

**DEPARTMENT OF WATER AFFAIRS AND FORESTRY
DEPARTEMENT VAN WATERWESE EN BOSBOU**

No. 399**11 April 2008**

**EXEMPTION IN TERMS OF SECTION 24(6) OF THE NATIONAL FORESTS ACT (ACT
NO.84 OF 1998), AS AMENDED**

By virtue of the powers vested in me by section 24(6) of the National Forests Act, 1998, I, Lindiwe Benedicta Hendricks, Minister of Water Affairs and Forestry, hereby exempt members of communities -:

- (a) who live within a close proximity of a state forests and whose livelihoods depend on the forests, and
- (b) which have not entered into a community forestry agreement in terms of section 29,

from the requirements to obtain a license in terms of sections 23(1)(c) (d) and (f) of the Act. The notice does not exclude the forest officers in charge of managing State forests from using discretion within the spirit of the National Forests Act and principles of sustainable forest management.

SCHEDULE A

THE EXEMPTION IS GRANTED UPON THE FOLLOWING CONDITIONS

- a) The close proximity of a State forest is within 10 kilometers radius or as may be determined by the forest officer in consideration of various factors such as the historical and geographical factors.
- b) The persons referred to may collect and remove forest produce for household purposes only and may not sell or in any way deal in it for economic reasons or for purposes of gain
- c) No live wood or branch may be collected, cut or removed
- d) Medicinal plants and bark must be collected under supervision and the forest officer in charge should be informed prior to the harvesting to advise on the sustainable harvesting methods to be used.
- e) Only such forest produce as is customarily used for domestic, cultural, health or spiritual purposes may be collected and removed
- f) Forest produce can be collected for social gatherings, however, this depends on the availability of the resource, sustainability of yield and prior approval of any state forest regulating authority or forest officer in charge
- g) Only such quantity of forest produce as determined by the implementing or regulating authority from time to time or stipulated in any form of agreement may be collected
- h) Forest produce may not be collected or removed by means of any form of transport in sensitive environments or in areas where the intended mode of transport will have a significant impact on the forest
- i) No forest produce may be collected or removed from a protected area declared in terms of section 8 of the Act without authorization, subject to any form of harvesting agreement for the forest area.