (2) Any person who hunts, kills or captures any animal in contravention of any law or regulations, or is found within a protected area in circumstances showing that he was unlawfully in pursuit of any animal commits an offence under this Law.

91. Power to authorize destruction of animals injuring food supplies, crops or endangering life.

If it is shown to the satisfaction of the Director of Wildlife and Afforestation, that it is necessary in order to protect the lives of any persons or to prevent the destruction of crops or of domestic stock or in time of famine or for any requirement relating to public health or public order, that a protected animal shall be destroyed, the Director of Wildlife and Afforestation and the Advisory Committee may authorize any person to kill such animals for such period and by such methods (even though prohibited by provisions of this

Law or the regulations made there under) and subject to such condition as he may direct with due regard to the prevention of any unnecessary destruction of protected animals.

Provided that such authority shall not be granted in the case of animals in the protected areas.

92. Power to search, seize and arrest in cases of violation of Wildlife Conservation rules or regulations.

- (1) Where the Director of Wildlife and Afforestation or any Police Officer or Forest Officer suspects that any person has been guilty of a breach of any of the provisions of this Law, he may inspect and search, or authorize a subordinate officer to inspect and search, any baggage, package, public or private vehicle, tent, public or private premises or building or caravan without a warrant belonging to or under the control of such person, or his agent, and if the officer finds any meat, head, horn, tusk, skin, feather or other remains of animal appearing to have been killed, or any live animal appearing to have been captured, in contravention of this Law, he shall arrest the carrier(s) and seize the contravening articles, or may, if need be, order the Police to effect the arrests.
- (2) Such person(s) arrested shall be detained at the nearest convenient police station and the seized articles preserved as exhibit(s) pending a formal charge to be brought before a Court within 48 (forty-eight) hours.
- (3) Where a live animal is confiscated in accordance with the provisions of Subsection (1) of this Section, it shall be placed without delay in a competent and recognized animal care centre for its own welfare.

PART IX

Offences, Fines and Sanctions.

93. Offences in wildlife protected area.

- (1) Any person who hunts, kills, trades, captures or be in possession of any animal or any part thereof as mentioned in the Second Schedule commits an offence, and shall upon conviction be liable to two years imprisonment or a fine of not less than ₦100,000 or both.
- (2) Any vehicle used in the Commission of any offence under this Law shall be impounded and upon the conviction of the offender, shall be redeemed upon the payment of a fine of ₦ 200,000.00
- (3) Any person who takes the egg of any protected animal in contravention of this Law commits an offence and shall on conviction be liable to three months imprisonment or a fine of ₦ 20,000.00 or both.
- (4) Any person contravening the provisions of Section 84, 85, 87 and 88

shall, upon conviction, be liable to six months imprisonment or a fine of ₦ 100,000.00 or both.

94. Offences in Community Forest.

The following acts shall constitute offences in a community forest –

- (a) violation of the Land and Resource Use Management Plan;
- (b) violation of Community Association Constitution;
- (c) non-permitted use of timber and non-timber forest produce;
- (d) clearing in community forest reserves;
- (e) clearing of any high forest for any purpose, unless otherwise permitted in the Land Use and Resource Plans; and
- (f) any other acts as may be prescribed in any law, or regulation made under this Law.

95. Acts prohibited generally in a forest reserve.

- (1) Whoever in any forest reserve, except with the authority in writing of the prescribed officer-
 - (a) takes any prohibited and endangered forest produce as may be listed in any regulation made pursuant to this Law;
 - (b) uproots, burns, strips off the bark or leaves or otherwise damages any tree;
 - (c) sets fire to any grass or herbage, or kindles a fire without taking due precaution to prevent its spreading;
 - (d) smokes or lights a fire in any part of a forest reserve within which, or at a time when, smoking or the lighting is prohibited;
 - (e) pastures cattle or permits cattle to trespass;
 - (f) digs, cuts, turns or cultivates the soil or makes a farm or plantation without permission;
 - (g) trespasses in any part of a forest reserve in which trespass is prohibited;
 - (h) constructs any dam or weir across any river or stream or otherwise obstructs the channel of any river or stream;
 - (i) resides or erects any buildings;
 - (j) hunts or fishes in the area designated for conservation within forest reserve;
 - (k) damages in any way or destroys any forestry property;
 - (l) saws logs into slabs at the stump (flitching) in the Forest Reserve without permission:
shall be liable on summary conviction to imprisonment for six months

without option of fine.

- (2) No person, in any Free Forest Zones/Areas shall saw logs into slabs at the stump (flitching) without the written permission of the Commission.
- (3) Any person who, in any Free Forest Zones/Area, saws logs into slabs at the stump (flitching) shall be liable on summary conviction to imprisonment for six months without option of fine.
- (4) Any vehicle or tools used in conveying flitch sawn planks in contravention of this Section shall be confiscated to the Commission together with the flitch sawn planks without option of fine.
- (5) Any person who-
 - (a) uproots, fells or otherwise damages any protected tree of over sixty centimeters in girth without the authority in writing of the Commission; or
 - (b) otherwise than during the period of the year allowed for the purpose either sets fire to or allows fire to spread to any forest growth unless such forest growth is being or has been felled for farming purposes;shall be liable on conviction to a fine of One Hundred Thousand Naira (₦100, 000.00) or to imprisonment for two years or to both and, in addition, may be required by the court to pay a sum equivalent to the fees and royalties payable on any forest produce removed or damaged and also such amount, if any, as the court may consider just as compensation for any damage done.
- (6) In addition to the penalty imposed under subsection (1) of this section, any farm or plantation or building or other infrastructure found on the reserve shall be destroyed and no compensation shall be paid in respect thereof.
- (7) (a) Any person who is permitted to farm in any forest reserve areas shall be responsible to tend and protect forestry tree seedlings planted in such areas.
(b) Forestry tree seedlings in such areas shall not be destroyed or uprooted.
- (8) Any person who farms in forest reserve area is guilty of an offence and is liable to a fine of Two Hundred Thousand Naira (₦200,000.00) or to two years imprisonment or both.

96. Saving in respect of rights already recognized in the order constituting forest reserve.

Nothing in the preceding section shall prohibit the exercise by any person or community of any right in a forest reserve constituted under this Law if such right has been recognized in the order constituting such forest reserve.

97. Prohibition of Quarrying of sand or gravel.

Any person who quarries sand or gravel in forest reserve or free forest without the permit shall be guilty of an offence and is liable to a fine of, in the case of sand ₦ 30,000, and in the case of gravel ₦50,000 or to two years imprisonment or both.

98. Prohibition of Commercial production of Charcoal.

- (1) Notwithstanding anything to the contrary in any Law, regulations or rules made before the commencement of this Law, the burning of any tree, wood, etc in the forest reserve or free forest for the purpose of commercial production of charcoal without permission is hereby prohibited.
- (2) Any person who produces charcoal in contravention of this section is guilty of an offence and liable on conviction to a fine of ₦ 50, 000 as a first offender and ₦ 200,000 for any subsequent convictions.
- (3) Any vehicle used in conveying charcoal in contravention of this subsection shall be impounded and same confiscated to the Commission together with the charcoal without option of fine.

99. Prohibition of Exploitation of bamboo for commercial purpose.

- (1) The cutting or exploitation of bamboo trees for commercial purpose in forest reserve or free forest without permit is prohibited.
- (2) For the purpose of this sub-section, a pole of bamboo tree attracts a permit fee of ₦ 50. 00 per pole
- (3) Any person who contravenes the provision of this section is guilty of an offence and liable on conviction to a fine of ₦ 10,000 or imprisonment for two years or both.
- (4) Any vehicle used for conveying any bamboo tree in contravention of this sub-section shall be impounded and same confiscated to the Commission together with the bamboo tree without option of fine.

100. Prohibition of production of Adulterated Rubber.

- (1) No person shall prepare rubber adulterated with dirt or other extraneous matter, or with the latex from any non-rubber yielding tree or plant without the permission of the Commission;
- (2) The Commission may from time to time issue instructions with regard to methods of taping wild rubber in the State;
- (3) Any person who contravenes the provision of subsection (1) of this Section commits an offence and on conviction liable to a fine of ₦50,000 or imprisonment for two years or both.

101. Registration and Control of Chain Saw Men.

- (1) No person shall carry any machinery to the forest to fell or split any wood or have in his possession wood or tree trunk with the aim of splitting into Planks for commercial purpose as a Chain Saw business unless he is first registered with the Commission and obtain a licence in respect of the Chain Saw business at a fee in the sum of ₦30, 000 or as may be prescribed by the Commission.
- (2) Licenced Chain Saw Men shall pay all permit/tariff fees and such other fees and dues in respect of their operations as may be prescribed by the Commission.
- (3) Licenced Chain Saw Men shall be required to carry their licence at all times to the area(s) of operation in any forest.
- (4) Licence granted under subsection (1) of this Section shall be for the duration of one year and renewable annually at a fee of ₦20, 000 or as may be prescribed by the Commission.
- (5) Any person who contravenes the provisions of subsection (4) of this Section shall be liable on conviction to a fine of fifty thousand (₦50,000) or imprisonment for a term of two years or both such fine and imprisonment.

102. Establishment of Gantry outside the Forest Reserve.

- (1) No person shall establish gantry outside any forest reserve unless he is first registered with the Commission and obtain a licence at the rate of ₦ 20, 000 which licence shall only be for a period of one year and renewable yearly.
- (2) Any person who contravenes the provisions of sub-section (1) of this Section shall be liable on conviction to a fine of ₦ 100,000 or imprisonment for a term of two years or both such fine and imprisonment.

103. Marking hammers, alteration of hammer mark or impressions.

- (1) No person other than an officer or employee of the Commission who has been duly authorized in this behalf shall possess or use any marking hammer or marking instrument for impressing marks on timber except if it has been registered, and no such hammer or instrument so registered shall be used outside the area specified in the registration certificate.

- (2) No mark made on any timber by a hammer or marking instrument registered under this Law shall be effaced or altered except by or with the consent of the owner of such timber and with the concurrence of the Commission.
- (3) Any person who-
 - (a) forges or fraudulently uses, aids or abets any person to forge or fraudulently uses any registered hammer or hammer mark or any mark used for denoting the ownership of any forest produce or any other mark used by the Commission in connection with the administration of the provisions of this Law; or
 - (b) possesses, alters, removes, destroys, or defaces any such mark placed on forest produce or any boundary mark of a forest or any land proposed to be included in a forest, shall be liable to a fine of Two Hundred Thousand Naira (₦ 200,000.00) or imprisonment for three years or to both.

104. Search of vehicles, seizure of forest produce, etc.

- (1) Notwithstanding Sections 78 and 79 of this Law, the Commission's officer, forest officer, or Police Officer, in complementing the efforts of enforcement officers appointed pursuant to section 78, may himself, or by any person acting under his directions, seize any animal or forest produce reasonably suspected of having been unlawfully removed and any instrument or thing reasonably suspected of having been used in the commission of any offence under this Law.
- (2) No suit shall lie against the Officer, or person acting under his direction, in respect of any deterioration in quality or value of any forest produce, instrument or thing seized in accordance with the provisions of subsection(1) of this Section.
- (3) Where the person suspected of having committed the offence in respect of which the forest produce has been seized has not been charged and the offence has not been compounded in accordance with Section 109 of this Law, the Officer, after obtaining an order of a Magistrate, may deal accordingly as provided under Section 79 of this Law.

105. Obstructing enforcement /Forestry officers in exercise of their powers.

Any person who obstructs any enforcement officer or any of the officers authorized in the exercise of any of the powers conferred on him by this Law; or fails to comply with any lawful enquiry or requirement made by the

officers in accordance with the provisions of Section 79 of this Law, commits an offence and shall be liable upon conviction to a fine of ₦ 50, 000 or imprisonment to two years or both.

106. Arrest of suspected persons.

A member of the police force, forestry/commission officers or any other authorized person shall have power to arrest without warrant any person who may be reasonably suspected of having committed any offence under this Law:

Provided that any person so arrested shall be taken before a High Court Judge or Magistrate as the case may be or to the nearest Police station without unnecessary delay.

107. Breach of any regulation on sale, purchase or possession.

When any person is charged with the breach of any regulation prohibiting the sale, purchase or possession of any forest produce taken, collected or prepared in contravention of this Law, such person shall pay a compensation of Twenty Thousand Naira (₦20,000.00) and shall forfeit any such produce to Government or upon summary conviction by a court be liable to a fine of Fifty Thousand Naira (₦50, 000.00) or to imprisonment for six months or both.

108. Onus of proof.

The onus of proof that any forest produce has not been taken in contravention of this Law shall lie upon the person in whose possession the forest produce is found.

109. Authority to compound offences/ option to elect to pay fine at the point of commission of offence without prosecution.

(1) Where a person is reasonably suspected of having committed an offence against this Law, the Commission, instead of taking proceedings against such person in court, may upon the suspected person entering into an undertaking as in Third Schedule to this Law, direct that such person pays into the Commission's account such amount of money by way of compensation for the offence that he is suspected of having committed together with the value of the forest produce or forestry property in respect of which he was suspected of having committed an offence:

(2) Provided that the money received by way of compensation shall not amount to less than five times the fees and royalties, if any, estimated

to have been lost on the forest produce in question, or five times the value of the forestry property in question, as the case may be.

- (3) Notwithstanding the provision of subsection (1) of this Section, any person suspected to have violated the provisions of this Law may elect to be tried by the Court established to try offences created under this Law.

110. General penalty.

Any person who contravenes any regulation made under this Law or the conditions of any licence or permit issued under this Law for which no penalty is expressly prescribed shall be liable to a fine of Twenty Thousand Naira (**₦20,000.00**) or to imprisonment for two years or to both.

111. Offence by enforcement or forestry officer (aiding and abetting in illegal forestry activities).

- (1) It shall be an offence punishable with a fine not more than ₦ 100,000 for any enforcement or forestry officer, including Commission Officer or Association's Enforcement Officer to charge a fee for a permit or pass for which no fee is provided by law or engage in any act which amounts to or may contravene any of the provisions of this Law.
- (2) In addition to the sanction in subsection (1) of this Section, such Commission officer/forestry officer shall be dismissed from its employment while the Association Officer shall be relieved of his duties and be replaced.
- (3) Any Commission or Association enforcement officer who receives gratification from any person in order to breach any of the provisions of this Law commits an offence and shall on conviction be liable to a fine of not less than ₦ 50,000.00 or two years imprisonment or both.
- (4) Notwithstanding the above, any forestry officer found to be aiding and abetting in illegal forestry activities shall:
 - (a) face summary dismissal; and
 - (b) be liable on conviction to imprisonment for three years without any option of fine.

112. Additional Offences.

- (1) In addition to the Offences prescribed in this Law, the following acts shall also constitute offences and is subject to the fines and sanctions prescribed under this Law:-
 - (a) harvesting of forest produce without a required permit or with insufficient or invalid permit or permits;

- (b)** non-compliance with conditions of a permit;
- (c)** harvesting of forest produce with machinery and tools not registered;
- (d)** harvesting of forest produce without being duly registered as sawyer or permittee;
- (e)** refusing or resisting inspection or control measures when requested by enforcement officers;
- (f)** physically assaulting, harming, abusing, or in any way threatening an enforcement officer/forestry officer;
- (g)** violating applicable provisions on protection of species;
- (h)** transporting or otherwise evacuating timber or other forest produce without the required pass or with insufficient or invalid pass;
- (i)** transporting or otherwise evacuating timber not marked or incorrectly marked;
- (j)** transporting or otherwise evacuating forest produce outside fixed periods of time;
- (k)** evacuating forest produce using vehicles without clearances;
- (l)** transport timber or other forest produce without an interstate permit when required;
- (m)** operating a timber market without registration;
- (n)** dealing in timber or retailing in sawn timber or non-timber forest produce without the required registration;
- (o)** extracting timber in a charge for which a person inspected and controlled has not been specifically registered and without specific approval of the Forestry Commission;
- (p)** using power chain-saws for wood conversion in a State Forest Reserve;
- (q)** non-registration of tool or machinery used for timber extraction;
- (r)** unlawfully extracting an under girth tree;
- (s)** farming in any forest mentioned under Section 21 of this Law without a permit from the authority having jurisdiction over the forest;
- (t)** owning a farm located in any forest mentioned in Section 21 of this Law without a permit issued by the authority having jurisdiction over the forest;
- (u)** operating a timber market outside approved locations;
- (v)** unlawful mining in any forest without a permit issued by the appropriate authority;
- (w)** contravention of any existing regulations for marketing and transportation of forest products still in force or made pursuant to this law;
- (x)** resisting lawful arrest, or attacking Commission's Office;

- (y) unauthorized escort of illegally obtained timber by armed personnel, police etc and
 - (z) any act done in violation of principles of forest management or wildlife Law.
- (2) Unless provided by this Law, any person who in a wildlife protected area unlawfully:-
- a) hunts, takes, kills, injures, or disturbs any protected plant or animals;
 - b) takes, destroys, damages or defaces any object of geomorphological, archaeological, historical, cultural or scientific interest, or any structure lawfully placed or construed;
 - c) prepares land for cultivation, prospects for mineral or mine or attempts any such operations;
 - d) starts or maintain a fire within a wildlife protected area; or
 - e) drives, conveys or introduces any animal into a wildlife conservation area or negligently permits any domestic animal under his charge to stray into a wildlife conservation area; commits an offence.
- (3) Any person who violates any of the provisions of this Section shall upon conviction be liable to a fine of not less than ₦ 100, 000 or one year imprisonment or both.

113. Additional Fines and Sanctions.

- (1) In addition to any penalty prescribed for an offence under this Law or regulations made hereunder, the Court may order the:-
- a) offender to pay an amount equal to the value of the produce or animal at not less than five times the prevailing market values;
 - b) sale of the illegally obtained forest produce or animal seized or any instrument or thing with which the offence was committed, and payment of the proceeds therefrom into the Commission's account for the benefit of the Commission and the Association in the Area where the forest is situate; or
 - c) forfeiture of the forest produce or animal to the Commission;
 - d) destruction or cessation of the offending activity or any instrument or thing with which the offence was committed.
 - e) Cancellation of any license or permit held under this Law;
 - f) Offender pays three times the applicable fees where a permit, concession or any other registration document is lacking, and
 - g) Payment to the informant on whose information the offence was detected and proved, a portion, not exceeding one half, of any fine imposed on an offender.
- (2) Any vehicle, vessel, items or other tools used in the Commission of the

- offence shall be confiscated until the fines imposed has been fully paid and the sanction complied with and if after six months a confiscated vehicle, vessel or other tool is not redeemed, it may be auctioned and the proceeds paid into the account of the Commission.
- (3) Before a confiscated vehicle, vessel or other tool is released, the offender shall pay all the costs incurred in respect of the confiscated vehicle, vessel or tool.
 - (4) Notwithstanding anything contained in this Section, where a conviction has been entered against any person in respect of the offence alleged, the vehicle or tool used in committing the offence shall be confiscated to the Commission without option of fine.
 - (5) The Commission may at its discretion exclude holder of existing permit, license or concession who committed any offence from forestry activities for a period of six months.
 - (6) In the case of persistent commission of offences, the duration of exclusion may be extended to one year or more and until the Commission receives in writing an undertaking to be of good conduct from the offender.
 - (7) If after the undertaking in subsection (6) has been accepted and the offender reinstated, the offender commits another offence, he may be suspended for life from engaging in forestry activities.

PART X

Tariff review committee and institution of legal proceedings.

114. Forestry Tariff Review Committee.

- (1) There shall be constituted by the Commission a Forestry Tariff Review Committee.
- (2) The Committee shall comprise of-
 - (a) The Executive Secretary of the Commission as Chairman,
and
 - (b) Six(6) other members, who shall not be members of the Commission as constituted under sub-section (3) of Section 1 of this Law, as follows-
 - (i) A member representing the State Timber Trade Association;
 - (ii) A member representing the State Saw Millers Association;
 - (iii) A member representing Private Wood Developers in the State,
 - (iv) Two retired forestry officers or Community Based Forest Management Association established pursuant to Section 68(1)

of this Law, and

- (v) The Director of Forestry, who shall serve as the Secretary to the Committee.
- (3) The Committee shall perform advisory role, and shall meet yearly, if need be, to review the State Forestry Tariff.
- (4) There shall be paid to members of the Committee, except the Chairman and Secretary, such remuneration and allowances (if any) as the Commission may determine, but not above what is applicable in the Public Service.
- (5) All fees accruable under this Law shall be as prescribed in the Forestry Tariff in the Sixth Schedule to this Law or as may be determined from time to time by the Commission in collaboration with the Tariff Review Committee.

115. Institution and conduct of legal proceedings.

- (1) All proceedings for an offence against any provision of this Law shall be prosecuted through the office of the Attorney General or by a Law officer authorized by the Attorney General.
- (2) No suit against the Commission shall or be instituted in any court unless it is commenced within three months from the occurrence of the act, neglect or default complained of.
- (3) No suit shall be commenced against the Commission until at least one month after the service on the Commission, a written notice by or on behalf of the intending plaintiff of intention to commence the suit stating-
 - (a) the cause of action;
 - (b) the particular of the claim, and
 - (c) the name and place of the intending plaintiff and the relief claimed.
- (4) In any suit against the Commission, the Commission may without prejudice to any other form of representation be represented at any stage of the proceeding by any member, officer or employee of the Commission duly authorized in writing by the Commission in that behalf.

116. Jurisdiction.

Chief Magistrate Court or High Court as the case may be, shall have

jurisdiction over offences committed under this Law or any regulation made pursuant to this Law.

117. Admission in evidence of maps of forest officer

Notwithstanding anything contained in the Ekiti State Survey Law, Cap. S15, Laws of Ekiti State, 2012 and regulations made thereunder, all maps, plans or diagrams shall be admissible in evidence in any proceedings under this Law in a Court or before a Reserve Settlement Officer, in accordance with the Evidence Act.

118. Presumptions as to ownership of forest produce.

When in any proceedings taken under this Law, or in consequence of anything done under this Law, a question arises as to the ownership of a forest produce, such forest produce shall be presumed to be the property of the Government unless the contrary is proved.

119. Forfeiture on Conviction.

In all cases of conviction for any offence under this Law, any protected animal or other remains thereon found in possession of the offender or his agent, unless proven to the satisfaction of the Court that they were lawfully obtained, shall be forfeited to the Commission.

120. Liability of the Commission.

The Commission, registered Association, their employees or duly authorized agents shall not be liable for any act done or purported to be done pursuant to this Law unless the act complained was done in bad faith.

121. Right of Informant.

Any person who provides information to the Commission leading to the arrest and prosecution and conviction of an offender, seizure, forfeiture and payment of any fine under this Law shall be entitled to a percentage of the fine as may be prescribed under this Law or any regulations made under this Law.

122. Repeal.

The Ekiti State Forestry Law, Cap. F3, Laws of Ekiti State, 2012; and Wild Animals Preservation Law, Cap.W1, Laws of Ekiti, 2012 are hereby repealed.

123. Saving as to existing forest reserves and effect of certain things done under the Ekiti State Forest Law.

(1) Any appointment, notice on notification, made or published or any inquiry or the decision or judgment of any person holding such inquiry,

held or given, whether at the inquiry or on appeal under Ekiti State Forestry Law, Cap. F2, Laws of Ekiti State, 2012, shall be deemed to have been made or published, given or held under the provisions of this Law.

- (2) All existing forest reserves, statutory and contractual functions, instruments, interest, acts, rights, obligations and liabilities existing at the time of the coming into force of this Law shall be deemed to have been constituted or entered into under and in accordance with the provisions of this Law.

124. Forms/Permits.

The Forestry forms/permits and other security documents listed in the Fourth Schedule to this Law or Forms/Permits to the like effect may be used in all matters to which they are applicable with such variations as circumstances required.

125. Interpretation.

In this Law:-

“**Animal**” or “**species**” means all vertebrates and invertebrates (including non-edible fish), their nests, eggs, egg-shells, skin and plumage.

“**Association**” means community Based Forest Management Association.

“**Executive Secretary**” means Executive Secretary of the Commission.

“**Board**” means the Board of the Forestry Commission established and acting in accordance with this Law.

“**Cattle**” means livestock;

“**Chairman**” means Chairman of the Forestry Commission Board

“**Commission**” means the Forestry Commission established under section 1 of this Law;

“**Commissioner**” means the Commissioner for Environment

“**Conservation**” refers to measures of protection and preservation of nature and natural resources as required in order to maintain the state of species, areas and habitats while allowing for its sustainable ecological use.

“**Community**” Means any group of persons occupying any lands in accordance with and subject to local laws and custom.

“Community based forest management Association” means the Community Forest management Committee (FMC) made up of Forest Landlord Association formed by the Community itself whether or not registered under part “C” of the Companies and Allied Matters Act, Cap.20 LFN, 2004.

“Community Forest” means forest areas on Community land in which the communities have traditionally and on the basis of customary law exercised Exclusive User Rights.

“Concession” means lawful right to harvest forest produce within an ascertainable forest area for a definite period of time by mutual written agreement.

“Conservation” means the protection and maintenance of nature, while allowing for the sustainable ecological use.

“Court” means the High Court of Ekiti State and Chief Magistrate Court.

“Donor Agencies” or **“Donors”** includes National, Corporate individual donors for forestry activities.

"Enclave" means an area completely surrounded by a forest reserve and excluded from that forest reserve by an order made under this Law;

“Enforcement Officer” includes any forest, Administrative Officers or Police Officer.

"Export" means export from Nigeria;

"Forest" includes government forest reserves and protected forests, local government forest reserves and protected forests and communal forestry areas and as mentioned in Section 21 of this Law.

“Forestry” means the art and science of managing the natural resources that occur on and in association with forestlands for human benefit or use;

“Forest Concession” means a delineated forest area given out to a company for timber harvesting for a specified period of time under agreed terms in accordance with the provisions of this Law.

"Forest growth" includes anything growing or to be grown on land other than agricultural crops;

“Forest Management Committee” means committee of forest stakeholders

formed by a community or group of communities and recognized by the Forestry Commission in accordance with this Law but when Forest Landlord Association is formed it becomes Community-Based Forest Management Association registrable under Part “C” of the Companies and Allied Matters Act.

“Forest office” means any office designated by the State Government for the purpose of collecting rates, fee or any other money on forest produce

"Forestry officer" means any officer of the Commission or any officer appointed under section 78 for the purpose of giving effect to the provisions of this Law;

“Forest Produce” includes timber and non-timber forest produce.

- (a) whether found in or brought from a forest or not, timber, firewood, charcoal, rubber, bamboo, gum, gutta perch, latex, wood oil, gum resin, natural varnish, tanning, extrats, tanning barks, wild fruits, fibre, bark and lac;
- (b) when found in or brought from a forest;
 - i. trees and all other parts or produce of trees not otherwise herein mentioned;
 - ii. plants, including climbers and grasses, creepers and all parts or produce of plants;
 - iii. wood ashes;
 - iv. peat, surface soil and minerals other than minerals within the meaning of any Act or Law, regulating the working of minerals;
 - v. honey, beeswax, guano, silk-cocoons, humus, and all produce from animals.

"Forest reserve" means any area constituted a forest reserve under this Law or under any enactment repealed by this Law, which shall not have ceased to be a forest reserve under any enactment;

“Free Forest Zones/Areas” means any forest outside government forest reserve, agricultural plantation of farmers, difficult areas such as hilly and swampy places or locations that are not motorable

“Forest Property” includes any stock, store or materials owned by the Government or a council and used or intended to be used in any forest operations or any forestry work, and also boundary marks and pillars, boundary or survey beacons or signs, name plates, machinery, scientific instruments, implements, tools, buildings, tents, fences, vehicles, roads,

bridges and cattle;

“**Forest Resource**” includes the forest area and its cover, the trees and other plant and animal species as well as any forest produce therein;

“**Forest Sector Strategy**” means the strategy for the sustainable development, conservation and management of the forests in Ekiti State prepared by the Forestry Commission in conjunction with other stakeholders;

“**Forest Stakeholder**” means any individual, group or institution having an interest or a right in forest conservation or sustainable forest management and livelihood for the communities;

“**Forest tariffs**” means approved government rates or charges for forest products.

“**Garden**” means botanical garden i.e. where plants or different species are grown or maintained;

“**Gazette**” means the official Gazette of the Government of Ekiti State;

“**Girth**” means the circumference of a tree measured either at a height of one metre thirty centimeters from the ground, or (if the tree is buttressed above that height) measured at thirty centimeters above where the highest buttress merges with the whole;

“**Government**” means the Government of Ekiti State Nigeria

“**Governor**” means the Governor of Ekiti State

“**High Court**” means High Court of Ekiti State

“**High Forest**” means forest areas dominated by trees

“**House of Assembly**” means Ekiti State House of Assembly.

“**Hunt**” includes an attempt to kill or capture, and also an intentional causing of injury, or an attempt to cause injury to an animal or bird

“**Illegal Forest Activity**” means forest activity carried out without the necessary permit, concession, registration document or any other requirement under this Law or any other Law on forest matter;

“**Illegally removed**” means removal of logs between seven o'clock in the evening and six o'clock in the morning or without procurement of necessary

documents or without accompanying such logs with the Evaluation Schedule or Log Certificate

"Inquiry" means any inquiry by a reserve settlement officer;

"Lands at the disposal of the Government" means any lands which the State has acquired or may acquire by agreement or otherwise and includes lands leased to the Government;

"Legally removed" means removed logs between six o' clock in the morning and seven o'clock in the evening or removal after necessary documents have been procured in accordance with this Forestry Law

"Local government" means a local government established under the Local Government Administration Law;

"Minor forest produce" means any forest produce other than timber;

"Ministry of Environment" means the Ministry of Environment in the Government of Ekiti State

"Native community" means any group of persons occupying any lands in accordance with and subject to native law;

"Non-Government Organization" means a voluntary non-profit organization, independent of Government, interested in the sustainable development, community livelihood, conservation and management of forest in Ekiti State.

"Park" means recreational park

"Permit" means a document granting the holder the authority to extract or use a forest resource or carry out a specified activity in the forest

"Plantation" means cultivated or man-made forest with few plant species in large numbers

"Private Forest" means a forest area or plantation outside State Forest Reserve and Community Forest, used by individuals, families, groups and organizations in accordance with the statutory law or customary law to the exclusion of others.

"Protected Animal" means any of the animals mentioned in the Second Schedule;

“Protected Area” means any area set aside by law for purposes of restricted access;

“Protected Bird” means any of the birds mentioned in the Second Schedule;

“Protected forest” includes-

- (a) any area declared to be, or constituted as protected forest under this Law;
- (b) any area proposed to be reserved, the preliminary notice in regard to which has already been published;

“Protected tree” or “protected minor forest produce” means any species of tree or any minor forest produce declared by the prescribed person to be protected under this Law;

“Reserve Settlement Officer” means a person appointed by the Government of Ekiti State for the purpose of constituting a forest reserve;

“State” means the Ekiti State of Nigeria;

“Strict Nature Reserve” means forest areas where due to the fragile feature of the ecosystem human activity/access is strictly prohibited;

“Sustainable Management of Forest Resources” means the management of the forest resources in such a way that the forest cover is not degraded and reduced by human use and that it is increased where ecological reason so require;

“Timber” includes all trees, whether standing, fallen, or felled, stumps of trees and all wood, whether or not cut up or fashioned or hollowed out for any purpose;

“Timber Dealer” includes timber exploiters, sawn wood sellers, non-timber produce exploiter, dealers and retain outlets;

“Timber” includes all trees, whether standing, fallen or felled, stumps of trees and all wood whether or not cut up or fashioned or hollowed out for any purpose;

“To take minor forest produce” includes to cut, collect, gather or remove such produce;

“To take timber” means to fell, lop or girdle trees or to carry away any timber from the lands upon which the trees have fallen or been felled, whether the trees have been felled by cutting or by removing the soil from the roots or

by any other method or combination of methods;

"Tree" includes palms;

"Urban Forest" means a piece of land where trees are planted and maintained within an urban area either for erosion control or for beautification purposes etc

"Vehicle" means aircraft, lorry, car, truck, engine boat, canoe or vessel whether mechanically or manually propelled;

"Wildlife Artifact" means any protected animal dead or alive or anything part of or produced from such animal when dead or any protected bird, or the eggs, egg-shells, nests or plumage of any such bird, but does not include any trophy or part of a trophy which by a process or bona fide manufacture has lost its original identity;

"Wildlife Sanctuary" means any defined forest area not falling within the category of either a State, Community or private forest reserve but which is specifically set aside by any subsidiary legislation or Executive Order as a protected area or for the conservation of wildlife;

"Working Plan" means, in relation to any forest, any plan of operations or work so dedicated upon and described as such and approved by the Commission.

126. Citation

This Law may be cited as Ekiti State Forestry Law, 2016.

THE SCHEDULE
FIRST SCHEDULE
(SUPPLEMENTARY PROVISIONS TO THE COMMISSION.)
[Section 1(7)]

1. Proceedings of the Commission.

1. Subject to this Law and Section 25 of the Interpretation Act, the Commission may make standing orders regulating its proceedings or those of any of its Committees.
2. The quorum of the Commission shall be 5(five) members which shall include the Chairman of the Commission, and the quorum of any Committee of the Commission shall be as determined by the Commission.

2. Meetings of the Commission.

The Commission shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so, by notice given to him, by not less than two other members, he shall summon a meeting of the Commission to be held within 3 days from the date on which the notice is given.

3. Presiding at Meetings.

1. At any meeting of the Commission, the Chairman shall preside, and in his absence, the members present at such meeting shall elect one of their members to preside.
2. The Commission shall hold as many meetings as may be required.

4. Co-option of Members.

Where the Commission desires to obtain the advice of any person on a particular matter, the Commission may co-opt such person to the Commission for such period as it deems fit. However, such a person who is in attendance by virtue of this Section shall not be entitled to vote and shall not count towards a quorum.

5. Committees.

- (1) The Commission may appoint one or more committees to carry out, on its behalf, such functions as it may be determined.
- (2) A Committee appointed under this Section shall consist of such number

of members as may be determined by the Commission.

- (3) The Committee may co-opt any person it deems fit, provided the person shall serve on the Committee in accordance with the terms of his appointment.
- (4) A report of a Committee of the Commission shall be of no effect until it is ratified by the Commission.
- (5) The fixing of the Seal of the Commission shall be authenticated by the signature of the Chairman and the Secretary.
- (6) The validity of any proceedings of the Commission or of a Committee shall not be adversely affected by:-
 - (a) vacancy in the membership of the Commission or Committee;
 - (b) a defect in the appointment of a member of the Commission or Committee; or
 - (c) the fact that a person not entitled to do so, took part in the proceedings of the Commission or Committee.

SECOND SCHEDULE.
FULLY PROTECTED SPECIES IN EKITI STATE OF NIGERIA.

Mammals	Common Name	Family Genus	Species
Insectivore	Gian Otter-Shrew	Potamogale	Velox
Primates (all primates)	Gorilla	Gorilla	Deihli
	Chimpanzee	Pan	Troglodytes
	Drill	Mandrillus	Leucophaeus
	Red-capped mangabey	Lophocebus	Albigena
	Mona Monkey	Cercopithecus	Mona
	Putty-nosed monkey	Cercopithecus	Nictitans
	Red-earned monkey	Cercopithecus	Erythrotis
	Preuss monkey	Cercopethecus	Preussi
	Crowned monkey	Cercopethecus	Pogonias
	Red colobus	Procolobus	Badius
	Fruit Bat	Pteropus	Rodricensis
Pholidota (all Pangolins)	Tree Pangolin	Manis	Tetradactyla
	White-bellied pangolin	Manis	Tricucpis
	Gian Pangolin	Manis	Gigantean
Rodents	Beecroft's Flying Squirrel	Anomalurus	Beecrofti
	Derby's Flying squirrel	Anomalurus	Derbianus
	Zenker's Flying Squirrel	Idiurus	Zenkeri
	Pygmy Squirrel	Myosciurus	Pumilio
Carnivores	Cape Clawless Otter	Anonyx	Capensis
	Spotted-necked Otter	Lutra	Maculicollis
	Serval	Felis	Serval
	African Golden Cat	Felis	Aurata
	Leopad	Panthera	Pardus
Elephant	Forest Elephant	Loxodonta	Africana
Ungulates	Hippopotamus	Hippopotamus	Amphibious
	Water Chevrotain	Hymoschus	Aquaticus
	Forest Buffalo	Syncerus	Caffer
	Sitatunga	Tragelaphus	Spekei
	Bushbuck	Tragelaphus	Scriptus
	Bay Duiker	Cephalophus	Dorsalis
	Ogilby's Duiker	Cephalophu s	Ogilbyi
	Yellow-backed Duiker	Cephalophus	Sylvicultor
Marine mammals	Manatee	Trichechus	Senegalensis
	All porposises & Dolphins		
	All Whales		

Birds	All Pelicans	Pelecanidae		
	White-crested Tiger Heron	Tigriomis	Leucolopha	
	Olive Ibis	Bostrychia	Olivacea	
	Hartland's Duck	Pteronetta	Hartlaubii	
	Congo Serpent Eagle	Dryotriorchis	Spectabilis	
	Chestnut-flanked sparrowhawk	Accipiter	Castanilius	
	Black-sparrowhawk	Accipiter	Melano	
	Long-tailed Hawk	Urotiochus	Macrouris	
	Ayre's Hawk-Eagle	Hieraaetus	Ayresii	
Cassin's Hawk-Eagle	Spizaetus	Africanus		
Mammals	Common Name	Family Genus	Species	
	Crowned Eagle	Stephanoaetus	Coronatus	
	Marital Eagle	Polemaetus	Bellicosus	
	Black Guinea fowl	Agelastes	Niger	
	Cameroon Olive Pigeon	Guttera	Pucherani	
	Grey Parrot	Columba	Sjostedti	
	Red-fronted Parrot	Psittacus	Erithacus	
	Great Blue Turaco	Corythaeola	Cristata	
	Green Turaco	Tauraco	Persa	
	Yellow-billed Turaco	Tauraco	Macrorhynchus	
	All Owls	Strigidae		
	All hornbills	Bucerotidea		
	Angolan Pitta	Pitta	Angolensis	
	White-throated Babler	Kepeornis	Gilberti	
	Red-headed Rockfowl	Picathertes	Oreus	
	Green-breasted Bush-Shrike	Balaconotus	Gladiator	
	Mount Kupe Bush-Strike	Malaconotus	Kupensis	
	Bannerman's Weaver	Ploceus	Bannermami	
Reptiles				
	Crocodiles	Nile crocodile	Crocodylus	Niloticus
		Slende-snouted crocodile	Crocodylus	Cataphractus
Dwarf crocodile		Osteolaemus	Tetraspis	
Snakes	All Phythons	Boidae		
Turtles	All sea Turtles	Cheloniidae		
	All freshwater Turtles	Pelomedusidae		
		Trionychidae		
Tortoises	All Tortoises	Testudinidae		
Chameleons	All Chameleons	Chamaeleonidae		

Amphibians	Goliath frog	Conraua	Goliath
Primates	Vervet	Cercopithecus	Aethiops
All primates	Baboon	Papio	Anubis
	Patas Monkey	Erythrocebus	Patas
	Potto	Perodicticus	Potto
	Angwantibo	Arcotocebus	Calabariensis
	Allen's Galago	Galago	Alleni
	Needle-Clawed Galago	Euoticus	Elegantulus
	Dwarf Galago	Galagoides	Demidovii
Rodents	All squirrels not listed in Schedule A		
Carnivores	All Genets	Genetta	Spp
	All Mongosse		
	Two-spotted Palm Civet	Nandinia	Binotata
Hyrax	Tree Hyrax	Dendrohyrax	Dorsalis
	Rock Hydrax	Procavia	Ruficeps
Ungulates	Blue Duiker	Cephalophus	Monticola
	Red-flanked Duiker	Cephalophus	Ruficeps
	Crowned Duiker	Cephalophus	Crimmi

THIRD SCHEDULE.

[Section 109]

EKITI STATE FORESTRY LAW

**IN THE MATTER OF COMPOUNDING OFFENCES IN RESPECT OF FOREST
RESERVES**

**UNDERTAKING TO PAY COMPENSATION/ FINE IN LIEU OF
PROSECUTION.**

*I, Mr.-----
of No-----State, Nigeria
hereby undertake, agree and accept to pay the sum
of-----as compensation/fine or
penalty for the offence(s) I committed in respect of----
-----along-----
-----State, Nigeria to avoid being
prosecuted by the Forestry Commission for the said
offence(s).*

*I Mr.-----further undertake that this
Undertaking shall not be a bar to prosecution by the
Commission if the circumstances warrant same.*

Dated this –day of-----20-----

Forestry officer

Offender

FOURTH SCHEDULE
[Sections 55 and 124 of the Forestry Law]

Book No.....
 Original

Permit No...

FORM I

Permit to Take Protected Trees

Name of permit holder

Address of permit holder

Locality of tree

Royalties payable to

This permit is issued subject to the provisions of the Forestry Law and of the regulations made thereunder for the time being in force in the area to which it relates. It is also subject to such special conditions (if any) as may be hereinafter set out and will expire on the.....day of.....20.....

<i>Number of trees</i>	<i>Species of tree</i>	<i>Minimum girth</i>	<i>Class (in wards)</i>

₦ k

Fees

Royalties

Forestry Trust Fund

Total N

.....Issuing Officer

.....Title

.....Division

See back of permit for special conditions (if any)

Book No Permit No Original

FORM 2

Free Permit to Take Protected Timber for Public Purposes

To whom issued

Address of permit holder

Purpose of issue

Locality of tree

Royalties (if any) payable to

This permit is issued subject to the provisions of the Forestry Law and of the regulations made thereunder for the time being in force in the area to which it relates, it is also subject to such special conditions (if any) as may be hereinafter set out and will expire on the---- day of.....20.....

<i>Species of tree</i>	<i>Minimum girth</i>	<i>Class (in words)</i>

Value of remitted fees

Value of remitted royalties

Forestry Trust Fund

Total N k

.....Issuing Officer

.....Title

.....Division

See back of permit for special conditions (if any)

Book No Permit NoOriginal

FORM 3

Fuel Permit.

Name of permit holder

Address of permit holder

Locality in which valid

This permit is issued subject to the provisions of the Forestry Laws and of the regulations made thereunder for the time being in force in the area to which it relates. It is also subject to such special conditions (if any) as may be hereinafter set out and will expire on the day of of 20.....

<i>List of Permitted Species</i>	<i>Permit fee</i>

.....Issuing Officer

.....Title

.....Division

See back of permit for special conditions (if any)

Book No..... Permit No..... Original

FORM 4
Permit to Take Minor Forest Produce

Name of permit holder.....
 Address of permit holder.....
 Locality in which valid.....
 Royalty payable to.....

This permit is issued subject to the provisions of the Forestry Law and of the regulations made thereunder for the time being in force in the area to which it relates. It is also subject to such special conditions (if any) as may be hereinafter set out and will expire on the day of.....,20.....

<i>Quantity</i>	<i>Nature of Produce</i>	<i>Rate</i>

₦ : k

Value of remitted Fees.....
 Value of remitted royalties.....
 Forestry Trust Fund

Total ₦

.....Issuing Officer
Title
Division

See back of permit for special conditions (if any)

[Section 124]

OTHER SECURITY DOCUMENTS IN-USE IN EKITI STATE

- (1) Tree Inspection Certificate (TIC)
- (2) Log Evacuation Schedule (LES)
- (3) Log Certificate (LC)
- (4) Permit to hunt wild animal
- (5) Out-turn-volume (OTV)
- (6) Licence to operate a Sawmill and other Wood processing machines
- (7) Block permit

EKITI STATE FORESTRY LAW

FIFTH SCHEDULE.

[SECTION 22 (4)]

S/N	LOCAL GOVERNMENT AREA	FOREST RESERVE	HIGH/F (KM) ²	SAVANNAH (KM ²)	TOTAL SIZE (KM ²)	REMARKS
1	Ado	Ogbese	67.32	5.2	72.52	Exploited & Recouping
2	Gbonyin	Egbe	6.47	2.72	10.22	Do
3	Ekiti East	Eda I & II	5.18	3.88	9,06	FRS Research Plot. Not to be disturbed
4	Ekiti South West	Ogotun Grp	10.36	5.33	15.69	75% unexploited with difficult terrain
5	Ekiti West	Aramoko	19.66	-	19.66	Exploited
6	Ikere	Ikere	9.58	4.61	14.19	-do-
7	Emure	Little Ose	13.67	12.62	26.62	Exploited (degraded)
8	Ise-Orun	Ise	55.56	1.26	56.77	Partly committed
9	Emure	Eporo	10.36	36.26	46.62	Protected derived savannah forest
10	Oye	Isan/Ayede	-	25.85	25.85	Woodland Savannah forest
			198.11	99.09	297.20	

Section 114(5)
SIXTH SCHEDULE.

JULY, 2014

EKITI STATE OF NIGERIA

FORESTRY TARIFF

SCHEDULE "A"

TARIFF ON STUMPAGE RATES.

S/N	SPECIES	LOCAL NAMES	MINIMUM GIRTH AT BREAST HEIGHT	OLD RATE (₦)	NEW RATE (₦)
1	Melicia excelsa	Iroko	2.13	1800	5000
2	Periscopis elata		1.82	1300	1300
3	Entandrophragma spp	Ijebo	2.13	800	800
4	Khaya spp	Oganwo	2.13	900	900
5	Tectona grandis	Teak	1.52	2500	2500
6	Lovoa trichilodes	Apopo/sida	2.13	1000	1000
7	Guiboutia all spp		1.82	1000	1000
8	Afzelia all spp	Apa	2.13	2000	2000
9	Triplochiton sclerocylon	Arere	1.82	1500	3000
10	Nauclea diderichi	Opepe	2.13	1300	1300
11	Guarea spp	Ofofin	2.13	800	800
12	Gossweilerodendron balsamiferum	Agba	2.13	900	900
13	Terminalia ivorensis	Idigbo	1.82	900	900
14	Cordia, all spp	Omo	1.82	1000	1000
15	Piptadeniastum africanum	Agboyin	2.13	900	900
16	Mimusops, all spp		2.13	800	800
17	Nesogordonia Papaverifera	Ole, Danta	1.82	1000	1000

18	<i>Terminalia superb</i>	Afara	1.82	900	900
19	<i>Brachystegia spp</i>	Ekun	2.13	900	900
20	<i>Distemonanthus Benthamianus</i>	Ayan	2.13	900	900
21	<i>Danielia ogea</i>	Ogea	1.82	800	800
22	<i>Lophira alata</i>	Ekki	2.13	1300	1300
23	<i>Pterygota all spp</i>	Oporoporo	1.82	800	800
24	<i>Mansonia altissima</i>	Ofun	1.82	1500	3000
25	<i>Antiaris africana</i>	Oriro	1.82	800	800
26	<i>Antrocaryon Poluneurum</i>		1.82	700	700
27	<i>Canarium shwein furtthii</i>		2.13	700	700
28	<i>Cylicodiscus Gabunensis</i>		2.13	700	700
29	<i>Mitragya stipulosa</i>	Abura	1.52	800	1000
30	<i>Alstonia all spp</i>	Ahun	1.52	800	800
31	<i>Berlinia all spp</i>	Apado	1.82	700	700
32	<i>Bombax all spp</i>		2.13	800	800
33	<i>Ceiba pentandra</i>	Araba	2.13	800	800
34	<i>Casearia all spp</i>		1.82	700	700
35	<i>Poga oleosa</i>		2.13	700	700
36	<i>Erythrophyleum spp</i>	Eru	1.82	800	800
37	<i>Ricinnodendron Heudelotti</i>	Erinmado	1.82	800	800
38	<i>Sterculia obilonga</i>	Aye, kok-Igbo	1.82	900	900
39	<i>Albizia, all spp</i>	Ayure	1.82	800	800
40	<i>Afromosia elata</i>		1.52	900	900
41	<i>Gmelia arborea</i>	Gmelia	1.25	1500	1500
42	<i>Borassus aethiops,</i>	Agbon		1300	1300
43	<i>Malnikara spp</i>	-	1.52	600	600
44	<i>Amphimas pterocarpoides</i>	Koleagbe	1.52	700	700

45	<i>Combretum dendron macrocarpum</i>	Akasun	1.52	700	700
46	<i>Hanna species</i>	Igbo	1.52	600	600
47	<i>Holoptelia spp</i>	Inajoko	1.52	800	800
48	<i>Butyrospermum parkii</i>	Iru	1.52	600	600
49	<i>Coelcaryon spp</i>	Egenirini	1.52	600	600
50	<i>Copaifera spp</i>	-	1.52	600	600
51	<i>Datarium senegalensis</i>	Ugbogbon	1.52	600	600
52	<i>Fagara spp</i>	-	1.52	700	700
53	<i>Hopolormosia spp</i>	Akoriko	1.52	600	600
54	<i>Homalium spp</i>	Olodo	1.52	600	600
55	<i>Elainadoxa spp</i>	Odudu	1.52	600	600
56	<i>Onchricarpus spp</i>	-	1.52	600	600
57	<i>Lanea welwitchii</i>	Ekikanaja	1.52	800	800
58	<i>Parinarium spp</i>	Idofun	1.52	600	600
59	<i>Roga oxystigma spp</i>	Lolagbola	1.52	600	600
60	<i>Heayodendron spp</i>	Oropa	1.52	600	600
61	<i>Staudia spp</i>	-	1.52	600	600
62	<i>Scottelia curiaca</i>	Udoka	1.52	600	600
63	<i>Stemonocoleus micranthus</i>	-	1.52	600	600
64	<i>Tylostelinian spp</i>	-	1.52	600	600
65	<i>Adansonia digitata</i>	Oshe	1.52	600	600
66	<i>Allanblankia floribunda</i>	Urogbo arin	1.52	600	600
67	<i>Anogeissus leiocarpus</i>	Ayin	1.52	700	700
68	<i>Anopyxis ranndyi</i>	Otutu	1.52	600	600
69	<i>Avicenia nitida</i>	Otutu	1.52	600	600
70	<i>Baphia spp</i>	Irosun	1.52	600	600
71	<i>Blighia sapida</i>	Ishin	1.52	700	700

72	<i>Bosquiea angolensis</i>	Kokoerun	1.52	600	600
73	<i>Centiam</i> spp	-	1.52	600	600
74	<i>Carapa procera</i>	Irere	1.52	600	600
75	<i>Celtis</i> spp	ItaS	1.52	600	600
76	<i>Chrysobabeus</i> spp	Aworiran	1.52	600	600
77	<i>Cleistophollis patens</i>	Apoko	1.52	600	600
78	<i>Otenolophon engleanus</i>	-	1.52	600	600
79	<i>Cynometra</i> spp	Arumitaba	1.52	600	600
80	<i>Denialla oliveri</i>	Iya	1.52	600	600
81	<i>Diallum guinensis</i>	Ita	1.52	700	700
82	<i>Funtumia</i> spp	Rubber	1.52	600	600
83	<i>Gareina</i> spp	Afon	1.52	600	600
84	<i>Lonchocarpus</i> spp	Ipapo	1.52	600	600
85	<i>Lophira lanceolata</i>	Ophahen	1.52	600	600
86	<i>Macrolobium</i> spp	-	1.52	600	600
87	<i>Milletia</i> spp	Ita	1.52	600	600
88	<i>Penainy stallingia</i> spp	Idagbon	1.52	600	600
89	<i>Cylicodiscus</i> spp	-	1.52	600	600
90	<i>Pentaclethra macrophylla</i>	Apara	1.52	600	600
91	<i>Pentadesma butycea</i>	Orogbo Erin	1.52	600	600
92	<i>Polyalthia sunvaelerae</i>	Agudugbu	1.52	600	600
93	<i>Prosopis africana</i>	Ayan	1.52	600	600
94	<i>Pseudocedrella teutachyi</i>	Emiqgbebi	1.52	600	600
95	<i>Phizophora racemosa</i>	Egba	1.52	600	600
96	<i>Sacoglottis gabunensis</i>	Atata	1.52	600	600
97	<i>Strombosia pustulata</i>	Ataku	1.52	600	600
98	<i>Spathodea</i> spp	Oruru	1.52	600	600

99	Symphonia glublifera	Agbarigbogi	1.52	600	600
100	Temnbum spp	Ori-udo	1.52	600	600
101	Tetrapleura tetraptera	Aridan	1.52	600	600
102	Treculia africana	Afun	1.52	600	600
103	Trichilia spp	Awe, Eyinade	1.52	600	600
104	Carapa spp	Aku	1.52	600	600
105	Vitex spp	Oriri	1.52	600	600
106	Xylopia spp	Ofun Oke/Apalfon	1.52	600	600
107	Avicenia		1.52	600	600
108	Others		1.52	600	600

NOTE (II)

A timber development levy (TDL) of N200.00 shall be paid on every economic tree felled as the permittee's/ exploiter's contribution to the forest regeneration programme of the State Government. The levy shall be lodged in Timber Development Levy Account.

SCHEDULE 'B'

TIMBER FEES BASED ON YIELD

S/N	NAME OF FOREST RESERVE	OLD RATE	NEW RATE/HA
1	Ikere	5,500	7,500
2	Ogbese	6,000	12,000
3	Ogotun	6,000	7,500
4	Ise	7,500	15,000
5	Aramoko	5,500	6,000
6	Little Ose	5,000	5,500
7.	Eda	Nil	25,000

NOTE:

- (i) Timber Development Levy

Old Rate	New Rate
800/ha	5,000

- (ii) Non-refundable application fee for Forest allocation.

Old Rate	New Rate
₦20, 000	₦ 50, 000

- (iii) Non-refundable application fee for Teak and Gmelina, and indigenous allocation

Species	Old Rate	New Rate
Teak	₦ 65, 000	₦ 70, 000
Indigenous Plantation	-	₦ 70,000
Gmelina	₦ 30, 000	₦ 40, 000

- (iv) Regeneration fees = ₦ 5000/ha

- (v) Annual Ground Rent for Forest allocation.

Old Rate	New Rate
₦ 400/Ha	₦ 2,000/Ha

- (ii) Revalidation fee for Teak and Gmelina allocation.

Old	New Rate
₦ 15,000	₦ 25,000

	Old Rate	New Rate
(iii) Revalidation fee for forest allocation	₦ 25,000	₦ 50,000
(iv) Transfer of forest allocation from one forest reserve to another	NIL	₦ 50,000
(v) Movement from one annual coupe on completion of exploitation to the next annual coupe	NIL	₦ 20,000
(vi) Non refundable application fee for picking/salvage felling in Forest reserve	NIL	₦ 50,000

SCHEDULE 'C'

OUT-TURN-VOLUME RATES

S/N	SPECIES	LOCAL NAME	RATE PER CUBIC METER		RATE PER CU. FT. CONVERSION FACTOR 0.028	
			OLD RATE (N)	PROPOSED RATE (N)	OLD RATE (N)	PROPOSED RATE (N)
1	Tectonia grandis	Teak	20,000.00	20,000.00	571.00	571.00
2	Gmelina arborea	Gmelina	10,000.00	10,000.00	285.00	285.00
3	Entandrophragma cylindricum	Ijebo	3,584.00	3,584.00	100.00	100.00
4	Entandrophragma	Ijebo	3,584.00	3,584.00	100.00	100.00
5	Khaya all spp	Oganwo	5,040.00	5,040.00	125.00	125.00
6	Preciscopis elata		3,21.20	3,21.20	90.00	90.00
7	Lovoa trichiliodes	Apopo/sida	3,570.00	3,570.00	100.00	100.00
8	Guibotia spp		2,481.00	2,481.00	70.00	70.00

9	<i>Triplochiton seleroxylon</i>	Arere	3,375.00	3,375.00	90.00	90.00
10	<i>Entandrophragma</i> other spp.	Ijebo	3,584.00	3,584.00	100.00	100.00
11	<i>Mimusops</i> , all spp		2,481.00	2,481.00	70.00	70.00
12	<i>Milicia excels</i>	Iroko	5,310.00	5,310.00	150.00	150.00
13	<i>Mansonia altissima</i>	Ofun	12,500.00	12,500.00	300.00	300.00
14	<i>Afzelia</i> spp	Apa	6,250.00	6,250.00	150.00	150.00
15	<i>Nauclea diderrichi</i>	Opepe	3,570.00	3,570.00	100.00	100.00
16	<i>Guarea</i> , all spp	Olofun	2,857.00	2,857.00	80.00	80.00
17	<i>Nesogodonia papaverifera</i>	Ole Danta	3,822.00	3,822.00	120.00	120.00
18	<i>Cordia millenii</i>	Omo	5,356.37	5,356.37	150.00	150.00
19	<i>Terminalia ivorensis</i>	Idigbo	3,717.00	3,717.00	105.00	105.00
20	<i>Diospyros mes. Nespliformis</i>	Igi dudu	7,140.00	7,140.00	200.00	200.00
21	<i>Pipta deniastrum africanum</i>	Agboin	3,213.00	3,213.00	90.00	90.00
22	<i>Terminalia superba</i>	Afara	3,570.00	3,570.00	100.00	100.00
23	<i>Gossweilodendron balsamiferum</i>	Agba	2,658.33	2,658.33	75.00	75.00
24	<i>Antiaris Africana</i>	Oriro	2,497.60	2,497.60	70.00	70.00
25	<i>Brachystegia</i> all spp	Ekú	4,426.67	4,426.67	100.00	100.00
26	<i>Lophira alata</i>	Ekki	3,293.00	3,293.00	100.00	100.00
27	<i>Sterculia oblonga</i>	Kokoigbo	4,460.00	4,460.00	100.00	100.00
28	<i>Erythrophyllum ivorense</i>	Eru	4,760.00	4,760.00	120.00	120.00
29	<i>Mitragyna</i> spp	Abura	3,776.00	3,776.00	80.00	80.00
30	<i>Sterculia</i> all spp	Kokoigbo	4,460.00	4,460.00	100.00	100.00
31	<i>Pterygota</i> spp	Oporoporo	3,213.00	3,213.00	90.00	90.00
32	<i>Daniellia ogea</i>	Ogea	2,776.67	2,776.67	70.00	70.00

33	Berlinia all spp		3,213.00	3,213.00	75.00	75.00
34	Canarium schweinfurthii	Papo	2,481.00	2,481.00	70.00	70.00
35	Cylicodiscus gabunensis		2,481.00	2,481.00	70.00	70.00
36	Alstonia all spp	Ahun	2,658.00	2,658.00	75.00	75.00
37	Distemonanthus	Ayanroko	3,570.00	3,570.00	100.00	100.00
38	Antrocaryon		2,481.00	2,481.00	70.00	70.00
39	Albizzia sp	Ayere	2,856.00	2,856.00	80.00	80.00
40	Celtis sp	Ita	2,925.00	2,925.00	75.00	75.00
41	Dialium sp	Ure	2,925.00	2,925.00	75.00	75.00
42	Others		2481.00	2481.00	70.00	70.00

SCHEDULE 'D'

Each pole (Teak, Opepe) and other species of not more than 25cm to 29cm diameter at breast height (DBH) now sell at the rate of

Old Rate		New Rate
1,750	↓	2,000

SCHEDULE 'E'

(A) WOOD PROCESSING PLANTS AND MACHINES.

	R A T E			
Daily Output and saw blade width	Registration		Renewal	
	OLD (N)	NEW (N)	OLD (N)	NEW (N)
7-14m ³ Below 100mm Saw blade	60,000	500,000	20,000	30,000
14-20 m ³ 100 – 150mm Saw blade	100,000	1,000,000	30,000	40,000
Above 20 m ³ , above 150mm saw blade	150,000	1,500,000	40,000	50,000
(Omkar)	NIL	1,000,000	NIL	50,000
LT 10-15	NIL	500,000	NIL	30,000
LT 20-40	NIL	1,000,000	NIL	40,000
LT 50-90	NIL	1,500,000	NIL	50,000

(i) Non –refundable Application fee -

Old rate	New rate
100,000	150,000

(ii) Illegal Sawmill Installation.

Old Rate	New Rate
₹ 20, 000	₹ 200,000

(iii) Sawmill Transfer Fee.

Old Rate	New Rate
₹ 10, 000	₹ 20, 000

OTHERS

Category of Machine	R A T E			
	Registration		Renewal	
	Old	New	Old	New
Planning Machine		20,000 20,000	20,000	10,000
Multiple Edger	50,000	50,000	20,000	20,000
Ply/yeneer Mill	150,000	150,000	75,000	75,000
Fibre Board Mill	150,000	150,000	75,000	75,000
Particle Board Mill	150,000	150,000	75,000	75,000
Circular Resaw Benches not attached to sawmill	25,000	10,000	10,000	5,000
Power chain saw	20,000	20,000	10,000	7,000

WOOD PRESERVATION INDUSTRY

Registration		Renewal	
OLD	NEW	OLD	NEW
20,000	20,000	10,000	10,000

SCHEDULE 'F'

	R A T E			
	Registration		Renewal	
	OLD (₹)	NEW (₹)	OLD (₹)	NEW (₹)
Property hammer	20,000	30,000	10,000	10,000
Company hammer	25,000	50,000	20,000	20,000

Application Fees

OLD	NEW
10,000	20,000

NOTE

Any renewal that is not made by 31st of March of every year shall attract a penalty of 25% of the renewal fee in addition to the normal renewal rate.

SCHEDULE 'G'

MINOR FOREST PRODUCE

ITEMS	RATE	REMARKS
Digging of gravel and stone the Forest Reserve is prohibited.		
Sand (at river beds only)	3,500 person/Week	4200
Leave (not abura leaves)	2,500 “	3000
Abura leaves	2,500 “	3000
Ropes and caines	300 “	350
Chewing stick	300 “	350
Fruit (eg Irvingina)Tapping of wine	1200 “	1350
Thatches	250 “	300
Firewood	1,000 “	1200
	1,200 “	1350

An administrative charge of ₦ 5,000 per annum shall be paid by any applicant applying for digging of gravel, stone and sand in the forest reserve

A breach of this Law attracts a penalty of ₦ 50,000

SCHEDULE "H"

EXTRACTION OF MEDICINAL PLANTS OR PARTS

ITEMS	RATE	REMARKS
Alsfonia etc	300 person/week	350
Fagara	“	“
Xylophia	“	“
tetraphera	“	“

SCHEDULE “I”
SPECIAL STUMPAGE

SPECIES	OLD RATE	NEW RATE
Ebony	1,500	5,000
Eki	1,200	1,200
Afromosia	1,500	1,500
Arira	800	1,000
Agbon	1,500	2,000
Iroko	1,800	5,000

SCHEDULE “J”
SPECIAL STUMPAGE

SPECIES	OLD RATE	NEW RATE
Mansonia	1500	3000
Obeche	1200	3000

(b) PROHIBITED FROM FELLING

	SPECIES	LOCAL NAME
i	Chrysophylum Spp	Agbalumo
ii	Kola Spp	Obi
iii	Mangivera Spp	Mango
Iv	Irvingia Spp	Ogbonno
V	Garvinia Kola	Orogbo
vi	Parkia Spp	Iru
vii	Monodara Myristica	Ario

SCHEDULE 'K'

(A) **MOVEMENT OF ROUND LOGS TO OTHER STATES**

Movement of unprocessed logs of indigenous species to other state is prohibited but in special request for this, if approved, the following special permit fee shall be applicable on monthly basis.

CATEGORY	RATE
Concessionaire	50,000
Non-Concessionaire	150,000

All approvals to move unprocessed logs of indigenous tree species to other states shall still be subjected to a toll fee payment specified below:

LOG LENGTH	RATE (₦)
Above 3.72m (12ft)	2,000
12ft	1,000
Below	500

(b)

CATEGORY	TEAK	GMELINA	ARIRA
<u>UNPROCESSED</u>			
Cabstar	2000	1000	2000
10-tonne lorry	5000	2000	5000
Trailer	7500	4000	7500
<u>PROCESSED (ROUGH SAWN)</u>			
Trailer load	4500	2000	4500
Containerized	7000	5000	7500

(NB): Billeting of Teak is prohibited in the forest plantation areas forthwith. Hence, entering of government forest reserve to remove Teak billets is totally prohibited.

A breach of this regulation shall attract a penalty of 25,000 per lorry apprehended.

SAWN PLANKS

	Old Rate	New Rate
One (1) Coach Vehicles	₦ 2, 000	₦ 2,5000
Two (2) Coaches Vehicle	₦ 5, 000	₦ 5, 000
Three (3) Coaches Vehicle	₦ 6,000	₦ 7,500

(B) Toll Fees payable by Timber Trucks conveying Teak/Gmelina shall be in three categories.

Categories	Old Rate	New Rate
(a) 911 Trucks	₦ 1, 000	₦ 2, 500
(b) Trailers	₦ 2, 000	₦ 5, 000
(c) Containers	₦ 3, 000	₦ 15, 000

TOLL FEES ON LOGS PASSING THROUGH EKITI STATE BORDERS FROM OTHER STATES

E. Vehicles and/or Truck carrying Teak and/or Gmelina billets or timber size across Ekiti States shall attract a toll fee of:

Old Rate	New Rate
1000/Vehicle	₦ 2,000/Vehicle

(ii) Vehicle and/or Trucks carrying round logs from other states into/across Ekiti State shall attract a toll fee of:

Old Rate	Old Rate	New Rate
Standard log length of 12ft	N500/ vehicle	1000/Log
Log above 12ft Length	-	N2000/log

F NON POSSESSION OF TOLL FEES RECEIPT

Non-possession of Toll fee receipt for vehicles traveling outside Ekiti State or passing through the borders of Ekiti State from other States shall attract:

Old Rate	New Rate
Twice normal Toll fee Rate (X 2)	Thrice normal Toll fee rate (X 6)

SCHEDULE "L"

PENALTY FOR THE EXPLOITATION OF UNDERGIRTH TREES.

- 1 Exploitation of undergirth tree is prohibited. Any breach of this regulation shall attract a penalty of:

Old Rate	New Rate
N6, 500/ stump	20,000 /stump

- (ii) Billeting of indigenous tree species of any type is prohibited in Ekiti State. In case of special request, approval shall be granted for the payment of administrative fee as stated below:

Old Rate	New Rate
₦ 10, 000/ stump	₦ 25, 000/stump

Any contravention attracts a penalty of ₦ 100,000

SCHEDULE 'M'

FLITCHING OF ECONOMIC TREES AT STUMP

1. Flitching of economic tree at stump is prohibited (In case of special permission to flitch at stump an additional fee of:

Old Rate	New Rate
₦ 2, 000	₦ 5, 000 shall be charged

A breach of this regulation shall attract a penalty of:

Old Rate	New Rate
₦ 20, 000	₦ 50, 000/stump

- (ii) Any flitched plank apprehend shall pay a penalty of:

Old Rate	Old Rate	New Rate
Cabster	50,000	₦ 100,000
10 tonne lorry:	100,000	₦ 200,000
Above 10 tonne lorry	250,000	₦ 400,000
Minibus	Nil	₦ 25,000
Pick up	Nil	₦ 50,000

- (iii) Any power chain saw seized from any fletcher shall be released on the payment.

Old Rate	New Rate
150,000	N250,000

Unclaimed power saw after 6 months shall be forfeited

SCHEDULE "N"

NON PRODUCTION OF LOG CERTIFICATE/LOG EVACULATION

SCHEDULE

Non production of Log certificate/Log Evacuation Schedule on demand for logs in transit or deposited at Sawmills shall attract a penalty of.

Old Rate	New Rate
N400 /log	N1,000/log

Old Rate	New Rate
Unhammered Logs (x6)	N10,000/Stump

SCHEDULE 'O'

INPUT AND OUTPUT RECORD BY SAWMILLERS

All wood based industries (sawmills) shall keep adequate record of production (input and output register) in their sawmills. A sawmiller shall produce two (2) new hard cover notes for input and output register. Any breach shall attract a penalty of.

OLD RATE	NEW RATE
NIL	N2000

SCHEDULE "P"

DRESSING OF LOGS

All legal logs taken from the forests shall be neatly scribed with legible stump numbers, well painted at both ends of the log legibly impressed with the appropriate Company hammer/ Property hammer and Government pass hammer as the case may be. The logs shall equally bear the measurement recorded in the log certificate. A breach of this regulation shall attract a penalty of:

Old Rate	New Rate
NIL	N1, 000 per log

SCHEDULE 'Q'

TARIFF ON SAWMILLS PROCESSING WOOD FOR EXPORT

All wood industries processing Wood for export particularly Iroko, Apa, Teak etc will now be required to pay.

Old Rate	New Rate
Nil	N50, 000 per processing company

SCHEDULE 'R'

GENERAL PENALTY (Section 110 of the Forestry Law)

Old Rate	New Rate
N2, 000	N20, 000

SCHEDULE "S"

CHARCOAL PRODUCTION:

Commercial charcoal production is prohibited. Any breach shall attract a penalty.

	OLD RATE	NEW RATE
Pickup	NIL	20,000
Cabstar	NIL	50,000
Ten Tonne vehicle	NIL	100,000
Trailer	NIL	250,000

SCHEDULE “T”
BAMBOO EXPLOITATION:

Commercial exploitation of bamboo is prohibited Permit on exploitation on shall be:

Pick-up	-	₦ 1000
Cabstar	-	₦ 2000
10 tonne lorry	-	₦ 5,000
Trailer	-	₦ 7500

Any breach of this regulation attracts a penalty of (X5) of the permit fee.

SCHEDULE “U”
GANTRY OUTSIDE THE FOREST

An approval fee of 20,000 shall be paid as administrative charge with the annual renewal rate of N10,000.

Any breach of this regulation shall attract a penalty of N100,000

SCHEDULE “V”
PROHIBITED ANIMAL KILLED OR CAPTURED

TROPHY FEE		
1	Trophy fee for specially protected Animals	
SPECIES		
2	Carousal or Desert Lynx	600.00
3	Cheetah	900.00
4	Columbus Monkey	600.00
5	Mature Elephant male	25,000.00
6	Hippopotamus	20,000.00
7	Kidptrinnger	4,000.00

8	Situtunga	600.00
9	Creater Bustrad	500.00
10	Crowned crana	700.00
11	Cart White IHeron	600.00
12	Ostrich 2,000.00	2,700.00
13	European stock	2,200.00
14	Secretary bird	1,200.00
15	Vulture	200.00
16	Hunting licence (Prescribed Area)	12,000.00
17	Hunting permit (Local)	2,000.00
18	Hunting permit (Immigrant)	7,000.00
19	Bush meat trailer load	45,000.00
20	Licence to kill on Bull elephant	60,000.00