

FOREST (TIMBER) ENACTMENT 2015

(No. 2 of 2015)

FOREST (TIMBER) (REGISTRATION) REGULATIONS 2017

(G.N.S 4 of 2017)

IN exercise of the powers conferred by paragraph 50 (2) (a) of the Forest (Timber) Enactment 2015, the Minister makes the following regulations:

Citation and commencement

1. (1) This regulations may be cited as the Forest (Timber) (Registration) Regulations 2017.
2. These Regulations shall be deemed to have come into operation on 2 June 2017.

Application for registration

2. (1) No person shall carry on any activity as an exporter, importer, a supplier or jetty operator unless he is registered in accordance with the Enactment.
- (2) An application for registration shall be made to the Chief Conservator in the prescribed manner.

Power to refuse application for registration

3. (1) The Chief Conservator shall refuse an application for registration as a jetty operator unless he is satisfied that the jetty that the applicant intends to operate was or will be built under and in accordance with the terms, conditions or restrictions of a licence, if any, required for building the jetty by any written law in force in Malaysia.

(2) The Chief Conservator shall refuse an application for registration as a supplier unless he is satisfied -

- (a) that the applicant owns a mill, plant or machinery as is necessary for the relevant activities and that the mill, plant or machinery has been built, erected or established in accordance with the Forest Rules 1969 (G.N.S 17 of 1969);
- (b) that the applicant is the lessee of such mill or possesses or holds on hire such plant or machinery and that the letting or hiring of such mill, plant or machinery to the applicant is permitted by the Chief Conservator; or
- (c) that the applicant is an exporter.

Procedure if Chief Conservator approves application

4. (1) If the Chief Conservator approves an application, he shall cause a notice to be sent to the applicant informing him of the approval and the conditions and restrictions that the Chief Conservator has decided to subject the registration to, and requiring the applicant to pay the prescribed fee to the Chief Conservator.

(2) Upon payment of the prescribed fee, the Chief Conservator shall effect registration of the applicant subject to the following conditions and any other conditions and restrictions as the Chief Conservator may deem fit to impose:

- (a) an exporter shall only -
 - (i) export timber supplied by suppliers registered under the Enactment; and
 - (ii) export the types of timber specified in the certificate of registration;
- (b) a jetty operator shall -
 - (i) only offer his services to exporters and importers registered under the Enactment; and

- (ii) submit to the Chief Conservator before the fifteenth day of every month a report with the following information:
 - (a) the quantity of timber exported or loaded on to the ship for the preceding month;
 - (b) the quantity of timber imported or unloaded for the preceding month; and
 - (c) the names of exporters and importers utilizing his services; and
- (c) an importer shall only -
 - (i) process imported timber in a sawmill licensed under the Forest Rules 1969;
 - (ii) unload timber in a port or a jetty licensed under any written law; and
 - (iii) store imported timber in a timber storage as approved by the Chief Conservator.

Certificate of registration

5. The certificate of registration issued under these Regulations shall be as prescribed in the First Schedule and shall be signed by the Chief Conservator.

Display of certificate of registration

6. (1) The certificate of registration issued by the Chief Conservator to an exporter, importer, a supplier or jetty operator shall be displayed at the place of business.

(2) Any person who fails to comply with subregulation (1) commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Certificate of registration not transferable

7. (1) No registered person shall transfer his certificate of registration to any other person or allow any other person to use his certificate of registration to export, import, supply or provide jetty services.

(2) Any person who fails to comply with subregulation (1) commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred and fifty thousand ringgit or to imprisonment for a term not exceeding two years or to both.

Fees

8. The fees payable under these Regulations are as set out in the Second Schedule.

Notification of change in information furnished

9. (1) Any person registered under the Enactment shall inform the Chief Conservator in writing whenever there are any changes in any information furnished to the Chief Conservator, within fourteen working days of such change.

(2) Any person who contravenes subregulation (1) commits an offence and shall, on conviction be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Extract copy of certificate of registration

10. The Chief Conservator may, upon payment of five hundred ringgit, furnish to a registered person a certified copy of the certificate of registration, if the registered person

-

(a) has submitted to the Chief Conservator a statutory declaration made by him to the effect that the certificate of registration issued to him is lost or has been destroyed or mutilated; or

(b) applied for it with reasons acceptable to the Chief Conservator.

Information

11. Any person registered under the Enactment shall provide any relevant information whenever required by the Chief Conservator.

FIRST SCHEDULE

FOREST (TIMBER) (REGISTRATION) REGULATIONS 2017

[Regulation 5]

CERTIFICATE OF REGISTRATION

THIS IS TO CERTIFY THAT
..... of
..... has been registered as:

<i>Type of activity</i>	<i>Registration number</i>	<i>Approved category of product by product category code</i>
-------------------------	----------------------------	--

under section 7 of the Forest (Timber) Enactment 2015 and in accordance with the Forest (Timber) (Registration) Regulations 2017 for years from to subject to the conditions and restrictions contained in or attached to this certificate.

Fees (RM):

Receipt number:

Date:

Chief Conservator

Sabah Forestry Department

SECOND SCHEDULE

FOREST (TIMBER) (REGISTRATION) REGULATIONS 2017

[Regulation 8]

REGISTRATION AND RENEWAL FEES

REGISTRATION

<i>Exporter</i>		<i>Fees per annum (RM)</i>
Category A1	Logs (Natural Forest Production)	3000
Category A2, A3	A2: Logs (plantation logs) including rubberwood.	2500
	A3: Pole and piles	500
Category A4	Oil palm trunk, coconut trunk and Nibong trunk.	
Category A5 (A5A to A5X)	A5A: Lumber core, cordwood, flitch, hewn timber and battenwood.	2500
	A5B: Blockboard, laminated board, and cement bonded particle board and particle board.	
	A5C: Waferboard, woodchipboard, bio-composite product, particle block, flakeboard, oriented strand board, woodplastic composite and hardboard.	
	A5D: Medium density fiberwood, high density fibre board, low density fibre board and fibreboard.	

Exporter

*Fees per
annum (RM)*

- A5E: Railway sleeper.
- A5F: Moulding, dowel and picture frame.
- A5G: Veneered panel, plywood and laminated veneer lumber.
- A5H: Sawn timber and planned timber.
- A5I: Densified wood, assembled parquet panels, door, doorskin, door frame, joinery and shingle.
- A5J: Window, window frame, wooden flooring, shakes, glued laminated timber, laminated post, wooden lattice and wooden fence.
- A5K: Core veneer, rotary cut veneer and sliced veneer.
- A5L: Wood chip and wood particle.
- A5M: Wood pulp and paper.
- A5N: Pickets/stakes, hoopwood and wooden sticks.
- A5O: Saw dust, wood residue, scrap and bark.
- A5P: Fuel wood, briquette and charcoal.

<i>Exporter</i>		<i>Fees per annum (RM)</i>
	A5Q: Wood wool (shaving) and ground wood (wood wool, wood flour).	
	A5R: Box pallets, crate, drum, dunnage, load board, packing block, packing cases, pallets, skid, wooden box, cable drums, cooperage and pallet collars.	
	A5S: Prefabricated buildings, of wood.	
	A5T: Furniture (wooden) and picture part.	
	A5U: Barrel, vats, tubs and casks.	
	A5V: Tableware and kitchenware, of wood, cases of jewellery or cutlery and similar articles, statuettes and other ornaments, of wood, turnery, handicraft, coffin/casket, wooden toy, wood marquetry and inlaid wood.	
	A5W: Broom, tools, brush bodies and handles and wooden handle.	
	A5X: Joss-stick, other things of wood, cork and bark based product.	
Category AA	Bamboo and rattan.	100

<i>Exporter</i>		<i>Fees per annum (RM)</i>
Category AB	Gaharu wood/Sandal wood/Agarwood & scented wood (Gaharu).	100
Category AC	Gaharu oil.	100

Note:

If an exporter is registered to export multiple products under different categories, the exporter shall only pay the highest fee.

<i>Importer irrespective of type of product</i>	500
<i>Jetty Operator</i>	100
<i>Supplier</i>	500

RENEWAL

Category A1	Logs (Natural Forest Production)	3000
Category A2, A3	A2: Logs (plantation logs) including rubberwood.	2500
	A3: Pole and piles	500
Category A4	Oil palm trunk, coconut trunk and Nibong trunk.	
Category A5 (A5A to A5X)	A5A: Lumber core, cordwood, flitch, hewn timber and battenwood.	2500
	A5B: Blockboard, laminated board, and cement bonded particle board and particle board.	

Exporter

Fees per
annum (RM)

- A5C: Waferboard, woodchipboard, bio-composite product, particle block, flakeboard, oriented strand board, woodplastic composite and hardboard.
- A5D: Medium density fiberwood, high density fibre board, low density fibre board and fibreboard.
- A5E: Railway sleeper.
- A5F: Moulding, dowel and picture frame.
- A5G: Veneered panel, plywood and laminated veneer lumber.
- A5H: Sawn timber and planned timber.
- A5I: Densified wood, assembled parquet panels, door, doorskin, door frame, joinery and shingle.
- A5J: Window, window frame, wooden flooring, shakes, glued laminated timber, laminated post, wooden lattice and wooden fence.
- A5K: Core veneer, rotary cut veneer and sliced veneer.
- A5L: Wood chip and wood particle.

Exporter

*Fees per
annum (RM)*

- A5M: Wood pulp and paper
- A5N: Pickets/stakes, hoopwood and wooden sticks.
- A5O: Saw dust, wood residue, scrap and bark.
- A5P: Fuel wood, briquette and charcoal.
- A5Q: Wood wool (shaving) and ground wood (wood wool, wood flour).
- A5R: Box pallets, crate, drum, dunnage, load board, packing block, packing cases, pallets, skid, wooden box, cable drums, cooperage and pallet collars.
- A5S: Prefabricated buildings, of wood.
- A5T: Furniture (wooden) and picture part.
- A5U: Barrel, vats, tubs and casks.
- A5V: Tableware and kitchenware, of wood, cases of jewellery or cutlery and similar articles, statuettes and other ornaments, of wood, turnery, handicraft, coffin/casket, wooden toy, wood marquetry and inlaid wood.

<i>Exporter</i>		<i>Fees per annum (RM)</i>
	A5W: Broom, tools, brush bodies and handles and wooden handle.	
	A5X: Joss-stick, other things of wood, cork and bark based product.	
Category AA	Bamboo and rattan.	100
Category AB	Gaharu wood/Sandal wood/Agarwood & scented wood (Gaharu).	100
Category AC	Gaharu oil.	100
<i>Note:</i>		
If an exporter is registered to export multiple products under different categories, the exporter shall only pay the highest fee.		
	<i>Importer irrespective of type of product</i>	500
	<i>Jetty Operator</i>	100
	<i>Supplier</i>	500