

LAW ON HUNTING MANAGEMENT
Chapter I
GENERAL PROVISIONS

Article 1. Purpose of the Law

The purpose of this Law is to regulate the use of hunting grounds and game stock under the period of Land Reform. The Law confirms regulations for the use of present hunting grounds and provides a legal basis for establishing private hunting districts.

Article 2. Terms Used in the Law

The terms used in the present Law have the following meanings:

Hunting ground - area suitable for loose living of game, used for hunting purposes;

Hunting tenant - contract-based holder of a hunting district;

Hunting rent contract - written contract concluded for the use of a hunting district;

Hunting management plan - document, determining the inventorying of hunting grounds, game protection and support activities and optimal number of game.

Article 3. Hunting Right

(1) Hunting right is the right attached to a land owner to regulate hunting on his land under terms provided by the Law or prohibit hunting altogether.

(2) Hunting right shall not extend to lands where the established protection regime does not allow hunting.

(3) Hunting must not be prohibited on state owned lands considered to be hunting grounds but lying outside state hunting districts.

(4) Hunting right shall be allowed to be transferred only to the citizens of the Republic of Estonia or juristic persons registered in the Republic of Estonia.

(5) Farmers who have received their land but whose landed property has not been recorded in the Real Estate Registry yet, have equal legal rights with land owners.

(6) The land owner or holder of a hunting district has no right to prohibit chasing of wounded game from sunrise to sunset.

Chapter II USE OF HUNTING GROUNDS

Article 4. Hunting District

(1) Hunting grounds shall be given for use as hunting districts.

(2) Hunting districts shall be divided into:

- state hunting districts;
- tenant hunting districts;
- private hunting districts.

(3) National parks and nature conservation areas locating within hunting districts where hunting is organized under the guidance of legal acts prescribing protection regimes for the regulation of game abundance or in the purposes of scientific research shall not be considered to be hunting grounds.

Article 5. State Hunting District

(1) A state hunting district is a hunting district with a hunting area of at least 5000 hectares within a ringborder, managed by a state institution. The number, area and border descriptions of state hunting districts, based on current management and use shall be established by the Government of Estonia.

(2) The use of private land within the territory of a state hunting district in regard to hunting shall be regulated by a contract concluded between the land owner and the manager of the state hunting district.

(3) Hunting in a state hunting district shall be regulated by the State Forest Department.

Article 6. Tenant Hunting District

(1) A tenant hunting district is a hunting district with a hunting area of at least 5000 hectares within a ringborder, leased on the basis of a hunting rent contract. The number, area and border descriptions of tenant hunting districts, based on current management and use shall be established by the Minister of the Environment on the proposal of the hunting council of the local county.

(2) The use of land within a tenant hunting district in regard to hunting shall be regulated by a contract concluded between the land owner or holder and the hunting tenant. The mentioned contract is an annex to the hunting rent contract.

(3) Hunting in a tenant hunting district shall be regulated by the hunting tenant.

Article 7. Private Hunting District

(1) A private hunting district is a hunting district with a hunting area of at least 150 hectares within a ringborder, established on the lands of a landowner as a natural person.

(2) For setting up private hunting districts landowners as natural persons may join their lands or unite them on contract basis with other lands within a ringborder. State owned lands shall be allowed to be united with private hunting districts only after approval by the Government of Estonia.

(3) Private hunting districts shall be excluded from the hunting grounds of both state hunting districts as well as tenant hunting districts.

(4) A private hunting district shall be registered in the local administration. Hunting in a private hunting district shall be regulated by the owner, guided by the contract on the use of game stock. In a private hunting district with two or more owners hunting shall be conducted on the ground of the statutes of a council set for it or a contract regulating co-operation.

Article 8. Giving a Hunting District for Use

(1) A state hunting district shall be given for use in accordance with regulations set by the State Forest Department.

(2) A tenant hunting district shall be given for use in the existence of a hunting rent contract between the Governor of the county the hunting district lies within and the hunting tenant if the below conditions are followed:

1) the hunting tenant has received a recommendation for the use of the hunting district from the hunting council of the local county.

2) the hunting tenant has received a consent for the use of the hunting district from the local administration. The latter may before granting the consent demand that the contracts concluded with the land owners or holders be submitted.

The hunting rent contract shall be approved by the Governor of the local county. If the hunting ground locates within the borders of two or more counties, a separate hunting rent contract shall be concluded with each county.

(3) The number of tenant hunting districts to be given for use to one hunting tenant is not limited.

(4) A private hunting district shall be given for use by a contract on the use of game stock to be concluded between the owner of the private hunting district and the Governor of the local county.

(5) On islands, the territory of which does not enable to establish hunting districts with areas the Law enacts and which have not joined some other hunting districts, it is possible to create smaller state, tenant and private hunting districts.

Article 9. Hunting Rent Contract

(1) The hunting rent contract shall be concluded for five years.

(2) The hunting rent contract includes:

- 1) the number of game stock and conditions for its use;
- 2) restrictions arising from protection regimes;
- 3) the list of obligations to be fulfilled by the hunting tenant for carrying out game protection and support activities and avoiding game damages;
- 4) the responsibilities of the parties, should the contract be violated;
- 5) conditions for prolonging or renewing the contract.

(3) Agreements on the possibilities of land use and hunting conditions concluded between the land owners or holders and the tenant serve as annexes to the hunting rent contract. As far as state owned land is concerned the agreement should foresee no payment due.

(4) Conditions set by land owners or holders must neither exclude hunting nor hinder game protection and support activities.

(5) The hunting rent contract shall be accompanied by border descriptions and a map of the hunting district.

Article 10. Contract on the Use of Game Stock

The contract on the use of game stock shall include analogous requirements with the hunting rent contract, except for the conditions for the use of land.

Article 11. Stoppage of the Use of Hunting District

(1) The use of a state hunting district may be stopped on the decision of the surveillance authorities if the manager does not follow the rules for the use of the hunting district.

(2) The use of a tenant or private hunting district may be stopped on the decision of the surveillance authorities or the Governor of the local county if the hunting tenant or manager of the hunting district do not follow the conditions for the use of the hunting district.

Article 12. Cessation of the Use of Hunting District

(1) The use of a state hunting district shall be ceased according to order established by the State Forest Department.

(2) The use of tenant hunting districts and private hunting districts shall be ceased:

1) if the hunting tenant or the manager of the hunting district gives up the use of the district;

2) after a judicial decision made on the basis of a civil suit launched by the party leasing the hunting district if the hunting tenant or manager of the hunting district do not follow the requirements for game protection and support or do not fulfill the allowed application norms established for the use of the hunting district.

(3) The reduction of state or tenant hunting districts under an established limit, if it is caused by the formation of private hunting districts, does not by itself bring about the cessation of the use of a state or tenant hunting district.

(4) If the hunting ground of a state, tenant or private hunting district has reduced under an established limit resulting from the creation of protection regimes excluding hunting, the Minister of the Environment may cease the use of the relevant hunting district.

Chapter III USE OF GAME STOCK

Article 13. Game Stock

(1) The list of game stock shall be confirmed by the Government of the Republic of Estonia.

(2) Natural and juristic persons except for juristic persons whose statutory activities do not include hunting, possess the right to use game stock.

(3) The management plan of a hunting ground serves as a basis for the use of game stock. The Ministry of the Environment shall decide on the amount and use of game stock.

Article 14. Payment for the Use of Game Stock

(1) The payment for the use of game stock includes the hunting rent, the price for the hunting right and the price for the hunting licence.

(2) The management plan of a hunting ground or taxation results of a hunting ground form a basis for the calculation of the price for hunting rent and hunting right.

(3) Prices for hunting rent and hunting right shall be established for a year. The hunting rent and the price for the hunting right are subject to reconsideration after changes in the area of the hunting district.

Article 15. Hunting Rent

(1) The order for calculating and paying rent shall be established by the Minister of the Environment. 20% of the hunting rent is due to be transferred to the budget of the local administration.

(2) Of the hunting rent calculated for the use of a state hunting district the holder pays the amount to be transferred to the budget of the local administration.

(3) No rent is due for the use of private land in a private hunting district.

(4) For the use of a tenant hunting district hunting rent is due in full extent.

Article 16. Price for the Hunting Right

The price for the hunting right and compensation order for the latter shall be settled by the Minister of the Environment. The prices shall depend on the participation of the applicant for the hunting right in game support and protection activities.

Article 17. Price for the Hunting Licence

In a state hunting district the price of the hunting licence shall be established by the State Forest Department, in a tenant hunting district by the hunting tenant and in a private hunting district by the owner.

Article 18. Application of Funds Derived from the Use of Game Stock

(1) On the basis of the funds derived from hunting rent and the sale of hunting rights the Hunting Foundation by the Environmental Fund shall be established with the view of promoting hunting.

(2) The funds paid to the local budget shall be used by the local administration according to its will.

(3) The funds paid for hunting licences shall be used in state hunting districts according to the procedure established by the State Forest Department, in tenant and private hunting districts according to the will of the owner.

Article 19. Hunting

(1) The term "hunting" refers to tracking, chasing or killing of game.

(2) Staying in a hunting ground accompanied by kill or hunting equipment, except staying there

- 1) with an unloaded hunting gun in its bag;
- 2) with a dog on leash;
- 3) for performing one's duty

shall be considered to be equal with hunting.

(3) In a hunting district the documents testifying the right to hunt are the hunting certificate, the hunting licence, the licence to carry firearms and when hunting with a dog the dog's passport.

(4) The land owner who has the hunting certificate granted by the administration of local county, the licence to carry firearms and while hunting with a dog the dog's passport, may on his premises with an area of over 2 hectares, locating within a ringborder hunt free of charge, except for big game, according to order enacted by the Law.

(5) Hunting for big game shall be allowed in a hunting district with an area of at least 5000 hectares.

(6) Hunting urged by the need to regulate game abundance or in the purposes of scientific research conducted in national parks, nature protection areas as well as in tenant hunting districts that have suffered from game damage and lack a tenant, shall be arranged according to order established by the Minister of the Environment.

(7) Hunts arranged in common interest, i.e. for preventing the distribution of diseases as well as wolf hunts shall be organized by the administration of local county, and land owners and the users of hunting districts have no right to forbid it.

(8) The owner of a private hunting district with an area of less than 5000 hectares may in agreement with the users of state, tenant or private hunting districts bordering on his lands allow hunts for big game within his hunting district. Otherwise he shall not possess the right to claim for compensation for the damage caused by the game whose hunting he forbade.

Article 20. Hunting Certificate

(1) Hunting certificate is an official document whose submitter has the right to get a hunting licence and hunt independently.

(2) Every natural person at the age of 18 who has passed the hunting proficiency test and paid state duties has the right to obtain a hunting certificate.

(3) The form and procedure of grant of the hunting certificate as well the order for passing the hunting proficiency test shall be established by the Minister of the Environment.

Article 21. Hunting Licences

(1) Hunting licences are the licence for hunting big game and the licence for hunting game.

(2) The form of the licence for hunting big game and the procedure for its issuance shall be established by the Minister of the Environment.

(3) The form of the licence for hunting game shall be established by the Minister of the Environment. The licence for hunting game shall be issued by the manager of the state hunting district, tenant of the tenant hunting district or the owner of the private hunting district.

(4) The Minister of the Environment has the right to determine the number of hunting licences to be issued in a hunting district and grant hunting licences for game not considered to be hunting targets or for hunting game outside the hunting season.

Chapter IV FINAL PROVISIONS Article 22. Hunting Council

(1) The tasks of the hunting council are given hereinafter:
1) giving recommendations for the use tenant hunting districts;
2) making proposals in regard to confirming the area and borders of tenant hunting districts;
3) arranging the accounting of game stock;
4) determining the amount of game stock to be used.

(2) A hunting council shall be established in every county. The staff and statutes of the hunting council shall be approved by the Governor of the local county. The hunting council shall include two members moved by the Minister of the Environment.

Article 23. Hunting Surveillance

(1) An official who has the right for hunting surveillance according to Articles 209 and 228 of the Code of Violation of Administrative Law may check all persons staying in hunting grounds with firearms, other hunting equipment and kill.

(2) The person checked is obliged to present the above official on his demand the following:
1) documents certifying the right to hunt;
2) firearms and other hunting equipment;
3) kill.

(3) The authorities of the person having the right for hunting surveillance shall extend to land owners and hunting tenants.

Article 24. Hunting Regulations, Accounting of Game Stock and Calculation of the Damage Caused by Game

(1) Rates for the calculation of damage caused to game stock shall be established by the Government of Estonia.

(2) The Hunting Regulations, hunting seasons and order for accounting game stock shall be established by the Minister of the Environment.

Article 25. Validity of the Law

(1) The current Law shall be in force until the adoption of the Game Law.

(2) The existing contracts on the use of hunting grounds shall lose their validity on September 1st, 1994.

(3) The Estonian SSR Law on the Order of the Use of the Environment and Natural Resources shall be invalidated (ENSV Teataja 1989, 40, 619).

(4) Paragraph 3 of Article 14 of the Estonian SSR Law on Farms shall be invalidated (ENSV Teataja 1989, 39, 611).

(5) The decision of the Supreme Council of the ESSR on enforcing the Law on the Order of the Use of the Environment and Natural Resources (ENSV Teataja 1989, 40, 620) shall be invalidated.

Chairman of the State Assembly

Ülo Nugis

Tallinn

April 5th, 1994