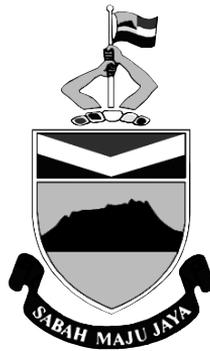


Rang Undang-Undang berikut yang akan dikemukakan kepada Dewan Undangan adalah diterbitkan untuk makluman umum.



NEGERI SABAH

## RANG UNDANG-UNDANG

*bernama*

Suatu Enakmen untuk meminda Enakmen Hutan 1968.

DIPERBUAT UNDANG-UNDANG oleh Badan Perundangan Negeri Sabah seperti berikut:

### **Tajuk ringkas dan permulaan kuat kuasa**

1. (1) Enakmen ini bolehlah dinamakan Enakmen Hutan (Pindaan) 2025.  
(2) Enakmen ini mula berkuat kuasa pada tarikh penyiarannya dalam *Warta*.

### **Pindaan seksyen 2**

2. Enakmen Hutan 1968 [*No. 2 tahun 1968*], yang disebut “Enakmen ibu” dalam Enakmen ini, dipinda dalam seksyen 2 dengan memasukkan selepas

**LAB 1 TAHUN 2025**

takrif “occupier” takrif yang berikut:

‘ “permit” means a permit issued under section 24E of this Enactment;’.

### **Seksyen baharu 12A, 12B, 12C, 12D dan 12E**

**3.** Enakmen ini dipinda dengan memasukkan selepas seksyen 12 seksyen yang berikut:

#### **“Power to declare closed Forest Reserve**

**12A.** The Chief Conservator may, by notification in the *Gazette* —

- (a) declare any Forest Reserve or part thereof to be a closed forest; or
- (b) revoke such declaration in whole or in part.

#### **Chief Conservator to consider protection of the forest and needs of the public, etc.**

**12B.** In exercising the powers under section 12A, the Chief Conservator shall give due consideration to the necessity of protecting the forest and the environment and other needs of the public.

#### **No entry into closed forests with certain exceptions**

**12C.** (1) Subject to any admitted rights or conceded privileges, no person shall enter any closed forest except —

- (a) a licensee or his servants or agents, but only for the purpose of exercising the rights granted by the licence or licence agreement;
- (b) a forest officer or a person authorised by any other written

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law, but only for the purposes of carrying out the functions for which he is appointed or authorised;

- (c) a person holding a permit to enter closed forest, but only for the period stated in the permit; or
- (d) any other person authorised in writing by the Chief Conservator but only for the purpose authorised.

(2) An entry permit may only be issued by the Chief Conservator or a forest officer authorised by the Chief Conservator to issue the same.

(3) Every entry permit shall be in Form I of the Second Schedule.

(4) Any person who contravenes subsection (1) shall be guilty of an offence and on conviction shall be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

### **Power to suspend right of entry**

**12D.** The Chief Conservator or any officer authorised to issue entry permits may suspend the right of entry of any of the persons referred to in paragraphs (a) and (c) of subsection (1) of section 12C —

- (a) if he has reasonable cause to suspect that there has been a breach of —
  - (i) any of the provisions of this Enactment; or
  - (ii) any of the terms and conditions of a licence, licence agreement, permit or entry permit; or
- (b) if there has been an occurrence of an event or condition or fire or other hazard that may endanger the forest.

**Power to limit right of entry into Forest Reserve**

**12E.** The Chief Conservator may impose such conditions and restrictions as he considers fit on the right of entry into a Forest Reserve of any person or class of persons.”.

**Pindaan seksyen 19****4.** Subseksyen 19(1) Enakmen ibu dipinda —

- (a) dengan menggantikan perkataan “seven years” dengan perkataan “not less than six months but not exceeding ten years”; dan
- (b) dengan menggantikan perkataan “one hundred thousand ringgit” dengan perkataan “five hundred thousand ringgit”.

**Pindaan seksyen 20****5.** Seksyen 20 Enakmen ibu dipinda —

- (a) dalam perenggan (1)(c) —
  - (i) dengan memotong subperenggan (i); dan
  - (ii) dengan menggantikan perkataan “fifty thousand ringgit” dengan perkataan “one hundred thousand ringgit”; dan
- (b) dalam subseksyen (2) —
  - (i) dengan menggantikan perkataan “not exceeding five hundred thousand ringgit” dengan perkataan “not less than twenty thousand ringgit but not exceeding five million ringgit”; dan
  - (ii) dengan menggantikan perkataan “one year” dengan perkataan “two years”.

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**Pindaan seksyen 23****6. Subseksyen 23(2) Enakmen ibu dipinda —**

- (a) dengan menggantikan perkataan “not exceeding five hundred thousand ringgit” dengan perkataan “not less than twenty thousand ringgit but not exceeding five million ringgit”; dan
- (b) dengan menggantikan perkataan “one year” dengan perkataan “two years”.

**Pindaan seksyen 24****7. Seksyen 24 Enakmen ibu dipinda —**

- (a) dalam subseksyen (1), dengan menggantikan perkataan “sections 20 and 23” dengan perkataan “subsection (2) of section 20 and section 23”;
- (b) dalam subseksyen (5) —
  - (i) dengan memasukkan selepas perkataan “alienated land” perkataan “, land reserved for a public purpose or land which has been vested to any State authority”; dan
  - (ii) dengan memasukkan selepas perkataan “owner” perkataan “, trustee”; dan
- (c) dengan memasukkan selepas subseksyen (7) subseksyen yang berikut:

“(8) For the purposes of subsection (4), State land shall have the same meaning assigned to it in the Land Ordinance.”.

**Pindaan seksyen 24C****8. Seksyen 24C Enakmen ibu dipinda —**

- (a) dalam nota bahu, dengan menggantikan perkataan “Fee and royalty” dengan perkataan “Fee, *etc.*, on forest produce and annual forest rent”; dan
- (b) dengan memasukkan selepas perkataan “forest produce” perkataan “and annual forest rent”.

### **Seksyen baharu 24E**

9. Enakmen ibu dipinda dengan memasukkan selepas seksyen 24D seksyen yang berikut:

#### **“Permits**

**24E.** The Chief Conservator, or any person authorised by him in that behalf may issue permits for the doing of all or any of the acts prohibited under subsection (1) of section 20, except for subparagraph (ii) of paragraph (a), upon such conditions and subject to the payment of such fees as may be prescribed by the Minister.”.

### **Bahagian baharu IIIB**

10. Enakmen ibu dipinda dengan memasukkan selepas Bahagian IIIA Bahagian yang berikut:

#### **“PART IIIB**

#### **FOREST CARBON ACTIVITY**

#### **Forest carbon activity**

**28D.** (1) Notwithstanding subsection (2) of section 15, the Chief Conservator may, with the written approval of the Cabinet, issue a licence upon such terms and conditions and subject to the payment of such fees or royalties, for a specific term, to any person to carry out

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a forest carbon activity in any Forest Reserve, State land or alienated land.

(2) No licence shall be issued except to the registered proprietor of any alienated land or with the written approval of the registered proprietor thereof or his authorised representative.

(3) A forest carbon activity licence issued under this section may be revoked, cancelled or suspended in accordance with section 24A or 24D.

(4) Any feasibility study for forest carbon activity in any Forest Reserve, State land or alienated land whether for the regulated or voluntary market, shall obtain the written approval of the Minister subject to the terms and conditions as he thinks fit.

(5) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and on conviction shall be liable to a fine not less than one hundred thousand ringgit and not exceeding five million ringgit or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(6) Any person convicted of an offence under this section may, in addition to any penalty imposed on the conviction, be ordered to pay, in respect of any forest carbon activity unlawfully carried out, to the Government —

- (a) a sum not exceeding ten times the royalty, fee and other sum due;
- (b) a sum not exceeding ten times the value of such forest produce; and
- (c) any other charges payable,

and any sum ordered to be so paid shall be recoverable as if it were a fine so imposed.

## Interpretation

28E. In this Part —

“carbon credit” means a tradeable instrument, domestically and internationally, that is issued by a Government or an independent certification body in the form of permit, licence or certificate that results from forest carbon activity;

“carbon credit unit” means a unit of account representing one tonne of emission reductions issued by a carbon standard pursuant to the applicable carbon standard rules and held in a carbon registry;

“carbon registry” means an electronic database system or any other system that is established and operated by a carbon standard or on their behalf including for the holding, delivery, retirement, cancellation and replacement of carbon credit unit in accordance with the applicable carbon standard;

“carbon sequestration” means the natural process (such as planting trees to absorb carbon dioxide) to reduce and remove carbon dioxide from the atmosphere, thus preventing greenhouse gas build-up in the earth’s atmosphere;

“carbon sink” means a natural storage area that collects chemical compounds which contain carbon dioxide and store these for an indefinite period and in its natural form, carbon sinks are made up of forests, rocks and soil and the oceans;

“carbon standard” means a programme or standard administrated by a mandatory or voluntary domestic or international GHG programme, certification, scheme or protocol, pursuant to which a forest carbon activity is formally accepted and registered pursuant to the carbon standard rules and in respect of which carbon credit units are issued for into

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a carbon registry;

“carbon standard rules” means all applicable guidance, regulations, rules and procedures of the carbon standard (whether made at the direction of the carbon standard administrator, a Government, a Governmental body, regulator, competent authority or otherwise) as modified, amended, or supplemented from time to time relating to the rules and requirements relating to the applicable carbon standard, carbon registry, registration and issuance process and other carbon standard documents;

“carbon trading” means the buying, selling or trading of carbon credits in the voluntary or regulated markets whether in the international emission trading exchange or in a carbon trading mechanism established in the open market;

“emissions reductions” means the removal, limitation, reduction, avoidance, sequestration or mitigation of emissions of GHG measured in tCO<sub>2</sub>e from the atmosphere relative to a baseline scenario including the establishment of carbon sinks or any other activity which are capable of representing and which are capable of being represented in a form of unit of measure pursuant to the carbon standard rules;

“forest carbon activity” means any activity, action, project or groups of activities which leads to the emissions reductions which are verified in accordance with a carbon standard; and

“greenhouse gas (GHG)” means any of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride and any other substance recognized as a greenhouse gas under a carbon standard.”.

**Pindaan seksyen 30**

11. Enakmen ibu dipinda dengan menggantikan perenggan 30(1)(g) dengan perenggan yang berikut:

- “(g) keeps or has in his possession, custody or control of any forest produce —
- (i) which bears any property mark;
  - (ii) which was involved in any forest offence; or
  - (iii) upon which the royalty or other payments due in respect thereof has not been paid or made;”.

**Pindaan seksyen 30A**

12. Seksyen 30A Enakmen ibu dipinda —

- (a) dalam subseksyen (1), dengan menggantikan perkataan “not exceeding five years and a fine” dengan perkataan “not exceeding ten years and to a fine not exceeding five hundred thousand ringgit”; dan
- (b) dalam subseksyen (2), dengan menggantikan perkataan “five times” dengan perkataan “ten times”.

**Pindaan seksyen 38**

13. Seksyen 38 Enakmen ibu dipinda dengan memasukkan sebelum perkataan “Schedule” di mana-mana jua terdapat perkataan “First”.

**Pindaan seksyen 42**

14. Seksyen 42 Enakmen ibu dipinda —

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- (a) dalam perenggan (1)(a), dengan memotong subperenggan (ii); dan
- (b) dalam perenggan (1)(d), dengan memasukkan selepas subperenggan (iii) subperenggan yang berikut:
- “(iia) prescribing fees and payments payable to the Government in connection with forest carbon activity;
- (iib) prescribing the annual forest rent;”.

### **Pindaan Jadual**

**15.** Jadual kepada Enakmen ibu dipinda dengan menggantikan tajuk “SCHEDULE” dengan tajuk “FIRST SCHEDULE”.

### **Jadual baharu Kedua**

**16.** Enakmen ibu dipinda dengan memasukkan selepas “FIRST SCHEDULE” yang dinamakan semula jadual yang berikut:

“FOREST ENACTMENT 1968

SECOND SCHEDULE

FORM I

[Subsection 12c(3)]

PERMIT TO ENTER CLOSED FOREST RESERVE

..... is hereby permitted to enter part of the  
 ..... closed Forest Reserve shown in red  
 on the plan at the back of this permit for the following purposes:

.....  
 .....  
 and subject to the following conditions:

.....  
.....  
.....  
.....

This permit is valid from ..... to .....

Fee : .....  
Receipt No. : .....  
Date : .....

.....  
*Authorised Officer*".

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HURAIAN

Rang Undang-Undang ini bertujuan untuk meminda Enakmen Hutan 1968 [*No. 2 tahun 1968*] (“Enakmen”).

2. *Fasal 1* mengandungi tajuk ringkas dan permulaan kuat kuasa Enakmen yang dicadangkan.
3. *Fasal 2* bertujuan untuk meminda seksyen 2 Enakmen bagi memasukkan takrif “permit” ke dalam Enakmen.
4. *Fasal 3* bertujuan untuk memasukkan seksyen baharu 12A, 12B, 12C, 12D dan 12E bagi memberi Ketua Konservator kuasa untuk mengisytiharkan Hutan Simpan tertutup.
5. *Fasal 4, 5, 6 dan 12* bertujuan untuk meminda subseksyen 19(1), seksyen 20, subseksyen 23(2) dan seksyen 30A Enakmen untuk meningkatkan penalti bagi kesalahan yang dinyatakan dalam seksyen itu.
6. *Fasal 8* bertujuan untuk meminda seksyen 24C Enakmen untuk menghendaki pemegang mana-mana lesen atau lesen perjanjian untuk membayar sewa tahunan hutan kepada Kerajaan.
7. *Fasal 9* bertujuan untuk memasukkan seksyen baharu 24E bagi memberi Ketua Konservator kuasa atau mana-mana orang yang diberi kuasa olehnya untuk mengeluarkan permit bagi menjalankan semua atau apa-apa aktiviti yang dilarang

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di bawah subseksyen 20(1) kecuali subperenggan 20(1)(a)(ii) Enakmen.

8. *Fasal 10* bertujuan untuk memasukkan Bahagian baharu IIIB ke dalam Enakmen yang mengadakan peruntukan mengenai aktiviti karbon hutan.
9. *Fasal 11* bertujuan untuk menambah baik peruntukan perenggan 30(1)(g) Enakmen.
10. *Fasal 14* bertujuan untuk meminda seksyen 42 Enakmen untuk memperuntukkan kuasa tambahan Menteri untuk membuat peraturan-peraturan.
11. *Fasal 15* dan *16* bertujuan untuk meminda Jadual bagi memperuntukkan Jadual Kedua yang mengandungi borang berhubung dengan kebenaran untuk masuk ke Hutan Simpan tertutup.
12. Pindaan lain yang tidak diperkatakan secara khusus dalam Huraian ini merupakan pindaan yang kecil atau berbangkit.

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#### IMPLIKASI KEWANGAN

Rang Undang-Undang ini tidak akan melibatkan Kerajaan Negeri dalam apa-apa perbelanjaan wang tambahan.



The following Bill, about to be introduced into the Legislative Assembly, is published for general information.



**STATE OF SABAH**

## **A BILL**

*intituled*

An Enactment to amend the Forest Enactment 1968.

ENACTED by the Legislature of the State of Sabah as follows:

### **Short title and commencement**

1. (1) This Enactment may be cited as the Forest (Amendment) Enactment 2025.

(2) This Enactment comes into operation on the date of its publication in the *Gazette*.

### **Amendment of section 2**

2. Forest Enactment 1968 [*No. 2 of 1968*], which is referred to as the “principal

**LAB 1 OF 2025**

Enactment” in this Enactment, is amended in section 2 by inserting after the definition of “occupier” the following definition:

“permit” means a permit issued under section 24E of this Enactment;’.

**New sections 12A, 12B, 12C, 12D and 12E**

3. The principal Enactment is amended by inserting after section 12 the following sections:

**“Power to declare closed Forest Reserve**

**12A.** The Chief Conservator may, by notification in the *Gazette* —

- (a) declare any Forest Reserve or part thereof to be a closed forest; or
- (b) revoke such declaration in whole or in part.

**Chief Conservator to consider protection of the forest and needs of the public, etc.**

**12B.** In exercising the powers under section 12A, the Chief Conservator shall give due consideration to the necessity of protecting the forest and the environment and other needs of the public.

**No entry into closed forests with certain exceptions**

**12C.** (1) Subject to any admitted rights or conceded privileges, no person shall enter any closed forest except —

- (a) a licensee or his servants or agents, but only for the purpose of exercising the rights granted by the licence or licence agreement;
- (b) a forest officer or a person authorised by any other written

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law, but only for the purposes of carrying out the functions for which he is appointed or authorised;

- (c) a person holding a permit to enter closed forest, but only for the period stated in the permit; or
- (d) any other person authorised in writing by the Chief Conservator but only for the purpose authorised.

(2) An entry permit may only be issued by the Chief Conservator or a forest officer authorised by the Chief Conservator to issue the same.

(3) Every entry permit shall be in Form I of the Second Schedule.

(4) Any person who contravenes subsection (1) shall be guilty of an offence and on conviction shall be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

### **Power to suspend right of entry**

**12D.** The Chief Conservator or any officer authorised to issue entry permits may suspend the right of entry of any of the persons referred to in paragraphs (a) and (c) of subsection (1) of section 12C —

- (a) if he has reasonable cause to suspect that there has been a breach of —
  - (i) any of the provisions of this Enactment; or
  - (ii) any of the terms and conditions of a licence, licence agreement, permit or entry permit; or
- (b) if there has been an occurrence of an event or condition or fire or other hazard that may endanger the forest.

**Power to limit right of entry into Forest Reserve**

**12E.** The Chief Conservator may impose such conditions and restrictions as he considers fit on the right of entry into a Forest Reserve of any person or class of persons.”.

**Amendment of section 19**

**4.** Subsection 19(1) of the principal Enactment is amended —

- (a) by substituting for the words “seven years” the words “not less than six months but not exceeding ten years”; and
- (b) by substituting for the words “one hundred thousand ringgit” the words “five hundred thousand ringgit”.

**Amendment of section 20**

**5.** Section 20 of the principal Enactment is amended —

- (a) in paragraph (1)(c) —
  - (i) by deleting subparagraph (i); and
  - (ii) by substituting for the words “fifty thousand ringgit” the words “one hundred thousand ringgit”; and
- (b) in subsection (2) —
  - (i) by substituting for the words “not exceeding five hundred thousand ringgit” the words “not less than twenty thousand ringgit but not exceeding five million ringgit”; and
  - (ii) by substituting for the words “one year” the words “two years”.

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**Amendment of section 23**

6. Subsection 23(2) of the principal Enactment is amended —

- (a) by substituting for the words “not exceeding five hundred thousand ringgit” the words “not less than twenty thousand ringgit but not exceeding five million ringgit”; and
- (b) by substituting for the words “one year” the words “two years”.

**Amendment of section 24**

7. Section 24 of the principal Enactment is amended —

- (a) in subsection (1), by substituting for the words “sections 20 and 23” the words “subsection (2) of section 20 and section 23”;
- (b) in subsection (5) —
  - (i) by inserting after the words “alienated land” the words “, land reserved for a public purpose or land which has been vested to any State authority”; and
  - (ii) by inserting after the word “owner” the words “, trustee”; and
- (c) by inserting after subsection (7) the following subsection:

“(8) For the purposes of subsection (4), State land shall have the same meaning assigned to it in the Land Ordinance.”.

**Amendment of section 24C**

8. Section 24C of the principal Enactment is amended —

- (a) in the shoulder note, by substituting for the words “Fee and royalty” the words “Fee, *etc.*, on forest produce and annual forest rent”; and

- (b) by inserting after the words “forest produce” the words “and annual forest rent”.

### **New section 24E**

9. The principal Enactment is amended by inserting after section 24D the following section:

#### **“Permits**

**24E.** The Chief Conservator, or any person authorised by him in that behalf may issue permits for the doing of all or any of the acts prohibited under subsection (1) of section 20, except for subparagraph (ii) of paragraph (a), upon such conditions and subject to the payment of such fees as may be prescribed by the Minister.”.

### **New Part IIIB**

10. The principal Enactment is amended by inserting after Part IIIA the following Part:

#### **“PART IIIB**

#### **FOREST CARBON ACTIVITY**

#### **Forest carbon activity**

**28D.** (1) Notwithstanding subsection (2) of section 15, the Chief Conservator may, with the written approval of the Cabinet, issue a licence upon such terms and conditions and subject to the payment of such fees or royalties, for a specific term, to any person to carry out a forest carbon activity in any Forest Reserve, State land or alienated land.

(2) No licence shall be issued except to the registered proprietor of any alienated land or with the written approval of the registered proprietor

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thereof or his authorised representative.

(3) A forest carbon activity licence issued under this section may be revoked, cancelled or suspended in accordance with section 24A or 24D.

(4) Any feasibility study for forest carbon activity in any Forest Reserve, State land or alienated land whether for the regulated or voluntary market, shall obtain the written approval of the Minister subject to the terms and conditions as he thinks fit.

(5) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and on conviction shall be liable to a fine not less than one hundred thousand ringgit and not exceeding five million ringgit or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(6) Any person convicted of an offence under this section may, in addition to any penalty imposed on the conviction, be ordered to pay, in respect of any forest carbon activity unlawfully carried out, to the Government —

- (a) a sum not exceeding ten times the royalty, fee and other sum due;
- (b) a sum not exceeding ten times the value of such forest produce; and
- (c) any other charges payable,

and any sum ordered to be so paid shall be recoverable as if it were a fine so imposed.

### **Interpretation**

**28E.** In this Part —

“carbon credit” means a tradeable instrument, domestically and

internationally, that is issued by a Government or an independent certification body in the form of permit, licence or certificate that results from forest carbon activity;

“carbon credit unit” means a unit of account representing one tonne of emission reductions issued by a carbon standard pursuant to the applicable carbon standard rules and held in a carbon registry;

“carbon registry” means an electronic database system or any other system that is established and operated by a carbon standard or on their behalf including for the holding, delivery, retirement, cancellation and replacement of carbon credit unit in accordance with the applicable carbon standard;

“carbon sequestration” means the natural process (such as planting trees to absorb carbon dioxide) to reduce and remove carbon dioxide from the atmosphere, thus preventing greenhouse gas build-up in the earth’s atmosphere;

“carbon sink” means a natural storage area that collects chemical compounds which contain carbon dioxide and store these for an indefinite period and in its natural form, carbon sinks are made up of forests, rocks and soil and the oceans;

“carbon standard” means a programme or standard administrated by a mandatory or voluntary domestic or international GHG programme, certification, scheme or protocol, pursuant to which a forest carbon activity is formally accepted and registered pursuant to the carbon standard rules and in respect of which carbon credit units are issued for into a carbon registry;

“carbon standard rules” means all applicable guidance, regulations, rules and procedures of the carbon standard (whether made at the direction of the carbon standard administrator, a Government, a Governmental body, regulator, competent authority or otherwise) as modified, amended, or supplemented from time to time relating

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to the rules and requirements relating to the applicable carbon standard, carbon registry, registration and issuance process and other carbon standard documents;

“carbon trading” means the buying, selling or trading of carbon credits in the voluntary or regulated markets whether in the international emission trading exchange or in a carbon trading mechanism established in the open market;

“emissions reductions” means the removal, limitation, reduction, avoidance, sequestration or mitigation of emissions of GHG measured in tCO<sub>2</sub>e from the atmosphere relative to a baseline scenario including the establishment of carbon sinks or any other activity which are capable of representing and which are capable of being represented in a form of unit of measure pursuant to the carbon standard rules;

“forest carbon activity” means any activity, action, project or groups of activities which leads to the emissions reductions which are verified in accordance with a carbon standard; and

“greenhouse gas (GHG)” means any of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride and any other substance recognized as a greenhouse gas under a carbon standard.”.

### **Amendment of section 30**

**11.** The principal Enactment is amended by substituting for paragraph 30(1)(g) the following paragraph:

- “(g) keeps or has in his possession, custody or control of any forest produce —
- (i) which bears any property mark;
  - (ii) which was involved in any forest offence; or

- (iii) upon which the royalty or other payments due in respect thereof has not been paid or made;”.

### **Amendment of section 30A**

**12.** Section 30A of the principal Enactment is amended —

- (a) in subsection (1), by substituting for the words “not exceeding five years and a fine” the words “not exceeding ten years and to a fine not exceeding five hundred thousand ringgit”; and
- (b) in subsection (2), by substituting for the words “five times” the words “ten times”.

### **Amendment of section 38**

**13.** Section 38 of the principal Enactment is amended by inserting before the word “Schedule” wherever appearing the word “First”.

### **Amendment of section 42**

**14.** Section 42 of the principal Enactment is amended —

- (a) in paragraph (1)(a), by deleting subparagraph (ii); and
- (b) in paragraph (1)(d), by inserting after subparagraph (iii) the following subparagraph:
  - “(iiia) prescribing fees and payments payable to the Government in connection with forest carbon activity;
  - (iiib) prescribing the annual forest rent;”.

### **Amendment of the Schedule**

**15.** The Schedule to the principal Enactment is amended by substituting for the title “SCHEDULE” the title “FIRST SCHEDULE”.

**New Second Schedule**

**16.** The principal Enactment is amended by inserting after the renamed FIRST SCHEDULE the following schedule:

“FOREST ENACTMENT 1968

SECOND SCHEDULE

FORM I

[Subsection 12c(3)]

PERMIT TO ENTER CLOSED FOREST RESERVE

..... is hereby permitted to enter part of the  
..... closed Forest Reserve shown in red  
on the plan at the back of this permit for the following purposes:

.....  
.....  
and subject to the following conditions:

.....  
.....  
.....

This permit is valid from ..... to .....

Fee : .....  
Receipt No. : .....  
Date : .....

.....  
*Authorised Officer*”.

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EXPLANATORY STATEMENT

This Bill seeks to amend the Forest Enactment 1968 [*No. 2 of 1968*] (“the Enactment”).

2. *Clause 1* contains the short title and commencement of the proposed Enactment.
3. *Clause 2* seeks to amend section 2 of the Enactment to introduce the definition of “permit” into the Enactment.
4. *Clause 3* seeks to introduce new sections 12A, 12B, 12C, 12D and 12E to empower the Chief Conservator to declare closed Forest Reserve.
5. *Clauses 4, 5, 6 and 12* seek to amend subsection 19(1), section 20, subsection 23(2) and section 30A of the Enactment to increase the penalty for the offences set out in those sections.
6. *Clause 8* seeks to amend section 24C of the Enactment to require the holder of any licence or licence agreement to pay annual forest rent to the Government.
7. *Clause 9* seeks to introduce new section 24E to empower the Chief Conservator or any person authorised by him to issue permit for the doing of all or any of the acts prohibited under subsection 20(1) except for subparagraph 20(1)(a)(ii) of the Enactment.
8. *Clause 10* seeks to introduce new Part IIIB into the Enactment which provides for the forest carbon activity.
9. *Clause 11* seeks to improve the provision of paragraph 30(1)(g) of the Enactment.
10. *Clause 14* seeks to amend section 42 of the Enactment to provide for additional powers of the Minister to make regulations.
11. *Clauses 15 and 16* seek to amend the Schedule to provide for Second Schedule which contains a form relating to permit to enter closed Forest Reserve.
12. Other amendments not specifically dealt with in this Statement are minor or consequential in nature.

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FINANCIAL IMPLICATIONS

This Bill will not involve the State Government in any extra financial expenditure.