



**Functional area:**

Forest Management

**Title:**

**MONITORING COMPLIANCE WITH ACCESS TO RESEARCH PLOTS**

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**: Revised by**

**Main objective of this manual:**

1. Outline procedures to ensure the tenant permits authorised person's free access to the research facilities.
2. Ensure research facilities are protected and maintained by the lessee, not only for the present authorised users but also in the National interest for possible declared National Forestry Research Assets.
3. Outline principles in the importance of forestry research and the conditions regarding access to research facilities.

**Annexures:**

A: Checklist FM 3.

B: Annexure E

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## 1. Introduction

Clause 12 of the lease agreement states that the tenant shall permit any person or persons duly authorised by Government to have access to permanent sample plots and trial plots where same form part of the research facilities referred to in Annexure E of the lease agreement.

## 2. Objectives

The objectives of this manual are to:

- (a) Outline procedures to ensure that the tenant permits authorised person's free access to the research facilities.
- (b) Ensure that research facilities are protected and maintained by the lessee, not only for the present authorised users but also in the National interest for possible declared National Forestry Research Assets.
- (c) Outline principles in the importance of forestry research and the conditions regarding access to research facilities.

## 3. Procedures

The following procedures shall apply:

- (a) Establish a completed list of research facilities on the leased forestry land (Annexure E) in the Lease Agreement. A list of all potential authorised persons (DWAF officials and research and training centres) who will require access to particular research facilities must be indicated in Annexure E.
- (b) Detailed arrangements for accessing these facilities must be concluded with the lessee. This means that all research plots must be identified in the field regarding its access availability and field identification.
- (c) Checklist No. FM 3 must be completed by SD: FLM and an updated copy should be provided to the lessee.
  - i. After the field inspection to the particular Forest Land Management Area (FLMA), establish the status of the research assets and note the authorised persons for each FLMA.
  - ii. Note those research plots that are not clearly marked in the field and the condition of the research assets and recommend the actions that the users must take for improvements.
  - iii. Also note the date of the SD: FLM letters about improving their infield marking, on the checklist.
  - iv. Whenever users don't require any research plots any more, SD: FLM must decide whether the tenant may fell them and DWAF's approval must be noted on the checklist. Note and

consider any abandoned research plots to be conserved as a national forestry research asset and note it on the checklist.

- (a) SD: FLM to liaise with authorized persons annually to determine what the status of all research facilities is to be considered for clear felling or conservation, and to update the checklist No. FM 3 accordingly.
- (b) SD: FLM to supply the lessee with an updated copy of checklist No. FM 3 annually.
- (c) SD: FLM to include possible clear felling of research facilities in the general field monitoring measures that SD: FLM or/and DWAF management will execute during their normal monitoring operations.
- (d) SD: FLM to resolve any disputes between the lessee and the authorised persons utilising the research facilities.
- (e) All relevant data not included in the checklist about research facilities and authorised persons to be submitted to SD: FLM, either electronically or by letters.

#### **4. Reporting**

Updated copy of checklist No. FM 3 must be submitted by SD: FLM to DWAF management during February of each year.

#### **5. Review of manual**

SD: FLM must revise this manual during March of each year.

## 6. Principles and guidelines

- 6.1 Forestry research facilities on Government Forestry Land have an impressive national and international record in contributing to Forestry education, science and the development of the Forestry discipline in general and particularly in Southern Africa. For example tree-breeding research for SAFCOL alone has recorded gains of more than 750,000 m<sup>3</sup> per annum. Millions of rands have been and are still invested in the establishment and maintenance of these facilities and it is anticipated that lessees of forestry land, research and training centers and DWAF will actively utilize them. There is also the strong possibility that these research assets could play a major role in assisting other Southern African countries, in the spirit of the African Renaissance, in contributing to their forestry development in future.
- 6.2 National Policy: The White Paper on Sustainable Forest Development in South Africa, March 1996, states that Government will promote research, technology and innovation in the forest sector, including the “adequate protection of intellectual property, including traditional knowledge”.
- 6.3 National Forests Act, 1998: Part 2 of Chapter 2 of this Act obliges the Minister to see that relevant research is done and to monitor the management of forests. It describes the promotion of research by Government, thus making the lessee also responsible to be sensitive about research facilities on State Forests.
- 6.4 The Forestry Outlook Study for Africa (FOSA): This study, commissioned, by the United Nations Food and Agriculture Organisation (FAO), the World Bank and the African Development Bank and endorsed by the African Forestry and Wildlife Commission had been completed during 2002. It encourages member countries in Africa and particularly for us in Southern Africa, to support networking in Forestry Research. It is thus important that particular attention be given by the State in the management of forestry research assets on State land.
- 6.5 The following principles and guidelines shall apply to the conditions regarding access to research facilities:
- (a) Any person duly authorised by Government shall have free and unimpeded access to research facilities at all reasonable times.
  - (b) Any person duly authorised by Government shall be permitted to do that is necessary and incidental for the purposes of their research, including removing samples of the trees and soil and treatment of trees in accordance with accepted research practices.
  - (c) The lessee’s rights and interests as a business concern must be respected and protected at all times.
  - (d) Access by authorised persons must be in such a way that their conduct will not damage the natural environment such as wetlands, natural forests, protected trees etc.
  - (e) Access to research facilities by authorised persons does not give them automatic access to any other part of the forests or any activity unless approved by the lessee or it is properly licensed in terms of the conditions of sections 22, 23 and 24 of the National Forest Act.
  - (f) The rights of any other land user of the particular estate or/and neighbouring estate must be respected.
  - (g) The lessee may refuse access to his/her forestry estate under severe weather conditions but the authorised persons must be advised well in advance and reasonable information about the refusal.
  - (h) Access by authorised persons would be at their own risk.
  - (i) The lessee shall report in writing any misconduct by authorised persons on the particular forest estate to the Sub Directorate: Land Management (SD: FLM) of DWAF for further action.
  - (j) Any complaints by the authorised persons against the lessee’s control over access to research facilities must be lodged to the SD: FLM in writing, with a copy of the same to the tenant.

- (k) The lessee shall ensure that research facilities are properly maintained
- (l) The lessee shall not clear fell any research plots or related research facilities without prior written approval from DWAF management. However, it is standard practice in State forests to clear fell research plots when the adjoining commercial compartments are clear felled during the normal course of operations, unless particular arrangements are made to delay the clear felling of the research plots. In all circumstances effective communication should be maintained between the lessee and the user of the research plots.
- (m) By permitting access to research facilities provides an opportunity for the lessee to enhance his/her corporate image in his/her support in forestry development, education and science.
- (n) Access to research facilities could create an opportunity for educational and recreational purposes, particularly for the previously disadvantaged persons.
- (o) The clear marking of the relevant research plots in the field is the responsibility of the user of the research plots. The lessee cannot be responsible for damaging the research plots if the plots are not properly marked in the field.