

Information Sheet

Summary of Proposed Changes to the Forest Act 1992 under the draft Forestry Bill 2025¹

The Ministry of Forestry has reviewed the Forest Act 1992 and produced a draft Forest Bill 2025, which reflects an international best practice approach to the planned management, conservation and sustainable use of Fiji's forests. The Ministry acknowledges the technical assistance provided by the Asian Development Bank and its team of experts.

Main changes to the Forest Act 1992

1. Objectives, Guiding Principles and General Obligations

The objectives of the Bill are to provide a legal framework for, and continuing improvement towards the achievement of sustainable forest management, the conservation of Fiji's forest ecosystems, and the management of forests to mitigate climate change and provide social and economic benefits for present and future generations. In line with modern forestry laws, the Bill takes a comprehensive approach that goes beyond timber production to include the diverse values and services forests provide. It also emphasizes forest restoration, reforestation, and the management of trees outside forests. Key objectives also include basing decisions on the best available scientific knowledge and promoting research and education.

The guiding principles of the Bill — which must inform its implementation — are based on inclusive participation, transparency, accountability, legal clarity, enforceability, sustainable management, effective governance, and equitable benefit sharing.

By introducing general obligations, a foundation is laid for State entities and all persons to sustainably manage, restore, and prevent harm to forests, with a particular emphasis on the State's role in ensuring effective governance, compliance, and respect for rights, and encouraging those involved in forest trade to exercise due diligence to prevent deforestation and degradation.

2. Governance

The Bill provides a contemporary model of governance, including-

- a) A Forestry Advisory Council to provide a forum for the engagement of stakeholders.
- b) An independent Tribunal to hear and make determinations on technical matters with respect to appeals lodged by persons who are aggrieved at decisions made under the Act.
- c) Defined functions and responsibilities for the Conservator and Department of Forestry.

3. National Forest Policy and Forest Resource Assessment

The Bill provides that -

- a) the forest sector will be administered in accordance with the National Forest Policy;
- b) the Department of Forestry will undertake -
 1. landscape-level forest planning and monitoring to track forest cover and condition, and will classify forests based on their functions, ecological characteristics and management regimes; and
 2. National Forest Resource Assessments for the purposes of determining a sustainable supply of timber.

¹ The current version of the Bill is Fiji Forest Bill dated 18 June 2025 (v6).

4. Licences

The Bill provides for the issue of the following licences-

- a) Forest Management Licences;
- b) Non-wood forest products licences;
- c) Import and export licences for all forest products; and
- d) Wood Processing Mills Licence for the operation of any wood processing mill.

In addition, the Conservator must appoint suitably qualified persons as certified log scalers for the purposes of measuring and grading logs.

5. Forest Finance

The Bill provides that the Department of Forestry may establish financial instruments and mechanisms for the purposes of financing the implementation of the Act. These may include accessing funding for forest conservation and restoration and the fostering of a forest-based bioeconomy through-

- a) national or international programs;
- b) public-private partnerships;
- c) payments for ecosystem services; and/or
- d) carbon and biodiversity credits.

6. Forest Practices Plans

The regulation of forestry activities under the Forest Act 1992 is limited to the extraction of timber. The draft Bill provides a more holistic approach to sustainable forest management by regulating 'forest practices', which are defined as-

- (a) the processes involved in establishing forests, growing or harvesting timber, or clearing trees; and
- (b) works (including the construction of roads, the development and operation of quarries and the processing of timber) connected with establishing forests, growing or harvesting timber or clearing trees.

Under the Bill, all forest practices will need to be covered by a forest practices plan that has been prepared in accordance with the requirements of the Code of Forest Practices. A forest practices plan must be certified by the Conservator (or delegate) before operations may commence.

Regulations will prescribe the circumstance under which a forest practices plan is not required, such as small-scale operations and the maintenance of infrastructure etc.

7. Code of Forest Practices

The Bill provides for a Code of Forest Practices, which would replace the existing Fiji Forest Harvesting Code of Practice. The new code will prescribe the manner in which forest practices should be planned and conducted so as to provide reasonable protection to the environment, including the conservation of biodiversity and streams, landscape management and the control of soil erosion.

The Bill requires the Conservator to undertake research and evaluate the provisions in the Code of Forest Practice and to prepare a report, at least once every five years, on the effectiveness of those provisions in meeting the objectives of the Act.

8. Forest Practices Officers

The Bill provides for the appointment of Forest Practices Officers within both the public and private sectors to ensure that all forestry activities are planned and monitored by trained and accredited officers.

Forest Practices Officers may be authorised to certify forest practices plans, to direct compliance actions, and to monitor and report on compliance. This provision will allow the private sector to operate in an efficient, responsible and accountable manner and it will allow the Ministry of Forestry to focus its resources on independent monitoring and reporting of standards being achieved.

9. Compliance monitoring

Under the Bill, all forest practices plans will be subject to compliance checks and reporting by an accredited Forest Practices Officer. In addition, a sample of plans will be independently checked by the Ministry of Forestry and the results of all compliance monitoring will be made publicly available through the Ministry's annual report.

10. Enforcement

The Bill provides a range of mechanisms for more effective and efficient enforcement of the Act, including-

- a) the issue of stop work or corrective action notices by the Conservator or authorised Forest Practices Officer;
- b) fixed penalty offences;
- c) prescribed fines as an alternative to prosecution; and
- d) prosecutions.

Main provisions of the Forest Act 1992 that have been largely retained with some modification in the Forest Bill 2025²

- Declaration of forest reserves and nature reserves
- Management of forest reserves and nature reserves
- Need for prior consent (or owner, iTaukei Land Trust Board and Director of Lands, as applicable) for the issues of licences
- Provisions relating to fees and royalties
- Powers to transfer, suspend or revoke licences
- iTaukei customary rights
- Power of Conservator to seize and dispose of property
- Forest fires and fire rangers
- Offences and penalties
- Powers of officers.

² Refer to the draft Forest Bill 2025 for changes to any of the provisions in the Forest Act 1992.