

## Forest Protection - Amendment to Government Regulation

The government has issued Government Regulation No. 60 of 2009 to amend Government Regulation No. 45 of 2004 on the Protection of Forests. The basic premise of the amendment is to ensure that there is clarity to the provisions and that where there is overlap in the provisions, the overlap is removed. Furthermore, the amendment addresses the issue of criminal and administrative sanctions to ensure that sanctions are proportional.

The amendment revokes 5 Articles, namely: Articles 12(2)(a), 12(2)(d), 14(2)(b), 42, and 43.





In essence, Articles 12(2)(a), 12(2)(d), and 14(2)(b) provides 3 forms of crimes relating to forestry. Unfortunately, these provisions were ambiguous and gave rise to multiple interpretations, particularly when read in conjunction with Article 50(3) of Law No. 41 of 1999 on Forestry. To remove this ambiguity and the possibility of multiple interpretations the noted articles have been revoked.

Articles 42 and 43 have been revoked as the criminal sanctions that they referred to as contained in Articles 12(2)(a), 12(2)(d), and 14(2)(b) have been revoked.

In any event, Articles 78(7) and (2) of Law No. 41 of 1999 provide for the criminal sanctions contained in Article 42 and 43 of the regulation.

The amendment has been in force since 23 September 2009. 

### Past Issues

-  Development and Expansion of the Labour Information System (Issue 1201 - 08/10/2009)
-  Derivatives in the Alternative Trading System (Issue 1200 - 07/10/2009)
-  New Public Court Law - Amendments to Serve Better Justice (Issue 1199 - 06/10/2009)
-  Management of State-Owned Assets Originating from Joint Work Contracts Contractors (Issue 1198 - 05/10/2009)

### Documents

The Government Regulation No. 60 of 2009  
(PP\_NO\_60\_2009.pdf - 20.Kb)

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