

FOREST ENACTMENT 1968
(No. 2 of 1968)

FOREST (TABIN WILDLIFE CONSERVATION AREA) RULES 2007
(G.N.S. 13 of 2007)

In exercise of the powers conferred by section 42 of the Forest Enactment 1968 [No. 2 of 1968], the Chief Minister makes the following rules:

Citation and commencement

1. (1) These rules may be cited as the Forest (Tabin Wildlife Conservation Area) Rules 2007.

(2) These Rules are deemed to have come into operation on 1 December 1999.

Interpretation

1A. In these Rules –

“Enactment” means the Forest Enactment 1968 [No. 2 of 1968];

“Forest Reserve” means Forest Reserve Wildlife Tabin as delineated on F.D. Map No. 80/10E, Tabin Forest Reserve as delineated on F.D. Map No. 80/238, Dagat Forest Reserve as delineated on F.D. Map No. 65/16C, Sungai Kapur Forest Reserve as delineated on F.D. Map No. 65/25C, Silabukan Forest Reserve as delineated on F.D. Map No. 80/140A and F.D. Map No. 80/243A, Mount Hatton Forest Reserve as delineated on F.D. Map No. 80/259, Sungai Maruap Forest Reserve as delineated on F.D. Map No. 65/128A, Sungai Lasun and Pulau Evans Forest Reserve as delineated on F.D. Map No. 65/127A, Tabin Wildlife Reserve (Extension) as delineated on F.D. Map No. 65/129 and Tabin Wildlife Reserve (Extension II) as delineated on F.D. Map No. 65/131 as constituted under the Forest (Constitution of Forest Reserves and Amendment) Enactment 1984 [No. 4 of 1984]; and

'Management Committee" means the Tabin Wildlife Conservation Area Management Committee established under rule 2.

Management Committee

2. (1) There shall be established a management to be known as the Tabin Wildlife Conservation Area Management Committee to advise the Chief Conservator management on the conservation and protection of the Reserve as a permanent tropical rain forest for the purpose of wildlife conservation, recreation, scientific research, protection of ecology, environment and climatic condition.
- (2) The Management Committee shall consist of the following members:
 - (a) the State Attorney-General or his representative;
 - (aa) the Secretary of Natural Resources or his representative;
 - (b) the Permanent Secretary to the Ministry of Tourism, Culture and Environment Science of Sabah or his representative;
 - (c) the Director of the Wildlife Department Sabah or his representative;
 - (d) the Director of the State Economic Planning Unit or his representative;
 - (e) the Permanent Secretary to the Ministry of Finance of Sabah or his representative;
 - (f) the Director of Public Works Department or his representative;
 - (g) the Managing Director of Tabin Wildlife Holidays Sdn. Bhd. or his representative;
 - (h) the Director of the Department of Environmental Conservation Sabah or his representative;
 - (i) a representative of the University Malaysia Sabah;
 - (j) the Chief Conservator or his representatives;
 - (k) a representative of the Sabah Biodiversity Center (SaBc);

- (l) a representative of the Borneo Rhino Alliance (BORA);
- (m) a representative of the Sabah Museum;
- (n) a representative of the District Office of Lahad Datu; and
- (o) a representative of the World Wide Fund for Nature (WWF) Malaysia.

(3) The Chairman of the Management Committee shall be the Chief Conservator, the Management Committee shall however appoint any member of the Management Committee to chair the meeting in the absence of the Chief Conservator.

(4) The Secretary shall be appointed by the Management Committee from amongst persons serving in the Sabah Forestry Department or from amongst members of the Management Committee for a period duly specified by the Management Committee.

(5) The Management Committee shall have powers to determine its own procedure.

(6) The Management Committee shall convene at least two meetings in a calendar year.

Role of the Management Committee

3. The Role of the Management Committee shall be to plan, co-ordinate, facilitate, monitor and evaluate the following management objectives for the Reserve;

- (a) the protection in perpetuity of as much as possible of the biological diversity, expressed at genetic, individual, subspecies, species, habitat and ecosystem levels of organization with special reference for endangered species;
- (b) the promotion of education and training in conservation, natural history, heritage, ecology, forestry and related sciences;
- (c) the promotion of the Reserve of appropriate recreation and nature tourism, provided such activities do not significantly compromise the management objectives stated for the Reserve;

- (d) integration of the management objectives for the Reserve with other planned development in surrounding areas so as to create a model forest management area in Tabin that combines conservation, forestry, recreation and nature tourism activities on a sustainable long-term basis;
- (e) planning, construction and maintenance of infrastructure, facilities, logistics and utilities; and
- (f) the promotion of research into all aspects of the compositions and functioning of the Forest ecosystem.

Powers and functions of the Management Committee

4. The Management Committee shall have the following powers and functions:
- (a) to invite other organizations including overseas organizations as *ad hoc* Management Committee;
 - (b) to forge relationship with local or overseas organizations for the purpose of research, conservation and education;
 - (c) to evaluate research proposals to be carried out within the Reserve;
 - (d) to consider and advise the government on the findings of research that may have implications on State/National's interest;
 - (e) to advise appropriate guidelines on the roles of management collaborators; and
 - (f) to advice matters pertaining to the development of existing and future expansion, such as recreation, infrastructure, etc.

Day-to-day Management

5. Without prejudice to the duties and powers of the Chief Conservator and other forest officers under the Forest enactment 1968, the day-to-day management of the Reserve shall be carried out by the Tabin Wildlife Holidays Sdn. Bhd. which, in consultation with the Management Committee, may determine the procedure for the following matters:

- (a) the matrix of the management organization;
- (b) the control and regulation of entry of persons into the Reserve including the regulation of the period during which persons may remain therein and the conditions under which they may do so;
- (c) establishment of such wildlife conservation facilities, research centers, jungle lodges, observatory towers, cabins and other similar structures as may be deemed necessary to carry out the purpose of the Reserve; and
- (d) such other matters as may be necessary for the effective carrying out of its functions and duties in connection with the day-to-day management of the Reserve.

Made at Kota Kinabalu, this 9 October 2007.

DATUK SERI PANGLIMA MUSA HAJI AMAN,
Chief Minister of Sabah.