

LAW OF THE REPUBLIC OF ARMENIA FORESTRY CODE OF THE REPUBLIC OF ARMENIA

The forest is one of elements of the geographical landscape, the integrated aggregate of trees, other vegetative biological species, land, animals, microorganisms and components of natural environment mutually related and impacting each other.

The forest code is called to promote scientifically proved preservation, protection, reproduction and rational use of forests, based on environmental, social and economic value of forests.

CHAPTER I GENERAL PROVISIONS

Article 1. Tasks of the forest legislation of the Republic of Armenia

The tasks of the forest legislation of the Republic of Armenia are as follows: preservation of water-security, land-protection, climate-regulating, sanitary-and-hygienic, improving and other useful natural properties of a forest, its reproduction and increase of efficiency, versatile and rational use, and protection of the rights of enterprises, organizations and citizens, consolidation of legality in the sphere of preservation, protection, reproduction and use of forests.

Article 2. The forest legislation of the Republic of Armenia

Relations in the Republic of Armenia, arising in the sphere of preservation, protection, reproduction and use of forests, are regulated by the present Code and other acts of the Republic of Armenia.

Article 3. State property on forests in the Republic of Armenia

The forest in the Republic of Armenia is in exclusive property of the state and is granted only under the right to use.

Article 4. The forest fund of the Republic of Armenia

All forests and lands allocated for needs of forestry in the Republic of Armenia constitute the forest fund of the Republic of Armenia.

CHAPTER II MANAGEMENT IN SPHERE OF PRESERVATION, PROTECTION, REPRODUCTION AND USE OF FORESTS

Article 5. The management in the sphere of preservation, protection, reproduction and use of forests

The management in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia in the order established by the legislation of the Republic of Armenia is carried out by the Government of the Republic of Armenia, local administration and the specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia.

Article 6. Competence of the Government of the Republic of Armenia in the sphere of preservation, protection, reproduction and use of forests

The following is subject to competence of the Government of the Republic of Armenia in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia:

- establishment of the basic directions of conducting forestry;
- - establishment of the order of organization and activity of the state bodies managing forestry;
- - classification of forests into groups on value, their transfer from one group in another;

- development of programs in the sphere of preservation, protection, reproduction and use of forests in a complex with other nature protection measures and organization of their performance;
- establishment of the procedure of preservation, protection, reproduction and use of forests;
- approval of annual norm of logging of forest per felling (settlement wood-cutting area);
- establishment of payments for forest use (forest fund use);
- organization and coordination of research and development works on conducting forestry;
- organization of forest management, conducting the state forest cadastre, the state account of the forest fund and forest monitoring;
- implementation of the international cooperation on issues of preservation, protection, reproduction and use of forests.

Article 7. Competence of the local administration of the Republic of Armenia in the sphere of preservation, protection, reproduction and use of forests

The following is subject to the competence of the local administration of the Republic of Armenia in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia:

- granting plots of the forest fund in temporary use together with specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests;
- attraction of specialized services, forest management stakeholders and the population to works on extinguishing of forest fires;
- establishment of additional benefits for forest management stakeholders together with specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests;
- control over construction and explosive works, extraction of minerals, laying of cables, pipe lines and other communications, drilling and other works on the territory of the forest fund, not related with conducting of forestry and forest use .

Article 8. Competence of specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests

The following is subject to competence of the specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests:

- state registration of the forest fund;
- granting plots of the forest fund in temporary use in agreement with the local bodies of government;
- increase of fertility and preservation of lands of the forest fund, ensuring of their purpose-oriented use;
- reproduction, increase of efficiency of forests and tending of them, organization of rational use of forest resources;
- realization of measures on fire-safety of areas of the forest fund, detection and prevention of forest fires, organization of duly control of pests and diseases;
- duly revealing and suppression of infringement of regulations of forest use, of works which are not related with use of forest, illicit felling, damage and destroying of trees, bushes, young plantings and forest cultures on the territories of the forest fund, pollution of forests with chemical, radioactive substances, sewage, a communal domestic waste and other infringements of the forest legislation;
- attraction of specialized services, forest management stakeholders and the population to works on extinguishing of forest fires in accordance with decisions of the local administration.

CHAPTER III

CLASSIFICATION OF FORESTS IN THE REPUBLIC OF ARMENIA INTO GROUPS

Article 9. Classification of forests in the Republic of Armenia into groups

Forests in the Republic of Armenia according to their purpose designation are classified into the following groups:

- forests of protective value;
- forests of social value;
- forests of special value.

The forests of protective value are:

- a) water-security forests (forests on banks of rivers, lakes, water reservoirs, including the forests protecting spawning areas of fishes);
- b) erosion-control (land-protection forest areas).

The forests of social value are: forests of sanitary-and-hygienic value (forests of sources of water supply, zones of sanitary protection), of improving, recreational value.

The forests of special value are the forests included in the system of natural areas of preferential protection.

CHAPTER IV AGE OF FELLING, SETTLEMENT WOOD-CUTTING AREA

Article 10. Age of felling

The age of felling is determined based on the basic purpose designation of forests, ecological, economic tasks, efficiency of wood-cutting areas, biological features of growing tree species, and terms of reforestation on plots of felled forest.

The age of felling is proved by special scientific researches and is approved in the order established by the Government of the Republic of Armenia.

Article 11. Settlement wood-cutting area

The annual norm of logging of forest per felling (settlement wood-cutting area) for the long term is calculated at forest management on each enterprise and organization conducting forestry separately based on the principles of non-exhaustive and permanent forestry.

The settlement wood-cutting area is approved by the specially authorized body of the Government of the Republic of Armenia and operates after end of forest regulation works, since January 1 of the following year.

At changes in the forest fund (of borders, age of felling) changes may be introduced in settlement wood-cutting area.

CHAPTER V TRANSFER OF FOREST AREAS IN NON-FOREST AREAS

Article 12. The order of transfer of the forest areas in non-forest areas

The Government of the Republic of Armenia establishes the order of transfer of the forest areas in non-forest areas with the purpose, not related with conducting forestry and forest use.

Article 13. Transfer of the forest areas in non-forest areas in connection with realization of forest use and conducting forestry

The enterprises and organizations conducting forestry, can build in forests and on the lands allocated for needs of forestry, industrial and subsidiary objects related to conducting forestry, in necessary cases with transfer of the forest areas in non-forest ones.

CHAPTER VI LOCATION, DESIGNING, CONSTRUCTION AND COMMISSIONING OF OBJECTS IMPACTING STATE AND REPRODUCTION OF FORESTS

Article 14. Conditions of location, designing, construction and putting into operation of the objects impacting a state and reproduction of forests, and coordination of building site and projects

At location, designing, construction and putting into operation of new and reconstructed enterprises, structures and other objects, and also at application of new technological processes impacting a state

and reproduction of forests, the measures providing preservation of forests from deleterious effect of sewage, chemical substances, industrial emissions, waste products and household waste products should be provided and carried out.

The building site and designs of enterprises, structures and other objects impacting a state and reproduction of forests, are established on the basis of the state ecological assessment and coordinated with the Government of the Republic of Armenia, the local bodies of government, specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia and other interested bodies.

Article 15. The order of execution of works not connected with conducting of forestry and forest management

Construction and explosive works, extraction of minerals, laying of cables, pipe lines and other communications, drilling and other works on the territories of the forest fund not related to conducting of forestry and forest management, are executed on the basis of the permission given by the local bodies of government, specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia in the order established by the Government of the Republic of Armenia.

CHAPTER VII FOREST MANAGEMENT

Article 16. Kinds of forest use

The following kinds of forest use (forest fund use) may be carried out in forests:

- wood logging;
- logging of minor forest materials (stumps);
- subsidiary forest use (hay-mowing, cattle pasturing, location of beehives and apiaries, collection and preparation of wild fruits, walnuts, mushrooms, berries, herbs and technical raw material);
- forest use for needs of game husbandry;
- forest use with research purposes;
- forest use with the cultural - improving purposes.

Article 17. Times of realization of forest use

The areas of the forest fund in accordance with established procedure are given in temporary use on short time - up to five years and on long time from five up to ten years.

Article 18. Forest management stakeholders

Forest management stakeholders in the Republic of Armenia may be enterprises, organizations and citizens of the Republic of Armenia.

Article 19. The order of granting of areas of the forest fund in use

The areas of the forest fund are given in use based on special documents - contracts on forest use, felling license or warrant, forest ticket.

The felling license or warrant and the forest ticket give to forest management stakeholder the right on single use of forest reserves or plots of the forest fund.

The order of registration and delivery of the documents giving the right on use of each plot, allocated from the forest fund, and each kind of forest use is established by the specially authorized state body in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia.

Article 20. The right of citizens on stay in forests

Citizens have the right to stay in forests for rest, collection of wild fruits, berries, walnuts, mushrooms and other foodstuffs with the purpose of personal use.

Citizens are obliged to observe fire prevention rules in forests, to not commit damage and felling of trees and bushes, damage of forest cultures, pollution of forests, destroying of anthills, nesting-places of birds and other infringement of the forest legislation.

Stay of citizens in forests, collection of wild fruits, berries, may restricted in the order established by the legislation of the Republic of Armenia, in interests of ensuring of fire safety and conducting of forest fruit, forest seed, walnut fruit farms.

Stay of citizens in forests of the natural areas of preferential protection may be restricted or prohibited in the order established by the legislation of the Republic of Armenia.

Article 21. The contract on forest use

The contract on forest use should contain:

- description of borders of a plot of the forest fund given in use;
- kind, volume and order of forest use;
- duties of forest management stakeholder with the purpose of ensuring of preservation, protection and reproduction of forest resources;
- conditions and the order of financing of forestry measures;
- sizes of payment for forest use and times of their entering;
- characteristics of the plot of the forest fund and the requirements to its state by the moment of expiry of the term of use;
- amount of supplies for the state needs.

The contract may contain in addition other conditions of use of the forest fund, not contradicting to the legislation of the Republic of Armenia.

The contract is concluded between the enterprises, organizations and forest management stakeholders, conducting forestry .

Article 22. The felling license (warrant) and the forest ticket

The felling license is the document giving to forest management stakeholder the right on logging and export of wood and minor forest resources. The felling license provides quantitative and qualitative characteristics of allotted wood and minor forest resources, their cost, times of implementation of works, conditions of reforestation works and works on forest clearing.

The felling license is given out by the enterprise or the organization conducting forestry .

The warrant on small allocation of standing wood is the document giving to forest management stakeholder the right on subsidiary use and export of wood. It is given out by the forestry based on the corresponding felling license.

The forest ticket entitles to subsidiary forest use. It provides the sizes, times, cost and conditions of forest utilization.

The forest ticket is given out by the enterprise or the organization conducting forestry .

CHAPTER VIII RIGHTS AND DUTIES OF FOREST MANAGEMENT STAKEHOLDERS

Article 23. Rights of forest management stakeholder

Forest management stakeholders have the right:

- to carry out only those forest use and only in such volumes which are specified in the documents giving the right on forest use;

- to choose independently forms of economic activity on realization of forest use;
- in accordance with established procedure to build roads of forestry value, to equip areas for warehousing of forest production, to erect temporary industrial and economic structures, to arrange parking for motor transport, coordinating their distribution with bodies of forestry .

Article 24. Duties of forest management stakeholder

Forest management stakeholders are obliged:

- during execution of works to do not commit emergence of erosion of soils, to exclude or limit deleterious effect of forest use on a condition and reproduction of forests, and also on water reservoirs and other natural objects;
- to do not commit underfelling and excessive felling, to do not abandon the logged wood on wood-cutting areas and in forests;
- to provide execution of requirements of fire prevention rules and to carry out anti-fire measures in places of work, in an event of emergence of forest fires to extinguish them;
- to clear away wood-cutting areas from felling residue, to bring the plots of the forest fund damaged due to forest use, in a condition suitable for use;
- to use wood-cutting areas and forest lands valuably and rationally;
- to bring a pay for forest use in due time and fully.

Article 25. The reasons of termination or limitation of the right of use the forest fund

The right of use of the forest fund terminates, when:

- time of forest use expires;
- forest management stakeholder refuses the right of use of the forest fund;
- the conditions emerge stipulated by documents, giving the right on forest use at which presence the further realization of forest use becomes impossible.

The right of use of the forest fund may be terminated ahead of schedule by the specially authorized state body in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia or hits local bodies, when:

- immediate hazard threatens life or health of people living in a zone of forest use;
- forest management stakeholder infringes established rules of forest use more than two times;
- there are extreme situations (natural disasters, military actions etc.);
- forest management stakeholder in target date has not started forest fund use within the stipulated volumes;
- the enterprise or the organization - forest management stakeholder is liquidated;
- forest management stakeholder did not pay for forest use systematically.

In the case of termination of the right of forest use the contract on forest use, the felling license (warrant), and the forest ticket are considered void.

The specially authorized state body in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia or its local bodies limit the right of forest use when provisions of the contract on forest use are violated.

Article 26. Rejection of the application for use of forest fund

The application for use of forest fund is rejected when:

- the applicant has purposely introduced incorrect information on him;
- the applicant has not financial, technical opportunities necessary for forest use;
- forest use already is carried out on the given plot of the forest fund.

Article 27. Guarantees of the rights of forest management stakeholders

Interference in activity of forest management stakeholder is forbidden (except for cases of infringement of forest and other environmental legislation).

Infringed rights of forest management stakeholder are subject to restoration. Losses caused by forest management stakeholder are compensated in the order established by the legislation of the Republic of Armenia.

CHAPTER IX ORDER OF LOGGING OF WOOD, SIZING OF LOGGING OF WOOD

Article 28. Kinds and ways of felling

Logging of wood in forests is carried out in the order of reforestation felling carried out in matured and overmatured timber stands.

Wood is logged also at carrying out of felling of intermediary use (at carrying out of tending felling and sanitary felling of forest, and at carrying out of other felling, clearing of the forest areas in connection with construction of hydraulic projects, pipe lines, roads, at lining of glades, building of fire-prevention breakages, etc.).

Article 29. A sizing of logging of wood at carrying out of felling of intermediary use and other felling

The size of logging of wood at carrying out of felling of intermediary use is established on the basis of materials of forest management, based on necessity of improvement of species composition and quality of forests, and at carrying out of other felling - by amount of works on clearing of forest areas, lining of glades and other works.

CHAPTER X ORDER OF PREPARATION OF MINOR FOREST MATERIALS

Article 30. The general requirements to preparation of minor forest materials

Preparation of minor forest materials for industrial processing, development of forest crafts and satisfaction of needs of the population should be carried out without causing harm to forest.

The Article 31 of the present Code establishes the order of preparation of minor forest materials.

Article 31. Preparation of stumps

Preparation of stumps is allowed during all year on not renewed wood-cutting areas and in young plantings. Ways of preparation of stumps and age of plantings in which preparation of stumps is allowed, is established within its competence by the specially authorized state body in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia.

Preparation of stumps is forbidden on forest plots where it can cause erosion phenomena or harm plantings.

CHAPTER XI PROCEDURE OF SUBSIDIARY FOREST USE

Article 32. The general conditions of realization of subsidiary forest use

The hay-mowing, cattle pasturing, location of beehives and apiaries, collection and preparation of wild fruits, walnuts, mushrooms, berries, herbs and technical raw material, and also other subsidiary forest use should be carried out without causing harm to forest.

On the areas allocated for subsidiary forest use, their clearing, felling of trees, ploughing of soil, building of permanent constructions is forbidden.

Collection of rare and endangered plant species included in the Red Book of the Republic of Armenia is forbidden.

The order and conditions of realization of subsidiary forest use are established by the present Code and the Regulations on subsidiary forest use in the Republic of Armenia.

Article 33. Hay-mowing and cattle pasturing

Hay-mowing and cattle pasturing in forests and on the lands allocated for needs of forestry is forbidden on plots where it can damage forest.

The areas on which hay-mowing and cattle pasturing is authorized, are established according to the legislation of the Republic of Armenia by the enterprises or organizations conducting forestry .

Article 34. Granting in use of haymakings and pastures of the forest fund

Haymakings and pastures which are not used for needs of forestry , can be given in paid, temporary use to the enterprises, organizations and citizens if such use does not contradict interests of forestry . Haymakings and pastures are given in use with observance of requirements of the land legislation of the Republic of Armenia.

**CHAPTER XII
USE OF FOREST FUND FOR NEEDS OF GAME HUSBANDRY, WITH RESEARCH AND
CULTURAL - IMPROVING PURPOSES**

Article 35. The order of use of the forest fund for needs of game husbandry

The specialized game husbandries, public organizations and citizens have the right to use the forest fund for needs of game husbandry.

Forest use and forestry measures on the areas of the forest fund should be carried out with the account of necessity of conservation of favorable conditions for habitation of wild animals.

Number of animals in forests is regulated within density allowable for forest lands so that animals did not cause harm to forestry .

The order and conditions of use the forest fund for needs of game husbandry are established by Regulations on forest use for needs of game husbandry, approved by the Government of the Republic of Armenia.

Article 36. The order of use of forest fund with the research purposes

For carrying out of research works in the forest fund the special forest area is allocated to the corresponding enterprises and organizations. On the allotted forest areas may be restricted or completely prohibited forest use by other enterprises, organizations if it is incompatible with the purpose of research works.

The specially authorized state body in the sphere of preservation, protection, reproduction and use of forests establishes the order of forest use with the research purposes in the Republic of Armenia.

Article 37. The order of forest use with the cultural - improving purposes

the purpose of organization of rest of the population the local bodies of government, specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia, and also – in coordination with them - other enterprises, organizations and citizens in green zones of forests and on other areas used for rest of the population, carry out measures on improvement of the forest areas and servicing of the population, with the account of necessity of conservation of forest environment and natural landscape, and also with observance of fire prevention rules and sanitary requirements.

The specially authorized state body in the sphere of preservation, protection, reproduction and use of forests establishes the order and conditions of forest use with the cultural - improving purposes in the Republic of Armenia.

CHAPTER XIII

FEATURES OF FOREST USE IN NATURAL AREAS OF PREFERENTIAL PROTECTION, IN URBAN FORESTS, BORDER ZONE

Article 38. Features of forest use in natural areas of preferential protection

The Law of the Republic of Armenia “On natural areas of preferential protection” establishes the order of forest use in forests of natural areas of preferential protection and other acts of the Republic of Armenia accepted on its base.

Article 39. Features of forest use in urban forests

Urban forests are used first with the cultural - improving purposes and for rest of the population.

In urban forests it is forbidden logging of wood in the order of implementation of reforestation felling, preparation of minor forest materials, and trade preparation of products of subsidiary forest use and cattle pasturing.

By the legislation of the Republic of Armenia in urban forests other kinds of forest use may be forbidden if they are incompatible with realization of cultural - improving measures and with the organization of rest of the population.

Article 40. Features of forest use in a border zone

The specially authorized state body in the sphere of preservation, protection, reproduction and use of forests establishes features of forest use in a border zone in the Republic of Armenia together with the command of frontier troops.

CHAPTER XIV

FOREST RESTORATION AND INCREASE OF EFFICIENCY, AFFORESTATION

Article 41. Measures on increase of efficiency of forests

With the purpose of increase of efficiency and improvement of quality of forests tending felling of forest, sanitary felling and felling on reconstruction of not valuable forest plantings are carried out, measures on reproduction of forests, improvement of their qualitative and age composition, on rational use, building of forest seed bases, water ameliorative and other measures on afforestation are effected.

Article 42. The order of forest restoration and afforestation

With the purpose of improvement of environmental condition of areas of the forest fund, ensuring of their amount of woodland and rational use on plots of felled forest, burned-out forests and other former areas under forest is carried out forest restoration, and on the lands allocated for needs of forestry, and also on other lands of agricultural purpose - afforestation is carried out.

Establishment of volumes and methods of reforestation works, and selection for these works of species valuable from the economic point of view is effected by the enterprises and organizations conducting forestry, based on documents of forest management taking into account the changes taking place in the forest fund.

Reafforestation, foresting, storing of forest seeds and cultivation of planting stock are carried out by the enterprises and organizations conducting forestry.

Forest management stakeholders are obliged to carry out reforestation works on plots of felled forest by the ways and methods coordinated with specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia, and to transfer in due time the forest cultures cultivated by them.

Article 43. Duties of forest management stakeholders in the sphere of ensuring of favorable conditions for forest restoration on plots of felled forest

The forest management stakeholders are obliged to carry out requirements on ensuring of favorable conditions for restoration of forest stocks.

These requirements should be taken into account also at development of new equipment for logging and transportation of forest. Specially authorized state bodies in the sphere may suspend the works, representing hazard to forest restoration.

Article 44. Duties of the enterprises and organizations conducting forestry, on increase of efficiency of forests

With the purpose of improvement of qualitative composition of forests, increase of their efficiency the enterprises and organizations conducting forestry, are obliged:

- to carry out works on tending of forest, selection, forest seed-growing and sorting tests of the species most valuable in economic relation;
- to carry out measures on increase of fertility of soil, to drainage of wetlands, on prevention of water and wind erosion, bogging, salinization of soils and prevention of other phenomena worsening a condition of soils, and to carry out other measures directed on improvement of the species composition of forests, increase of their efficiency and protective properties;
- to provide duly reproduction of valuable tree species, especially oak, beech, pine and others, increase of their efficiency and nature protection properties;
- to take measures on full and effective utilization of lands of the forest fund with the purpose of restoration and planting of new forests.

CHAPTER XV PRESERVATION AND PROTECTION OF FORESTS

Article 45. The purposes and tasks of preservation and protection of forests

Forests are subject to preservation from fires, illicit felling and cattle pasturing, infringement of the established order of forest use and other actions harming a forest, and subject to protection against pests and diseases.

The preservation and protection of forests includes a complex of organizational, legal and other measures and is carried out taking into account territorial and biological features of forests.

Article 46. The procedure of measures on preservation and protection of forests

Implementation of measures on preservation and protection of forests is assigned to the enterprises, organizations conducting forestry, and on the state forest guard service.

The government of the Republic of Armenia and local administration according to the legislation of the Republic of Armenia provide preservation and protection of forests, realization of measures on extinguishing of forest fires, with attraction of the specialized services, forest management stakeholders and the population for their extinguishing. In the season of the highest fire hazard visiting of forests by the population and entrance to them of vehicles is forbidden, and any works on some forest lots are forbidden.

Article 47. Special powers of the state bodies in the sphere of forest fires, pests and diseases of forest

The government of the Republic of Armenia and local administration with the purpose of prevention of emergence of forest fires, extinguishing thereof, and control of pests and diseases of a forest:

- annually before the beginning of fire-dangerous season approve practical tasks on extinguishing of forest fires;

- establish the order of attraction of the population, workers and employees, use of fire-equipment, transport and other vehicles of the enterprises and organizations for extinguishing of forest fires;
- provide vehicles, feed and medical aid to the persons occupied on fire control;
- provide building in forests for fire-dangerous season of forest fire-fighting organizations and provide their readiness;
- promote construction and repair of roads of fire-prevention purpose, provision of fire-fighting services combustive-lubricating materials, and provide the specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia for fire-dangerous season with necessary duty machines and other vehicles and fuel reserve;
- organize elucidation in mass media of observance of fire prevention rules;
- coordinate all measures on extinguishing of fires, establishing in necessary special commissions for these purposes;
- provide realization of measures on control of pests and diseases of forest.

Article 48. Duties of the enterprises and organizations which activity impacts a state and reproduction of forests

According to the legislation of the Republic of Armenia the enterprises and organizations which activity impacts a state and reproduction of forests, are obliged to carry out in coordination with local administration and specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia the technological, sanitary and other measures providing preservation of forests.

CHAPTER XVI STATE FOREST GUARD SERVICE OF REPUBLIC OF ARMENIA

Article 49. The state forest guard service of the Republic of Armenia

The forest guard service of the Republic of Armenia is organized in the system of specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia with the purpose of realization of measures on preservation and protection of forests and maintenance of the control over condition, preservation, protection and use of forests.

The state forest guard service is authorized to prevent and eliminate infringement of the forest legislation.

Employees of the state forest guard service have the right:

- to carry an uniform of the established sample which is delivered free-of-charge;
- to receive free-of-charge wood on repair of own houses from a forestry and firewood for heating according to the norms authorized by the local administration;
- to receive service land plots in the order established by the legislation of the Republic of Armenia;
- to carry and use the firearms during performance of duties - in the order established by the legislation of the Republic of Armenia;
- to subject to the official penalty officials, and citizens for infringement of the forest legislation, and to bring in court and arbitration claims for compensation of the damage caused to forestry.

Employees of the forest guard service are subject to obligatory state personal insurance on the expense of means of extra-budgetary fund of reproduction, preservation and protection of forests.

The specially authorized state body in the sphere of preservation, protection, reproduction and use of forests approves the staff of employees of the forest guard service in the Republic of Armenia.

Activity of the forest guard service is regulated in the order approved by the Government of the Republic of Armenia.

CHAPTER XVII PAYMENTS FOR FOREST USE

Article 50. The amount of payments for forest use and the order of their collection

Forest use (forest fund use) in the Republic of Armenia is payable, except for cases of use of the forest fund in the research purposes.

The sizes of payments for forest use are established based on kind, quality and amount of forest stocks, natural-geographical, economic conditions and conditions of afforestation of the used area of the forest fund, the value of received production.

Payments for forest use may be deducted at the rate of per unit of output, received from use of the forest fund, and per separate kinds of forest use - under the rates established for each hectare of the used area of the forest fund.

The order and conditions of collection of payments for forest use are established by the legislation of the Republic of Armenia.

Article 51. Allocation of payments for forest use

Payments for forest use are transferred in budgets of districts (cities) in which territories the forest fund is used.

The sizes of allocations from these means for preservation and protection of forests are established by the corresponding local administration.

CHAPTER XVIII FOREST MANAGEMENT

Article 52. The matter of forest management

Forest management includes a system of measures on preservation, protection, reproduction, increase of efficiency, rational use of forests, realization of uniform scientific and technical policy in forestry .

Forest management includes:

- delimitation of the areas of forestry enterprises and their interfarm organization;
- carrying out of topographical works and cartography of forests;
- inventory of the forest fund by means of which establish species and age composition of forests, their condition, and qualitative and quantitative characteristics of forest resources;
- revealing plots of the forest fund on which it is necessary to carry out tending felling, sanitary felling and other felling of mediate use, a measure on reafforestation and expansion of the forest areas, on preservation and protection of forest, other economic measures, and definition of the order and ways of carrying out thereof;
- substantiation of classification of forests into groups on value and preparation of offers on transfer of forests from one group in another;
- calculation of sizes of regeneration felling, settlement wood-cutting areas and felling of mediate use;
- definition of volumes of measures on restoration and expansion of forests, preservation of forests from fires, protection against pests and diseases and other forestry works;
- definition of volumes of subsidiary and minor forest use, volumes of use of the forest fund for cultural - improving needs and needs of game husbandry;
- author supervision over implementation of designs developed at forest management, and other forest

organization actions.

Article 53. Projects of forest management

For the enterprises and organizations conducting forestry, the corresponding designs giving a complex evaluation of conducting of forestry and forest use for past period are compiled, and basic provisions of further organization and development of forestry are developed.

Projects of forest management after their approval by the specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia are obligatory normative and technical documents for conducting forestry and realization of the forest use, current and long-term planning.

CHAPTER XIX STATE FOREST CADASTRE AND STATE REGISTRATION OF FOREST FUND

Article 54. The state forest cadastre. The state registration of the forest fund

Conduction of the state forest cadastre and state registration of the forest fund are carried out for preservation, reproduction of forests, organization of rational use of the forest fund and its protection, systematic of quantitative and qualitative changes and for maintenance of the Government of the Republic of Armenia, local bodies of government, interested enterprises, organizations, establishments and citizens with information on the forest fund.

The data of the state forest cadastre and the state registration of the forest fund are subject to publication in the press.

The state forest cadastre and the state registration of the forest fund contain uniform system of information on legal regime of the forest fund, its quantitative and qualitative condition, classification of forests into groups and their economic evaluation, necessary for conduction of forestry and evaluation of results of economic activities in the forest fund.

Conducting the state forest cadastre and the state registration of the forest fund is carried out by the specially authorized bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia on the expense of the State budget of the Republic of Armenia.

STATE CONTROL OVER CONDITION, PRESERVATION, PROTECTION, REPRODUCTION AND USE OF FORESTS

Article 55. The state control over condition, preservation, protection, reproduction and use of forests

Tasks of the state control over condition, preservation, protection, reproduction and use of forests are: ensuring of observance by all forest management stakeholders of the established order of use of the forest fund, norms of forest use, regulations of conducting forestry, preservation and protection of forests, and other regulations established by the forest legislation.

The state control over condition, preservation, protection, reproduction and use of forests is carried out by the government of the Republic of Armenia, local administration and specially authorized state bodies in the sphere of preservation, protection, reproduction and use of forests in the Republic of Armenia in the order established by the Government of the Republic of Armenia.

Article 56. Forest monitoring

Forest monitoring represents a system of observation and researches, evaluation and forecasting of condition and development (dynamics) of the forest fund which purpose is efficient control in the sphere of preservation, protection, reproduction and use of forests and increase of environmental value of forests.

CHAPTER XXI ORDER OF SETTLEMENT OF FOREST DISPUTES AND RESPONSIBILITY FOR INFRINGEMENT OF FOREST LEGISLATION

Article 57. The order of settlement of forest disputes

The disputes arising in the sphere of preservation, protection, reproduction and use of forests are solved in the judicial or arbitration order.

Article 58. Invalidity of transactions violating propriety right on forests

Transactions on sale and purchase, donation of plots of the forest fund, barter transactions, and transactions on assignment of rights on forest use are void.

Article 59. Kinds of infringement of the forest legislation

The persons guilty in fulfillment of transactions, stipulated by the Article 38 of the present Code, and also:

- in illicit damage and felling of trees and bushes;
- in damage or destroying of forest owing to arson or negligent manipulation with fire;
- in infringement of requirements of fire prevention rules in forests;
- in pollution of forests with chemical and radioactive substances, industrial sewage, plant emissions, wastes and household waste products;
- in infringement of terms of return of plots of the forest fund given in temporary use;
- in damage or destruction of forest cultures, seedlings or saplings in forest gardens, and young plants of natural origin and self-sown plants on the areas stipulated for restoration;
- in infringement of the order and terms of afforestation of plots of felled forest and forest lands of other categories not covered with forest;
- in use of land areas of the forest fund without appropriate permission, a stubbing of trees and bushes, erection of buildings, processing of wood, a erection of warehouses on these plots and their use in other purposes, unauthorized deforcement of the areas of the forest fund and non-returning thereof on belonging;
- in unauthorized hay-mowing and cattle pasturing on areas of the forest fund, and in infringement of regulations of hay-mowing and cattle pasturing;
- in damage of haymakings and pastures on lands of the forest fund;
- in damage or destruction of fertile layer of lands of the forest fund;
- in infringement of sanitary rules in forests;
- in implementation of forest use not according to the purposes or the requirements stipulated in documents, giving the right on forest use;
- in damage or destroying of irrigation and forest drainage channels, draining systems, roads on lands of the forest fund;
- in unauthorized collection of wild fruits, walnuts, mushrooms, berries, etc. on plots where it is forbidden or is allowed only under forest tickets;
- in infringement of terms and ways of collection of wild fruits, walnuts, mushrooms, berries, etc.;
- in infringement of the established order of granting of wood-cutting areas and assessment of logging and export of wood, preparation of minor forest materials, survey of places of felling;
- in damage and destruction of limiting, forest regulation and other signs in the forest fund;
- in causing harm to forest fauna;
- - the persons guilty in misappropriation of windfall, snowbreak, trees cut down under root and in other infringement of the forest legislation of the Republic of Armenia - bear the responsibility in the order established by the legislation of the Republic of Armenia.

Article 60. The order of returning of misappropriated plots of the forest fund

Misappropriated plots of the forest fund are returned on belonging without compensation of effected expenses.

Article 61. Suspension of works representing hazard to condition and reproduction of forests

The bodies specially authorized by the Government of the Republic of Armenia in the order established by the Government of the Republic of Armenia, forbid, or suspend works carried out by enterprises, organizations, associations and citizens, if during their realization are not provided technological, sanitary, fire-prevention and other measures, that may result in emergence of hazard to condition and reproduction of forests.

**CHAPTER XXII
INTERNATIONAL CONTRACTS**

Article 62. The international contracts

If the international contracts of the Republic of Armenia establish rules, other than that contained in the present Code, the rules of the international contracts are applied.

The president of the Republic of Armenia

L.Ter-Petrosyan

**November, 1 1994
Yerevan
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