

[G.N.S. 5/2012 c.i.f. 01.04.2012]

[G.N.S 16/2016 c.i.f. 31.01.2015]

FOREST ENACTMENT 1968

(NO. 2 of 1968)

FOREST (MALIAU BASIN CONSERVATION AREA) RULES 1998

In exercise of the powers conferred upon him under section 42 of the Forest Enactment 1968, the Chief Minister hereby makes the following rules:

Citation, commencement and application.

1. (1) These rules may be cited as the Forest (Maliau Basin Conservation Area) Rules 1998 and shall be deemed to have come into operation on 31st December, 1997.

(2) The privileges and conditions declared in these rules shall apply to the area of the Maliau Basin Forest Reserve as delineated on F.D. Plan No. 91/ 88C, Maliau Buffer Zone Forest Reserve as delineated on F.D. Plan No. 102/94, Gunung Rara Wildlife Corridor Forest Reserve as delineated on F.D. Map No. 89/71, Maliau Buffer Zone Forest Reserve (Extension) as delineated on F.D. Map No. 102/103, Tambulanan Forest Reserve as delineated on F.D. Map No. 103/92, Sungai Anjeranjermut Forest Reserve as delineated on F.D. Map No. 103/98, Sungai Sumagas Forest Reserve as delineated on F.D. Map No. 104/144, Sungai Tiagau Forest Reserve as delineated on F.D. Map No. 103/93 and Sungai Tiagau Forest Reserve (Extension) as delineated on F.D. Map No. 104/143 (hereinafter called "The Reserve").

Management Committee.

2. (1) There shall be established the Maliau Basin Conservation Management Committee (hereinafter called "the Management Committee") to advise the Director on the conservation and protection of the Reserve as a permanent tropical rain forest for the

purposes of scientific research, recreation and protection of ecology, environment and climatic condition.

(2) The membership of the Management Committee shall consist of the following:

- (a) the Director of Forestry Department or his representative;
- (b) a representative of the Sabah Foundation;
- (c) a representative of the University Malaysia Sabah;
- (d) a representative of the Ministry of Tourism, Culture and Environmental Development;
- (e) a representative of the Department of Wildlife;
- (f) a representative of the Sabah Parks;
- (g) a representative of the Sabah Museum;
- (h) a representative of the National University of Malaysia;
- (i) a representative of the Forest Research Institute of Malaysia;
- (j) a representative of the Putra University of Malaysia;
- (k) a representative of the University Malaysia Sarawak;
- (l) a representative of the Sapulut Forest Development Corporation Sdn. Bhd; and
- (m) a representative of the World Wide Fund for Nature (WWF) Malaysia.

(3) The Chairman of the Management Committee shall be appointed by the Chief Minister of Sabah on rotation among the following:

- (a) the Director of Forestry or his representative;
- (b) the representative of Sabah Foundation;

- (c) the representative of the Ministry of Tourism and Environmental Development; and
- (d) the representative of University Malaysia Sabah:

Provided that notwithstanding the above provision, the Chief Minister may in his absolute discretion appoint such person as he may deem fit to be the Chairman.

(4) The Chairman shall hold office for a term of two years from the date of his appointment.

(5) The Secretary shall be appointed by the Management Committee from among persons serving in the Sabah Foundation for such period as may be determined by the Management Committee.

(6) The Management Committee shall be the powers to determine its own procedure.

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:

- (i) the protection in perpetuity of as much as possible of the biological diversity, expressed at genetic, individual, sub-species, species, habitat and ecosystem levels of organisation;
- (ii) the promotion of research into all aspects of the composition and functioning of the Reserve's ecosystem including comparative studies of disturbance and recovery processes following logging of nearby areas;
- (iii) the promotion of education and training in conservation, natural history, ecology, forestry and related sciences;
- (iv) the promotion of the Reserve for appropriate recreation and nature tourism, provided such activities do not significantly compromise the management objectives stated above; and

- (v) the integration of the objectives for the Reserve with other planned development in surrounding areas so as to create a model forest management area that combines conservation, forestry and nature tourism activities on a sustainable long-term basis.

Powers and functions of the Management Committee.

4. The Management Committee shall have the following functions and powers:
- (i) to invite other organisations including overseas organisations into the Management Committee on an *ad hoc* basis;
 - (ii) to forge relationship with local or overseas organisations for the purpose of research, conservation and education;
 - (iii) to advise on any proposal for development within the Reserve;
 - (iv) to assess, accept and reject any proposed research to be carried out within the Reserve;
 - (v) to address appropriately the findings of research in the national interest; and
 - (vi) to advise on guidelines of the role of collaborators.

Day-to-day Management.

5. Without prejudice to the duties and powers of the Director and other forest officers under the Forest Enactment 1968 [*Enactment No. 2 of 1968.*], the day-to-day management of the Reserve shall be carried out by the Sabah Foundation, which in consultation with the Management Committee, may determine the procedure for the following matters:

- (a) the matrix of the management organisation;
- (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) the establishment of such research centres, jungle lodges, observatory towers, cabins and other similar structures as may be deemed necessary to carry out the purposes of the Reserve; and
- (d) such other matters as may be necessary for the more effectually carrying out of its functions and duties in connection with the day-to-day management of the Reserve.

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