

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 28 OF 2004

The Local Government Act
(Laws, Volume 16, Cap. 281)

The Nakonde District Council (Timber Levy) By-laws, 2004

IN EXERCISE of the powers contained in sections *sixty-nine* and *seventy-six* of the Local Government Act, the following By-laws are hereby made:

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| 1. These By-laws may be cited as the Nakonde District Council (Timber Levy) By-laws, 2004. | Title |
| 2. In these By-laws, unless the context otherwise requires—
“ area ” means the area under the jurisdiction of the Council;
“ check point ” means any place within the area designated by the Council for checking and payment of timber levy;
“ collector ” means any officer of the Council authorised by the Council to collect revenue for the Council;
“ council ” means the Nakonde District Council; and
“ timber ” means any part of a felled tree which has been cut off or can be cut off, to provide wood whether sawn, split, hewn, sliced veneered, or otherwise fashioned, which is sound and reasonably straight and which is one point two metres or more long and thirty centimetres or more in diameter. | Interpretation |
| 3. (1) Any person who sells timber within the area or exports timber from the area shall pay to the Council a Timber levy at the following rates:

(a) one thousand five hundred kwacha for a piece of timber which is one to six metres long; and

(b) two thousand five hundred kwacha for a piece of timber which is more than six metres long.

(2) Timber levy shall be payable only for timber processed from any indigenous species of trees. | Imposition of timber levy |

No sale or
export of
timber
without
payment of
timber levy

4. A person shall not sell timber within the area or export from the area, any timber which has not been counted at a check-point and in respect of which a timber levy has not been paid to the Council.

Place of
payment and
collection of
timber levy

5. (1) A person who sells timber within the area or exports timber from the area shall pay a timber levy to the collector as soon as the timber has been counted at a check point.

(2) The collector shall issue an official receipt for each such payment.

Offences and
penalties

6. A person who contravenes any provision of these By-laws commits an offence and shall be liable, upon conviction—

(a) in the case of the first offence, to a fine not exceeding eighty penalty units or to imprisonment for a period of not exceeding six months, or to both; and

(b) in the case of the second or subsequent offence, to a fine not exceeding sixteen penalty units for every day during which the contravention continues.

(2) In addition to any penalty prescribed by sub by-law (1) the court may order that any expenses incurred by the Council in consequence of such contravention shall be paid by the company committing the contravention.

Made by the Nakonde District Council this 13th day of February, 2004.

B. B. SILWIMBA,
Chairman,
Nakonde District Council

L. M. KASONDE,
Secretary,
Nakonde District Council

Confirmed by me this 1st day of March, 2004.

S. T. MASEBO,
Minister of Local Government
and Housing

LUSAKA

1st March, 2004

[MLGH.102/51/62]