

BELIZE:

FORESTS (AMENDMENT) BILL, 2017

ARRANGEMENT OF SECTIONS

1. Short title and construction.
2. Amendment of section 11.
3. Amendment of section 18.
4. Amendment of section 19.
5. Amendment of section 20.
6. Insertion of new section 20A.
7. Amendment of section 35.
8. Amendment of section 36.
9. Insertion of new Second Schedule.



No. 17 of 2017

I assent,

(SIR COLVILLE N. YOUNG)

Governor-General

9th February, 2017.

AN ACT to amend the Forests Act, Chapter 213 of the Substantive Laws of Belize, Revised Edition 2011; to provide for the updating and restructuring of penalties to more realistically effective levels; and to provide for matters connected therewith and incidental thereto.

(Gazetted 11th February, 2017.)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:

1. This Act may be cited as the

Short title and
construction.

FORESTS (AMENDMENT) ACT, 2017,

CAP. 213. and shall be read and construed as one with the Forests Act, which, as amended, is hereinafter referred to as the principal Act.

Amendment of section 11.

2. The principal Act is amended in section 11, by deleting paragraph (a) and substituting therefor the following,

“ (a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence, the maximum fine which may be imposed therefor does not exceed two thousand dollars, a sum of money which shall in no case exceed two thousand dollars, by way of compensation for the offence which such person is suspected to have committed; ”.

Amendment of section 18.

3. The principal Act is amended in section 18,

(a) by deleting from subsection (1) the words “one thousand” and substituting therefor the words “twenty-five thousand”;

(b) by inserting in subsection (3), immediately after the word “committed”, the words “, and of any vehicle, vessel or equipment used in the commission of an offence”.

Amendment of section 19.

4. The principal Act is amended in section 19 by –

(a) deleting the words “not exceeding one thousand dollars or to imprisonment for a period not exceeding six months” and substituting therefor the words

“ not exceeding,

(a) three times the respective amount specified in the Second Schedule, in relation to the

applicable class of forest produce and species of tree therein specified; or

- (b) ten thousand dollars, in relation to any other class of forest produce not specified in the Second Schedule,

or to imprisonment for a period not exceeding twelve months”;

- (b) inserting immediately after the words “and the forest produce” the words “and any vehicle, vessel or equipment used in the commission of an offence”.

5. The principal Act is amended in section 20 by deleting the words “one thousand” and substituting therefor the words “five thousand”.

Amendment of section 20.

6. The principal Act is amended by inserting next after section 20 the following as section 20A,

Insertion of new section 20A.

“ 20A. The Minister may, by order published in the Gazette and subject to negative resolution, amend any of the fines or other monetary penalties provided by this Act.

Minster may amend monetary penalties.”

7. The principal Act is amended in section 35 by deleting the words “five hundred” and substituting therefor the words “two thousand”.

Amendment of section 35.

8. The principal Act is amended in section 36 by deleting from subsections (1) and (2), respectively, the words “five hundred” and substituting therefor in each case the words “ten thousand”.

Amendment of section 36.

9. The principal Act is amended by –

Insertion of new Second Schedule.

- (a) numbering the Schedule as the First Schedule;
and
- (b) inserting next after the First Schedule as so
numbered, the following as the Second Schedule,

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SECOND SCHEDULE*Fines for Unlawful Possession of Forest Produce*

[SECTION 19]

Fines shall be computed as the product of the value of one penalty unit multiplied by the number of penalty units prescribed by the ratio in column (5) for the quantity of the offence.

Local Name of the species (1)	Botanical Name (2)	Class of forest produce (3)	Quantity Units (4)	Prescribed ratio of penalty units per quantity units (5)	Value of one penalty unit (\$) (6)
Mahogany	<i>Swietenia macrophylla</i>	Logs or sawn lumber	boardfeet (True volume)	3:1	2.00
Rosewood	<i>Dalbergia stevensonii</i>	Logs or sawn lumber	boardfeet (True volume)	4:1	2.00
Cedar	<i>Cedrela Mexicana</i>	Logs or sawn lumber	boardfeet (True volume)	2:1	2.00
Pine	<i>Pinus spp.</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Santa Maria	<i>Calophyllum brasiliense</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Podo (Cypress)	<i>Podocarpus guatemalensis</i>	Logs or sawn lumber	boardfeet (True volume)	2:1	2.00
Black Cabbage Bark	<i>Lonchocarpus castilloi</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Hobillo	<i>Astronium graveolens</i>	Logs or sawn lumber	boardfeet (True	1:1	2.00

			volume)		
Granadillo	<i>Platymiscium yucatanum</i>	Logs or sawn lumber	boardfeet (True volume)	2:1	2.00
Bastard Rosewood (Katalox)	<i>Swartzia cubensis</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Barbajolote	<i>Pithecolobium arboreum</i>	Logs or sawn lumber	boardfeet (True volume)	2:1	2.00
Salmwood	<i>Cordia alliodora</i>	Logs or sawn lumber	boardfeet (True volume)	2:1	2.00
Nargusta	<i>Terminalia amazonia</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Sapodilla	<i>Manilkara zapota</i>	Logs or sawn lumber	boardfeet (True volume)	2:1	2.00
Billy Webb	<i>Sweetia panamensis</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Bullet Tree	<i>Terminalia buceras</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Prickly Yellow	<i>Zanthoxylum spp.</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Black Poisonwood	<i>Metopium brownii</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Red Mylady	<i>Aspidosperma spp.</i>	Logs or sawn lumber	boardfeet (True volume)	1:1	2.00
Zericote	<i>Cordia dodecandra</i>	Logs or sawn lumber	boardfeet (True volume)	4:1	2.00
Hormigo	<i>Platymiscium dimorphandrum</i>	Logs or sawn lumber	boardfeet (True volume)	2:1	2.00

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