



Forestry Department

Introduction to Forest Law Enforcement



Honorary Forest Officer Pocket Book

Key questions to ask when an offence is discovered:

- Is the person in possession of a valid licence or permit?
- What offence(s) are committed?
- Where did the offence take place?
- Which rule / law applies?
- Which authority deals with the offender?
- What process should be followed?
- What paperwork is required?
- Who do I report to?

If in doubt, consult your District Forest Officer

This Pocket Book is issued to (name): _____ Gazette # _____ of # _____ year _____

The contact number for your District Forest Officer is: _____

This information is provided to support the training of Honorary Forest Officers in accordance with the Forests Act, 2015. The appropriate legal instruments should be referred to and applied. The instruction contained within this guide may not necessarily represent the position of the World Bank and its partners.

This pocket book is the property of the Forestry Department. If found it should be returned to the local District Forest Office or nearest Police Station.

The HFO Pocket Book for Forest Law Enforcement

Section one – Introduction to forest law enforcement

- Ownership & Regulation of Forest Produce
- Control, use and movement of forest produce

Section two – Control: dealing with illegal Activities

- Summary of Offences and Penalties under the Forests Act, 2015
- Restrictions & contravention of national laws
- Concept of Jurisdiction - where the offence has taken place & transfer to local control
- Penalties for the contravention of the Forest Laws & Admission of Guilt

Section three – Conducting law enforcement operations

- Enforcement: Powers of an Honorary Forest Officer
- Processes & procedures search and seize
- Risk assessment & personal safety, points for roadblocks
- Effecting an arrest & rights of the offender

Section four – Processing & Reporting Offences

- Completion of key documents
- Appearance in court
- Corruption & Abuse of powers
- Communication, reporting & financial management

Section five – Administration

- Appointment of HFOs, Terms & Condition of service

Introduction

This pocket book has been developed to support the training delivered through the Introduction to Forest Law Enforcement for Honorary Forest Officers (HFOs) Training Course. These are nominated by their community and appointed by the Minister of Green Economy and Environment, to support the activities of the Forestry Department in the area of responsibility as stated in the Gazette Notice, usually the District in which they reside. As authorised officers, an HFO may request from any person evidence of a licence or permit for an act done or committed by that person in a forest area or in relation to any forest produce for which a licence is required under the Forests Act, 2015. Further, an HFO may seize any forest produce, major forest produce, protected flora, appliance, equipment, device or material in connection with an offence which appears to have been committed.

The information and instruction contained in this guide is based on the Laws of Zambia, The Forests Act, no.4 of 2015, and is for guidance purposes only. Reference should always be made to the Primary Act when applying and enforcing the provisions of the Forest Laws. Further, the Honorary Forestry Officer will receive thorough instructions and guidance from the District Forest Officer to enable them to perform their agreed functions as provided for in the Forests Act, 2015.

Forests		[No. 4 of 2015 81]
THE FORESTS ACT, 2015		
ARRANGEMENT OF SECTIONS		
PART I		
PRELIMINARY		
<i>Section</i>		
1.	Short title	
2.	Interpretation	
3.	Ownership of trees and forest produce	
PART II		
FORESTRY DEPARTMENT		
4.	Director of Forestry and other staff	
5.	Functions of Department	
6.	Honorary forest officers	
7.	Immunity	
8.	General principles of forest development and management	
9.	Criteria for determination of sustainable forest management	
PART III		
FOREST MANAGEMENT AND DEVELOPMENT		
<i>National Forest</i>		
10.	Establishment of National Forest	
11.	Acquisition of land for National Forest	
12.	Purpose of National Forest	
13.	Rights in National Forest	
14.	Control and management of National Forests	
15.	Grants of right or interest in National Forest	
16.	Restrictions in National Forest	
<i>Local Forest</i>		
17.	Establishment of Local Forest	
18.	Acquisition of land for Local Forest	
19.	Purpose of Local Forest	
20.	Rights in Local Forest	
21.	Control and management of Local Forest	
22.	Grant of right or interest in Local Forest	
23.	Restrictions in Local Forest	
<i>Botanical Reserve</i>		
24.	Establishment of botanical reserve	
25.	Prohibition of certain activities in botanical reserve	
<small>Single copies of this Act may be obtained from the Government Printer, P.O. Box 20136, 10101 Lusaka, Price K 60.00 each.</small>		

Section one – Introduction to forest law enforcement

- **Ownership & Regulation of Forest Produce**

The basis of control in forestry is based on the following section of the Forests Act, 2015:

Ownership of trees and forest produce

3. The ownership of all trees standing on, and all forest produce derived from, customary areas, National Forests, Local Forests, State Land, botanical reserves and open areas is vested in the President, on behalf of the Republic, until lawfully transferred or assigned under this Act or any other written law.

- **Control, use and movement of forest produce**

This is covered by licences and permits issued by the Director of Forestry, or his/her authorised representatives or others authorised to do so such as recognised Community Forest Management Groups, in the prescribed manner and form.

PART VI REGULATION OF FOREST PRODUCE

Purpose of conserving trees on State Land and customary areas

49. (1) Major forest produce on State Land and customary areas shall be conserved for the use and benefit of the local community in those areas, except that—

- (a) trees may be felled and land cleared by or for the local community for the purpose of agricultural and other developments; and
- (b) any major forest produce which, in the opinion of the Director, is not required to be conserved or would be wasted or destroyed if not harvested may be felled and sold under a licence.

Control and management of major forest produce on State Land and customary areas

50. (1) Subject to the other provisions of this Act, the control and management of the licenced felling, cutting, taking and removal of major forest produce on State Land, land under leasehold tenure vested in any person and customary areas shall vest in the Director.

(2) A person who intends to fell, cut, work or remove any major forest produce from any State Land, land under leasehold tenure vested in any person or customary area or sell, offer for sale, barter or deal in any major forest produce shall apply for a licence or permit under this Part.

61. A licence or permit or any rights conferred under the licence or permit shall not be transferred or assigned by the licensee or permit holder to any other person.

Transfer of licence or permit

Examining permits and licences with conditions and accompanying receipt

All licences and permits must be in the prescribed manner and form. Documents provided to the HFO should be checked as follows:

Cutting (cord wood) Permit details:	Receipt details:
<input type="checkbox"/> Applicant Name and NRC <input type="checkbox"/> Place Production <input type="checkbox"/> Species name/name of forest product <input type="checkbox"/> Quantities <input type="checkbox"/> Period of validity <input type="checkbox"/> Details of Officer Issuing <input type="checkbox"/> Date stamp (official) / Date of issue Note Valid Receipt must be attached	<input type="checkbox"/> Date of issue <input type="checkbox"/> Name <input type="checkbox"/> Amount (in figures and words) <input type="checkbox"/> Details & references: (forest product) note this should indicate the details of the permit it relates to and include the unique reference number of the permit. <input type="checkbox"/> Official Date stamp with dates and details of the official receiving the payment
Conveyance Permit details:	Receipt details:
<input type="checkbox"/> Land category <input type="checkbox"/> Name and NRC <input type="checkbox"/> Address <input type="checkbox"/> Place Production <input type="checkbox"/> Place of where its being conveyed to <input type="checkbox"/> Name of forest product <input type="checkbox"/> Quantities <input type="checkbox"/> Date of validity (see conditions) <input type="checkbox"/> Date stamp (official) Date of issue Note: Permit or concession licence and receipt must be attached.	(see above)

Check all of the above permit features and conditions attached to the licence or permit, noting quantities, species, and importantly the validity period. Originals should be provided.

Section two – Control: dealing with illegal Activities

Summary of Offences and Penalties under the Forests Act, 2015

Forest Law Enforcement is based primarily on Part IX of the Act, covering Offences and Penalties. These are as follows:

PART X OFFENCES AND PENALTIES	
Offences by authorised officers	85. An authorised officer who willfully or negligently permits the removal of unmarked produce from a coupe commits an offence.
Prohibition of removal, felling, cutting, collecting, etc. of major forest produce without licence or permit	86. (1) A person shall not, without a licence or permit— (a) fell, cut or work any major forest produce; (b) fell, cut, work, take, collect or remove any major forest produce in or from any State Land, customary area or open area; or (c) sell, offer for sale, barter or otherwise deal in any major forest produce from any State Land, customary area or open area. (2) A person who contravenes subsection (1) or (2) commits an offence. (3) This section does not apply to a person who within any State Land, customary area or open area— (a) is the owner of the land and is in possession of a valid licence or permit authorising the licensee or permit holder to do any of the prohibited acts; (b) has obtained the permission of the owner to do so and is in possession of a valid licence or permit authorising that person to do the prohibited act; or (c) is an authorised officer acting under instructions in performing the authorised officer’s functions under this Act.

Most offences relate to the absence of a ‘permit’ (permission) in the stated activities (fell, cut, work, take, collect or remove, in relation to movement and trade of major forest produce. Such produce covered under major forest produce include:

“major forest produce” means a tree, part of a tree or derivative product such as timber, charcoal and carbon, other than leaves, flowers, fruits and seeds;

Restrictions on the manufacture of charcoal

87. (1) Subject to the other provisions of this Act, a person who, not being a holder of a licence or permit under this Act, manufactures wood into charcoal or offers for sale, sells or removes charcoal in or from any State Land or customary area commits an offence.

Restrictions
on
manufacture
of charcoal

(2) This section does not apply to a person who, within the State land, customary area or open area—

- (a) is in possession of a valid licence or permit authorising the licensee or permit holder to do the act or to manufacture charcoal;
- (b) has obtained the permission of the owner of the land to do so and is in possession of a valid licence or permit authorising that person to manufacture charcoal and do any such act; or
- (c) is an authorised officer acting under instructions in performance of that officer's functions under this Act.

Note: the General penalties apply, see section 99.

Other key offences in the Forests Act, 2015, relate to:

- ✓ Destruction of major forest produce (section 88)
- ✓ Illegal possession of major forest produce (section 89)
- ✓ Import/ export of major forest produce (section 90/91)
- ✓ Mixed marking of major forest produce (section 92)
- ✓ Removal, damage, etc, of boundary mark (section 94)
- ✓ Failure to assist with extinguishing fire in forest area (section 96)

Restrictions in a Local Forest

23. (1) A person shall not do any of the following acts in a Local Forest without a licence or permit:

Restrictions
in Local
Forest

- (a) fell, cut, fashion, burn, injure, take, collect or remove any forest product;
- (b) squat, camp, reside, build or excavate, construct or use any enclosure, re-open or use any road other than a public road, or erect or operate any plant, machinery or equipment;
- (c) set fire to any tree, undergrowth, grass or forest produce, assist in lighting any fire, or allow any fire to be lit by any person or allow the employee or agent of any person to enter a Local Forest;

Note: see section 23 (2) for penalties that apply.

Key questions to ask when an offence is discovered:

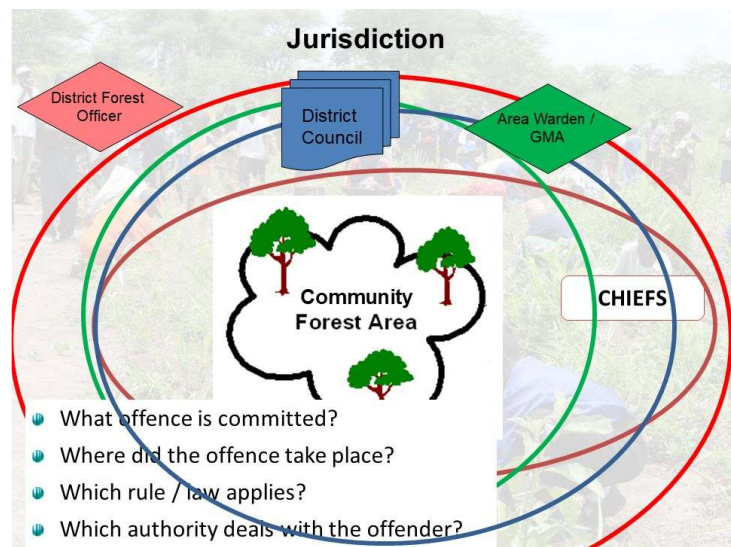
- Is the person in possession of a valid licence or permit?
- What offence(s) are committed?
- Where did the offence take place?
- Which rule / law applies?
- Which authority deals with the offender?
- What process should be followed?
- What paperwork is required?
- Who do I report to?

Note: all offences should be recorded and reported. If in doubt, consult your District Forest Officer.

• **Concept of Jurisdiction – where did the offence take place?**

It is important to know where the offence took place, which rule applies and which authority deals with the offender. This includes whether in a protected area such as a National Forest, Local Forest, Botanical Reserve or Community Forest.

Some powers of control and management may have been transferred by the Director of Forestry. In order to know which rule applies and which authority deals with the offence, the location of the offence is important.



Local Control through Community Forestry

Where the rights and responsibilities to control, use and manage a forest have been legally transferred to a Community Forest Management Group (CFMG) recognised under section 30 and subject to a Community Forestry Agreement under section 31, local rules and sanctions will apply for local offences taking place within their designated community forestry area. This is an example of the assignment of rights under section 3.

Common offences cover:

Illegal cutting of trees / clearing land / illegal settlement / illegal cropping / lighting of fire – burning / grazing animals / honey gatheringwithout a permit from the CFMG.

Breach of the Local Rules constitutes an offence and the particulars of the offence and the offender will be reported to the CFMG and DFO as appropriate. Fines collected for offences under the community rules within the community forest area are for the community under the terms of their Agreement with the Director of Forestry (see sect 1(ii) (d) of Form IV of the Forestry (Community Forest Management) Regulations, 2018.

- **Penalties for contravention of the Forest Laws**

A General penalty (section 99) applies for forest offences unless otherwise indicated in the Act.

General penalty

99. A person who commits an offence under this Act for which a penalty is not provided is liable, upon conviction—

(a) if the offence was committed within, or in connection with, a forest area, to a fine not exceeding one hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both; and

(b) in all other cases, to a fine not exceeding thirty thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

Restrictions in a National Forest (section 16) and Local Forest (section 23)

There are specific restrictions on activities in National and Local Forests. These are covered under sections 16 & 23.

Restrictions in National Forest

16. (1) Subject to subsection (2), a person shall not enter any National Forest without a licence or permit.

(2) Subsection (1) does not apply to a person who is a traveller on a public road in, or footpath frequently used by residents within or adjacent to a National Forest.

(3) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both.

Note the higher maximum penalty units. This should be considered if the offence is to be dealt with under section 100 through payment of a fine without appearing in court (covered later). Offences in these protected areas should be dealt with more severely.

23. (1) A person shall not do any of the following acts in a Local Forest without a licence or permit:

(a) fell, cut, fashion, burn, injure, take, collect or remove any forest product;

(b) squat, camp, reside, build or excavate, construct or use any enclosure, re-open or use any road other than a public road, or erect or operate any plant, machinery or equipment;

(c) set fire to any tree, undergrowth, grass or forest produce, assist in lighting any fire, or allow any fire to be lit by any person or allow the employee or agent of any person to enter a Local Forest;

Restrictions in Local Forest

- (d) graze domestic animals or allow domestic animals to trespass;
- (e) clear, cultivate or break up land for cultivation or other purposes, or grow crops;
- (f) enter or be found in or upon any Local Forest or for any purpose contrary to an order made by the Director, unless the person is a traveller on a public road;
- (g) collect any bees, comb-honey or beeswax, or hang or place on any tree or elsewhere any beehive or other receptacle for the purpose of obtaining any bees, comb-honey or beeswax, or be found in, or upon, any Local Forest for the purpose of collecting any bees, comb-honey or beeswax;
- (h) remove or damage any boundary mark, beacon, notice, fence or gate, or remove or damage any mark placed on any tree by, or on, the authority of a forest officer; or
- (i) deposit or negligently allow the disposal of any refuse or debris in, or on, any Local Forest.

Note the restrictions and therefore offences are different for a Local Forest and the penalty units are more than the General Penalty as follows:

Section 23 (2)

(2) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both.

This should be considered if the offence is to be dealt with under section 100 through payment of a fine without appearing in court (covered later). Offences in protected areas should be dealt with more severely. Note, for offences greater than 50,000 penalty units, these exceed the threshold for Admission of Guilt (section 100), therefore have to be processed with a charge sheet.

Restrictions in a Local Forest

Section 23 (b) relates to offences of squats, camp, resides, builds, constructs or uses any enclosure or any structure in a Local Forest. Common encroachment offences cover opening gardens, construction of illegal structures and settlements within a forest reserve or protected area. Guidance will be provided by the District Forest Officer in relation to the severity of the offence as well as issuing notices to those who have erected structures within protected forest areas.

As demolition by the Forestry Department can only be executed with a Court Order, in cases where there is admission of guilt, the offender may be given a limited time period to recover items of value eg door and window frames (or other construction material brought in from outside of the protected area). Ideally all structures should be removed and the forest restored.

Section 86: Relating to (a & b) prohibition to fell, cuts, takes, collects, or remove any major forest product in or from any State land, customary area or open area, without a licence or permit:

Prohibition
of removal,
felling,
cutting,
collecting,
etc. of major
forest
produce
without
licence or
permit

- 86.** (1) A person shall not, without a licence or permit—
- (a) fell, cut or work any major forest produce;
 - (b) fell, cut, work, take, collect or remove any major forest produce in or from any State Land, customary area or open area; or
 - (c) sell, offer for sale, barter or otherwise deal in any major forest produce from any State Land, customary area or open area.

Common offences include Illegal cutting of trees in a forest reserve or protected area. Differentiation has been made over the number of trees involved and whether these are protected species. While this clearly relates to indigenous trees, illegal cutting or destruction of exotic trees in plantations, or excessive damage to non timber forest products, should be referred to a "forest property" in legal terms.

A Notice of contravention of the Forests Act, 2015 is provided (see later) and may be used in Court proceedings as evidence of prior forestry related offences, by persons or carriers used in offences.

In severe cases, consideration should be given to the value of trees removed during the land clearance process. A second charge of under Section 101 sub section (b) relating to fells, cuts, takes, destroy, removes, collects, uproots any indigenous tree or forest property in a forest reserve or protected area, should be included in the prosecution case. Guidance will be provided by the District Forest Officer in relation to the severity of the offence and for cases that proceed to court.

Offences relating to possession or trafficking of forest produce

Common offences cover possession and trafficking charcoal and sawn planks by bicycle, small truck and large truck. Guidance will be provided by the District Forest Officer for penalties levels for different carrier when admission based on the market value of the produce being carried.

Obstruction of an Authorised Officer

In the course of forest law enforcement operations, questioning and arrest, the offender may act in manner to obstruct the duties of an HFO which may result in committing further offences with associated penalties:

77. A person who—
- (a) willfully delays or obstructs an authorised officer in the carrying out of the officer's duties under this Act;
 - (b) knowingly or negligently gives an authorised officer false or misleading information; or
 - (c) impersonates or falsely represents oneself to be a forest officer or to be a person acting under an authorised officer's orders;
- commits an offence and is liable, upon conviction, to a fine not exceeding one hundred thousand penalty units or to imprisonment for a period not exceeding one year, or to both.
- Obstruction
of authorised
officer

This additional penalty will normally exceed the threshold set in Section 100 to apply and a charge sheet must be completed.

Listing offences

All offences must be listed/ described in relation to the Forests Act, 2015. The offence is normally written as follows in the charge sheet:

(offence)contrary to section _____ of the Forests Act, 2015.

Examples could include:

- Unlawful felling and removal of major forest product from a Local Forest without a licence or permit contrary to section 23(b) of the Forests Act, 2015.
- Unlawful manufacture of charcoal in a forest area without a licence or permit contrary to section 87(1) of the Forests Act, 2015.
- Unlawful sale, offer for sale, barter or otherwise deal in major forest produce from a forest area without a licence or permit contrary to section 86(c) of the Forests Act, 2015.
- Wilful delay and obstruction of an authorised officer in the carrying out of the officers duties contrary to section 77(a) of the Forests Act, 2015.
- Failure to assist a forest officer with extinguishing a fire in the National Forest contrary to section 96 of the Forests Act, 2015.

Depending on the nature of the offence, it may be that in the course of the examination of the facts of the case that there are multiple offences that have been committed under the Forests Act, 2015. Such as transporting major forest produce without a valid permit or licence. Each offence attracts a penalty.

Determining the fine to be paid for different offences

The levels of fines paid for various offences under the Forests Act, 2015, are only set in general and maximum terms. Differentiation for the severity of the case is in broad terms left to the discretion of the arresting officer. Some matrices have been developed to guide new authorised officers and used in the HFO training.

The HFO will be guided by the District Forest Officer on the level of fines to be paid for different offences, the severity of the offence in the case where the offender admits guilt and elects to pay a fine instead of appearing in Court.

It should be noted that there are instances where the case should proceed to Court, such as where the fine level exceeds one hundred thousand penalty units (currently K30,000), in case where there was obstruction and violence threatened to the Authorised Officer (Section 74 (8) may apply), the scale of the offence – area cleared, number of trees cut etc exceeds the equivalent penalty units. This may be the case where there are multiple charges applicable to one incident. HFOs will be guided on severe cases.

Further, Courts in their judgements take consideration of the frequency of offending, is it a first offence or a repeat offender. This must therefore be taken into consideration when the level of the fine is determined. HFO will be guided on this aspect. This emphasises the need to document and report offences.

Section on Fires including arson. In case of fires in protected forest areas, the level of damage caused should be assessed and valued accordingly.

Penalty units – calculating fines to be paid

The offences listed in the Forests Act, 2015 are set in terms of penalty units. This allows for a consistent approach to fines and penalties in Law that can be determined or modified over time or through Statutory Instruments. Conversion of penalty units to Kwacha (at current rate – SI# 41 of 2015) are set out as follows:

Penalty units		ZMW
Maximum fine		Maximum fine
30,000	=	K9,000
50,000	=	K15,000
100,000	=	K30,000
200,000	=	K60,000
300,000	=	K90,000

Charge Sheet for Forest Offences

Offences are detailed in a charge sheet. This sets out the particulars of:

- ✓ The offender
- ✓ The offences committed (Forests Act, 2015)
- ✓ The particulars of the Offence
- ✓ Place of the offence
- ✓ Date of the Offence
- ✓ Statement of understanding of the offence by the offender
- ✓ The arresting officers details.

Admission of Guilt

Some offences may be dealt with through a process of 'Admission of Guilt' in the Law which provides for payment of a fine without appearing in Court. This is covered under section 100 of the Forests Act, 2015. However, the severity of the offence, the number of charges as well as obstruction should be borne in mind when this section is to be applied. The offences and totals of penalty units should be considered in the first instance. This must be justifiable, documented and reported.

100. (1) An authorised officer may, where satisfied that a person has committed an offence for which the penalty does not exceed one hundred thousand penalty units or where a person has admitted the commission of an offence under this Act for which the penalty does not exceed one hundred thousand penalty units, summarily demand from the person the payment of a fine not exceeding fifty thousand penalty units in respect of the offence.

Payment of fine without appearing in court

(2) An authorised officer shall, where the authorised officer demands a payment under subsection (1), inform the person against whom the demand is made of the right to admit or dispute the liability.

(3) A person from whom payment of a fine has been demanded under subsection (1) may elect to admit liability and pay the fine or dispute liability.

(4) The payment of a fine shall operate as a bar to any further criminal proceedings against the person making the payment in respect of the offence concerned.

(5) An authorised officer who receives payment of a fine shall give a receipt to the person making the payment in such form as may be prescribed.

Note the difference between the maximum penalty for offences in a Local Forest in comparison to the maximum in the General Penalty (section 99 of One hundred thousand penalty units – K30,000 to K60,000 in section 23.

In all admission of guilt offences, fines in excess of **K 15,000** must be paid at the into the GRZ account with the official deposit slip and receipt obtained and matched to the completed Admission of Guilt form for Internal Audit purposes.

In cases where the above guidance is not followed, the charging officer must provide written justification for the deviation which should be filed with the completed Admission of Guilt form.

If no admission of guilt is agreed by the offender, the case cannot be dealt with locally and proceedings should be initiated with the prosecutor to include court order for demolition & removal under Sect 101(c) of the Forests Act, 2015.

Section three – Conducting law enforcement operations

Enforcement: Powers of an Honorary Forest Officer

Section 6 (3) the Forests Act, 2015 set out the functions and duties of an HFO as an authorised officer in terms of the provisions of the Act:

(3) Subject to the provisions of this Act and the terms of the instrument of appointment, an honorary forest officer shall, within the terms of appointment, exercise the functions and perform the duties of an authorised officer.

Specific powers of enforcement are set out in Part IX Enforcement, section 74 of the Forests Act, 2015. These include:

PART IX

ENFORCEMENT

74. Powers of authorised officer
75. Power to carry out tests and take statistics
76. Arrest without warrant
77. Obstruction of authorised officer
78. Demanding production of licence or permit

79. Prevention of offences
80. Search with warrant
81. Prosecution by officers
82. Seizure of property
83. Forfeiture and restoration of property
84. Assistance in extinguishing fire

In basic terms, the above sections provide powers to:

- ✓ Stop/ Inspect
- ✓ Demand a licence or permit
- ✓ Question
- ✓ Search – persons, containers, vehicles
- ✓ Seize items and equipment associated with the offence
- ✓ Charge with an offence
- ✓ Arrest without a warrant

Processes: Demanding production of licence or permit

An authorised officer may demand from any person to produce the licence or permit for anything for which a licence or permit is required under the Act:

78. An authorised officer may demand from any person engaged in doing or causing to be done anything for which a licence or permit is required under this Act to produce the licence or permit, and if that person fails to produce the licence or permit, restrain that person and the employees and agents of that person from doing such thing until the licence or permit is produced.

Demanding production of licence or permit

Processes: Seizure of property

When an offence has been committed, major forest produce and equipment associated with the offence may be seized by an authorised officer and detained until an order of the court is made regarding the disposal.

Seizure of property

82. Where there is reason to believe that an offence has been committed, any major forest produce felled, cut, collected or removed contrary to the provisions of this Act and any tools, instruments, plants, machinery, equipment, vehicles and other property suspected of having been used in the commission of the offence may be seized by an authorised officer and detained until an order of the court is made regarding the disposal thereof.

Note that items must be properly documented and recorded on a seizure form, be secured for disposal or for return in accordance with section 83.

REPUBLIC OF ZAMBIA
SECOND SCHEDULE
(REGULATION NO. 27)

List of properties seized by: _____
Name: _____
Identity No/NIC No.: _____
Date: _____

List of seized items
Type of property
(Other than vehicles)

Serial No.	Item	No.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Name of offender: _____ Signature: _____ Date: _____
Name of arresting officer: _____ Signature: _____ Date: _____
C: Zambia Police

Conducting Forest Law Enforcement Operations

In brief this involves:

- Planning and organisation of the Patrol team members
- Conduct and approach of the patrol team to the scene of the offence
- Conduct of questioning and ascertaining the facts of the offence and the offender
- Processing the offence & completing paperwork:
- Completion of a charge sheet (The list and completeness of the description of the offenses - list of counts in the charge sheet and particulars of each of the offences).
- Completion of a seizure form
- Teamwork, risk assessment & safety of HFOs & offenders

Key points to remember

- Approach: Identify yourself as an Honorary Forest Officer, Be polite
- Ensure that there are Reasonable grounds that an offence has been committed
- Ensure there is a Duty of care to offenders who have been arrested in accordance with the Constitution and Criminal Justice system.
- Anti-corruption – ensure that dealings are in accordance with the Law, are in full view of other members of the patrol or other bystanders with a legitimate interest in the incident and who may be called as witnesses to the incident or offence.
- In accordance with the Terms and conditions – all offences must be documented and reported to the District Forest Officer and CFMG where appropriate
- Dealing with penalties and fines must be in accordance with the Law/ regulations in place for the offence.
- In certain circumstances it is important to work with Police Officers

Basic Rules for Personal Safety;

- Stay alert and be aware of your surroundings;
- Be vigilant and prepared for anything;
- Give the impression that you are calm, confident and know where you are going;
- Avoid anything that does not feel safe – conduct a risk assessment before and during your patrol;
- Trust your instincts. *If it doesn't look or feel right, it might not be;*
- Ensure that your location / patrol plan is known by others;
- Work as a patrol team, never alone.

Points for roadblocks

Do –

- ✓ Pick a safe location to mount a mobile roadblock;
- ✓ Ensure that all patrol members on public roads wear hi-visibility jackets;
- ✓ Constantly watch traffic for danger;
- ✓ Give clear and definite signals to drivers in good time to stop safely;
- ✓ Identify yourself and your purpose and authority;
- ✓ Be polite when questioning the occupants and ascertaining if a forest offence has been committed;
- ✓ Be aware of other road-users who may be affected by stopping traffic, ensure one of the team is tasked to monitor other traffic and provide clear signals to other users;

Don't –

- X Allow traffic to build up and frustrate other road-users. Request a driver to move the offending vehicle to one side if possible to process the offence.

Steps Followed When Effecting an Arrest by an Authorised Forest Officer

Before a forest officer effects any arrest, the following procedures should be followed;

- ✓ Identify yourself as an authorised officer preferably with an ID
- ✓ Demand for a licence or permit in relation to the activity / forest produce.
- ✓ Assess the situation and determine if an offence has been committed.
- ✓ Inform the offender that you believe an offence has been committed in terms of the provisions of the Forests Act, 2015.
- ✓ Formally charge and arrest the suspect(s)
- ✓ Inform the offender the right that s/he has during arrest
- ✓ Seize all equipment used in the commission of the forest offence and all illegal forest products/produce
- ✓ Write an offence report
- ✓ Submit to the District Forest Officer for onward submission to a public prosecutor

When an Authorised Officer may make an arrest

There are only a very limited number of circumstances in which an Authorised officer may make an arrest:

- ✓ The Authorised Officer personally observed a forestry offence being committed;
- ✓ The Authorised Officer has probable cause to believe that person arrested committed a forestry offence;
- ✓ The Authorised Officer has an arrest warrant issued by a judge.

Rights of the Offender:

- ✓ Offender has the right to life, therefore minimum force should be applied;
- ✓ The offender has the right to appeal for wrongful detention therefore a speedy procedure for detention be done and presented in court within 48hrs of being arrested;
- ✓ Mode of searching a woman: whenever it is necessary to cause a woman to searched, the search shall be made by another woman with strict regard to decency;
- ✓ No unnecessary restraint: the person arrested shall will not be subjected to more restraint than is necessary to prevent his escape.

Draft Document for Training Purposes

- ✓ The offender has the right to be cautioned and the offence fully explained to them including the reason for their detention and seizure of items, tools and other property involved in the offence.
- ✓ They should be made aware of their right to remain silent as anything said will be used against the offender in the court of law. This is sometimes referred to as 'Miranda rights'. In Zambia this is a requirement of the Criminal Procedure Code. This process can be recorded by way of using a Warn and Caution Statement Form. This records details of the offender, the Offence, and provides the statement that they have been advised of their rights and are asked to confirm that they have been made aware of their rights. The details of the arresting officer are also recorded.

FORESTRY DEPARTMENT
WARN AND CAUTION STATEMENT
The Criminal Procedure Code

Name: _____ Title: _____
Village: _____ MDC: _____
Chief: _____ Age: _____
District: _____ Sex: _____
Occupation: _____

With reference to the Offence under Forestry Act, 2015 of _____

Place of the Offence: _____ Date of the Offence: _____
(Including designation if pertinent area)

'I advise you that you need not say anything in answer to the charge unless you desire to do so but anything you may say will be taken down in writing and may be used as evidence at your trial. You are further warned that you have nothing to hope and fear from any promise or threat'

Do you understand the caution? (Yes/No) _____ Signature/ Thumb print: _____

Any statement given by the accused: _____


Arresting Officer's Name: _____ Date: _____
Arresting Officer's Designation: _____ Place: _____
Arresting Officer's Signature: _____ Time: _____

Section four – Processing & Reporting Offences

- Processing offenses – Filling of documents. These relate to the following key enforcement questions:
 - What offence is committed?
 - Where did the offence take place?
 - Which rule / law applies?
 - Which authority deals with the offender?
 - What process should be followed?
 - What paperwork is required?
 - Who is it reported to?

Completion of key documents:

Once the facts of the case are ascertained, the following documents require to be completed:



Republic of Zambia
FORESTRY DEPARTMENT
CHARGE SHEET
(The Forests Act, 2015, Part X: Offences and Penalties)

Name:.....	Tribe:.....
Village:.....	NRC:.....
Chief:.....	Age:.....
District:	Sex:.....
Occupation:.....	

CHARGE (1st Count):
(if space insufficient, continue overleaf)

Statement of Offence (Forests Act, 2015):

Particulars of the offence:

Place of the Offence:..... Date of the offence:.....


Do you understand the charge? (Yes/No): Signature/ Thumb print:.....

Do you admit or deny the charge? (Yes/No): Signature/ Thumb print:.....

Arresting Officers Name:..... Date:.....

Arresting Officers Designation:..... Place:.....

Arresting Officers Signature:..... Time:.....



REPUBLIC OF ZAMBIA

SECOND SCHEDULE
(REGULATION NO.27)

List of properties seized by.....

Rank:.....

Identity No/NRC No.....

Date:.....

List of seized items
Type of property
(Other than animals)

Serial No.	Item	No.
.....
.....
.....
.....
.....

Name of offender:..... Signature:..... Date:.....

Name of arresting officer:..... Signature:..... Date:.....

Cc: Zambia Police

Admission of Guilt Form

Where section 100 applies and payment of a fine without appearing in Court the following form should be completed to document the offence and the 'admission of guilt' by the offender, to provide a record. Note the offender must 'admit' the commission of the offence(s) where the combined penalty does not exceed 100,000 penalty units (K30,0000). However, the payment of the fine under this provision of the Act should not exceed 50,000 penalty units (K15,000). Fines greater than this should be processed through the Courts.



Republic of Zambia

FORESTRY DEPARTMENT

ADMISSION OF GUILT FORM

(The Forests Act, 2015 Section 100: Payment of Fine without Appearing in Court)

Name:.....	Tribe:.....
Village:.....	NRC:.....
Chief:.....	Age:.....
District:.....	Sex:.....
Occupation:.....	
With reference to the Offence (under Forests Act, 2015) of:	
Place of the Offence: <i>(Including designation if protected area)</i>	Date of the offence:
I hereby elect to admit liability for the offences as charged and required that I incur the following penalty points (Forests Act, 2015) _____ converting to the sum of ZMW _____ to be deposited to the following Treasury account 0010012440014 and the Deposit slip to be presented and a General Receipt issued for the same. I understand that payment of the fine shall operate as a bar to any further criminal proceedings in respect to the specific offence as charged.	
Do you understand the charge? (Yes/No):	Signature/ Thumb print:.....
Do you admit or deny the charge? (Yes/No):	Signature/ Thumb print:.....
Charging Officers Name:.....	Date:.....
Charging Officers Designation:.....	Place:.....
Charging Officers Signature:.....	Time:.....
General Receipt Number:.....	Date of Receipt:.....

Details of the offender →

Details of the offence →

Details of the charging officer →

← Admission of Guilt


Original to offender, copy to DFO

Further, an official receipt must be issued with the above form.

Notification of Contravention of the Forest Rules

There may be occasions where HFOs are not in a position to arrest or seize items when an offence has been considered as taking place. The unfortunate reality is that certain persons, often in positions of power or influence, consider themselves to be above the law and therefore may intimidate the HFO to not fulfil their duties to enforce the law.

Should the HFO find themselves in a situation where they are not able to arrest or seize items and personal safety or consequences are threatened, then the HFO is advised to issue a 'Notification of Contravention of the Forest Rules' form.



FORESTRY DEPARTMENT

NOTICE OF CONTRAVENTION OF THE LAWS OF ZAMBIA
THE FORESTS ACT, NO.4 OF 2015

It is noted that you have engaged in restricted acts contrary to provisions of the Laws of Zambia under the Forests Act No. 4 of 2015 without being in possession of a valid licence or permit. In the absence of a valid official licence or permit issued under the same Forests Act, 2015, you are hereby **ordered** to cease all restricted activities specified under the provisions of the Forests Act No. 4 of 2015. Failure to comply may result in legal proceedings and possible conviction. Further, the Court directing under Section 101 of the Forests Act, 2015, may order the destruction, confiscation or forfeiture of any forest produce in respect of which the offence was committed and of any livestock, tools, plant, machinery, equipment, vehicles or other property used in the commission of the offence. Through this notice, you are provided with written notice of your contravention of the Laws of Zambia. Further action may be taken by the Director, their representative, or other law enforcement officer.

Particulars of the contravention:

- To fell, cut or work or remove, sell, offer for sale, barter or otherwise deal in any major forest produce. Includes manufacture of charcoal (✓ mark as appropriate).
- Failure to assist with extinguishing a fire in a forest area;
- To squat/ camp/ reside/ build or excavate/ construct or use any enclosure/ re-open or use any road other than a public road/ or erect or operate any plant, machinery or equipment.(✓ mark as appropriate).

Description of the contravention:.....
.....

Place of the Offence:..... **Date of the notification:**.....

Items recorded: **Carrier/ vehicle plate no:**

Notified by (Name):..... **Position:**.....

NOTICE RECEIVED BY (Offender): **Witness:**

Name: Signature / print:

Village:..... Chief:.....

District: NRC No:

Date:

Instruction issued / Action:

Stop the illegal activity /move out of the Forest Area /report to the District Office /Report to the Police (tick as appropriate) place _____ by the date of _____.

1

Appearance in court

Depending on the severity of the offence, a case may proceed to a court hearing. A successful law enforcement process is one in which an initial arrest ultimately culminates in the conviction of an offender in court, consequently reforming the offender or deterring others. However, a successful conviction is dependent on the availability of sufficient evidence to prove the guilt of the offender. In other words, without evidence a suspect will be acquitted, rendering the initial steps irrelevant, ultimately leading to ineffective law enforcement. It is therefore imperative for every HFO to understand the rules and principles of judicial evidence and also know how to identify, collect, preserve and present relevant evidence necessary to effectively prosecute offenders. This is particularly important as HFO's are normally the first to discover the offence in the field and have the responsibility to collect and preserve evidence that will be used in the case, reporting and documenting facts of the case and take witness statements. This emphasises the need for thorough understand of the Laws, the offences, charges, documentation and correct use of powers and following of law enforcement processes and procedures. These have been set out in the preceding sections of the Pocket Book. However, further guidance can be provided by the District Forest Officer.

The court process, particularly the defence, will scrutinise how the Forest Law is applied, the relevance and accuracy of the charges, the adherence to processes and procedures and the quality completion of paperwork and the handling of evidence. Further, magistrates can only make a judgement on the information provided to the court. Accuracy of procedures and being accountable for your actions as an HFO are core to the legal process

An HFO may be called as a witness during the trial.

RULES TO REMEMBER

(Appearance in Court)

DO:

1. Put your testimony together in a clear and easily understood manner.
2. Present the chain of events to the jury in the order in which they occurred.
3. Refresh your memory from your notes occasionally if necessary.
4. Give the truth even if it is favorable to the defendant.
5. Give the facts, not your own opinion.
6. Present an unprejudiced attitude toward the defendant.
7. Listen carefully to the questions by counsel.
8. Speak in a distinct, clear voice so everyone can hear you.
9. Be calm and courteous at all times.

DON'T:

1. Volunteer information.
2. Try to memorize your report or notes.
3. Refer to your notes too often.
4. Make any jokes or wisecracks on the witness stand.
5. Try to guess or make up a detail you cannot remember -- simply say that you do not remember.

- **Corruption & Abuse of Powers**

Corruption is generally understood to be the giving, receiving, offering or promising to give of a gratification (bribe) in exchange for a favour, including the abuse of public office for private or personal gain. This applies also in the case of HFOs.

PART X
OFFENCES AND PENALTIES

Offences by
authorised
officers

85. An authorised officer who willfully or negligently permits the removal of unmarked produce from a coupe commits an offence.

In terms of section 100:

(5) An authorised officer who receives payment of a fine shall give a receipt to the person making the payment in such form as may be prescribed.

(6) An authorised officer who receives a payment under this section and—

(a) fails to issue a receipt to the person making the payment as required under subsection (5);

(b) fails to account for any payment made under this section;
or

(c) in any manner, misuses or puts to personal use any payment made under this section;

commits an offence and is liable, upon conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment for a period not exceeding three years, or to both.

Observance of such activities should be reported to the Provincial Forest Officer, the Director of Forestry or the Zambia Anti-Corruption Commission.

- **Communication, reporting & financial management**

HFOs require to report on activities, provide details of permits issued, offences observed, revenue and fines collected where applicable. In return they should receive timely support where available from the District Forest Officer and District Administration in the course of fulfilling their functions. From the Terms and Conditions, lines of reporting to the District Forest Officer as well requirement for reporting are set out.

SCHEDULE

1. The Honorary Forestry Officer shall report to the District Forestry Officer and Community Forestry Management Group (CFMG) as appropriate.
2. The Honorary Forestry Officer shall discharge the functions and exercise the powers of an authorised officer within the boundaries of the Community Forestry Management group and District in which they are appointed.
3. The Honorary Forestry Officer shall support the activities of the Forestry Department in the area of responsibility and take such measures to enforce the Forests Act No 4 of 2015 and report forest offences to the District Forestry Officer.
4. The Honorary Forestry Officer shall carry out all duties on a voluntary basis at his/her convenient time in coordination with the District Forestry Officer in the specified area. community area.
5. The Honorary Forestry Officer shall receive thorough instructions and awareness raising from the Forestry Department to enable them to perform their agreed functions as provided for in the Forests Act No 4 of 2015.
6. The Honorary Forestry Officer shall attend meetings for planning, strategizing and reviewing operations in their area of jurisdiction when requested to do so by the Forestry Department. These will be organized and facilitated by the District Forest Officer. This will include reporting on activities, permits issued, offences observed, revenue and fines collected where applicable;
7. The Honorary Forestry Officer shall, when requested by the Forestry Department, provide support services or any other reasonable duties towards forest protection from time to time that are within the spirit of cooperation and the legal framework;

Further, a template for reporting on patrols conducted in association with their CFMG is provided. This should be completed following each patrol and sent to the District Office. If possible use of electronic means such as sms, WhatsApp and images of reports should be communicated quickly to the DFO.

Handling of fines in the absence of banking facilities will be communicated in terms of the District arrangement. Sums should be indicated clearly on the reports and secured with the CFMG Treasurer until remittance to the District Office can take place. Supporting paperwork including Admission of Guilt forms must be included. HFOs will be further guided on these aspects of documentation.

Completion and reporting of the notification of offences using the appropriate forms should be completed and sent as permanent records for future requirements in case they are needed for future processing and use in Court.

In summary:

- All trained HFOs will report to DFO;
- DFOs will supervise and coordinate duties to all HFOs (outside of CFMAs);
- Communication system will be established by the DFO;
- HFOs Work/patrol plans will be drawn up together with DFO;
- Traditional leaders must be made aware on the functions of HFOs to avoid conflicts;
- Other law enforcement agencies within districts should be informed (DJOC);
- Quarterly meetings shall be held to review on various issues encountered during the quarter;
- HFOs shall follow local rules when executing their work in CFMAs.

Draft Document for Training Purposes

PATROL REPORT FORM FOR COMMUNITY FORESTRY							
District:		CFMG:		CHIEFDOM:		DATE OF PATROL:	
No	PATROL TEAM COMPOSITION	<i>Tick where applicable</i>		Time Patrol started :			
		Male	Female	ID Card No.			
1.							
2.							
3.							
4.							
5.							
6.							
AREA/ ROUTE COVERED DURING PATROL							
1.							
2.							
	PLACE OF OCCURANCE OF AN OFFENCE	<i>Tick</i>	TYPE OF OFFENCE COMMITTED		<i>Tick</i>	ACTION TAKEN	<i>Tick</i>
1.	Inside the CF forest		Cutting trees without a permit			Warned and cautioned	
2.	Outside the CF forest		Making charcoal without a permit			Taken to CFMG committee	
3.	Open Area		Setting fire in the protected forest without a permit			Taken to the Chief	
4.	Local forest		Clearing land for farming in the protected forest area			Taken to DFO	
5.	National Forest		Possession of major forest produce without a permit (incl trading)				
6.	Any Other Specify:		Any other activity other without a permit - specify (construction/ grazing)				
		TYPE OF ITEM SIEZED			QTY		
		1.					
		2.					
		3.					
Time Patrol End:		Any Incident Recorded?					
ANY ADDITIONAL INFORMATION/COMMENTS:							
Name of Honorary Forest Officer				NAME OF APPROVED BY CFMG CHAIR PERSON:			
SIGNATURE:		DATE:		SIGNATURE:		DATE:	
District Forestry Officer 's comments / action				FOR OFFICAL USE ONLY			

Section five – Administration

- Appointment of HFOs, Roles & Condition of service are included with each notice in the Government Gazette and may be modified from time to time. Please refer to your individual Gazette Notice. The following is from the list of HFOs in the Government Gazette Notice 7203, December 2022.

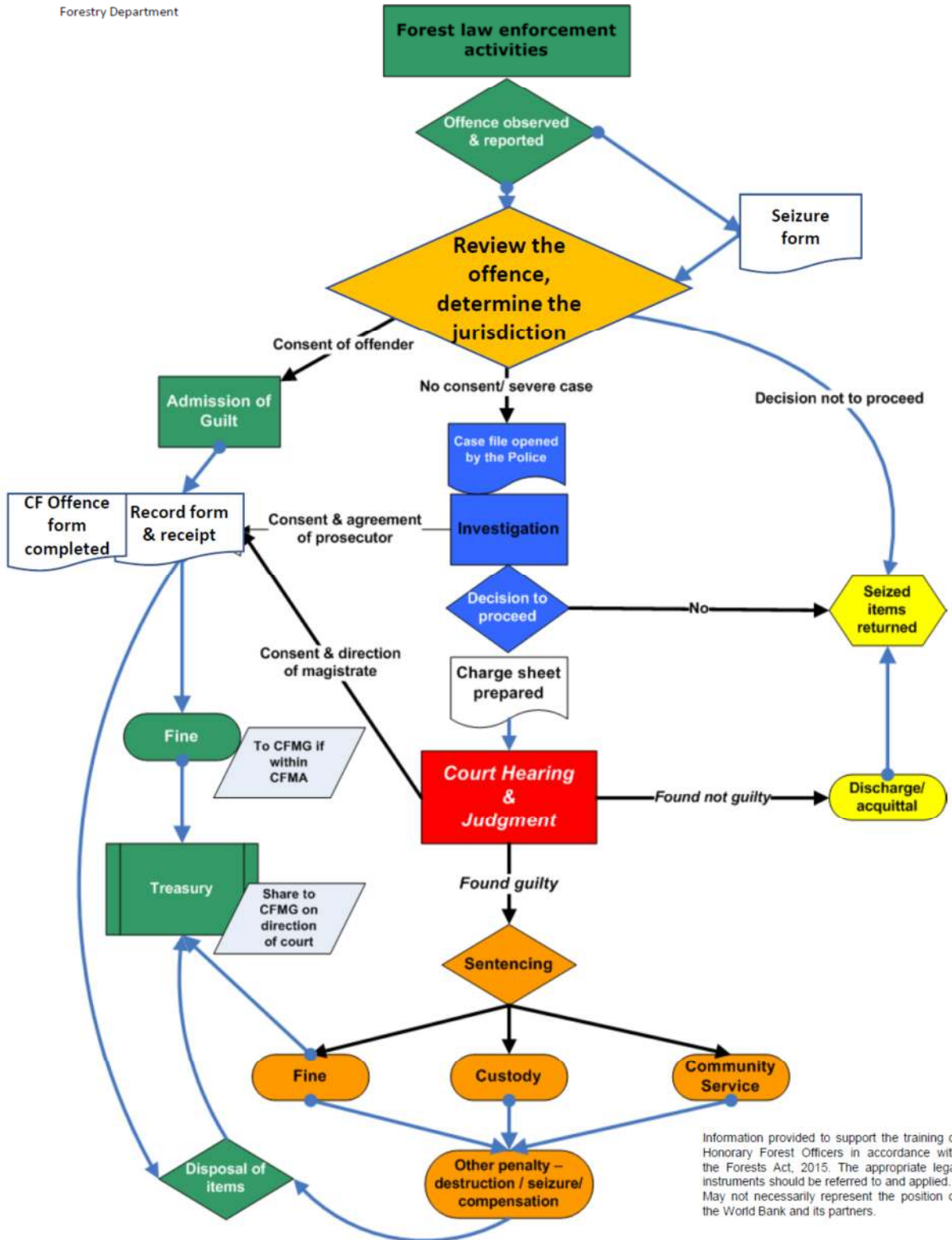
Terms and Conditions

SCHEDULE

1. The Honorary Forestry Officer shall report to the District Forestry Officer and Community Forestry Management Group (CFMG) as appropriate.
2. The Honorary Forestry Officer shall discharge the functions and exercise the powers of an authorised officer within the boundaries of the Community Forestry Management group and District in which they are appointed.
3. The Honorary Forestry Officer shall support the activities of the Forestry Department in the area of responsibility and take such measures to enforce the Forests Act No 4 of 2015 and report forest offences to the District Forestry Officer.
4. The Honorary Forestry Officer shall carry out all duties on a voluntary basis at his/her convenient time in coordination with the District Forestry Officer in the specified community area.
5. The Honorary Forestry Officer shall receive thorough instructions and awareness raising from the Forestry Department to enable them to perform their agreed functions as provided for in the Forests Act No 4 of 2015.
6. The Honorary Forestry Officer shall attend meetings for planning, strategizing and reviewing operations in their area of jurisdiction when requested to do so by the Forestry Department. These will be organized and facilitated by the District Forest Officer. This will include reporting on activities, permits issued, offences observed, revenue and fines collected where applicable;
7. The Honorary Forestry Officer shall, when requested by the Forestry Department, provide support services or any other reasonable duties towards forest protection from time to time that are within the spirit of cooperation and the legal framework;
8. Where the Honorary Forestry Officer is requested by the District Forestry Officer to support activities outside of their recognised area of operation, they will be provided the appropriate compensation in the form of an administrative (subsistence/lunch) allowances at the prevailing rates and conditions, subject to the availability of funds.
9. The Honorary Forestry Officer shall be issued with the appropriate identification documents. This should be carried at all times when engaged in operations and be presented as official identification of their authority from the Director of Forestry.
10. The Honorary Forestry Officer shall receive timely support were available from the District Forestry Officer and District Administration in the course of fulfilling their functions.
11. The Honorary Forest Officer shall, when requested, provide specialized services, material support or any other duties towards sustainable forest management in their respective areas of operation.
12. The Honorary Forest Officer appointment may be terminated if the officer fails to adhere to the set terms and conditions as provided for in the schedule or commits an offence under the Forests Act or any other written Laws of Zambia.
13. Where the Honorary Forest Officer feels they can no longer provide the services as set out in the schedule, a written notice shall be issued thirty (30) days before, through the District Forestry Office and they can be relieved of their duties with immediate effect
14. The Honorary Forest Officer shall not have any criminal record.



Forest Law Enforcement: Processes & Procedures



Information provided to support the training of Honorary Forest Officers in accordance with the Forests Act, 2015. The appropriate legal instruments should be referred to and applied. May not necessarily represent the position of the World Bank and its partners.



Republic of Zambia

FORESTRY DEPARTMENT

CHARGE SHEET

(The Forests Act, 2015, Part X: Offences and Penalties)

Name:..... Tribe:.....
Village:..... NRC:.....
Chief:..... Age:.....
District: Sex:.....
Occupation:.....

CHARGE (1st Count):

(if space insufficient, continue overleaf)

Statement of Offence (Forests Act, 2015):

Particulars of the offence:

Place of the Offence:..... Date of the offence:.....

Do you understand the charge? (Yes/No): Signature/ Thumb print:.....

Do you admit or deny the charge? (Yes/No): Signature/ Thumb print:.....

Arresting Officers Name:..... Date:.....

Arresting Officers Designation:..... Place:.....

Arresting Officers Signature:..... Time:.....



REPUBLIC OF ZAMBIA

**SECOND SCHEDULE
(REGULATION NO.27)**

List of properties seized by.....

Rank:.....

Identity No/NRC No.....

Date:.....

List of seized items

Type of property

(Other than animals)

Serial No.	Item	No.
.....
.....
.....
.....
.....

Name of offender:.....Signature:..... Date:.....

Name of arresting officer:..... Signature:..... Date:.....

Cc: Zambia Police



Republic of Zambia

FORESTRY DEPARTMENT

ADMISSION OF GUILT FORM

(The Forests Act, 2015 Section 100: Payment of Fine without Appearing in Court)

Name:..... Tribe:.....
Village:..... NRC:.....
Chief:..... Age:.....
District: Sex:.....
Occupation:.....

With reference to the Offence (under Forests Act, 2015) of:

Place of the Offence: Date of the offence:
(Including designation if protected area)

I hereby elect to admit liability for the offences as charged and required that I incur the following penalty points (Forests Act, 2015)_____ converting to the sum of ZMW_____ to be deposited to the following Treasury account **0010012440014** and the Deposit slip to be presented and a General Receipt issued for the same. I understand that payment of the fine shall operate as a bar to any further criminal proceedings in respect to the specific offence as charged.

Do you understand the charge? (Yes/No): Signature/ Thumb print:.....

Do you admit or deny the charge? (Yes/No): Signature/ Thumb print:.....

Charging Officers Name:..... Date:.....

Charging Officers Designation:..... Place:.....

Charging Officers Signature:..... Time:.....

General Receipt Number:..... Date of Receipt:.....

Ministry of Green Economy and Environment

Appointment of Honorary Forest Officers

The Forests Act, No.4 of 2015, empowers members of the community to apply and be appointed by the Minister of Green Economy and Environment as Honorary Forest Officers (HFOs) to help curb illegal harvest, destruction, transport and trade in forestry resources. Such persons appointed by the Minister, exercise the functions and may perform the duties of an Authorized Officer under the provisions of the Forests Act, 2015.

Powers of an Honorary Forest Officer

As authorised officers, an HFO may request from any person evidence of a licence or permit for an act done or committed by that person in a forest area or in relation to any forest produce for which a licence is required under the Forests Act, 2015. Further, an HFO may seize any forest produce, major forest produce, protected flora, appliance, equipment, device or material in connection with an offence which appears to have been committed. Failure to comply may result in legal proceedings and possible conviction, confiscation of tools, machinery, equipment, vehicles or other property used in the commission of the offence.

Terms & conditions

The Honorary Forestry Officers will support the activities of the Forestry Department in the area of responsibility as stated in the Gazette Notice, usually the District in which they reside. HFOs require to report on activities, provide details of permits issued, offences observed, revenue and fines collected where applicable. In return they should receive timely support where available from the District Forest Officer and District Administration in the course of fulfilling their functions.

The District Forest Officer is responsible to coordinate the HFOs in his/her area, conduct meetings for planning, strategising and reviewing operations in their area of jurisdiction. Further, the Honorary Forestry Officer will receive thorough instructions and awareness raising from the Forestry Department to enable them to perform their agreed functions as provided for in the Forests Act, 2015. This pocket book has been developed to support the training already delivered through the Introduction to Forest Law Enforcement for Honorary Forest Officers Training Course.

The **Zambia Integrated Forest Landscape Project** is a GRZ initiative which provides support to rural communities in the Eastern Province to allow them to better manage the resources of their landscapes so as to reduce deforestation and unsustainable agricultural expansion; enhance benefits they receive from forestry, agriculture, and wildlife; and reduce their vulnerability to climate change.

ZIFLP is a product of cooperation between the Government of Zambia, the World Bank & partners.

