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The procedure and rates of compensation for environmental damage caused by the destruction or damage of a protected natural object or a specimen of an unprotected animal species and the release of a specimen of a foreign species into the wild

[ RT I 2009, 63, 410 - entered into force. 26.12.2009]

Adopted on 08.04.2005 No. 69 RT I 2005, 21, 134 entry into force 29.04.2005

#### Amended by the following acts

Reception	Publication	Enforcement	
10.12.2009	RT I 2009, 63, 410	26.12.2009	
23.08.2010	RT I 2010, 60, 407	01.01.2011	

The regulation is established on the basis of § 77 subsection 1 of the " Nature Conservation Act ".

## Chapter 1 ENVIRONMENTAL DAMAGE COMPENSATION PROCEDURE

#### § 1. Scope of regulation

The regulation establishes the procedure and rates of compensation for environmental damage caused by the destruction or damage of a protected natural object or other species of birds and mammals, except game.

#### § 2. Causing environmental damage

(1) Causing environmental damage within the meaning of this regulation is the destruction or damage of an individual of a protected natural object or an unprotected animal species, with the exception of game, and the release into the environment of an alien species that threatens the natural balance.

[ RT I 2009, 63, 410 - entry into force. 26.12.2009]

- (2) When using traps allowed for fishing or hunting, the death of an individual of a protected animal species in a trap is not considered to cause environmental damage.
- (3) Intentional damage during national defense training is not considered to cause environmental damage within the meaning of this regulation, if the organizer of the national defense training has the permission of the Government of the Republic provided for in § 36 subsection 2 of the "Forest Act" or the permit of the private forest owner provided for in § 36 subsection 1 point 4 to use the forest for national defense training, with which they may involve forest damage.

  [ RT I 2009, 63, 410 entry into force. 26.12.2009]

### § 3. Damage to a protected area or a storage area

Damage to a protected area or storage area is:

- 1) felling or felling of woody vegetation at a prohibited time or in a place where the type of felling used or felling is prohibited;
- 2) violation of logging conditions during logging operations;
- 3) damaging the soil without a permit or in violation of permit requirements;
- 4) burning wood or herbaceous vegetation or making a bonfire without a permit or in violation of permit requirements;
- 5) littering or pollution.

#### § 4. Destruction and damage to permanent residence

- (1) The destruction of a permanent habitat within the meaning of this regulation is an illegal activity, as a result of which the further preservation of the species in this permanent habitat is not possible in the foreseeable future.
- (2) Damage to the permanent habitat within the meaning of this regulation is an activity that is prohibited in the permanent habitat of the individual or in the protection zone of the nest according to the law or regulation (except for staying), as a result of which the species whose protection is the permanent habitat on the basis of § 10 (2) of the "Nature Protection Act" or § 50 (2) created according to, the favorable condition deteriorates, but which does not cause the permanent habitat to be destroyed.

#### § 5. Destruction and damage to an individual object of protected nature

- (1) Destruction of an individual object of protected nature within the meaning of this regulation is its unlawful destruction, liquidation or damage to the extent that a significant part or more than 50% of the object is destroyed as a result.
- (2) Damage to an individual object of protected nature within the meaning of this regulation is unlawfully changing its shape or location, spoiling its appearance, causing mechanical, chemical or other injuries.

#### § 6. Destruction and damage to the site of a protected fossil

- (1) Destruction of a protected fossil site within the meaning of this regulation is the removal or damage of a protected fossil site without a permit or in violation of permit requirements to the extent that a significant part or more than 50% of the site is destroyed as a result.
- (2) Damage to the site of a protected mineral within the meaning of this regulation is an illegal activity that causes mechanical, chemical or other damage to the site.

#### § 7. Destruction and damage to an individual of a protected species

- (1) Destruction of an individual of a protected animal species within the meaning of this regulation is the unlawful killing of an individual, injury to the point of incapacitation (including pollution), removal from nature, alienation of an animal or its part. [RT I 2009, 63, 410 entry into force. 26.12.2009]
- (2) Damage to an individual of a protected animal species within the meaning of this regulation is unlawful disturbance or injury to an individual (including pollution), which reduces the individual's ability to live, but does not prevent its reproduction. [RT I 2009, 63, 410 entry into force. 26.12.2009]
- (3) The destruction of an individual of a non-protected bird and mammal species, with the exception of game, within the meaning of this regulation, is the unlawful killing of an individual, injury to the point of incapacitation (including pollution) or removal from the wild. [RT I 2009, 63, 410 entry into force. 26.12.2009]
- (4) Destruction of a specimen of a protected plant, moss, mushroom and lichen species within the meaning of this regulation is unlawful rendering of the specimen incapable of growth, removal from the place of growth, alienation of the specimen or its part.
- (5) In the sense of this regulation, damage to an individual of a protected plant, moss, mushroom and lichen species is partial removal of the individual from the place of growth.
- (6) EU Council Regulation No. 338/97 on the protection of wild animal and plant species by regulating their trade (OJ L 061, 3.03.1997, p. 1) in Annexes A–D is considered to be a violation of the said regulation and the rules established on its basis as damage to the specimens of the species.

#### § 8. Form of act for determining the amount of environmental damage

Upon detection of environmental damage, the supervisory authority prepares an act of determining the amount of environmental damage according to the form provided in the annex to the regulation.

#### § 9. Peculiarities in the calculation of environmental damage compensation rates

- (1) For the destruction or damage of an individual of a protected animal species or a permanent habitat or an individual of another bird or mammal species during the gestation, lactation or nesting period, the amount of environmental damage established by this regulation for each specific species shall be applied to the extent of three times.
- (2) In case of damage to the egg-strainer or nest with eggs of a protected bird species, or if eggs are collected without a permit or in violation of permit requirements, half of the rate of environmental damage per egg established by regulation for the individual of the corresponding bird species shall be applied to compensate for the damage; if it is not possible to determine the number of eggs, then in three times per nest.
- (3) In case of destruction of nests of eagles and black storks of protection category I without eggs or nestlings, half of the rate of environmental damage established by the regulation shall be applied per nest.
- (4) The parts of the plant, which according to the quantity may belong to one specimen, are considered as one specimen. The trunk and branches of the tree are not considered part of the plant.
- (5) In case of the destruction or damage of a specimen of a protected species accompanying the destruction or damage of a permanent place, protected area or storage area, the compensation rates shall be added.
- (6) If the destruction or damage of an individual of a protected species is accompanied by a violation of EU Council Regulation No. 338/97 and the rules established on the basis thereof, the compensation rates are added.

#### § 10. Measurement of a tree in the calculation of environmental damage

The diameter of the tree trunk is measured together with the bark at a height of 10 centimeters from the root collar, perpendicular to the long axis of the trunk. If the root neck of the tree is below the ground, the diameter of the trunk is measured 10 cm above the ground.

## Chapter 2 RATE OF COMPENSATION FOR ENVIRONMENTAL DAMAGE

## § 11. Rate of compensation for the destruction or damage of a specimen of a plant species of protection category I and permanent habitat

- (1) The rate of compensation for the destruction of a specimen of a plant species of protection category I is 130 euros per specimen, and for damage it is 32 euros per specimen.
- [ RT I 2010, 60, 407 entry into force. 01.01.2011]
- (2) The rate of compensation for the destruction or damage of the permanent habitat of a plant species of protection category I is:
- 1) 260 euros for each square meter of permanent habitat destroyed, but no more than 9,600 euros per permanent habitat;
- 2) 130 euros in case of damage to each square meter of permanent habitat, but no more than 3,200 euros per permanent habitat. [RT I 2010, 60, 407 entry into force. 01.01.2011]

### § 12. Rate of compensation for the destruction or damage of a specimen of mushroom, lichen and lichen species and permanent habitat of protection category I

- (1) The rate of compensation for the destruction of mushroom, lichen and moss species of protection category I:
- 1) is 96 euros per specimen;
- 2) damage is 16 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (2) The rate of compensation for the destruction or damage of the permanent habitat of mushroom, lichen and moss species of protection category I:
- 1) for the destruction of each square meter of the permanent habitat is 260 euros, but not more than 9,600 euros per permanent habitat:
- 2) in case of damage to each square meter of permanent habitat, it is 130 euros, but not more than 3,200 euros per permanent habitat.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

## § 13. Rate of compensation for the destruction or damage of plant, moss, lichen and mushroom species and permanent habitat of protection category II

- (1) The rate of compensation for the destruction of one- and two-year-old herbaceous species of protection category II:
- 1) is 64 euros per specimen;
- 2) damage is 6.40 euros per specimen.

[RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (2) Rate of compensation for one meter stem part of a fern, perennial herbaceous specimen, sedge, bush, tree or ivy up to one meter high of protection category II:
- 1) for destruction is 130 euros per specimen;
- 2) damage is 32 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (3) The rate of compensation for the destruction of specimens of moss, lichen and mushroom species of protection category II:
- 1) for fresh lichen, moss and mushroom or their parts is 3.20 euros per gram;
- 2) for dried lichen, moss and mushroom or their parts is 6.40 euros per gram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (4) The rate of compensation for damage to specimens of moss, lichen and mushroom species of protection category II:
- 1) for fresh moss, lichen and mushroom or their parts is 1.30 euros per gram;
- 2) for dried moss, lichen and mushroom or their parts is 3.20 euros per gram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (5) The rate of compensation for a tree of protection category II with a trunk diameter of up to 10 centimeters:
- 1) 64 euros per tree for destruction;
- 2) for damage to the extent that it reduces the vitality of the tree, it is 13 euros per tree.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (6) The rate of compensation for a tree of protection category II with a trunk diameter of 10–30 centimeters:
- 1) for destruction is 130 euros per tree;
- 2) for damage to the extent that it reduces the vitality of the tree, it is 20 euros per tree.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (7) The rate of compensation for a tree of protection category II with a trunk diameter of more than 30 centimeters:
- 1) for destruction is 320 euros per tree;
- 2) for damage to the extent that it reduces the vitality of the tree, it is 64 euros per tree.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (8) The rate of compensation for damage or destruction of the permanent habitat of plant, moss, lichen and mushroom species of protection category II:
- 1) for each square meter of permanent habitat destroyed is 130 euros, but not more than 9,600 euros for one permanent habitat;
- 2) in case of damage to each square meter of permanent habitat, it is 32 euros, but not more than 3,200 euros per permanent habitat.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

## § 14. Rate of compensation for the destruction or damage of plant, moss, lichen and mushroom species and permanent habitat of protection category III

- (1) The rate of compensation for the destruction of plant, moss, lichen and mushroom species of protection category III:
- 1) in the case of fresh plant, moss, lichen and fungus or their parts is 1.60 euros per gram;
- 2) in case of dried plant, lichen and mushroom or their parts, it is 3.20 euros per gram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (2) The rate of compensation for damage to a specimen of plant, moss, lichen and mushroom species of protection category III:
- 1) in the case of fresh plant, moss, lichen and fungus or their parts is 0.64 euros per gram;
- 2) in the case of dried plant, moss, lichen and mushroom or their parts, it is 1.60 euros per gram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (3) The rate of compensation for a tree of protection category III up to one meter in height:
- 1) for destruction is 32 euros per tree;
- 2) for damage to the extent that it reduces the vitality of the tree, it is 6.40 euros per tree.

- (4) The rate of compensation for a tree of protection category III with a height of over one meter and a trunk diameter of up to 10 centimeters:
- 1) for destruction is 45 euros per tree;
- 2) for damage to the extent that it reduces the vitality of the tree, it is 9.60 euros per tree.

- (5) The rate of compensation for a tree of protection category III with a trunk diameter of 10-30 centimeters:
- 1) for destruction is 64 euros per tree;
- 2) for damage to the extent that it reduces the vitality of the tree, it is 13 euros per tree.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (6) The rate of compensation for a tree of protection category III with a trunk diameter of more than 30 centimeters:
- 1) for destruction is 200 euros per tree;
- 2) for damage to the extent that it reduces the vitality of the tree, it is 32 euros per tree.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (7) The rate of compensation for the destruction or damage of permanent habitat of plant, moss, lichen and mushroom species of protection category III:
- 1) in case of destruction of each square meter of permanent habitat is 64 euros, but for one permanent habitat no more than 9,600 euros:
- 2) in case of damage to each square meter of permanent habitat, it is 13 euros, but not more than 3,200 euros per permanent habitat. [RT I 2010, 60, 407 entry into force. 01.01.2011]

#### § 15. Rate of compensation for the destruction or damage of an animal species of protection category I

- (1) The rate of compensation for damage to a specimen of a vertebrate species of protection category I is 200 euros per specimen. [RT I 2010, 60, 407 entry into force. 01.01.2011]
- (2) The rate of compensation for the destruction of an animal species of protection category I:
- 1) in the case of an amphibian species is 640 euros per individual;
- 2) in the case of an individual of a bird species or a mammal species, it is 1300 euros per individual.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(3) The rate of compensation in case of destruction or damage of an invertebrate animal species of protection category I is 320 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 16. Rate of compensation for the destruction or damage of an animal species of protection category II

- (1) The rate of compensation for the destruction of an animal species of protection category II:
- 1) in the case of an invertebrate animal species is 64 euros per individual;
- 2) in the case of a specimen of a fish, amphibian, reptile or winged species, it is 320 euros per specimen;
- 3) in the case of an individual of a bird species, it is 640 euros per individual;
- 4) in the case of a specimen of a mammal species, it is 960 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(2) The rate of compensation for damage to an individual of a vertebrate species of protection category II is 64 euros per individual. [RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 17. Rate of compensation for the destruction or damage of an animal species of protection category III

- (1) The rate of compensation for the destruction of a specimen of an animal species of protection category III:
- 1) in the case of a specimen of an invertebrate animal species (with the exception of snails, snails and bumblebees) is 32 euros per specimen;
- 2) in the case of a specimen of a fish species, it is 64 euros per specimen;
- 3) in the case of a specimen of a reptile or amphibian species, it is 32 euros per specimen;
- 4) in the case of an individual of a bird species, it is 320 euros per individual;
- 5) in the case of an individual of a box-striped, nutty or licorice, it is 320 euros per individual;
- 6) in the case of a porpoise, wolverine or otter specimen, it is 640 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(2) The rate of compensation for damage to a specimen of a vertebrate species of protection category III is 32 euros per specimen. [RT I 2010, 60, 407 - entry into force. 01.01.2011]

## § 18. Rate of compensation for the destruction or damage of the permanent habitat of an animal species of protection category I

The rate of compensation for the permanent habitat of an animal species of protection category I:

- 1) for destruction is 9,600 euros per permanent habitat;
- 2) for damage is 3200 euros per permanent residence.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

## § 19. Rate of compensation for the destruction or damage of the permanent habitat of an animal species of protection category II

The rate of compensation for the permanent habitat of an animal species of protection category II:

- 1) for destruction is 3200 euros per permanent habitat;
- 2) for damage is 1600 euros per permanent residence.

## § 20. Rate of compensation for the destruction or damage of the permanent habitat of an animal species of protection category III

The rate of compensation for the permanent habitat of an animal species of protection category III:

- 1) for destruction is 1600 euros per permanent habitat;
- 2) damage is 640 euros per permanent residence.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 21. The rate of compensation for the destruction of the nest of the species III of protection category

The rate of compensation for the destruction of a nest of a species of protection category III:

- 1) is 320 euros per nest, if the diameter of the bottom of the nest at its widest point on the ground is one meter or more;
- 2) is 130 euros per nest, if the diameter of the bottom of the nest at the widest point on the ground is less than one meter.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 22. Rate of compensation for the destruction or damage of an individual object of protected nature

- (1) The rate of compensation for individual object of protected nature:
- 1) destruction is 1600 euros per individual object;
- 2) damage is 320 euros per individual object.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (2) The rate of compensation for a tree designated as an individual object of nature to be protected:
- 1) for destruction is 2,000 euros per tree designated as an individual object;
- 2) damage is 640 euros per tree designated as an individual object.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 23. Rate of compensation for damage to the protected area

(1) Within the protected area, the damage caused to the environment during the felling or clearing of woody vegetation is taken into account on the basis of § 67 of the "Forest Act".

[ RT I 2009, 63, 410 - entry into force. 26.12.2009]

(2) In case of illegal damage to the soil in semi-natural and swamp communities located outside outdoor land within the protected area, the compensation rate is 1.60 euros per square meter in the restricted zone and 2.30 euros per square meter in the target protection zone.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (3) In case of illegal fire of semi-natural and marsh communities located outside the outdoor area within the protected area, the compensation rate is 0.96 euros per square meter in the restricted zone and 1.60 euros per square meter in the target protection zone. [RT I 2010, 60, 407 entry into force. 01.01.2011]
- (4) In the case of illegal littering of semi-natural and swamp communities located outside outdoor land within the protected area, the compensation rate is 1.60 euros per square meter in the restricted zone and 2.30 euros per square meter in the target protection zone. [RT I 2010, 60, 407 entry into force. 01.01.2011]
- (5) In case of causing illegal pollution outside the outdoor area within the protected area, the compensation rate is 1.60 euros per square meter in the restricted zone, 2.30 euros per square meter in the target protection zone, and 9.6 euros per square meter in the reserve.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 24. Rate of compensation for damage to the storage area

(1) Within the conservation area, damage caused to the environment during the felling or clearing of woody vegetation is taken into account on the basis of § 67 of the "Forest Act".

[ RT I 2009, 63, 410 - entry into force. 26.12.2009]

(2) In the case of illegal damage to the soil in semi-natural communities located outside the outdoor area within the conservation area, the compensation rate is 1.60 euros per square meter.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(3) In the case of causing an illegal fire of semi-natural communities located outside the outdoor area within the conservation area, the compensation rate is 0.96 euros per square meter.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(4) In the case of illegal littering of semi-natural communities located outside the outdoor area within the conservation area, the compensation rate is 1.60 euros per square meter.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(5) In case of causing illegal pollution outside the outdoor area within the storage area, the compensation rate is 1.60 euros per square meter.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 25. Rate of compensation for the destruction of non-protected species of birds and mammals, with the exception of game

The rate of compensation for the destruction of an individual of a non-protected bird and mammal species, with the exception of hunting game:

- 1) in the case of the ptarmigan, merisk, kurvits, tyllas, ruffed grosbeak, stilt, pigeon, cuckoo, shrike, woodpecker, and species of the colored group is 32 euros per specimen about;
- 2) in the case of individuals of the hedgehog species, voles, weasels and mute swans, it is 64 euros per individual;

3) in the case of an individual of a non-protected bird species not mentioned in point 1, it is 6.40 euros per individual.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

#### § 26. Rate of compensation for the destruction or damage of the fossil site

- (1) The rate of compensation for the fossil site of protection category I:
- 1) for the destruction of each square meter is 640 euros, but not more than 9,600 euros in total for one site;
- 2) 320 euros for each square meter of damage, but no more than 3200 euros for one site.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (2) The rate of compensation for the fossil site of protection category II:
- 1) for the destruction of each square meter is 320 euros, but not more than 9,600 euros in total for one site;
- 2) 160 euros for each square meter of damage, but no more than 3,200 euros in total for one site.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

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### § 26 . The rate of compensation for releasing, planting and sowing a specimen of an alien species that threatens the natural balance

[ RT I 2009, 63, 410 - entered into force. 26.12.2009]

(1) The rate of compensation for planting or sowing a specimen of a plant species threatening the natural balance in the wild is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(2) The rate of compensation for releasing an animal species that threatens the natural balance into the wild is 320 euros per individual.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

### § 27. Rate of compensation for violation of the rules of transactions and operations with specimens of animal species specified in Annexes A-D of EU Council Regulation No. 338/97

- (1) The rate of compensation for violation of the rules of transactions and operations with specimens of the class of mammals not mentioned in subsections 2-11 is:
- 1) in the case of a living specimen, 200 euros per specimen;
- 2) 640 euros per individual in the case of a live specimen of the species specified in Appendix A from nature;
- 3) 320 euros per individual in the case of a living specimen of the species mentioned in other appendices from nature;
- 4) in the case of a product made from a specimen, 200 euros per product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (2) The rate of compensation for violation of the rules of transactions and operations with specimens of primates, i.e. primates, is:
- 1) in the case of a living specimen, 320 euros per specimen;
- 2) 20,000 euros per specimen in the case of a live specimen from nature specified in Appendix A;
- 3) 3,200 euros per specimen in the case of a live specimen of the species mentioned in other appendices from nature;
- 4) in the case of a product made from a specimen of the species specified in Annex A, 640 euros per product;
- 5) 320 euros per product in the case of a product made from a specimen of the species specified in other appendices;
- 6) in the case of meat or a product intended for food, 200 euros per kilogram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (3) The rate of compensation for the violation of the rules of transactions and operations with a specimen of a species of the superior ape family is:
  - 1) in the case of a living specimen, 640 euros per specimen;
- 2) in the case of a live specimen from nature, 64,000 euros per specimen;
- 3) in the case of a product made from a specimen, 6,400 euros per product;
- 4) in the case of meat or a product intended for food, 640 euros per kilogram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (4) The rate of compensation for violation of the rules of transactions and operations with a cetacean society is:
- 1) in the case of a product, 32 euros per product;
- 2) 64 euros per kilogram for meat and fat.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (5) The rate of compensation for violation of the rules of transactions and operations with canine species is:
- 1) in the case of a live specimen, 200 euros per specimen;
- 2) in the case of a live specimen from nature, 320 euros per specimen;
- 3) in the case of skin, 200 euros per skin;
- 4) in the case of a skull, 32 euros per skull;
- 5) in the case of a product made from one or more whole animals, 200 euros per product;
- 6) in the case of a product made from less than one animal, 64 euros per product.

- (6) The rate of compensation for the violation of the rules of transactions and operations with a specimen of a bear family species is:
- 1) in the case of a living specimen, 960 euros per specimen;
- 2) in the case of a live specimen from nature, 1,600 euros per specimen;
- 3) 64 euros for each gram in the case of karusapi;
- 4) 0.64 euros for each gram of the product in the case of a medicinal product containing a component of the bear's organism;
- 5) in the case of a skull, 64 euros per skull;
- 6) in the case of leather, 640 euros per leather;
- 7) in the case of meat, 48 euros per kilogram;

- 8) in the case of a product made from one or more whole animals, 960 euros per product;
- 9) for products made from less than one animal, 200 euros per product.

- (7) The rate of compensation for the violation of the rules of transactions and operations with an individual of a species of the family of flies, mongooses, or aphids is:
- 1) in the case of a living individual, 64 euros per individual;
- 2) 320 euros per specimen in the case of a live specimen of the species specified in Appendix A from nature;
- 3) in the case of the skin of a specimen of the species specified in Appendix A, 200 euros per skin;
- 4) in the case of a skull of a specimen of the species specified in Appendix A, 32 euros per skull;
- 5) in the case of the skin of a specimen of the species mentioned in other appendices, 64 euros per skin.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (8) The rate of compensation for the violation of the rules of transactions and operations with a specimen of a species of the family of felines is:
- 1) 20,000 euros per specimen in the case of a live specimen of the species specified in Appendix A (except lynx);
- 2) 64,000 euros per individual in the case of a live specimen of the species specified in Appendix A (except lynx) from nature;
- 3) in the case of a hunting trophy made from an animal of the species specified in Annex A (except lynx), 20,000 euros per hunting trophy:
- 4) in the case of a derivative and traditional medicine made from a specimen of the species specified in Appendix A, 0.64 euros per gram of the product;
- 5) in the case of a product made from one whole or several animals of the species specified in Annex A (except lynx), it is 20,000 euros per product;
- 6) 640 euros per product in the case of a product made from up to one specimen of the species specified in Appendix A (except lynx);
- 7) in the case of a living specimen of the species specified in Appendix B, 3,200 euros per specimen;
- 8) 6,400 euros per individual in the case of a live specimen of the species specified in Appendix B from nature;
- 9) in the case of a hunting trophy made from an animal of the species specified in Appendix B, 1,300 euros per hunting trophy;
- 10) in the case of a derivative made from a specimen of the species specified in Annex B and a traditional medicine, 32 euros per kilogram of the product;
- 11) 3,200 euros per product in the case of a product made from one whole or several specimens of the species specified in Appendix B;
- 12) in the case of a product made from up to one specimen of the species specified in Appendix B, 200 euros per product;
- 13) in the case of a live lynx, 640 euros per individual;
- 14) in the case of lynx skin, 450 euros per skin;
- 15) in the case of a lynx skull, 32 euros per skull;
- 16) in the case of a product made from one or more lynx, 640 euros per product;
- 17) 130 euros per product for products made from up to one lynx specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (9) The rate of compensation for violation of the rules of transactions and operations with specimens of the species of elephant family is:
- 1) in the case of a living specimen, 3,200 euros per specimen;
- 2) in the case of a live specimen from nature, 64,000 euros per specimen;
- 3) in case of a hunting trophy (for example skin, skull), 20,000 euros per hunting trophy;
- 4) in the case of derivatives and traditional medicinal products, 1.30 euros per gram of the product;
- 5) in the case of unprocessed elephant wax, 320 euros per kilogram;
- 6) in the case of a product, 320 euros per product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (10) The rate of compensation for the violation of the rules of transactions and operations with specimens of the ungulate species is:
- 1) in the case of a live specimen, 320 euros per specimen
- 2) in the case of a hunting trophy made from the specimen, 640 euros per hunting trophy;
- 3) 640 euros per specimen in the case of a live specimen from the wild of the species specified in Appendix A of the ungulate society;
- 4) 64,000 euros per specimen in the case of a living wild specimen of a species belonging to the rhinoceros family:
- 5) in the case of a hunting trophy made from a specimen of a species belonging to the rhinoceros family, 20,000 euros per hunting trophy;
- 6) in the case of an individual of a species belonging to the rhinoceros family, 3,200 euros per kilogram of horn;
- 7) in the case of a derivative made from a specimen of a species belonging to the rhinoceros family and a traditional medicine, 1.30 euros per gram of the product.

- (11) The rate of compensation for the violation of the rules of transactions and operations with specimens of the ungulate species is:
- 1) in the case of a living specimen, 320 euros per specimen;
- 2) 640 euros per individual in the case of a live specimen of the species specified in Appendix A from nature;
- 3) 260 euros per product in the case of a product made from the wool of a specimen of the species specified in Appendix A;
- 4) in the case of a product made from the wool of a specimen of the species specified in other appendices, 130 euros per product;
- 5) in the case of wool of the specimen of the species specified in Appendix A, 64 euros per kilogram of wool;
- 6) in the case of wool of specimens of the species mentioned in other annexes, 32 euros per kilogram of wool;
- 7) in the case of a skull, 64 euros per skull;
- 8) in the case of skin, 200 euros per skin;
- 9) in the case of a product containing musk deer, 3.20 euros per gram of the product.
- [ RT I 2010, 60, 407 entry into force. 01.01.2011]
- (12) The rate of compensation for violation of the rules of transactions and operations with specimens of the class of birds not mentioned in subsections 13 and 14 is:

- 1) in the case of a living specimen, 320 euros per specimen;
- 2) 3,200 euros per specimen in the case of a live specimen of the species specified in Appendix A from nature;
- 3) 960 euros per individual in the case of a live specimen of the species specified in Appendix B from nature;
- 4) in the case of a dead specimen and a product made from the specimen, 200 euros per product;
- 5) for up to one product made of leather, 13 euros per product.

- (13) The rate of compensation for the violation of the rules of transactions and operations with specimens of the species of hawks and cuckoos is:
- 1) in the case of a living specimen, 6,400 euros per specimen;
- 2) 32,000 euros per individual in the case of a live specimen of the species specified in Appendix A from nature;
- 3) 20,000 euros per individual in the case of a live specimen of the species specified in Appendix B from nature;
- 4) in the case of leather and one or more leather products, 3,200 euros per leather or product;
- 5) in case of less than one product made of leather, 64 euros per product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (14) The rate of compensation for the violation of the rules of transactions and operations with specimens of the parrot society species is:
- 1) 3,200 euros for a living specimen of the species specified in Appendix A and 9,600 euros per specimen for a living specimen from the wild:
- 2) in the case of a dead specimen of the species specified in Appendix A, 3,200 euros per specimen;
- 3) 450 euros in the case of a living specimen of the species specified in Appendix B and 1,300 euros per specimen in the case of a living specimen from nature;
- 4) in the case of a dead specimen of the species specified in Appendix B, 320 euros per specimen;
- 5) in case of less than one product made of leather, 13 euros per product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (15) The rate of compensation for violation of the rules of transactions and operations with specimens of the class of reptiles and amphibians is:
- 1) in the case of a living specimen, 64 euros per specimen;
- 2) 3,200 euros per specimen in the case of a live specimen of the species specified in Appendix A from nature;
- 3) 450 euros per specimen in the case of a live specimen of the species specified in Appendix B from nature;
- 4) in case of more than four dead specimens and products made from specimens, 200 euros per specimen or product;
- 5) in case of more than four products made from one or more specimens, 200 euros per product;
- 6) in case of more than four products made from less than one specimen, 64 euros per product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (16) The rate of compensation for the violation of the rules of transactions and operations with cartilaginous and bony fish class specimens is:
- 1) in the case of live and dead specimens, 13 euros per kilogram, but not less than 6.40 euros per specimen or 32 euros per specimen from nature;
- 2) in the case of caviar, 1,300 euros per kilogram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (17) The rate of compensation for the violation of the rules of transactions and operations with the specimen of an invertebrate animal is:
- 1) in the case of the specimen, its part and the product and derivative made from it, 16 euros per specimen, part of the specimen, product or derivative;
- 2) in the case of corals, 32 euros per kilogram;
- 3) in the case of an individual of a species belonging to the mollusk family, 20 euros per kilogram, but not less than 6.40 euros per individual

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

## § 28. Rate of compensation for violation of the rules of transactions and operations with specimens of plant species specified in Annexes A–D of EU Council Regulation No. 338/97

- (1) The rate of compensation for the violation of the rules of transactions and operations with specimens of the agave ( *Agavaceae* ) family: 1) in the case of a live plant is 13 euros per specimen;
- 2) in the case of seeds, it is 13 euros per gram.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(2) The rate of compensation for the violation of the rules of transactions and operations with specimens of living plants of the Amaryllidaceae family specified in Appendix B *is* 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (3) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Apocynaceae* family: 1) in the case of live plants, it is 64 euros per specimen;
- 2) in the case of a product containing an individual of the canine family, it is 0.64 euros per gram of the product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(4) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Araliaceae* family is 13 euros for every 10 grams of roots.

- (5) The rate of compensation for violation of the rules of transactions and operations with specimens of the Araucariaceae ( *Araucariaceae*
- ) family: 1) in the case of a living plant, it is 13 euros per specimen;

2) in the case of seeds, 13 euros per seed.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(6) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Berberidaceae* family in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(7) The rate of compensation for the violation of the rules of transactions and operations with specimens of the bromeliad family ( *Bromeliaceae* ) in the case of living plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (8) The rate of compensation for the violation of the rules of transactions and operations with specimens of the genus *Cactaceae*: 1) in the case of specimens, it is 13 euros per living plant and each seed;
- 2) in the case of live obregonia ( Obregonia denegrii ) and belligerent mail cactus ( Pachycereus militaris ) plants mentioned in Annex A, it is 64 euros per specimen;
- 3) in the case of a product containing an individual of the cacti family, it is 0.64 euros per gram of the product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(9) The rate of compensation for the violation of the rules of transactions and operations with specimens of the family *Caryocaraceae* in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (10) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Compositae* family: 1) in the case of live plants, it is 13 euros per specimen;
- 2) in the case of a product containing an individual of the family of corvids, it is 0.64 euros per gram of the product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(11) The rate of compensation for the violation of the rules of transactions and operations with specimens of the genus *Crassulacea* in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(12) The rate of compensation for the violation of the rules of transactions and operations with specimens of the cypress family ( *Cupressaceae* ) in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(13) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Cyatheaceae* family in the case of live plants is 64 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(14) The rate of compensation for the violation of the rules of transactions and operations with a specimen of the *Cycadaceae* family in the case of a live plant is 200 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(15) The rate of compensation for the violation of the rules of transactions and operations with specimens of the Diapensiaceae ( *Diapensiaceae* ) family in the case of living plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(16) The rate of compensation for the violation of the rules of transactions and operations with specimens of the Dicksonian family ( *Dicksoniaceae* ) in the case of living plants is 64 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(17) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Didiereaceae* family in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(18) The rate of compensation for the violation of the rules of transactions and operations with specimens of the yam family ( *Dioscoreaceae* ) in the case of a live plant is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(19) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Droseraceae* family in the case of live plants is 32 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(20) The rate of compensation for the violation of the rules of transactions and operations with specimens of the milkweed ( *Euphorbiaceae* 

) family: 1) in the case of living plants specified in Annex A is 32 euros per specimen;

2) in the case of a live plant mentioned in Annex B, it is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(21) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Fouquieriaceae* family: 1) in the case of living plants specified in Appendix A is 32 euros per specimen;

2) in the case of a live plant mentioned in Annex B, it is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(22) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Gnetaceae* family in the case of living plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(23) The rate of compensation for the violation of the rules of transactions and operations with specimens of the walnut family ( *Juglandaceae* 

): 1) in the case of veneer, it is 20 euros per square meter;

- 2) in the case of lumber, 2,000 euros per cubic meter.
- [ RT I 2010, 60, 407 entry into force. 01.01.2011]
- (24) The rate of compensation for the violation of the rules of transactions and operations with specimens of the leguminous family ( *Leguminosae* , *Fabaceae* ):
- 1) in the case of veneer made from specimens of the species *Dalbergia nigra* specified in Appendix A , is 20 euros per square meter; 2) in the case of lumber made from *Dalbergia nigra* specimens of the species specified in Appendix A, it is 6,400 euros per cubic meter; 3) in the case of live plants of the species *Dipteryx panamensis* mentioned in Appendix C, it is 13 euros per specimen; 4) in the case of a veneer made from a specimen of the species *Pericopsis elata* mentioned in Annex B, it is 13 euros per square meter; 5) in the case of lumber made from specimens of the species *Pericopsis elata* mentioned in Appendix B, it is 3,200 euros per cubic meter; 6) in the case of a veneer made from a specimen of the species *Platymiscium pleiostocbyum* mentioned in Annex B, it is 6.40 euros per square meter; 7) in the case of lumber made from specimens of the species *Platymiscium pleiostocbyum* specified in Appendix B, it is 2,000 euros per cubic meter; 8) in the case of veneer made from the species *Pterocarpus santalinus* mentioned in Annex B, it is 6.40 euros per square meter; 9) in the case of lumber made from the species *Pterocarpus santalinus* mentioned in Appendix B, it is 2,000 euros per cubic meter. [RT I 2010, 60, 407 entry into force. 01.01.2011]

- (25) The rate of compensation for violation of the rules of transactions and operations with specimens of the *Liliaceae* family: 1) in the case of living plants specified in Annex A is 32 euros per specimen;
- 2) in the case of a living plant specified in Annex B, it is 13 euros per specimen;
- 3) in the case of a product containing an individual of the lily family, it is 0.64 euros per gram of the product.
- [ RT I 2010, 60, 407 entry into force. 01.01.2011]
- (26) The rate of compensation for the violation of the rules of transactions and operations with specimens of the Magnoliaceae ( *Magnoliaceae* ) family in the case of live plants is 13 euros per specimen.

- (27) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Meliaceae* family: 1) in the case of veneer made from specimens of the species *Cerdela odorata* mentioned in Appendix C, is 6.40 euros per square meter; 2) in the case of lumber made from *Cerdela odorata* specimens of the species specified in Appendix C, it is 1,300 euros per cubic meter; 3) *Swietenia spp* of the genus mentioned in Appendix B. in the case of a veneer made from a specimen of the species, it is 13 euros per square meter; 4) *Swietenia spp* of the genus mentioned in Appendix B. in the case of lumber made from a specimen of the species, it is 2,600 euros per cubic meter. [RT I 2010, 60, 407 entry into force. 01.01.2011]
- (28) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Nepenthaceae* family: 1) in the case of a living plant specified in Annex A, it is 64 euros per specimen;
- 2) in the case of a living plant mentioned in Annex B, it is 32 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (29) The rate of compensation for the violation of the rules of transactions and operations with specimens of the orchid family ( *Orchidaceae* ), excluding Estonian species:
- 1) in the case of living plants specified in Appendix A is 130 euros per specimen;
- 2) in the case of living plants specified in Annex B, it is 64 euros per specimen;
- 3) in the case of a product containing an individual of the ungulate family, it is 0.64 euros per gram of the product.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(30) The rate of compensation for the violation of the rules of transactions and operations with specimens of *the Orobanchaceae* family in the case of living plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(31) The rate of compensation for the violation of the rules of transactions and operations with specimens of the palm family ( *Palmae* ) in the case of living plants is 32 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(32) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Papaveraceae* family in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(33) The rate of compensation for the violation of the rules of transactions and operations with specimens of the pine family ( *Pinaceae* ) in the case of living plants is 32 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (34) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Podocarpaceae* family: 1) in the case of living plants specified in Appendix A is 130 euros per specimen;
- 2) in the case of living plants mentioned in Annex B, it is 64 euros per specimen.

(35) The rate of compensation for the violation of the rules of transactions and operations with specimens of the Portulacaceae *family* in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(36) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Primulaceae* family in the case of live plants is 32 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(37) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Proteaceae* family in the case of living plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (38) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Ranunculaceae* family: 1) in the case of live plants of the species *Adonis vernalis* is 32 euros per specimen;
- 2) in the case of a living plant of the species Hydrastis canadesis, it is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(39) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Rosaceae* family in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(40) The rate of compensation for the violation of the rules of transactions and operations with specimens of *the Rubiaceae* family in the case of living plants is 32 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (41) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Sarraceniaceae* family: 1) in the case of live plants included in Appendix A is 32 euros per specimen;
- 2) in the case of a live plant included in Annex B, it is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(42) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Scrophulariaceae* family in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (43) The rate of compensation for the violation of the rules of transactions and operations with specimens of the Stangeriaceae family:
- 1) in the case of live plants included in Appendix A is 96 euros per specimen;
- 2) in the case of a live plant included in Annex B, it is 130 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(44) The rate of compensation for the violation of the rules of transactions and operations with specimens of the yew family ( *Taxaceae* ) in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(45) The rate of compensation for the violation of the rules of transactions and operations with specimens of the tetracentric ( *Trochodendraceae* ) family in the case of living plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(46) The rate of compensation for *Gonystylus spp*. for the violation of the rules of transactions and operations with the specimen in the case of lumber made from the said specimen is 640 euros per cubic meter.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(47) The rate of compensation for the violation of the rules of transactions and operations with specimens of the valerian family ( *Valerianaceae* ) in the case of living plant roots is 13 euros per 100 grams of roots.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(48) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Welwitchiaceae* family in the case of living plants is 64 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

- (49) The rate of compensation for the violation of the rules of transactions and operations with specimens of the Zamiaceae family:
- 1) in the case of living plants specified in Annex A, is 64 euros per specimen;
- 2) in the case of a living plant mentioned in Annex B, it is 200 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(50) The rate of compensation for the violation of the rules of transactions and operations with specimens of the ginger family ( *Zingiberaceae* ) in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

(51) The rate of compensation for the violation of the rules of transactions and operations with specimens of the *Zygophyllaceae* family in the case of live plants is 13 euros per specimen.

[ RT I 2010, 60, 407 - entry into force. 01.01.2011]

# Chapter 3 IMPLEMENTATION PROVISION

§ 29. [Omitted from this text.]

Annex to Regulation No. 69 of the Government of the Republic of April 8, 2005 "Procedure and rates of compensation for environmental damage caused by the

FORM OF THE ACT FOR	DETERMINING THE AMOUNT OF ENVIRONM	ENTAL DAMA	GE		
Institution name, address, Act on determining the a	telephone mount of environmental damage				
a protocol no	to				
1. Time of preparation of the	ne act:				
2. Place of preparation of t	the deed:				
3. Compiler of the act (job	title, first and last name):				
4. Time and place of dama	age:				
5. Cause of damage:					
/natural person's first and l	last name, social security code, address/				
/name of legal entity, regis	try code, address/		•		
6. Compensation for dama	age:				
Name of species or protected area or conservation area	The number of individuals or the size of the permanent habitat or protected area or conservation area	Extent of damage	Rate of damages	Amount of compensation	Notes
TOGETHER:					
7. Appendices to the act:					
Signature of the author of	f the deed:				