Country specific guideline for Solomon Islands

This guideline has been prepared by the Australian Government and the Government of Solomon Islands. It is intended to assist Australian importers of regulated timber products from Solomon Islands in understanding the regulatory framework in Solomon Islands in order for them to carry out their due diligence obligations under the *Illegal Logging Prohibition Amendment Regulation 2013*, which supports the *Illegal Logging Prohibition Act 2012*.

This guideline was co-endorsed by the Australian and Solomon Islands governments on 12 May 2014.
Country specific guideline for Solomon Islands

Contents

What is required under the new law? ................................................................. 5
What timber products are imported into Australia from Solomon Islands? ............ 7
Documents to show legality of timber .................................................................. 7
How is timber harvesting regulated in Solomon Islands? ......................................... 8
Timber export regulation ......................................................................................... 9
Sawn timber supply chains in Solomon Islands .................................................... 11
Prohibited exports from Solomon Islands ............................................................ 10
Who should I contact for further information? ...................................................... 11
Attachment A – Permit to Export Forest Produce (example) ................................. 12
Attachment B – Felling Licence (example) ............................................................. 14
Attachment C1 – Milling Licence (issued with a Felling Licence) (example) ............. 21
Attachment C2 – Milling Licence (incorporates permission for felling) (example) ....... 24
Attachment D – Certificate of Origin (example) ..................................................... 26
What is required under the new law?

Australia’s *Illegal Logging Prohibition Act 2012* (the Act) restricts the movement of illegally logged timber into Australia for imported timber and timber products; and at timber processing mills, for domestically grown raw logs.

The Act seeks to address the harmful environmental, social and economic impacts of illegal logging, including forest degradation, habitat loss and threats to sustainable livelihoods.

The Act defines ‘illegally logged’ as:

‘in relation to timber, means harvested in contravention of laws in force in the place (whether or not in Australia) where the timber was harvested.’

The *Illegal Logging Prohibition Amendment Regulation 2013* (the Regulation) prescribes due diligence for the regulated community, that is, Australian importers of regulated timber products (for the purposes of the Act a regulated timber product is a product listed in Schedule 1 to the Regulation) and Australian processors of domestic raw logs. Under the Regulation the regulated community has to undertake a due diligence process to minimise the risk of sourcing illegally logged timber.

Due diligence requirements for importers include the following steps:

**Step 1:** Information gathering

**Step 2:** Assessing and identifying risk against a timber legality framework (optional) or a country specific guideline (optional)

**Step 3:** Risk assessment (if required)

**Step 4:** Risk mitigation (if required)

Further information about the Act and the Regulation is available at the Australian Government Department of Agriculture’s website ([daff.gov.au/illegallogging](http://daff.gov.au/illegallogging)).

This guideline is intended to assist an importer of regulated timber products from Solomon Islands to comply with the due diligence requirements of the Regulation.

Information or evidence listed in this guideline is not an exhaustive list of evidence or documentation required to satisfy due diligence requirements under the Regulation. The Regulation should be referred to for the information required to be gathered to satisfy due diligence requirements.
Information gathered by applying this guideline, along with any other information gathered in accordance with the Regulation, needs to be assessed in accordance with the processes outlined in the Regulation to identify the risk that a regulated timber product is, is made from, or contains illegally logged timber.
What timber products are imported into Australia from Solomon Islands?

The regulated timber products that are currently produced in Solomon Islands comprise:

- HS 44.03 Wood in rough
- HS 44.07 Wood sawn, chipped lengthwise
- HS 44.08 Sheets of veneer.

The primary export from Solomon Islands to Australia in recent years has been sawn wood (HS 44.07).

Documents to show legality of timber

Evidence of compliance with Solomon Islands’ legislation may be obtained from official documents listed below.

Mandatory requirement of proof of legality:

- a valid Permit to Export, approved by the Ministry of Forestry and Research (see Attachment A).

Supplementary proof of legality:

- a valid Felling Licence (if required) (see Attachment B)
- a valid Milling Licence (see Attachment C1 and C2).

Optional proof of legality:

- a Certificate of Origin from the Ministry of Forestry and Research, which accords with the information incorporated in the Permit to Export and the Milling Licence (see Attachment D).
How is timber harvesting regulated in Solomon Islands?

Harvesting occurs in locations throughout the country, generally by chainsaw. Varying levels of mechanisation are used in timber extraction depending on the scale of the operation, ranging from carrying timber by hand to the use of heavy machinery.

Where harvesting occurs under a **Felling Licence**, an associated **Milling Licence** is also required to permit further processing. Such Milling Licences are issued where milling is conducted in conjunction with log export operations, under Clause 2(1)(a) of the *Timber (Levy and Mill Licensing) Regulations* to the *Forest Resources and Timber Utilisation Act*. This approvals process is typically applied for commercial scale logging operations, which are required to obtain a Development Consent from the Ministry of Environment, Climate Change, Disaster Management and Meteorology, and are required to submit annual Harvest Plans and more detailed Coupe Plans to the Ministry of Forestry and Research before harvesting can begin.

Where harvesting occurs under a **Milling Licence**, both felling and further processing are permitted, under Clause 2(1)(b) of the *Timber (Levy and Mill Licensing) Regulations*. This approval process is typically applied to landowners that are harvesting and milling timber on their own land. Milling Licence holders who intend to use extraction machinery and/or produce more than 1 000 cubic metres per year must also obtain a Development Consent and submit Harvest and Coupe Plans for approval. The objective of this planning process is primarily to ensure that harvesting operations are undertaken in accordance with the Code of Logging Practice (which is primarily focused on industrial scale operations rather than small landholder operations).

Refer to the timber supply chains chart on page 9 for more information.
Timber export regulation

In Solomon Islands, sawn timber is shipped in containers, which are stacked on site at the relevant sawmill or timber yard. There are two container ports in Solomon Islands: Honiara and Noro. Most sawn timber produced in Solomon Islands for export markets is transported to Honiara for loading into containers and export through the port of Honiara.

To export timber products from Solomon Islands, an exporter must obtain a Permit to Export, approved by the Ministry of Forestry and Research. The application for the Permit to Export must detail the relevant licence numbers, volume, species and value of the timber being exported, as well as documentation of the sale arrangements.

The Commissioner of Forests, or someone acting in this position, is the only person authorised to approve a Permit to Export. The signature and stamp of the commissioner should appear on every permit, together with a unique numerical 'identifier'.

An application for a Permit to Export can be made to the Commissioner of Forests for each export consignment. The Permit to Export includes the following information:

- licence number/s from which the timber has been sourced (which demonstrates the origin of the timber)
- name and address of seller and buyer
- container numbers of the timber being exported
- the species and volume of the timber.

Additionally, the following documentation must be included with the application for the Permit to Export:

- packing list identifying the species and volume of timber to be exported
- evidence of the sale (which can include a purchase order and invoice, or similar).

At the time of applying for a Permit to Export, an exporter has the option of applying for a Certificate of Origin. Issuing of a Certificate of Origin can occur wherever an associated Permit to Export has been approved. The Permit to Export is then provided to the Customs & Excise Division, which checks the contents of each consignment and determines the duty payable. Once this duty is paid the customs approval is issued.

To comply with Australian biosecurity regulations, timber exporters are required to obtain a Phytosanitary Certificate, which in the Solomon Islands is issued by Biosecurity Solomon Islands. This certificate describes any fumigation that has been conducted for the specified container or containers. Note that fumigation is not a mandatory requirement for entry into some other markets.
The Phytosanitary Certificate is not part of the Solomon Islands regulatory framework; therefore it is not a requirement within the Solomon Islands timber supply chain and does not appear on the supply chain chart on Page 9.
Sawn timber supply chains in Solomon Islands

Timber supply chain – Milling operations using no extraction machinery / annual production <1000m³

- Obtain Milling Licence (incorporates permission for felling)
- Chainsaw harvest of timber
- Primary processing
- Transport to Honiara or Noro
- Secondary processing and preparation for export
- Obtain Permit to Export
- Request Certificate of Origin
- Customs approval
- Pay export duties
- EXPORT

Timber supply chain – Milling operations using extraction machinery / annual production >1000m³

- Obtain Milling Licence (incorporates permission for felling)
- Undertake Environmental Impact Assessment
- Obtain Development Consent
- Submit Harvest Plan
- Submit Coupe Plan
- Chainsaw harvest of timber
- Primary processing
- Pay export duties
- Customs approval
- Request Certificate of Origin
- Obtain Permits to Export
- Secondary processing and preparation for export
- Transport to Honiara or Noro
- EXPORT

Timber supply chain – Large scale commercial operations

- Obtain Timber Rights Agreement
- Obtain Falling Licence
- Undertake Environmental Impact Assessment
- Obtain Development Consent
- Obtain Milling Licence
- Submit Harvest Plan
- Submit Coupe Plan
- Chainsaw harvest of timber
- Secondary processing and preparation for export
- Transport to Honiara or Noro
- Primary processing

Key
- Mandatory requirement for proof of legality
- Supplementary proof of legality
- Optional proof of legality
- Other regulatory framework component
- Condition of supply / chain integrity
Prohibited exports from Solomon Islands

Primary species of timber exported from Solomon Islands include vitex (Vitex cofassus), akwa (or taun, Pometia pinnata), kwila (or merbau, Intsia bijuga) and rosewood (Pterocarpus indicus). Collectively, these species account for a large proportion of current sawn timber production.

Existing Solomon Islands’ legislation prohibits the export of some key commercial species except as processed timber—that is, these species cannot be exported in roundwood (log) form. They are: vitex (Vitex cofassus), kwila (Intsia bijuga), rosewood (Pterocarpus indicus), and white beech or canoe tree (Gmelina moluccana). Additionally, some species may only be exported with approval from the Director of the Ministry of Environment, Climate Change, Disaster Management and Meteorology: these are: ngali nut (Canarium indicum) and tubi (Xanthostemon melanoxylon).

Note that the timber product type and species for which sale and/or export are restricted may be subject to change. In the case that raw/round logs are exported to Australia, its supply chain would be similar to that for large scale commercial operations for sawn timber, except that a Specific Authority to Export rather than a Permit to Export would be required.
Who should I contact for further information?

Australian Government
Department of Agriculture
GPO Box 858
Canberra ACT 2601
Phone: +61 2 6272 3933
dafl.gov.au/illegallogging
illegallogging@agriculture.gov.au

Solomon Islands Government
Ministry of Forestry and Research
PO Box G24, Honiara
Phone: +677 22263 or +677 24524
Fax: +677 24660
anga_b@mofr.gov.sb

Disclaimer

While reasonable efforts have been made to ensure that the contents of this guideline and the associated quick reference guide are factually correct, the Commonwealth of Australia does not accept responsibility for the accuracy or completeness of the contents and expressly disclaims liability for any loss or damage, however caused, that may be occasioned directly or indirectly through the use of, or reliance on, the contents of this guideline or associated quick reference guide.

This guideline and its associated quick reference guide are made available on the understanding that the Commonwealth of Australia is not providing professional advice. Before relying on this guideline or its associated quick reference guide, readers should obtain appropriate professional advice suitable to their particular circumstances.

Readers should also confirm that this is the most up-to-date available guideline by referring to the Department of Agriculture website.
Attachment A – Permit to Export Forest Produce (example)

Each Permit to Export has a unique Permit Number. This number can be cross checked with the Solomon Islands Ministry of Forestry and Research, if required.

This licence number refers to the Milling/Felling license, which demonstrates the origin of the timber.

This information is specific to the timber export and can be used to comply with the information gathering requirements in r 10(2) of the Regulation.

The Commissioner of Forests, or someone acting in this position, is the only person authorised to approve a Permit to Export. The signature and stamp of the Commissioner should be on every Permit.
Country specific guideline for Solomon Islands
Attachment B – Felling Licence (example)

FORM B

Forest Resources and Timber Utilisation Act (Cap.40)

Forest Resources and Timber Utilisation (Felling Licences) Regulations 2005

Section 44, regulation 4)

FELLING LICENCE

Licence No. …

Licensee (name and address): …

Date Licence takes effect: …

Date Licence expires: …

Description of land licence applies to: (including province and locality where land is located) in ward, …

Time after issue of licence within which licensee to commence operations:

Conditions of Licence:

(1) The term of the licence is 5 years.

(2) The licensee shall pay the prescribed annual fee (if any) on being granted the felling licence and then on the date in each year that is the anniversary of the date the licence was granted.

(3) The licensee shall carry out his operations under the licence only within the area of land to which the licence applies, the boundaries of which are marked in red on the map issued by the Department of Lands and Survey, or the good quality certified copy of such a map, of the scale 1:50,000 or larger attached to the licence.

………………………………..

Signed

Commissioner of Forest Resources

Date:………………………………..
Any disputes relating to the ownership, boundaries or use of the land, or a part of the land, to which the licence applies shall be determined in accordance with the law of Solomon Islands.

The licensee shall conduct his operations under the licence in a manner that complies with the approved timber rights agreement, the conditions of the licence, the Act and subsidiary legislation made under the Act.

The licensee shall conduct his operations under the licence in a manner that complies with the Revised Solomon Islands Code of Logging Practice, May 2002 published by the Ministry of Forests, Environment and Conservation.

The licensee shall act in accordance with the agreement he certifies on his application for the grant of the licence;

Before commencing carrying out any operations under the licence, the licensee shall enter into, and give to the Commissioner of Forests Resources a copy of, a performance bond of $250,000 that shall –

(a) be in the form of a bank guarantee or equivalent instrument acceptable to the Central Bank of Solomon Islands; and

(b) provide security for –

(i) payment of taxes, duties, levies, fees, royalties, rent, compensation and other charges or amounts that may be payable by him as licensee to the Government or the relevant provincial government under this Act or a provincial ordinance; and

(ii) payments arising from a contravention of the conditions of the licence, the Act and subsidiary legislation made under the Act; and

(c) be enforced by the Commissioner of Forest Resources against the issuing bank, insurance company or other authority if the licensee fails to pay a sum secured by it.

The licensee shall maintain the performance bond until he receives from the Commissioner of Forest Resources a written release from the performance bond in accordance with Form C.
(10) The licensee shall pay all taxes, duties, levies, fees, royalties, rent, compensation and other charges or amounts as they fall due and payable by him as licensee to the Government or the relevant provincial government under the Forest Resources and Timber Utilisation Act or a provincial ordinance.

(11) Subject to conditions (12) and (13), the volume of logs felled under the licence in a year shall not exceed the volume of logs specified by the Commissioner of Forest Resources as the maximum volume that may be felled under the licence during the year.

(12) If the maximum volume of logs that may be felled in a year is not felled, the licensee may carry forward into the remaining years of the term of the licence the volume of logs not felled.

(13) Logs that are 30 cm or more, but not more than 49 cm, in diameter and less than 6 metres long shall not be included in the volume of logs felled referred to in conditions (11) and (12) if the licensee makes every endeavour to find a market for, and sell, those logs.

(14) The licensee shall not carry out felling operations under the licensee’s felling licence in a year during the term of the licence unless he has prepared, in accordance with the code of logging practice, an annual harvesting plan for the year and the Commissioner of Forest Resources has approved the plan.

(15) The Licensee shall not commence felling operations in a coupe unless he has prepared, in accordance with the code of logging practice, a coupe plan for the coupe and the forest officer authorized to do so has approved the coupe plan.

(16) The licensee shall comply with the directions (if any) given to him by the Commissioner of Forest Resources for the purpose of good silviculture, including the minimum girth of trees for seed bearing or regeneration.

(17) The licensee shall take all necessary steps to prevent pollution of the ground, and any pond, river, stream or water source, including the following:

(a) ensuring all oil, fuel, chemicals and other pollutants are stored in secure containers and safeguards are in place to prevent accidental contamination of any water or soil;

(b) not allowing refuse, rubbish, sewage, oil, fuel or other pollutants to be discharged into any pond, river, stream or water source.

(18) The licensee shall comply with the River Waters Act (Cap 135), and subsidiary legislation made under that Act, and shall ensure that all his officers and employees are aware of their obligations under that Act.
(19) The licensee shall ensure that the working practices carried out under the licence are safe and shall comply with all relevant laws, including the Act and subsidiary legislation made under the Act, the Safety at Work Act (Cap 74) and any directions given from time to time by the Commissioner of Labour for the prevention of accidents and securing safe working conditions for his officers and employees.

(20) The licensee shall ensure that all trees felled under the licence are felled so as to minimize waste and produce the maximum volume of merchantable timber.

(21) The licensee shall remove all logs from where they are harvested to storage areas within 3 months after felling the timber, but in any case as soon as is necessary, to prevent damage to the timber by decay, insects, fungus or disease.

(22) The licensee shall at all times allow the Commissioner of Forest Resources or a forest officer access without notice to all and any areas of the licensee’s operations including any vehicles, facilities, equipment or premises, for the purposes of ascertaining whether or not the licensee is contravening the licence, the Act or subsidiary legislation made under the Act.

(23) The licensee shall at all times allow the Commissioner of Forest Resources or a forest officer access to any timber obtained under the licence for the purpose of inspecting the timber and for ascertaining the following:

(a) the volume, species and grade of the timber;

(b) whether there has been any degradation of the timber since it was felled.

(c) Whether the timber is timber felled under the licence;

(d) Whether the timber is of suitable quality for the purpose for which it is to be used.

(24) The licensee shall keep true and proper records, of his operations carried out under his felling licence, which shall include –

(a) a record of the species of timber felled, sawn, sold or exported;

(b) a record of the areas where timber is felled and a record showing which timber is taken from which area;

(c) a record of the volume of timber felled, sawn, sold or exported;

(d) a record of the value of timber sold or exported;
(e) copies of all documentation for exporting of logs and sawn timber;

(f) copies of all documentation required for importing machinery used by the licensee;

(g) the royalties payable and paid to the owner of land;

(h) reforestation activities carried out;

(i) conservation and rehabilitation activities carried out;

(j) the amount of duty payable on exported timber and, of that amount, the amount of duty paid and the amount of duty remitted;

(k) a copy of each annual plan and coupe plan approved in accordance with regulation 12;

(l) a copy of his application for his felling licence and all accompanying documents; and

(m) a copy of his felling licence.

(25) The licensee shall have respect for and interfere as little as possible with the rights of the owner of the land and any other person who has an interest in or a right to carry out activities on, the land on which the licence has effect (which, if the land is customary land, includes hunting, fishing and collecting, felling and taking away trees on other materials for domestic or traditional purposes).

(26) The licensee shall take all reasonable steps to ensure that his officers and employees are respectful to and observant of local customs and will not enter cultural areas, such as tambu areas and garden and village areas.

(27) The licensee shall not transfer, assign or dispose of the licence but may, with the Commissioner of Forest Resource’s approval in writing, enter into a subcontracting arrangement for the carrying out of operations under the licence.

(28) If the licensee is required to be authorized under or comply with an Act other than the Forest Resources and Timber Utilization Act (Cap 40) or a provincial ordinance for conducting the felling operations authorized by the licence, the licensee shall maintain that authorization and shall not contravene that Act or provincial ordinance.

(29) The licensee may, at any time, surrender the licence by giving to the Commissioner of Forest Resources 6 months notice in writing of his intention to surrender the licence.
(30) On the expiry, surrender or cancellation of the licence, the licensee remains liable for –

(a) an act or omission done, caused or permitted or made by him as the licensee prior to the expiry, surrender or cancellation;

(b) a liability incurred by him as the licensee under this Act prior to the expiry, surrender or cancellation; and

(c) complying with the requirements relating to completing his operations and departing from the land to which the licence applied and to being released from his performance bond.

(31) If the licence is about to expire or has been cancelled; or the licensee is about to cease operations under his licence, the licensee shall complete his operations in a manner that is satisfactory to the Commissioner of Forest Resources or a forest officer authorized for that purpose by the Commissioner of Forest Resources, and in particular shall have –

(a) rectified, to the satisfaction of an inspector under the River Waters Act (Cap 135), any damage to a pond, river, stream or water source caused by carrying out operations under the licence;

(b) cleared all ponds, rivers, streams and watercourses of obstructions, dams and temporary culverts caused or constructed when carrying out operations under the licence;

(c) dammed and drained all skidding tracks on slopes;

(d) ripped, to broken up soil compaction, all Yarding and working areas on the land subject to the licence and spread topsoil evenly back across the disturbed areas;

(e) removed, and satisfactorily disposed of, all oil, chemical and similar pollutants and rubbish from the land subject to the licence;

(f) restored all quarries, pits and gravel extraction areas on the land subject to the licence applied to a safe and environmentally acceptable condition;

(g) filled or drained areas of stagnant water created by operations on the land subject to the licence;
(h) carried out a thorough final maintenance of all roads and bridges on the land subject to the licence and left materials for future repairs and maintenance in accordance with the approved timber rights agreement; and

(i) paid all taxes, duties, levies, fees, royalties, rent, compensation and other charges or amounts that payable to the Government or the relevant provincial government by him as licensee under this Act or a provincial ordinance.

(32) Any building, structure or apparatus erected or placed by the licensee on the land subject to the licence shall, on the expiry of 12 months after the licensee ceases operations under the licence (for whatever reason), become the property of the owner of the land.

Any other conditions:

(1) Production quota per annum: …
(2) Allowable Export quota per annum: …
(3) Allowable volume input of Sawn timber per annum: …

-----------------------------------------------

Signed

Commissioner of Forest Resources

Date:-----------------------------------------------

Attach a map issued by the Department of Lands and Survey, or a good quality certified copy of such a map, of scale 1:50,000 or larger, with the boundaries of the area of land to which the licence applies marked in red.

-----------------------------------------------
Attachment C1 – Milling Licence (issued with a Felling Licence) (example)

NOT TRANSFERABLE

Reg. 2(1) (a)
Licence No: …
Date of issue: …
Date of expiry: …

THE FOREST RESOURCES AND TIMBER UTILISATION ACT

THE TIMBER (LEVY AND MILL LICENSING) REGULATIONS

LICENCE TO OPERATE A MILL
(Where the licensee is authorized to fell trees by a license issued under section 5 of the ACT)

Subject to the provisions of the Act and any Regulations made thereunder in force from time to time during the currency of this license and to the under-mentioned conditions. License is hereby granted to:

(Name): …
of (address …)
(herein after called the Licensee) to install and operate mills/ mill at/ within: (place or area)
under Felling Licence …

Conditions

1. The licensee shall only produce sawn timber and shall not produce any other form of milled timber save under and in accordance with the terms and conditions of the prior written approval of the Commissioner of Forests.

2. No timber may be milled other than timber from trees which have fallen or been felled within (areas) Felling Licence… it shall be the responsibility of the Licensee to ascertain the place in which trees have fallen or been felled.

Provided that timber from trees which have fallen or been felled outside the said area covered by the License/authority may also be milled with the specific written approval of the Commissioner of Forests.

3. The licensee shall not produce more than (quantity) … m³/annum timber in any one calendar year without the approval of the Commissioner, nor shall the licensee produce any other form of milled timber in excess of the quality authorized by the Commissioner of Forest Resources under Condition 1 hereof.
Country specific guideline for Solomon Islands
4. The licence shall not acquire log timber in excess of quantities notified to him in writing by the Commissioner of Forest Resources (which in the opinion of the Commissioner are sufficient to produce the maximum output of milled timber authorized under conditions 1 and 2 hereof).

5. The licensee shall have records of log timber acquired, log timber milled and milled timber produce, sold, supplied and exported and the value thereof in such manner and to such extend as the Commissioner of Forest Resources may require and shall render to the Commissioner of Forest Resources such returns of the same at such intervals and in such manner as the Commissioner of Forest Resources may require. All such records as aforesaid shall at all reasonable timber be open to inspection by the Commissioner of Forest Resources or any other Forest Officer authorized in writing in that behalf by the Commissioner of Forest Resources.

6. The Licensee shall ensure that his working practices are sage and comply with such direction (of any) as may from time to time be given by the Commissioner of Labour for the prevention of accidents and securing safe working conditions for employees.

7. The Licence is not negotiable or transferable.

8. The Commissioner of Forest Resources may cancel this Licence if the Licensee shall commit an act of bankruptcy or have a receiving or made against him or if distress or execution be levied against the mill/mills licensed hereunder or if proceedings be commenced for winding up the Licensee.

9. The Licensee shall not cease production of milled timber for any period in excess of three months without the prior written approval of the Commissioner of Forest Resources.

...........................................................

Commissioner of Forests

G.T.R. No: … Dated …

Note: The Licensee should study the Forest Resources and Timber Utilization Act and the Timber (Levy and Mill Licensing) Regulations. Section 39 of the Act empowers the Commissioner of Forest Resources to cancel or suspend this Licence for contravention of any of its terms and conditions or any of the provisions of the Act or Regulations.
Attachment C2 – Milling Licence (incorporates permission for felling) (example)

NOT TRANSFERABLE

Reg. 2(1) (b)
Licence No: …
Date of issue: …
Date of expiry: …

THE FOREST RESOURCES AND TIMBER UTILISATION ACT

THE TIMBER (LEVY AND MILL LICENSING) REGULATIONS

LICENCE TO OPERATE A MILL

(Where the licensee is not authorized to fell trees by a license issued under section 5 of the ACT)

Subject to the provisions of the Act and any Regulations made thereunder in force from time to time during the currency of this license and to the under-mentioned conditions. License is hereby granted to:

(Name) ……………………………………………………………………………………………………………………………
of (address) …………………………………………………………………………………………………………………
(herein after called the Licensee) to install and operate mills/ mill at/ within: (place or area)
…………………………………………………………………………………………………………………………………………

Conditions

1. The licensee shall only produce sawn timber and shall not produce any other form of milled timber save under and in accordance with the terms and conditions of the prior written approval of the Commissioner of Forests.

2. No timber may be milled other than timber from trees which have fallen or been felled within (areas) as above it shall be the responsibility of the Licensee to ascertain the place in which trees have fallen or been felled.

Provided that timber from trees which have fallen or been felled outside the said area covered by the License/authority may also be milled with the specific written approval of the Commissioner of Forests.

3. The licensee shall not produce more than (quantity) … m\(^3\)/annum timber in any one calendar year without the approval of the Commissioner, nor shall the licensee produce any other form of milled timber in excess of the quality authorized by the Commissioner of Forest Resources under Condition 1 hereof.
4. The licence shall not acquire log timber in excess of quantities notified to him in writing by the Commissioner of Forest Resources (which in the opinion of the Commissioner are sufficient to produce the maximum output of milled timber authorized under conditions 1 and 2 hereof).

5. The licensee shall have records of log timber acquired, log timber milled and milled timber produce, sold, supplied and exported and the value thereof in such manner and to such extend as the Commissioner of Forest Resources may require and shall render to the Commissioner of Forest Resources such returns of the same at such intervals and in such manner as the Commissioner of Forest Resources may require. All such records as aforesaid shall at all reasonable timber be open to inspection by the Commissioner of Forest Resources or any other Forest Officer authorized in writing in that behalf by the Commissioner of Forest Resources.

6. The Licensee shall ensure that his working practices are sage and comply with such direction (of any) as may from time to time be given by the Commissioner of Labour for the prevention of accidents and securing safe working conditions for employees.

7. The Licence is not negotiable or transferable.

8. The Commissioner of Forest Resources may cancel this Licence if the Licensee shall commit an act of bankruptcy or have a receiving or made against him or if distress or execution be levied against the mill/mills licensed hereunder or if proceedings be commenced for winding up the Licensee.

9. The Licensee shall not cease production of milled timber for any period in excess of three months without the prior written approval of the Commissioner of Forest Resources.

G.T.R. No: …

Note: The Licensee should study the Forest Resources and Timber Utilization Act and the Timber (Levy and Mill Licensing) Regulations. Section 39 of the Act empowers the Commissioner of Forest Resources to cancel or suspend this Licence for contravention of any of its terms and conditions or any of the provisions of the Act or Regulations.
Attachment D – Certificate of Origin (example)

MINISTRY OF FORESTRY & RESEARCH
P O Box G24
HONIARA
Solomon Islands

Facsimile: (677) 22824/24660 Telephone: (677) 28802/24215

TO WHOM IT MAY CONCERN

CERTIFICATE OF ORIGIN

The Forestry Division of the Ministry of Forestry & Research in the Solomon Islands hereby certify that Ninety Five Decimal Five Nine One (95.591m³) of Rosewood Timbers loaded on are originally from Solomon Islands, And that this Timber Produced by comes from legally licensed area(s).

Consignee:

4 FCL of Rosewood (KD/QOS) Timber 95.591m³

Container No:

Thank you,

Commissioner of Forests
Ministry of Forestry & Research