

**SIMPLIFICATION OF THE
NATIONAL FORESTRY AND
TREE PLANTING ACT 8/2003**

SENSITISATION PACK No: 1

**THE BACKGROUND
TO THE NATIONAL
FORESTRY AND
TREE PLANTING
ACT 8/2003**

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- **To provide for the sustainable use of forest resources**

During the Forest sector reform, it was realized that a lot of timber was being harvested and converted in a manner which was wasteful with no regard to the fact that forest resource was dwindling and given the maturity period of at least fifteen (15) years for some of the widely used timber species, there would soon be insufficient timber to meet the demands of the population. There was a need to ensure that whatever tree was felled was converted in a manner which avoided wastage of the forest resource. The law was therefore enacted to provide for the development of forest best practices and standards. With these in place, quality tree seeds/seedlings, tree planting methods, felling, milling, conversion and treatment practices, standards and information would all be made available and accessible to all. This would then lead to the sustainable use of forest resources.

- **To enhance the productive capacity of forests**

The new law came into force at a time when the majority of the country's forests both private and public were not yielding at an optimal rate due to lack of proper forestry standards and practices. There was a lot of wastage of the resources in the sector in areas like harvesting and conversion, poor treatment methods, poor seeds/seedlings, lack of seed/seedlings, poor planting techniques, etc. The productivity of the forest sector in terms of its contribution to the country's gross domestic product was at its lowest ever.

- **To promote tree planting**

With growing demand on the country's forest resources which is evident from the rate at which the country is losing forest cover, leading to landslides, soil erosion, poverty, internal displacement of people from areas affected by

landslides, this law is intended to encourage tree planting by each and every person in the country on days that shall be (8th and 21st March, 1st May and 12th August) declared by the Minister of Water and Environment. Given Uganda's current total population (Approx. 30 million people) if each and every person plants one tree, more than half of the country's tree cover will be regained in a short time.

- **To promote Agro-forestry**

There was a need to encourage agro forestry by growing both trees and other crops together.

- **To consolidate the law relating to forests and trade in forest produce**

Since the old Forest Act had become obsolete over the years having been made ages ago, there was a need to update the law in light of recent developments in the forestry sector and changes in the impact of population growth and development needs on the country's forest resources. The Forest Act had been last revised in 1964. The new law takes into consideration the changing needs of society and the need to sustainably use and manage forest resources.

- **To establish forest management institutions**

Uganda has vast forest resources and hence there was a need to create institutions to manage the different kinds of forests in the country and also to train and equip the ordinary people with tree planting and sustainable use techniques as a method of alleviating poverty and promoting economic growth.

When did the National Forestry and Tree Planting Act come Into force?

The National Forestry and Tree Planting Act, No. 8/2003 was enacted into law by the Parliament of Uganda on 8th August 2003 and came into force on the same day. From that day, the old Forest Act, Cap 246 of 1964 ceased to be law save for, the instruments which had been made under it.

Background to the National Forestry and Tree Planting Act No. 8/2003

The Constitution of the Republic of Uganda 1995 Article 237(2)(b) provides that Central Government and the Local Governments shall as by law made by Parliament hold Forest Reserves in trust for the people of Uganda and also provides that Parliament shall make a law spelling out how the Local Government shall hold Forest Reserves in trust for the people.

The Parliament which is the principle law making body in Uganda, has enacted the Land Act, the National Forestry and Tree Planting Act, the National Environment Act, the Local Government Act and other laws that guide on the management of forests in Uganda.

Before the National Forestry and Tree Planting Act was enacted, there was a Forestry Act which regulated the management and use of forest resources in Uganda. However, this law had become obsolete and needed to be changed since there were a number of problems that the Forestry sector was facing, that had never been envisaged when the old Forest Act was made many years ago. Some of the problems were:-

- The new Constitution had made certain changes in the government's role in the management of Forest Reserves and there was therefore a need to amend the law to reflect these changes,
- Need to improve the institutional capacity of forest management bodies,
- Need to regulate access to forest resources,
- Need to recognize the different types of forests,
- Need to improve the supply of forest and non-forest products,
- Need to increase the private sector's role in the forestry sector,
- Need to alleviate poverty amongst communities,

- Need to address the increasing concern over the reduction of forest cover,

Why enact a National Forestry and Tree Planting Act?

The National Forestry and Tree Planting Act was enacted by the Parliament for the following purposes:

- **To provide for the conservation of forests for the benefit of the people of Uganda.**

Forests have been recognized the world over as a home to bio diversity some known, some yet undiscovered. There are a number of tree species and bio diversity that are vital to the existence of humanity and life in all forms hence the need to conserve forests

- **To provide for the sustainable management of forests for the benefit of the people of Uganda.**

One cannot ensure the sustainable management of forest resources in the country without establishing institutions to manage them. For instance the Central Forest Reserves are managed by the National Forestry Authority, the Local Forest Reserves are managed by the District Forestry services set up in each district, and individuals manage their individual forests on private land in accordance with set standards of planting, felling, conversion and treatment of timber. The major aim of such a practice is to ensure that the entire tree log once felled is effectively utilized. Every part of the log upon conversion can be put to some use, e.g. the saw dust can be used as fuel by industries like those that make chalk, paper, etc. It should also be noted that in order to ensure that quality timber was available on the market, there was; a need to ensure that there were quality tree seeds/seedlings available for anyone engaged in tree planting be it a private person or public entity.

There was also a need for the development and dissemination of acceptable forestry practices standards at all levels.

- **To provide for the development of forests for the benefit of the people of Uganda.**

The question here is how forests can best be developed to better livelihoods, provide income to households, improve access and promote sustainable use and management. By the time, the forestry sector reform started in 1998, it had been realized that the conservation campaign and denial of access to forests resources under the old Forest Act had led to plunder of forest resources over the years. So with the era of the new National Forestry and Tree Planting Act, the National Forestry Policy the participation of the local communities, the private sector's role was emphasized as a mechanism of promoting sustainable use and management of the country's forest resources. The new law and policy also recognize increased access to forest resources by way of grant of licenses for fuel production, saw milling, felling, planting, ecotourism, picking of medicinal herbs, etc and the signing of community partnership agreements between forest management institutions like the National Forestry Authority (NFA) and local communities (forest user groups) in the management of forests.

- **To provide for procedures for declaration of Forest Reserves for purposes of protection and production of forest produce.**

The law also lays down a procedure for the declaration of new areas as forest reserves which anticipates the full participation of the communities. This also applies to the declaration of areas as forest reserves which are intended to replace forest reserve areas that are to be degazetted provided the necessary approvals have been obtained e.g from Parliament.