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Forest Act¹

Adopted on 07.06.2006
RT I 2006, 30, 232
entry into force on 01.01.2007, partially on 01.07.2007. a.

Amended by the following acts

Reception	Publication	Enforcement
24.01.2007	RT I 2007, 12, 64	20.07.2007
10.12.2008	RT I 2008, 56, 314	01.01.2009
11.12.2008	RT I 2008, 58, 328	01.01.2009
18.12.2008	RT I 2009, 3, 15	01.02.2009
26.11.2009	RT I 2009, 62, 405	01.01.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011 shall enter into force on the day specified in the decision of the Council of the European Union on the annulment of the exception established for the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council of the European Union 13.07.2010. a decision No. 2010/416/EU (OJ L 196, 28.07.2010, pp. 24–26).
16.12.2010	RT I, 05.01.2011, 13	15.01.2011
28.02.2013	RT I, 20.03.2013, 1	01.04.2013
20.11.2013	RT I, 11.12.2013, 1	01.01.2014, partially 01.07.2014
19.02.2014	RT I, 13.03.2014, 2	23.03.2014, partially 01.01.2015, 01.01.2017 and 01.01.2019
19.02.2014	RT I, 13.03.2014, 4	01.07.2014, partially 23.03.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
20.06.2014	RT I, 08.07.2014, 3	01.08.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, titles of ministers replaced on the basis of § 107 ³ subsection 4 of the Government of the Republic Act.
11.02.2015	RT I, 04.03.2015, 1	14.03.2015
18.02.2015	RT I, 12.03.2015, 4	01.10.2015, partially 01.03.2016
18.02.2015	RT I, 23.03.2015, 4	01.07.2015
09.12.2015	RT I, 30.12.2015, 1	18.01.2016
14.06.2017	RT I, 06.07.2017, 1	01.09.2017
16.01.2018	RT I, 26.01.2018, 5	05.02.2018
16/05/2018	RT I, 31.05.2018, 3	01.01.2019
06.06.2018	RT I, 29.06.2018, 1	01.07.2018
20.02.2019	RT I, 13.03.2019, 2	15.03.2019
17.06.2020	RT I, 10.07.2020, 2	01.01.2021
15.12.2020	RT I, 30.12.2020, 2	01.03.2021
16.12.2020	RT I, 04.01.2021, 1	01.05.2021
11.05.2022	RT I, 27.05.2022, 1	06.06.2022
20.06.2023	RT I, 30.06.2023, 1	01.07.2023; On the basis of § 105.19 subsection 6 of the Government of the Republic Act, the word "Environment Ministry" throughout the text is replaced by the word "Climate Ministry" in the corresponding case

Chapter 1 general settings

§ 1. Scope of the Act

(1) This Act regulates the direction of forestry, organization and management of the forest and compensation for damage caused to the environment within the meaning of this Act, and stipulates liability for violations of this Act.

(2) The provisions of the Administrative Procedure Act apply to the administrative procedure provided for in this Act, taking into account the specifics of this Act.

(3) When making an injunction on the basis of this Act, the provisions of the Act on Substitute Enforcement and Extortion shall be taken into account, taking into account the specifics of this Act.

§ 2. Purpose of the Act

(1) The purpose of this Act is to ensure the protection and sustainable management of the forest as an ecosystem.

(2) Forest management is sustainable if it ensures the diversity of life, forest productivity, renewability and vitality, as well as the possibility of versatile forest use satisfying ecological, economic, social and cultural needs.

§ 3. Forest and woodland

(1) A forest is an ecosystem that consists of forest land, the vegetation growing on it and the fauna living there.

(2) Forest land is land that meets at least one of the following requirements:

[RT I, 06.07.2017, 1 - entered into force. 01.09.2017]

1) the forest land is entered in the land cadastre as a log;

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

2) is a plot of land with an area of at least 0.1 hectare, on which woody plants grow with a height of at least 1.3 meters and with a union of tree crowns of at least 30 percent.

(3) For the purposes of this Act, outdoor land, residential land, park, cemetery, green area, berry and orchard, nursery, garden, arboretum and tree and shrub plantations are not considered forest land.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(4) A tree and shrub plantation within the meaning of this Act is a place of growth established for the intensive cultivation of trees and shrubs in non-forest land, where trees and shrubs are grown according to a regular law and are managed at the same age.

§ 4. Application of the law

(1) This Act applies to forest land, vegetation growing on it and fauna living there.

(2) This Act does not apply to:

1) a piece of forest land smaller than 0.5 hectares in size;

2) in relation to land that meets the requirements of § 3 (2) point 2 of this Act, but where the average age of the trees does not exceed ten years and the land is not registered as forest land in the land cadastre.

3) [invalidated - RT I 2008, 56, 314 - entry into force. 01.01.2009] 4) [invalid - RT I, 29.06.2018, 1 - entry into force. 01.07.2018] 5) [invalidated - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) For the purposes of this Act, a separate piece of forest land is a separate part of the forest that is surrounded on all sides by areas other than the forest.

§ 5. State forest land

(1) In order to ensure a stable state of the environment and versatile use of the forest, the area of state forest land must be at least 20 percent of the land area of the Republic of Estonia.

(2) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

Chapter 2 DIRECTION OF FORESTRY

§ 6. Duties of the state in forestry

(1) The duties of the state in forestry are:

1) directing forestry and for this purpose developing a development plan for the field of forestry and legislation regulating forestry;

[RT I, 13.03.2014, 2 - enters into force. 23.03.2014]

2) ensuring the good condition of the forest;

3) keeping records of forest resources;

4) supporting private forestry;

5) governance and management of the state forest;

6) organization of state supervision;

7) ensuring the protection of the diversity of forest life.

(2) The Ministry of Climate coordinates the performance of state tasks in forestry.

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(2) In order to ensure the natural balance of the forest, the Government of the Republic has the right to set limits on the area of renewal felling, if there are reasonable grounds to assume that the volume of felling may exceed the growth of the managed forest.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(3) The Ministry of Climate may authorize a foundation established for the development and support of private forestry, which has sufficient experience in the processing of subsidies in the field of forestry, to carry out the task of managing subsidies for private forestry, including the task of preparing analyzes and studies necessary for directing forestry and informing forest owners about state subsidies, and enter into an administrative cooperation agreement with it. according to the procedure provided by law.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(4) Supervision over the implementation of the administrative agreement concluded on the basis of subsection 3 of this section is carried out by the Ministry of Climate.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(5) If the administrative contract is terminated unilaterally or if there is another reason that prevents the foundation from continuing to perform the administrative task, the Ministry of Climate will organize the further performance of the administrative task.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

§ 7. Development plan for the field concerning forestry

[RT I, 13.03.2014, 2 - entered into force. 23.03.2014]

(1) In order to guide forestry, a development plan for the field of forestry is drawn up every ten years.

(2) In the development plan of the field concerning forestry, the goals of forestry development are determined and the measures and means necessary to achieve them are described.

(3) [Repealed - RT I, 13.03.2014, 2 - entered into force. 23.03.2014]

(4) In order to draw up a development plan for the field of forestry, the minister responsible for the field forms a working group, whose activities include forestry research institutions and other important interest groups related to forestry. Representatives of ecological, social, cultural and economic interests must be represented in the working group.

[RT I, 26.01.2018, 5 - enters into force. 05.02.2018]

(5) The Riigikogu approves the development plan for the forestry sector.

(6) Not less often than once every two years, the Government of the Republic submits to the Riigikogu a report on the implementation of the development plan for the field of forestry.

[RT I, 13.03.2014, 2 - enters into force. 23.03.2014]

§ 8. Forest Protection and Forest Renewal Center

[Repealed - RT I 2009, 3, 15 - entry into force. 01.02.2009]

§ 9. National register of forest resource accounting

(1) In order to fulfill its tasks in forestry, the state keeps records of the location, area, reserves, condition and use of forests in the national register of forest resource records (hereinafter referred to as *the forest register*).

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(2) The statute of the forest register, including the authorized processors, the detailed composition and procedure for putting the data into use, as well as the retention period, shall be established by a regulation of the minister responsible for the field .

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(3) The responsible processor of the forest register is the Ministry of Climate.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(4) Data entered in the forest register are public, with the exception of data subject to an access restriction due to the Public Information Act, including the following data on a forest owned by a natural person, if the forest owner has not disclosed them in the forest register:

1) reserve of growing forest from the inventory data of forest land, weighted average felling age, growth, breast area, fullness, reserve per hectare, number of trees (excluding the number of secondary trees), diameter and reserve of dead wood, and recommendations for silviculture techniques;

2) volume of felling works.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(5) The forest owner has access to all forest register data related to his ownership. Data from the forest register can also be issued to the authorized person of the forest owner to the extent specified in the authorization.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(6) As an exception, a person who has concluded an administrative contract with the Ministry of Climate has the right to access all data on the basis of § 6 (3) of this Act in order to perform the task of managing private forestry subsidies.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(7) As an exception, there is the right to access the data of the forest register specified in points 1 and 2 of subsection 4 of this section as follows:

1) a forest cooperative to advise the forest owner and organize forest management;

2) research and development institutions for core activities and activities accompanying core activities;

3) forest management company to inventory data for forest inventory.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(8) For the regular use or issuance of forest register data, the recipient of the data specified in subsection 6 and subsection 7 points 2 and 3 of this section and the authorized processor of the forest register shall enter into an agreement.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(9) The person specified in § 6 subsection 3 of this Act concludes an agreement with the forest cooperatives for the regular use of forest register data.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

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§ 9 . National forest inventory with a statistical selection method

(1) National forest inventory with a statistical selection method (hereinafter *SMI*) is a sample survey covering the whole of Estonia, during which sample plots are inventoried every year on a network of sample plots formed on the basis of systematic random selection

(2) The main purpose of SMI is to prepare statistical reviews of the existence, condition and use of Estonian forest resources, as well as land use and its changes.

(3) SMI inventory data is the data of plot locations, measurement and evaluation.

(4) SMI inventory data, with the exception of the locations of repeatedly inventoried sample plots (hereinafter *permanent sample plots*), are for internal use until the SMI results are published.

(5) The data on the location of permanent samples are for internal use until they are used as basic data for SMI.

(6) In the case provided for in subsection 5 of this section, the term of access restriction provided for in subsection 1 of § 40 of the Public Information Act does not apply. The access restriction will be established for five years. The head of the institution may extend the term of the access restriction in increments of five years, as long as the reason for imposing the access restriction persists.

(7) SMI is organized by the Environmental Agency. The Environmental Agency publishes the SMI results on its website.

(8) The Environmental Agency allows access to the data specified in subsection 5 of this section on the basis of a data usage agreement to research and development institutions for conducting research in the field of forestry, in the event that the grounds provided for in subsection 10 of this section do not exist.

(9) In the case provided for in subsection 8 of this section, the Environmental Agency concludes a data usage agreement with the user of the data (hereinafter *the user*), which stipulates the purpose of the research, the persons who have the right to use the transmitted data for research, the procedure for data processing and transmission, and the obligation to ensure the organizational, physical and IT protection of the data and the destruction of the data conditions after the end of the research.

(10) The Environmental Agency refuses to enter into a data usage agreement with the user if:

- 1) it is not convinced that the data will be used only for the scientific purposes specified in subsection 8 of this section;
- 2) he is not convinced that the person wishing to use the data implements sufficient measures to ensure compliance with the requirements for restricting access to the data;
- 3) the user has previously violated the terms of the data usage agreement, and according to the Environmental Agency, the user has not implemented sufficient measures to prevent future violations of the terms of the agreement.

(11) In case of refusal to conclude a contract, the Environmental Agency shall justify its decision.

(12) The data transmitted on the basis of subsection 8 of this section may be used only for the purpose specified in the data usage agreement.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

§ 10. Supporting private forestry

(1) The state supports:

[RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

- 1) counseling and training of private forest owners;
- 2) training of consultants and awarding of a profession to consultants and certification of consultants in the field of forest management;
- 3) investments made to increase the economic, ecological, social and cultural values of private forest owners' forests and forestry works, including the preservation of heritage culture and valuable habitats and forest improvement works;
- 4) joint forestry activities of private forest owners;
- 5) measures to prevent forest damage that may occur independently of the forest owner in a private forest and prevent their spread;
- 6) forest inventory of private forest owners.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(2) Support may be received by a private forest owner, a forest cooperative or a consultant, including preference is given to a private forest owner with a smaller forest holding as a support recipient.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(3) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(4) A private forest owner within the meaning of this Act is a natural and private legal person who owns forest land.

(5) For the purposes of this Act, a forest cooperative is a non-profit association or a for-profit cooperative, the activity of which according to the articles of association is forest management, and the members of which are natural or private legal entities that own forest land.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

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(5)) A consultant within the meaning of this Act is a person who has been assigned the profession of consultant in the field of forest management on the basis of the Professional Act and in accordance with the procedure stipulated therein. A person who has acquired a foreign professional qualification can also act as a consultant, if his professional qualification has been recognized in accordance with the Act on the Recognition of Foreign Professional Qualifications. The competent authority provided for in § 7 subsection 2 of the Act on the Recognition of Foreign Professional Qualifications is the Maamanjandus Infokeskus.

[RT I, 30.12.2015, 1 - enters into force. 18.01.2016]

(6) The beneficiary must be:

- 1) able to pay tax, his property must not be sequestered and he must not have liquidation proceedings initiated against him or a temporary bankruptcy administrator or declared bankruptcy in accordance with the said bankruptcy law;
- 2) fulfilled all his obligations related to state and local taxes;
- 3) has used forestry grants previously granted to him in a targeted manner;
- 4) without a valid deletion warning.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(7) [Repealed - RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

(8) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(9) If, after the grant has been paid, it becomes clear that the recipient of the grant provided false information, did not use the grant as intended, or circumstances emerge that would have caused the application to be rejected, the Ministry of Climate or the person who entered into an administrative agreement with the Ministry of Climate on the basis of § 6 (3) of this Act (hereinafter *the grant provider*) will demand the grant repayment of the money received as support from the recipient.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

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(9) The application will be rejected and the support will not be paid if:

[RT I, 06.07.2017, 1 - entered into force. 01.09.2017]

- 1) the applicant, beneficiary or application does not meet at least one of the requirements for receiving the grant;
- 2) the budget for the type of support or the financing of the activity does not allow a decision to satisfy the request;
- 3) the applicant has knowingly provided false information or, in the case of support of the same type of support, less than a year has passed since the provision of false information;

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

- 4) the applicant influences the processing of the application by fraud or threats or in other illegal ways;
- 5) the applicant does not allow himself or the application to be checked for compliance with the requirements for receiving support;
- 6) the applicant has not previously used the grants granted on the basis of this Act purposefully;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

- 7) the applicant has child support arrears in enforcement proceedings.

[RT I, 12.03.2015, 4 - enters into force. 01.03.2016]

2

(9) When checking the targeted use of the grant, the grantor has the right to:

1) check all documents in the applicant's possession, including financial documents, which are important for checking the targeted use of the grant;

2) carry out an on-site inspection at the applicant's or beneficiary's premises, including getting to know the supported work, activity or investment object and staying at the relevant property or building;

3) in case of discovery of deficiencies, demand their elimination by the specified deadline.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

3

(9) The money received as a subsidy is left unclaimed if the amount to be reclaimed is less than 100 euros.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(10) [Repealed - RT I, 11.12.2013, 1 - entry into force. 01.01.2014]

(11) The grounds for granting the grant, the requirements for the application, the procedure for applying for the grant and processing the application, the grounds for evaluating the application and the procedure for reclaiming the grant shall be established by a regulation of the minister responsible for the field .

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(12) [Repealed - RT I, 11.12.2013, 1 - entry into force. 01.01.2014]

(13) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(14) Granting the application, rejecting the application, paying and repaying the grant and other decisions related to the grant are made by the grantor.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

1

(14) The appeal filed against the decision specified in subsection 14 of this section shall be resolved within 30 days from the date of transmission of the appeal to the reviewing authority.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(15) [Repealed - RT I, 11.12.2013, 1 - entry into force. 01.01.2014]

(16) [Repealed - RT I, 11.12.2013, 1 - entry into force. 01.01.2014]

Chapter 3 FOREST MANAGEMENT

§ 11. Forest management

(1) The forest is organized with the aim of obtaining data on the state of the forest and the size of the reserves, advising the forest owner and planning long-term forest management activities.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) Forest management consists of the following actions (hereinafter *referred to as forest management*):

1) forest inventory;

2) planning of forest management works;

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) The forest is organized on the basis of the instructions for forest management established by the regulation of the minister responsible for the field .

(4) The forest management manual stipulates:

1) the conditions of forest mapping;

2) objectives and methodology of forest inventory;

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

3) requirements for planning forest management methods and techniques;

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

4) methodology for calculating the volume of forest felling;

5) requirements for the preparation of a forest management plan.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

1

(4) The forest is inventoried by surface taxing by cadastral or management units or by a statistical selection method. Forest inventory data, with the exception of those obtained by the statistical selection method, are valid for ten years after their entry together with the data of the forest map in the national register of forest resource accounting. The inventory data entered in the register must not be older than one year.

[RT I, 05.01.2011, 13 - entered into force. 15.01.2011]

2

(4) Valid inventory data is mandatory for renewal, thinning and selective cutting. The above does not apply to renewal felling on the basis of a forest protection expert act and to immovable property where the area of the forest is less than two hectares in the immovable property owned by a legal entity and less than five hectares in the immovable property owned by a natural person.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

3

(4) Together with the forest inventory, a forest management plan is drawn up for the forest owner, unless he does not want it.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(5) The state budget covers the costs of forest management, which the state incurs:

1) to keep records of forest resources;

2) [invalidated - RT I 2008, 56, 314 - entry into force. 01.01.2009] 3) for the payment of allowances on the basis of clause 10 (1) point 6 of this Act.

(6) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 12. Licensing obligation of the person carrying out forest management works

A person or a state-owned profit-making institution must have an activity permit to perform forest management works (hereinafter *activity permit*).

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

1

§ 12 . Activity license inspection subject

(1) An activity license is granted to a legal person or state profit-making institution:

1) who has sufficient technical means to perform forest management works in accordance with the specified requirements established on the basis of subsection 2 of this section;

2) who performs forest management works with a forest manager;

3) who is able to fulfill the requirements for the accuracy of determining the assessment features of bulk elements provided on the basis of § 11 (3) of this Act;

4) who is able to fulfill the requirements set forth on the basis of § 11 (3) of this Act when planning forest management works.

(2) The specified requirements for the technical means of forest management works shall be established by a regulation of the minister responsible for the field .

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

2

§ 12 . Forest manager's tests, exam and certificate

(1) A forest manager within the meaning of this Act is a natural person who has passed an exam and a test in the theory and practice of forest management works in accordance with the procedure established on the basis of this Act and who has a valid forest manager's certificate.

(2) The forest manager's trial work and examination are organized by the Environmental Agency (hereinafter referred to as *the Agency*), whose director forms a committee for this purpose and appoints the chairman of the committee.

(3) In order to apply for the forest manager's exam and test work, the applicant must:

1) have a higher or vocational secondary education in the field of forestry or a corresponding qualification;

2) submit an application to the agency.

(4) The agency issues a certificate confirming the necessary work skills and knowledge to a person who has successfully passed the exam and test work, or refuses to issue a certificate due to unsuccessful completion of the exam and test work.

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(4) The certificate is issued for five years.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

2

(4) In order to extend the validity of the certificate, the person holding it must participate in two trainings organized by the agency during the validity of the certificate, at least one of which involves practicing taxing.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

3

(4) In order to extend the validity of the certificate, an application must be submitted to the agency at least 30 days before the expiration of its validity period.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(5) The requirements for the forest manager's test work and exams, the procedure for the organization of test work and exams and the evaluation of the results, as well as the procedure for issuing, extending the validity and revoking the forest manager's certificate, shall

be established by a regulation of the minister responsible for the field .

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

1

(5) The agency may invalidate the forest manager's certificate if the person holding the certificate has:

- 1) violated the requirements for forest management works within six months on 20 percent of the cadastral units whose forest inventory data has been submitted for entry in the forest register;
- 2) distorted the data on the height, breast diameter, age, breast area or composition of the stand in at least one forest reserve in such a way that it could lead to environmental damage of at least 6,400 euros.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

2

(5) A person whose forest manager's certificate has been revoked may, 24 months after the date of its revocation, submit an application to take the forest manager's exam and test work.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(6) A person who has acquired a foreign professional qualification may also act as a forest manager, if his professional qualification has been recognized in accordance with the Act on the Recognition of Foreign Professional Qualifications. The competent authority provided for in § 7 subsection 2 of the Act on the Recognition of Foreign Professional Qualifications is the Environmental Agency.

[RT I, 30.12.2015, 1 - enters into force. 18.01.2016]

3

§ 12 . Resolution of the activity license application

(1) The agency shall resolve the application for an activity permit.

(2) If the agency does not resolve the application within the term or extended term provided in the law of the general part of the Code of Economic Activities, the operating license shall not be deemed to have been granted to the entrepreneur by default upon the expiry of this term.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

4

§ 12 . Data to be submitted when applying for an activity permit

In addition to the provisions of § 19, subsection 2 of the Act on the General Part of the Code of Economic Activities, the applicant for a forest management work license shall submit the following information to the agency:

- 1) a list of persons performing forest management work at the applicant's place, with the name of the person, personal identification number, number and date of issue of the forest manager's certificate, the date of the conclusion of the employment contract or appointment directive;
- 2) a list of technical tools used to perform forest management works that meet the requirements.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

§ 13. Specifics of revoking an activity permit

The agency can revoke the activity permit, among other things, if the permit holder:

- 1) has violated the requirements for forest management works within 15 percent of the cadastral units for which the forest inventory data has been submitted by the permit holder for entering the forest resource calculation into the national register;
- 2) distorts data on the height, breast diameter, age, breast area or composition of a stand on one cadastral unit in such a way that it may result in environmental damage of at least 6,400 euros;
- 3) determines the reserve of growing forest on a cadastral unit with an error greater than 25 percent.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

§ 14. Forest inventory

[Repealed - RT I 2008, 56, 314 - entered into force. 01.01.2009]

§ 15. Forest management plan

[Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

Chapter 4 FOREST MANAGEMENT

Section 1 General settings

§ 16. Forest management

Forest management is forest renewal, cultivation, use and forest protection.

§ 17. – § 22. [Repealed - RT I 2008, 56, 314 - entered into force. 01.01.2009]

§ 23. Habitat and its protection

[RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

(1) A valuable habitat is an area where there is a high probability of occurrence of narrowly adapted, threatened, endangered or rare species.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(2) The classification and selection guide for the habitat of value shall be established by a regulation of the minister responsible for the field .

(3) In a forest owned by a public legal entity, the protection of valuable habitat is organized by the owner of the land or his authorized representative, in the case of a state forest, the manager of the state forest in accordance with the procedure established by the regulation of the minister responsible for the field . With the aforementioned regulation, economic activity in the precious habitat may be restricted or prohibited based on the protection objective of the precious habitat.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(4) *In order to protect the valuable habitat, a notarial agreement (hereinafter the agreement)* may be concluded with the owner of a privately owned immovable property , on the basis of which the immovable property is encumbered with a personal right of use for the benefit of the state through the Ministry of Climate with a term of 20 years. The contract can be concluded for the protection of valuable habitats listed in the Estonian nature information system located outside the protected natural object.

[RT I, 27.05.2022, 1 - enters into force. 06.06.2022]

(5) The personal right of use is the state's right to use immovable property for the protection of valuable habitat. The state has the right to prohibit or restrict economic activity in the valuable habitat due to the protection objective of the valuable habitat, and the forest owner is obliged to ensure the preservation of the valuable habitat.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(6) In order to protect valuable habitats for the benefit of the state when establishing a personal right of use and concluding a contract, the authorized representative of the state is a foundation established for the development and support of private forestry, the founding rights of which are exercised by the Ministry of Climate.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(7) Upon transfer of ownership of a valuable habitat, all rights and obligations concluded for the protection of a valuable habitat are transferred. In the case of transfer of ownership of the property, the acquirer does not have the right to terminate the contract early within one year of acquisition.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(8) Damage caused by restrictions on the forest use of valuable habitat and compensation for the cost of maintaining valuable habitat (hereinafter *fee for the right to use valuable habitat*) is paid to the owner of the immovable property in favor of the state in equal annual payments during the period of encumbrance with personal right of use.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(9) The methodology established on the basis of subsection 10 of this section is used to calculate the fee for the right to use a place of value.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(10) The specified basis for calculating the fee for the right to use the place of value, the procedure and the content of the contract shall be established by a regulation of the minister responsible for the field .

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

1

§ 23 . Management of the forest designated for environmental protection

In order to protect a planned settlement or residential building from air pollution, noise, strong wind or blizzard, or to reduce the risk of fire or to prevent the spread of forest fire, in the management of the designated forest, the local government unit may, in agreement with the landowner, set restrictions on the type of felling when making renewal felling and on the size and age of felling when making clear felling.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

Section 2 Forest renewal

§ 24. Renewal of the forest

(1) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) The methods of forest renewal are:

- 1) preparing the ground to enable the sowing of tree seeds and tree planting or to contribute to the emergence of natural renewal;
- 2) sowing tree seeds;
- 3) planting trees;
- 4) maintenance of forest culture;
- 5) encouraging the emergence and development of natural innovation in other ways.

(3) The forest owner is obliged to apply the forest renewal techniques specified in subsection 2 of this section to the extent that ensures a renewed forest no later than five years and ten years after felling or death of the forest in the forest habitat types of loo, transitional swamp, lowland, bog, sedge, sedge and slough.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(4) For the purposes of this Act, a forest is considered regenerated if, in the area where the forest died or was cut down, trees of a species suitable for the type of forest habitat grow above the surface, the dimensions and quantity of which ensure the creation of a new forest generation. The presence of trees is not required in the dead part of the forest or in the natural hollows located on the clearing, branch embankments and haulage roads reinforced with fences.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(5) For the purposes of this Act, a forest is considered dead in which, due to wind, fungal diseases, insect or game damage, flooding, fire, pollution or other biotic or abiotic damage, the union of the tree crowns of the forest determined by living trees is less than 30 percent or the fullness has fallen below 0.3 .

(6) A forest may be renewed only with tree species suitable for the type of forest habitat, the list of which is established by the minister responsible for the field in the forest management regulations.

(7) The required minimum number of trees on one hectare and the minimum height of the trees to be taken into account shall be determined by the minister responsible for the field by forest habitat type or type group in the forest management regulations.

(8) The source material of the cultivation material used for reforestation must come from the permitted area of origin. The regions of origin of the initial material of cultivation material allowed to be used in forest cultivation in Estonia are established by the minister responsible for the field by regulation.

(9) The list of non-native tree species allowed to be used in forest renewal shall be established by a regulation of the minister responsible for the field .

(10) Reforestation requirements, including in types of forest habitats where the application of renewal techniques is not mandatory or where the forest is renewed by seeding or planting, requirements regarding the minimum initial density of sowing and planting sites, ground preparation and renewal of stands felled due to root rot shall be established by the minister responsible for the field, forest management with the rule.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

§ 25. Obligation to renew forests

(1) The forest owner is obliged to implement forest renewal techniques in dead forest parts or felled areas with an area of at least 0.5 hectares within two years from the date of death or felling.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) The application of forest renewal techniques is not mandatory if:

1) a natural renewal with a suitable species composition, sufficient number of plants and above-ground location occurs in the fallen forest part or felled area according to the forest renewal expertise carried out by the Environmental Board;

[RT I 2009, 3, 15 - entry into force. 01.02.2009]

2) the fallen part of the forest or the felled area belongs to the type of forest habitat, in which case the application of forest renewal techniques is not mandatory according to the forest management regulations established on the basis of this law;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

3) the dead forest part or felling is located in the target protection zone of the protected natural object.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) The procedure for ordering and carrying out forest regeneration expertise shall be established by the minister responsible for the field in a forest management regulation.

(4) Forest renewal expertise is carried out at the expense of the state in order to verify the fulfillment of the obligation to renew the forest, to extend it or to release it from the obligation at the justified request of the forest owner or on the basis of other information received by the Environmental Board.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

1

(4) [Repealed - RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

(5) The minister responsible for the field or his authorized person may, at the request of the forest owner, extend the deadline for the implementation of the forest renewal techniques specified in subsection 1 of this section, if due to natural conditions or causes of forest loss independent of the forest owner, as well as study and research, the implementation of the forest renewal techniques is not possible within the first two justified in

(6) The minister responsible for the field or his authorized person may, at the request of the forest owner, extend the deadline for forest renewal specified in subsection 24 (3) of this Act, if due to the extension of the deadline for implementing forest renewal techniques, the peculiarities of natural conditions, or the reasons for the death of the forest beyond the control of the forest owner, the forest renewal has not occurred within five years possible.

(7) The procedure for the implementation of forest renewal techniques and the extension of the forest renewal deadline shall be established by the minister responsible for the field in the forest management regulations.

[RT I 2009, 3, 15 - entry into force. 01.02.2009]

(8) If the application of forest renewal techniques is mandatory, but the forest owner has not applied them within two years after the death or felling of a forest part, and the deadline for the application of forest renewal techniques has not been extended, or if the fallen forest part or felled forest has not been filled with tree species suitable for the type of forest habitat for five years or , transitional swamp, lowland swamp, swamp, sedge, sedge and loam forest habitat types that have been renewed within ten years, and the deadline for forest renewal has not been extended, the Environmental Board issues a prescription to the forest owner for the implementation of renewal techniques on the basis of forest renewal expertise. The injunction is notified to the forest owner against a signature or delivered by registered letter with a notice of issuance. If the precept is not fulfilled by the deadline specified in it, the Environmental Board applies coercive measures. If the Environmental Board applies coercive money as a means of coercion, the maximum amount of coercive money is 1,300 euros per hectare.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(9) The precept must state:

1) the name of the administrative body on whose behalf the precept is issued;

[RT I 2009, 3, 15 - entry into force. 01.02.2009]

2) first and last name and job title of the person making the prescription;

3) the date and, if necessary, the time of making the prescription;

4) the name of the forest owner to whom the injunction is issued;

5) the circumstances underlying the injunction and the legal basis on which the injunction is based;

6) resolution of the injunction, in which the necessary renewal methods and the deadline for their implementation are indicated;

7) means of coercion, which is applied in case of non-compliance with the prescription;

8) the procedure and deadline for contesting the injunction;

9) signature of the prescriber.

(10) In the case of transfer of real estate, the obligation to renew a part of the forest or felled forest that has been destroyed is transferred to the new owner of the real estate, whereas the renewal deadlines provided for in this section are calculated from the death of the part of the forest located on the real estate or the felling of the forest.

§ 26. Forest renewal deposit

[Repealed - RT I 2008, 56, 314 - entered into force. 01.01.2009]

Section 3 Growing a forest

§ 27. Forest cultivation

(1) It is permitted to carry out maintenance felling and to regulate the water and nutrient regime of the forest soil for forest cultivation.

(2) The procedure for the design, construction and maintenance of the land reclamation system is stipulated by the Land Reclamation Act.

(3) Fertilization of the forest, with the exception of forest plants, with mineral fertilizers is prohibited.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

§ 28. Logging

(1) For the purposes of this Act, at least one of the following works performed on forest land is considered felling:

- 1) felling of trees and bushes;
- 2) sawing downed trunks;
- 3) dividing the trunks;
- 4) consolidation and transportation of forest material.

1

(1) For the purposes of this Act, the clearing of existing road, ditch or other route, fence or protection zone, as well as mature or mature forest from trees and shrubs with an average chest diameter of up to eight centimeters, and the clearing of woody vegetation from the facilities of the land improvement system and the upstream protection zone during land improvement conservation work are not considered felling within the meaning of this Act.

[RT I, 31.05.2018, 3 - enters into force. 01.01.2019]

(2) Forest material is:

- 1) felled tree and tree trunk;
- 2) part of the trunk obtained by dividing the tree trunk;
- 3) raids.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(3) For the purposes of this Act, up to ten decorative trees are not considered forest material.

(4) The following fellings are permitted:

- 1) renewal felling, which includes clearing and security felling;
- 2) maintenance felling, which includes lighting felling of a stand with an average breast diameter of up to 8 centimeters, thinning of a stand with an average breast diameter of 8 centimeters and larger, and sanitary felling;
- 3) selective cutting;
- 4) route cutting, which includes the cutting of a quarter or boundary fence up to four meters wide, or the clearing of an existing fence or road edge, ditch bank and ditch edge from trees with an average chest diameter exceeding eight centimeters;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

5) deforestation;

6) design felling, which is carried out on a protected natural object in order to achieve a conservation goal in accordance with a conservation management plan, a species protection and management action plan, or to preserve and improve the condition of an individual object of protected nature or a valuable habitat.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(5) Chest diameter is the diameter of the tree trunk, measured at a height of 1.3 meters from the root neck. The average breast diameter of the stand is considered the average breast diameter of the trees of the majority of tree species.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(6) Renewal felling is done to enable forest renewal or renewal.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(7) Maintenance felling is carried out:

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

- 1) to improve the light and nutrition conditions of trees and to shape the species composition of the forest (clearing felling);
- 2) to increase the value of the forest, to regulate the density and composition of the forest, and to enable the use of wood from trees that will fall in the near future (thinning);
- 3) to improve the sanitary condition of the forest and to enable the use of wood from dying or dead trees that are not a source of danger, if it does not threaten the diversity of life (sanitary felling).

(8) Selective felling is carried out for the purpose of management as a permanent forest in a stand that has reached the felling age established on the basis of § 29 (5) of this Act, by cutting individual trees and small stands. Small drifts can be up to 20 meters in diameter. Preserved trees are preserved in the permanent forest according to § 29 subsection 1 point 3.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

1

(8) The features characterizing the stand that allow for selective felling, and the minimum limit of the breast area and fullness of the stand after selective felling, and the maximum rate allowed to be felled during the year with selective felling, are established by the

minister responsible for the field with a forest management regulation.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

2

(8) In the sense of this Act, permanent forest management is the continuous replacement of felled or felled trees with new trees that are natural to the place of growth.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(9) When carving out quarter targets, the minimum quarter size must be ten hectares.

(10) When felling with a harvester, its operator must have the 4th level of the harvester operator's qualification granted in accordance with the procedure provided for in the Professional Act and on its basis.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2022]

§ 29. Clear cutting

(1) In the case of clear cutting, all trees are cut from the felling area within one year from the start of cutting, except for:

1) 20-70 scattered or scattered pines, birch, ash, oak, sycamore, sycamore or elm per hectare and viable aftergrowth are left as seed trees ;

2) [invalidated - RT I 2008, 56, 314 - entry into force. 01.01.2009] 3) preserved trees, i.e. trees necessary to ensure the diversity of life or their preserved upright parts with a total volume of trunk wood of at least five dense meters per hectare, at least ten dense meters per hectare in a felling area of more than five hectares. [RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(2) Seed trees are not left if there are no trees suitable for seed trees in the forest to be felled, or if there is a viable aftergrowth of tree species suitable for the type of forest habitat for reforestation and this is preserved during felling operations. Also, it is not mandatory to leave seed trees in the part of the fell that is located closer than 30 meters from the edge of a conifer stand at the age of seed bearing or 50 meters from the edge of an aruka tree at the age of seed bearing.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(3) The requirements for seed and preservation trees and their preservation and the basis for assessing the age of the seed-bearing capacity of the stand shall be established by the minister responsible for the field in the forest management regulations.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(4) Clear cutting is permitted in a stand that meets at least one of the following conditions:

1) the average age of the first front, weighted based on the composition of the stand, is equal to or greater than the cutting age of the first front, weighted based on the composition of the stand;

[RT I, 11.12.2013, 1 - enters into force. 01.07.2014]

2) the stand has reached the average breast diameter established on the basis of subsection 6, point 1 of this section;

3) the chest area or fullness of the stand is less than that established on the basis of paragraph 6, point 2 of this section.

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(4) The methodology for calculating the average age of the first front and the felling age, weighted based on the composition of the stand, is established by the minister responsible for the field in a forest management regulation.

[RT I, 11.12.2013, 1 - enters into force. 01.07.2014]

(5) The felling age, from which clearcutting is permitted, is established by the minister responsible for the field by tree species and rating classes with forest management regulations, considering that it is:

1) in the case of clearcutting of pine and hardwood trees, 90–160 years;

2) 60–120 years in the case of clear-cut spruce;

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

3) 60–80 years in the case of clear-cutting of birch and birch;

4) 30-50 years in the case of open cutting of the wound.

[RT I, 11.12.2013, 1 - enters into force. 01.07.2014]

1

(5) Chest area is the area of the imaginary cross-section of the tree trunk at a height of 1.3 meters from the root neck. The breast area of a stand is the sum of the breast areas of all trees growing in that stand, expressed in square meters per hectare. The fullness of the stand is the ratio of the breast area of the stand to the breast area of a similar normal stand. The bust area and fullness of the bust is determined by the shape of the breasts.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(6) The minister responsible for the field shall establish forest management rules by majority of tree species and quality classes:

1) the average breast diameter of the stand, above which clear cutting of stands with a larger breast diameter is permitted;

2) the breast area and fullness of the stand, which is allowed for clear-cutting of stands with a smaller breast area or fullness.

(7) A hardwood stand is considered to be a stand where the majority of the tree species is oak, ash, elm, hornbeam or maple.

(8) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(9) Before the renewal of the clearing, no new clear-cutting may be carried out in the forest reserve bordering the clearing, unless the total area of the clearing and the new clear-cutting does not exceed the maximum area of the clear-cutting provided in subsection 11 of this section.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

1

(9) A forest allotment is a complete area of a forest, which is uniform enough in terms of forest habitat type, stand composition, age, chest area, height and origin to apply the same management techniques.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(10) [Repealed - RT I, 11.12.2013, 1 - entry into force. 01.01.2014]

(11) In the case of clear-cutting:

1) on dunes, in an area prone to wind or infiltration, and in an area with infiltration and pressurized groundwater, the area of the clearing may not exceed two hectares;

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

2) the area of the clearing in the growth habitat type of lichen and lichen must be larger than two hectares;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

1

2) the area of the cutting area in the habitat type of transitional swamp, lowland swamp, blueberry-reedy swamp, rabbit cabbage-reedy swamp, swamp and bog must be larger than five hectares, unless the said cutting area is within the limits of one forest reserve;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

1

3) in the habitat types not mentioned in clauses 2 and 2 of this paragraph , the clearing area must be larger than seven hectares, unless the said clearing area is within the limits of one forest allocation;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

4) the area of the clearing located in different growth site types must be larger than seven hectares, taking into account the restrictions

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given in clauses 2 and 2 of this paragraph .

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

1

(11) [Repealed - RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

(12) The Environmental Board may, on the basis of a forest protection expert conducted on the order of the forest owner, allow a forest that has died due to a natural disaster or is in poor health as a result of natural factors, as well as a stand with a poor phenotype or a stand with a small chest area and density for a reason independent of the forest owner:

[RT I 2009, 3, 15 - entry into force. 01.02.2009]

1) carry out clearcutting in stands younger than those established on the basis of paragraph 5 of this section, with a smaller mean breast diameter than that established on the basis of paragraph 6, point 1, and with a larger breast area or density than that established on the basis of paragraph 6, point 2;

2) to cut clear-cuts with a larger area than the one stipulated in subsection 11 of this section.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

§ 30. Peat cutting

(1) Peat felling is divided into gradual, wave and spring felling.

(2) In the case of temporary felling, trees in the forest to be renewed are felled scattered across the felling line in two or more felling stages.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(3) In the case of wave felling, the forest subject to renewal is felled in waves in repeated felling steps. The number and size of felled forests is established by the minister responsible for the field in the forest management regulations.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(4) In the case of spring felling, trees in the forest to be renewed are felled from the edge of the log in the form of clear felling in repeated felling strokes no more than the width of the height of the stand. Next to the clear cut strip, if there is an aftergrowth, individual trees or sedges are cut down to the width of the stand height. The clear-cutting area can be expanded after the renewal of the part of the forest cleared by the previous felling stage.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(5) Peat cutting may be done in a stand that belongs to a forest type, where peat cutting is permitted in accordance with the forest management rules established on the basis of subsection 7 of this section, and where the average age of the first front, weighted based on the composition of the stand, is equal to or greater than § 29, subsection 5 of this Act, weighted based on the composition of the stand based on the age of the first breast felling established on the basis or which has reached the average breast diameter established on the basis of § 29 subsection 6 point 1.

[RT I, 11.12.2013, 1 - enters into force. 01.07.2014]

(6) When peat cutting is carried out:

1) there must be at least five years between the stages of cutting, which does not include the years of cutting;

2) the next level of felling may be done if the felling area has trees of a species suitable for the type of forest habitat with the dimensions and quantity established on the basis of subsection 7 of this section;

3) the area of felling may not be larger than ten hectares, unless it falls within the limits of one forest allocation;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

4) no new felling may be started on a forest reserve bordering an unrenewed peat cutting strip, unless the total area of the strips does not exceed the maximum size of the cutting strip provided in point 3 of this paragraph;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

5) the chest area and fullness of the first front of the stand may not be reduced to less than the minimum limit established on the basis of paragraph 7 of this section;

6) [invalidated - RT I 2008, 56, 314 - entry into force. 01.01.2009] 7) preserved trees are preserved in accordance with § 29 (1) point 3 of this Act. [RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(7) The features characterizing the stand, which allow for peat cutting in the stand, the minimum level of the chest area and fullness of the first front of the stand after each stage of peat cutting, the minimum number of trees of natural renewal required on one hectare of the cutting line before the next stage of felling and the minimum height of the trees to be taken into account, and the list of forest types allowed for peat cutting shall be established by the minister responsible for the field with forest management regulations.

§ 31. Maintenance felling

(1) Maintenance felling may be done in a stand that meets the characteristics established on the basis of subsection 4 of this section.

(2) When performing thinning felling, the chest area of the first front of the stand may not be reduced to less than the minimum limit established on the basis of subsection 4 of this section.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) Sanitary felling is performed to remove from the forest trees that are a source of infection or promote the reproduction of pests, as well as dying or dead trees that do not represent a source of danger, and seed trees that have fulfilled their task. The important characteristics of the trees allowed to be felled as part of sanitary felling are established by the minister responsible for the field with forest management regulations.

(4) The features characterizing the stand, which allow maintenance felling to be carried out in the stand, and the minimum limit of the breast area of the first front of the stand after thinning felling shall be established by the minister responsible for the field in a forest management regulation.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 32. Deforestation

(1) Deforestation is felling that is done to enable the use of land for purposes other than forest management.

(2) Deforestation is carried out:

[RT I 2008, 56, 314 - entered into force. 01.01.2009]

1) [invalidated - RT I 2008, 56, 314 - entry into force. 01.01.2009] 2) in the case of a building with a protection zone, to fulfill the established requirements regarding the maintenance of the building and its protection zone on the basis of the construction project or electrical installation operating plan, if there is no detailed planning obligation; [RT I, 23.03.2015, 4 - enters into force. 01.07.2015] 3) [invalid - RT I, 11.12.2013, 1 - entered into force. 01.01.2014] 4) on the basis of another valid project, maintenance plan or document arising from legislation, which is the basis for using the land for purposes other than forest management. [RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 33. Environmental protection requirements for felling

In addition to what is stipulated in §§ 28–31 of this law, the minister responsible for the field shall establish the requirements specified in the forest management regulation:

- 1) for the protection of trees that remain growing, natural renewal, felled soil and the surrounding forest;
- 2) for the protection of biodiversity and heritage cultural objects;
- 3) to the forest material collection road and storage area.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

Section 4 Forest use

§ 34. Ways of forest use

[Repealed - RT I 2008, 56, 314 - entered into force. 01.01.2009]

§ 35. Restrictions on forest use rights

(1) In a forest owned by a public entity and in an unrestricted or unmarked private forest, one may:

1) stay and pick berries, mushrooms and nuts and stock up on decorative vines, medicinal and decorative plants and their parts without unreasonably harming the interests of the forest owner, game and protected animals during their breeding season and without disturbing other people in the forest, without leaving permanent traces of the forest and following the fire safety requirements and the requirements of the forest owner;

2) camp and make bonfires in places prepared and marked by the forest owner, or with his permission;

3) [invalidated - RT I, 08.07.2014, 3 - entered into force. 01.08.2014] 4) drive a vehicle on roads located in forest land and, with the permission of the forest owner, also outside roads.

(2) In a forest owned by a public entity, a fee may be charged for the stocking of berries, mushrooms and nuts and decorative branches, medicinal and decorative plants and their parts, and for the recreational use of the forest on correspondingly marked forest land, only if the forest owner is the owner of berries, mushrooms, nuts, decorative branches, made expenditures to increase the yield of medicinal and ornamental plants or the recreational value of the forest, or the income from other forest use methods has decreased due to the actions taken to increase the yield or the recreational value of the forest in this forest.

(3) [Repealed - RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

§ 36. National defense activities in the forest

(1) The forest is used for national defense:

1) on the training grounds of the Defense Forces and the Defense League in accordance with the current plan;

2) to organize permanent training in the state forest;

3) to organize training in the state forest, if it involves forest damage;

4) with the permission of the forest owner or state forest manager in cases not mentioned in points 1–3 of this paragraph.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) In the cases specified in points 2 and 3 of subsection 1 of this section, the permission of the Government of the Republic is necessary for the organization of training.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) The use of the forest in the cases specified in points 2 and 3 of paragraph 1 of this section shall be based on the requirements for the training field of the Defense Forces and the Defense League.

[RT I, 20.03.2013, 1 - enters into force. 01.04.2013]

§ 37. Obligation to prove the legality of the transfer of felling rights and forest material, giving a forest for felling and transporting forest material, and the transport of forest material

(1) When transferring felling rights and forest material and transferring forest material for processing, storage or transportation, the transferor must prove to the receiver the existence of the felling right or the legality of possession of the forest material, and the receiver must verify this.

(2) When giving a forest for felling, the giver must prove to the taker the existence of the logging right and the taker must check it.

(3) The data and documents proving the existence of the right to fell and the legality of the possession of forest material are:

1) an entry in the land register proving the right of ownership;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

2) [invalidated - RT I, 11.12.2013, 1 - entered into force. 01.01.2014] 3) agreement or deed on the conclusion of an oral agreement for the transfer of logging rights or forest material; [RT I, 06.07.2017, 1 - enters into force. 01.09.2017] 4) an entry registering felling or a forest protection expert act in the forest register; [RT I, 06.07.2017, 1 - enters into force. 01.09.2017] 5) identity document.

(4) [Repealed - RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

(5) A natural person and a representative of a legal entity logging in a forest must have an identity document with them at the logging site, and this must be presented to the official authorized to check the legality of the logging at his request.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(6) When transferring the logging right, the transferor and the acquirer conclude a logging right transfer agreement in writing or in a form that enables written reproduction, or formalize an act on the conclusion of an oral agreement, which states at least:

[RT I, 06.07.2017, 1 - effective. 01.09.2017]

1) name, personal identification or registry code of the transferor and acquirer of the logging right;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

2) in case of representation, the name of the representative, personal identification number, basis of representation;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

3) the number of the real estate and cadastral unit on which the right to fell the growing forest is transferred, the number of the block and forest allocation in the state forest;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

4) type of felling;

5) the area size and estimated volume of the forest to be felled in density meters;

6) signatures of the transferor and the acquirer of the logging right.

7) [invalidated - RT I, 11.12.2013, 1 - entered into force. 01.01.2014]

(7) The felling right gives the right to fell trees to the extent, place, time and conditions fixed in the contract, to acquire the felled trees, to make wood assortments from these trees and to transport the obtained assortments from the forest. The agreement on the transfer of the logging right includes the right to use the land in accordance with the content of the logging right. The agreement on the transfer of the logging right does not end with the transfer of the immovable property, if the transferor of the logging right has, before the transfer of ownership of the immovable property, transferred the possession of the part of the immovable property on which the forest that is the subject of the logging right grows to the recipient of the logging right. The rights and obligations arising from the agreement on the transfer of logging rights are transferred to the acquirer of the immovable property.

(8) When transferring forest material and providing forest material for processing or storage, the transferor or provider for processing or storage and the acquirer of forest material or recipient for processing or storage shall enter into a contract for the transfer of forest material in writing or in a form that enables written reproduction, or formalize an act on the conclusion of an oral contract. The said agreement and deed state at least:

[RT I, 06.07.2017, 1 - entered into force. 01.09.2017]

1) the name, personal identification or registry code of the transferor and acquirer of forest material or the giver and recipient for processing or storage;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

2) in case of representation, the name of the representative, personal identification number, basis of representation;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

3) location of forest material;

4) the amount of forest material by assortment (log, paper wood, technological wood, firewood, post, lath and other) and tree species;

5) the signatures of the transferor and the acquirer of the forest material, unless the document is confirmed in another way that enables a single identification of the person;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

6) the number of the cadastral unit from which the forest material has been cut, the number of the quarter and forest allocation in the state forest.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(9) An act of transfer and acceptance of forest material is added to the contract specified in subsection 8 of this section. It is not mandatory to add a handover-acceptance deed, if the contract or other document certifying the handover indicates the basis for the possession of forest material in accordance with the requirements set forth in the handover-acceptance deed.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(10) When transporting forest material, the transporter of forest material must have a waybill that proves the assortment, quantity and ownership of the forest material, or must be completed electronically. The consignment note is not mandatory if the owner of the timber carries out the transport himself and has documents proving the legality of the possession of the timber with him.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(11) The requirements for the forest material transport regulations and the act of transfer-acceptance of forest material and the consignment note shall be established by a regulation of the minister responsible for the field .

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(12) The transferor and acquirer of the felling right or forest material, and the giver and taker for processing or storage, shall keep the contract or deed or other document certifying the transfer of the right of felling and the transfer of forest material and the provision of forest material for processing or storage for seven years.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(13) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 38. Notification of the sale and purchase of logging rights and forest material

(1) The seller of the logging right or forest material and the buyer of the logging right or forest material are obliged to submit a notification to the Tax and Customs Board regarding the sold or purchased logging right or forest material in accordance with the form established by the minister responsible for the field . Notification does not need to be submitted if up to 20 dense meters of forest material are bought or sold per year.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) The notification shall be submitted by January 10 of the year following the year in which the sale or purchase transaction was executed by registered letter with delivery notice, e-mail with a digital signature, or via the e-Tax Office.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

§ 39. Measuring wood and determining its volume

(1) The methods of measuring forest material and wood chips and determining their volume, as well as the requirements for measurement accuracy and documentation of measurement results, shall be established by a regulation of the minister responsible for the field .

(2) When conducting transactions with forest material and wood chips, the forest material and wood chips are measured and their volume is determined according to the measurement methods established on the basis of subsection 1 of this section, unless the parties have agreed in writing to use another method.

Section 5 Forest protection

§ 40. Forest protection

(1) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) The Environmental Board has the right to issue prescriptions to prevent forest damage and prevent its spread based on forest protection expertise. In addition to the provisions of clauses 1–5 and 7–9 of § 25 (9) of this Act, the injunction requires, as a resolution, the termination of the activity causing the damage or the refraining from the activity that may cause the damage, the elimination of the source of danger and the liquidation of the consequences of the damage that has occurred. The injunction is notified to the obliged entity in the manner provided for in § 25 subsection 8 of this Act.

[RT I 2009, 3, 15 - entry into force. 01.02.2009]

(3) In the event of non-compliance with the prescription made on the basis of subsection 2 of this section, the Environmental Board applies coercive measures. If the Environmental Board applies coercive money as a means of coercion, the maximum amount of coercive money is 640 euros.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

(4) Logs of renewal felling must be cleaned of debris.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

1

(4) The method and procedure for clearing Langi from culverts is established by the minister responsible for the area with the forest management regulations.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(5) Pesticides may be used in the forest only in the cases stipulated by the forest management regulations established by the minister responsible for the field .

(6) Forest management may no longer damage the soil as permitted. The maximum permissible level of soil damage during forest renewal and felling is established by the minister responsible for the field with forest management regulations.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(7) If there is more than ten dense meters per hectare of raw coniferous wood, it must be transported out of the forest by a deadline established by the minister responsible for the field in the forest management regulations.

(8) In order to organize the financing of measures to prevent forest fires , the minister responsible for the field classifies the counties into high, medium and low forest fire risk by regulation.

(9) In order to prevent damage to the forest due to excessive recreational use, the Environmental Board has the right to limit or prohibit the use of the damaged or endangered area or individual ways of use based on forest protection expertise and with the consent of the forest owner. The Environmental Board publishes a notice of the imposition of a restriction or ban along with the reasons in a local or county newspaper and, if possible, in other local mass media and displays it in the Environmental Board.

[RT I 2009, 3, 15 - entry into force. 01.02.2009]

(10) In order to protect animals during their breeding season, the minister responsible for the area may, by regulation, limit the cutting of multi-front stands and mixed stands in the period from April 15 to June 15.

(11) The procedure for ordering and carrying out forest protection expertise and the restrictions on tarring and sap release shall be established by the minister responsible for the field in a forest management regulation.

§ 41. Forest notification

(1) The forest owner or his representative (hereinafter *the submitter*) submits a forest notification to the Environmental Board:

1) about the planned fellings, except for lighting fellings;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

2) on significant forest damage not entered in the forest register.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(2) For the purposes of this Act, a forest is considered to be significantly damaged if, due to the damage:

1) the number of viable trees of tree species permitted to be used for forest renewal in a forest renewal area or in a stand in the youth development class is less than the minimum number of trees required for the forest to be considered renewed;

2) from the development class of broad forest, the chest area of the first front of viable trees is lower than the minimum allowed minimum of the chest area of the first front of the stand after thinning.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(3) If the forest notification is submitted by the owner's representative in a way other than through an electronic channel that enables unambiguous identification of the authorization, a document certifying the representative's right of representation shall be attached to the forest notification.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(4) A forest notification may be submitted on paper, digitally signed by e-mail or via an electronic channel that enables the identification of a person.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(5) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(6) The list of data to be submitted in the forest notice and the procedure for submitting, registering and processing the forest notice and the deadlines shall be established by the minister responsible for the field by regulation.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(7) The Environment Agency checks the compliance of planned fellings based on the appropriate forest notification with the requirements of legislation and, in the cases prescribed by law, with valid inventory data or actual data on the state of the forest, age, breast area and the size of stocks, if the inventory data does not correspond to reality.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(8) If the proposed felling does not meet the requirements of the legislation, the Environmental Board has the right to refuse its registration, justifying the refusal in writing and also giving recommendations to bring the activity into compliance with the legislation.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

1

(8) If the planned felling meets the requirements of legislation, the Environmental Board will register it in the forest register. If the forest notification is submitted on paper or by e-mail, the Environmental Board sends the forest notification submitter a register extract on logging registration.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(9) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(10) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(11) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(12) [Repealed - RT I, 11.12.2013, 1 - entry into force. 01.01.2014]

(13) The forest owner may carry out felling within 12 months after registration of the felling or forest protection expert report in the forest register.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

1

(13) [Repealed - RT I, 06.07.2017, 1 - entered into force. 01.09.2017]

2

(13) Aggregation and transport of forest material may be done even later than 12 months after the registration of the felling or forest protection expertise act in the forest register.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(14) Without submitting a forest notification, a forest owner may cut up to 20 dense meters of wood per immovable property per year.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(15) Upon receipt of a forest notification regarding forest damage or other information about forest damage, the Environmental Board assesses the necessity of forest protection expertise. The forest owner will be notified of the results of the expertise within 30 working

days from the receipt of the forest notification or information.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

§ 42. Obligations of the owner in forest management

(1) The forest owner is obliged to:

1) monitor the state of the forest, protect the forest from pests and diseases, clearing and fires;
2) manage and allow to manage their forest only in such a way that does not threaten the forest as an ecosystem and does not damage the gene pool, forest soil and water regime and the conditions of forest renewal and renewal to a greater extent than allowed in the legislation, which does not create conditions for the occurrence of wind damage or the spread of fungal diseases and insect pests, and which is in accordance with the principles of sustainable use of the forest, as well as protect against the deterioration of forest growth conditions;

3) in the case of stockpiling of forest by-products, apply and permit the use of only those stockpiling methods that do not harm the yield of by-products, such as berries, mushrooms and medicinal plants;

4) [invalidated - RT I 2008, 56, 314 - entry into force. 01.01.2009] 5) in the case of renewal felling, place information about the feller in a visible place at the felling place for the duration of the felling work. [RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

1

(1) In order to manage the forest growing on the immovable property encumbered in favor of the Republic of Estonia on the basis of the Land Reform Act, the forest owner orders a forest management plan, which is mandatory for planning forest management works.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) The requirements set forth in Clause 1, Clause 2 of this section do not extend to forests that are used for national defense purposes.

(3) A forest growing in an area designated as a green area of a planned city as a settlement unit may not be cut down without the consent of the local government. Logging is coordinated with the local government before the forest notification is submitted.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2020]

Section 6 State forest management

§ 43. Organization of state forest management and management financing

(1) The management of the state forest and the financing of its management are organized by the manager of the state property, who is authorized to manage the state forest as state property according to the State Property Act. The state forest is managed by a person or a state institution appointed by the manager of the state property (hereinafter *the state forest manager*).

1

(1) The manager of the state forest prepares a forest management plan for the forests under his management by forest units or other management units at least every ten years.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) The state forest managed by the Ministry of Climate, the Ministry of Defense and the Ministry of Economic Affairs and Communications is managed and its management is financed by the National Forest Management Center. The management of the state forest managed by the Ministry of Defense is carried out on the basis of an agreement concluded with the authority appointed by the minister responsible for the field.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(3) The minister responsible for the field may, at the proposal of the minister responsible for the field, establish exceptions to forest management on the practice field and shooting range in the forest management regulations.

[RT I, 29.06.2014, 109 - entered into force. 01.07.2014, on the basis of paragraph 4 § 107³ of the Government of the Republic Act, the first word "environment minister" and the word "defense minister" in the middle of the sentence were replaced with the words "minister responsible for the field" in the corresponding case.]

1

(3) The minister responsible for the field may, on the basis of the proposal of the minister responsible for the field, establish special rules for forest management for the management of the forest managed by the Ministry of Education and Research for scientific purposes.

[RT I, 29.06.2014, 109 - entered into force. 01.07.2014, on the basis of § 107³ subsection 4 of the Government of the Republic Act, the first word "environment minister" and the words "minister of education and science" in the middle of the sentence were replaced with the words "minister responsible for the field" in the corresponding case.]

(4) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(5) The manager of the state forest ensures the preservation and lawful use of the property given to him for use.

(6) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(7) The manager of the state forest has all the rights of the forest owner arising from the management of the forest, and he must fulfill all the obligations imposed on the forest owner by the law and the legislation issued on the basis thereof.

(8) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(9) When managing a forest near a settlement unit, the state forest manager involves the local community or residents in the planning of forest management works.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

§ 44. Profit-making activity allowed in the management of the state forest

[Repealed - RT I, 04.01.2021, 1 - entered into force. 01.05.2021]

§ 45. Right of use of state forest

- (1) The right to use the state forest belongs to the manager of the state forest.
- (2) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]
- (3) The manager of the state forest uses the state forest himself or allows it to be used free of charge or for a fee.
- (4) The manager of the state forest uses the felling right himself or transfers it according to the procedure established in this Act and on its basis.
- (5) By December 1 of each year, the state forest manager who manages the forest determines the area of optimal renewal felling for the following five years, including the area of pines, spruces, hemlocks and hornbeams, by tree species.
[RT I, 05.01.2011, 13 - entered into force. 15.01.2011]
- (6) The manager of the state forest specified in subsection 5 of this section shall coordinate the area of the planned optimal renewal felling with the Environmental Agency.
[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

§ 46. Transfer of felling right and forest material in the state forest

- (1) The transfer of felling rights and forest material in the state forest takes place in the following manner of sale:
 - 1) at a public auction;
 - 2) in an offer with preliminary negotiations;
 - 3) with an agreement price.
- (2) The procedure for the sale of felling rights and forest material shall be established by the Government of the Republic. The following are stipulated at once:
 - 1) the methodology for determining the initial price of felling rights and forest material;
 - 2) procedure for selling felling rights and forest material;
 - 3) sales supervision.
- (3) The sale price of felling rights and forest material at public auctions and pre-negotiated offers may not be lower than the starting price calculated according to the methodology determined in accordance with clause 2, point 1 of this section.
- (4) The negotiated price may be applied to the transfer of the right to maintenance felling, route felling, design felling and felling, in the case of sales of forest material quantities of up to 50 cubic meters, firewood, quickly perishable forest material, the right to cut forest damaged in a natural disaster, and the sale of trial lots of forest material and sales contracts lasting more than one year.
[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]
- (5) The agreement price of the felling right and forest material must not be lower than the normal value of the felling right and forest material.

§ 47. State Forest Management Center

- (1) State Forest Management Center (hereafter *RMK*) is a state profit-making institution, which operates as a state forest manager in the area of governance of the Ministry of Climate Change on the basis of this Act, other legislation and its own statute.
- (2) The statutes of RMK are approved by the Government of the Republic on the proposal of the minister responsible for the field.
- (3) The governing bodies of RMK are the council and the board.
- (4) RMK will be reorganized and its activities will be terminated by law.
- (5) RMK is registered in the national register of state and local government institutions. RMK's regional structural units can also be registered in the said register, if it is stipulated in the RMK's statutes.

§ 48. Main task, areas of activity and use of income from economic activities of the State Forest Management Center

- (1) The main task of RMK is the management of the state forest specified in § 43 subsection 2 of this Act.
- (2) The areas of activity of RMK are:
 - 1) organization, management and commissioning of the state forest;
 - 2) sale of the right to fell a growing forest, forest material and forest products;
 - 3) processing of forest products and sale of processing products;
 - 4) ensuring the fulfillment of the public function of the state forest;
 - 5) protection of natural values;
[RT I 2008, 56, 314 - entry into force. 01.01.2009]
- (6) acquisition of immovable property containing a protected natural object on the basis of § 20 of the Nature Conservation Act.
[RT I, 26.01.2018, 5 - enters into force. 05.02.2018]
- (3) RMK receives income from its economic activities, which ensures the management of the state forest and the performance of the public functions assigned to the state forest in accordance with the requirements of the law.
- (4) [Repealed - RT I 2008, 58, 328 - entry into force. 01.01.2009]
- (5) The amount to be transferred from the net profit of RMK to the state budget is approved by the Government of the Republic on the proposal of the minister responsible for the field. The application, together with the financial annual report approved by the Council of the Ministry of Finance, is submitted to the minister responsible for the field by the minister responsible for the field.
[RT I, 29.06.2014, 109 - entered into force. 01.07.2014, on the basis of § 107³ subsection 4 of the Act on the Government of the Republic, in the first sentence and in the middle of the second sentence, the word "minister of finance" and at the end of the second sentence the word "environmental minister" were replaced by the words "minister responsible for the field" in the corresponding case.]

§ 49. Council of the State Forest Management Center

(1) The Council of RMK is the highest management body that plans the activities of RMK, organizes the management of RMK and supervises the activities of the board.

(2) Council members are appointed for three years. The powers of a member of the Council begin on the day of his appointment.

[RT I, 08.07.2014, 3 - enters into force. 01.08.2014]

(3) The council has nine members. The composition of the Council includes:

- 1) two members appointed by the decision of the Riigikogu;
- 2) two representatives of the Ministry of Climate;
- 3) one representative of the Ministry of Economic Affairs and Communications;
- 4) one representative of the Ministry of Finance;
- 5) three experts at the proposal of the minister responsible for the field.

1

(3) The members of the council provided for in points 2-5 of subsection 3 of this section are appointed by the Government of the Republic on the proposal of the relevant minister.

[RT I, 08.07.2014, 3 - enters into force. 01.08.2014]

(4) In the event of the resignation of a member of the Council before the expiration of his mandate, a new member shall be appointed in his place.

[RT I, 08.07.2014, 3 - enters into force. 01.08.2014]

(5) The Riigikogu appoints the members of the Council by decision on the proposal of the Environment Committee. The mandate of the member of the Council appointed by the Riigikogu ends with the termination of his mandate as a member of the Riigikogu. The Riigikogu and the ministers responsible for the areas can recall the member appointed by them at any time.

[RT I, 29.06.2014, 109 - entered into force. 01.07.2014, on the basis of paragraph 4 § 107³ of the Government of the Republic Act, in the third sentence, the words ", the Minister of the Environment, the Minister of Economy and Communications, and the Minister of Finance" were replaced by the words "and the ministers responsible for the fields".]

[RT I, 08.07.2014, 3 - entered into force. 01.08.2014]

(6) The members of the council elect from among themselves the chairman who organizes the activities of the council and the deputy chairman who fulfills the duties of the chairman in the chairman's absence.

(7) The competence of the RMK Council includes:

- 1) approving the development plan and directions of action and checking their compliance;
- 2) determining the number of board members, electing them and deciding on concluding, amending and terminating contracts with them, approving the board's work order and deciding on legal disputes with the board members;

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

- 3) appointment of the chairman of the board;
- 4) determining the remuneration of the board members;
- 5) approval of the annual budget;

[RT I 2008, 58, 328 - entered into force. 01.01.2009]

6) approval of the financial year report and submission to the minister responsible for the field together with a proposal for the amount of the portion of the net profit to be transferred to the state budget;

[RT I 2008, 58, 328 - entry into force. 01.01.2009]

7) selecting an auditor, reviewing the audit results and submitting them to the minister responsible for the field;

8) forming an audit committee and approving its regulations in order to ensure advice to the Council regarding the organization of accounting, external and internal auditing, the operation of the internal control system, monitoring of financial risk management and the legality of operations, as well as the preparation of the budget and approval of the annual report;

9) approval of the internal audit structural unit's statutes, annual work plan, budget, composition, internal audit procedure and the job description of the head of the internal audit structural unit and giving consent to conclude, change or terminate the employment contract with the head of the internal audit structural unit;

[RT I, 05.01.2011, 13 - entered into force. 15.01.2011]

- 10) approval of the salary scale of employees;
- 11) Deciding to take a refundable subsidy from the Ministry of Finance;

[RT I, 13.03.2014, 2 - enters into force. 23.03.2014]

12) deciding on the commissioning and transfer of property in the case specified in this Act;

13) Deciding on the establishment and participation in private legal entities by RMK as a representative of the state and representing RMK in them.

[RT I 2008, 58, 328 - entry into force. 01.01.2009]

(8) Council meetings are held as needed, but at least once every three months. The procedure for convening and holding Council meetings is stipulated in the RMK statutes.

(9) The amount of remuneration paid to members of the Council and the procedure for its payment shall be determined by the Government of the Republic by regulation. When paying fees to council members, their participation in council meetings and council activities is taken into account.

(10) In order to fulfill its duties, the council has the right to familiarize itself with all RMK documents, as well as check the correctness of accounting, the existence of assets, compliance of RMK's activities with laws, other legislation and the RMK's statutes.

(11) The members of the council are jointly and severally liable for the damage caused to the state by violating the requirements of the law and the statute and failing to fulfill their obligations. A member of the council is released from responsibility if he has dissented from the decision on which the illegal activity is based and the dissent has been recorded in the minutes. The limitation period for a claim against a council member is five years.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 50. Board of the State Forest Management Center

(1) The board of RMK is the management body of RMK, which represents and manages RMK. The management board is guided by laws and orders of the Council and presents an overview of RMK's activities and economic situation to the Council at least once every three months.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(2) The board of RMK has up to five members. The term of office of the board is five years.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) The procedure for electing the members of the board, the requirements for the members of the board and the procedure for concluding contracts with the members of the board are stipulated in the statutes of RMK.

(4) RMK can be represented in all legal actions by any member of the board. The areas of responsibility of the board members are determined by the contract concluded with the board member.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(5) The board organizes accounting.

(6) Employment contracts with RMK employees are concluded by the chairman of the board or his authorized person.

(7) A member of the board may not, without the consent of the council, be:

- 1) self-employed in the areas of activity of RMK;
- 2) a partner of a general partnership operating in the fields of activity of RMK or a general partner of a limited partnership;
- 3) Member of the management body of a company operating in RMK's fields of activity.

(8) If the actions of a board member are in conflict with the provisions of subsection 7 of this section, the council may require the board member to cease the prohibited activities and transfer the income from the prohibited activities to RMK, as well as compensation for damages to the extent that exceeds the collected income.

(9) The statute of limitations for the claim to transfer income from prohibited activities is three months from the day when the Council became aware of the violation of the obligation provided for in subsection 7 of this section, but no longer than three years from the violation of the obligation. A general statute of limitations applies to claims for damages.

(10) A member of the board must fulfill his duties with due diligence of an entrepreneur. The members of the board, who have caused damage to RMK by breaching their duty, are jointly and severally liable for compensation for the damage caused. The limitation period for a claim against a board member is five years.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 51. Accounting of the State Forest Management Center

(1) RMK is an independent accounting entity and, when organizing its accounting, is based on the Accounting Act, other legislation regulating this field and RMK's statutes.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(2) RMK is liable for VAT.

§ 52. Reporting and control of the National Forest Management Center's activities

(1) The management board submits the audited financial year report to the council for approval no later than four months after the end of the financial year.

(2) The activities of RMK are controlled by the State Audit Office in the manner and to the extent provided for in the State Audit Act.

Section 7

Possession, use and disposition of the assets of the State Forest Management Center

§ 53. Property of the State Forest Management Center

(1) RMK's property (hereafter *property*) is the real and movable property given to RMK's possession by the manager of state assets and created and acquired as a result of RMK's own activities, as well as monetarily valued rights and obligations.

(2) RMK is the authority authorized to manage the state forest land managed by the Ministry of Climate and other property owned by RMK.

(3) RMK owns, uses and disposes of the property in its possession for the management of the state forest and for obtaining income in accordance with the procedure provided for in this Act. The provisions of §§ 45 and 46 of this Act apply to the right to use the state forest and the possession, use and disposal of forest material.

(4) If movable property in the possession of RMK or a building that is a significant part of a plot of land is not necessary for the management of the state forest or for generating income and its preservation is economically unfeasible, the board of RMK may declare said property unusable and it will be written off based on the decision of the board of RMK and, if necessary, destroyed.

(5) The sale of real estate belonging to the state and in the possession of RMK is coordinated by RMK with the manager of state assets.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(6) The use, commissioning, transfer and invalidation of property in cases not specified in this Act shall be carried out in accordance with the procedure provided for in the State Property Act and legislation established on the basis thereof.

§ 54. Use of income from the use, commissioning and transfer of property

(1) The income from the use, commissioning and transfer of property is used for the management of the state forest.

(2) The income from the sale of immovable property is used for RMK to acquire immovable property for the purpose of managing the state forest or obtaining income, or for the fulfillment of the state task stipulated in § 20 of the Nature Conservation Act.

[RT I, 26.01.2018, 5 - enters into force. 05.02.2018]

§ 55. Putting property to use for income

(1) The property is given to another person for income, if the property is not temporarily necessary for the management of the state forest.

(2) Assets are put into use:

- 1) as letting or leasing of movable and immovable property;
- 2) as encumbrance of immovable property with limited property rights.

§ 56. Decision-maker for putting property into use

(1) The decision-maker for putting the property into use is:

- 1) in the case of letting or leasing movable and immovable property, the board of RMK or a person authorized by the board;
- 2) in the case of encumbrance of immovable property with real or personal servitudes, the board of RMK or a person authorized by the board;
- 3) in the case of encumbrance of immovable property with building rights for up to 50 years, the board of RMK, in case of encumbrance with building rights for more than 50 years, the council of RMK;
- 4) in the case of encumbered with other limited property rights, the board of RMK.

(2) The contract for putting the asset to use is concluded by a member of the board of RMK or a person authorized by him.

§ 57. Procedure for putting property into use

(1) The ways of putting property into use are negotiation, auction and negotiation with auction.

(2).

(3) An auction is organized to put the asset into use, if it is known in advance that more than one person is interested in using the asset, or if organizing an auction promises a higher return than negotiations or in addition to negotiations when the asset is put into use.

(4) The putting property into use by means of an auction is announced at least one week before the auction takes place in the publication *Ametlikud Teadaanded* and on the RMK website. If necessary, relevant notices and announcements can be additionally distributed in other ways. In the notice of offer, the main indicators characterizing the property to be put into use and the basic conditions of putting into use must be indicated.

(5) The exact procedure for putting the property into use is stipulated in the RMK statutes.

(6) The contract for putting the property to use is concluded with the person whose offer has been recognized as the best by the person who decided to put the property to use. In the absence of offers that meet the established conditions, the decision-maker has the right not to conclude the contract.

(7) The notice on the commissioning of the property is published on the RMK website.

§ 58. Amount of fee for putting property into use, deadlines and other conditions of putting into use

(1) Assets are put to use for a fee. The amount of the fee must not be less than the normal value of the fee received when the property is put into use.

(2) The time limits for putting the property to use and other conditions for putting the property to use are determined by the person who decides to put the property to use, based on the type of property and the economic expediency.

§ 59. Transfer of property for income

(1) Assets are transferred to obtain income, if the asset is not necessary for the management of the state forest and the transfer of the asset is economically more expedient than putting the asset to use.

(2) Property is transferred for money.

(3) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 60. Decision-maker for transfer of property

(1) The decision-maker for the transfer of property is:

1) in the case of property whose normal value is 32,000 or more euros, the Council of the RMK;
[RT I 2010, 22, 108 - entry into force. 01.01.2011]

2) in the case of property with a normal value of up to 32,000 euros, the RMK board.
[RT I 2010, 22, 108 - entry into force. 01.01.2011]

(2) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 61. Property transfer procedure

(1) The method of transfer of property is an auction.

(2) The person making the decision to transfer the property may decide on the transfer without an auction, if the transfer of the property in this way provides a greater benefit.

(3) The auction is organized by a committee of at least three members appointed by the person who decided to transfer the property.

(4) The transfer of property by auction is announced at least two weeks before the auction takes place in the publication *Ametlikud Teadaanded* and on the RMK website. If necessary, relevant notices and announcements can be additionally distributed in other ways. In the notice of offer, the main indicators characterizing the property to be transferred and the initial price of the transfer of the property must be indicated. At the auction, the starting price must not be lower than the normal value of the property to be transferred.

(5) The exact procedure for the transfer of property is stipulated in the RMK statutes.

- (6) The contract for the transfer of property is concluded by a member of the board of RMK or a person authorized by him.
- (7) The contract for the transfer of property is concluded with a person who agrees to the established terms of sale.
- (8) The notice on the transfer of property is published on the RMK website.

§ 62. Procedure for exchanging immovable property

[Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 63. Acquisition of property

(1) RMK acquires property for the management of the state forest or to obtain income or to fulfill the state task stipulated in § 20 of the Nature Conservation Act at the expense of the funds designated for this purpose in the budget of RMK.

[RT I, 26.01.2018, 5 - enters into force. 05.02.2018]

(2) Acquisition of RMK property is:

- 1) acquisition of movable and immovable property for a fee or free of charge;
- 2) acquisition of rights of use or rights to movable and immovable property belonging to other persons;
- 3) encumbrance of immovable property belonging to other persons with limited property rights;
- 4) acquisition of claim rights.

§ 64. Decision-maker for property acquisition

(1) The decision-maker for the acquisition of property is:

- 1) in the case of acquisition of movable and immovable property, the board of RMK or its authorized person;
- 2) upon acquisition of rights of use and property rights of movable and immovable property belonging to other persons, the board of RMK or its authorized person;
- 3) the board of RMK with limited property rights when encumbering immovable property belonging to other persons;
- 4) upon acquiring the right of claim, the board of RMK;
- 5) the minister responsible for the field in the case of acquisition of immovable property containing a protected natural object on the basis of § 20 of the Nature Conservation Act.

[RT I, 26.01.2018, 5 - enters into force. 05.02.2018]

(2) The contract for the acquisition of property is concluded by a member of the board of RMK or a person authorized by him.

§ 65. Property acquisition procedure

(1) RMK acquires property in accordance with the procedure provided for in the Public Procurement Act.

(2) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) The person making the decision to acquire the property or his authorized person conducts negotiations for the acquisition of property.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(4) The procedure for negotiating the acquisition of property is stipulated in the RMK statutes.

(5) The announcement about the acquisition of property is published on the RMK website.

(6) Real estate containing a protected natural object shall be acquired by RMK in compliance with the procedure established by the Nature Conservation Act and on its basis.

[RT I, 26.01.2018, 5 - enters into force. 05.02.2018]

1

4 . chapter STATE SUPERVISION

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

1

§ 65 . State supervision

(1) State supervision over the fulfillment of the requirements of this Act and the legislation established on the basis thereof is carried out by the Environmental Board.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(2) [Repealed - RT I, 10.07.2020, 2 - entry into force. 01.01.2021]

2

§ 65 . Special measures of state supervision

(1) The Environmental Board may apply the special measures of state supervision provided for in §§ 30, 31, 32, 45, 46, 47, 49, 50, 51, 52 and 53 of the Law Enforcement Act on the basis and procedure provided for in the Law Enforcement Act to carry out the state supervision provided for in this Act.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(2) [Repealed - RT I, 10.07.2020, 2 - entry into force. 01.01.2021]

3

§ 65 . Peculiarities of state supervision

(1) For the purpose of supervision, an official of a law enforcement agency may stay and move with a vehicle, including an all-terrain vehicle and a floating device, in a land or water area, where stay and movement are prohibited or restricted by legislation for the

purpose of environmental protection.

(2) The Environmental Board may enter the designated immovable property without the presence of the owner or other authorized person, if:

[RT I, 10.07.2020, 2 - entry into force. 01.01.2021]

1) it is necessary to find out or repel a significant threat, and the involvement of the mentioned persons would result in a delay that would endanger the achievement of the purpose of applying the measure, or

2) the purpose of entering the property is to ensure passage to another immovable property or body of water.

(3) The Environmental Board does not have to notify the owner of the entry into the possession based on the basis provided in subsection 2 of this section, if no surveillance or criminal offense proceedings were carried out in the possession after the entry.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

4

§ 65 . Use of immediate coercion

(1) The Environmental Board is allowed to use physical force, special equipment and service weapons on the basis and according to the procedure provided in the law enforcement act.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(2) Special tools of the Environmental Board are handcuffs.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(3) The service weapons of the Environmental Board are firearms.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

5

§ 65 . Extortion rate

In the case of failure to comply with the injunction, the maximum amount of the fine to be applied in accordance with the procedure laid down in the Substitute Enforcement and Fines Act is 32,000 euros.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

Chapter 5 COMPENSATION OF DAMAGES

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

§ 66. State supervision of forest management

[Repealed - RT I, 13.03.2014, 4 - entry into force. 01.07.2014]

§ 67. Damage caused to the environment and its compensation

(1) Damage caused to the environment illegally shall be compensated by the person who caused the damage to the state to the extent and according to the procedure provided for in this section.

(2) In the sense of this Act, damage is caused to the environment if:

1) stands that are younger than permitted or with a smaller average breast diameter are felled, the permitted amount of breast area or fullness of the stand, the time or type of felling, the minimum time established for the succession of felling stages is not respected, or the forest is felled where it is prohibited;

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

2) the size of the renewal felling area is not adhered to, a new renewal felling is started before the renovation of the immediately adjacent renewal felling, more or larger fells are cut than permitted during wave felling, or a wider forest area than the average height of the stand is cleared during rolling felling;

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

3) trees, bushes, forest culture or natural renewal are destroyed or damaged by mechanically damaging them or making growth conditions unfavorable;

4) the surface is damaged;

5) forest burning is caused, except in the case of controlled burning of the landscape;

[RT I, 30.12.2020, 2 - enters into force. 01.03.2021]

6) the forest is littered;

7) logging sites or forest material storage areas are left uncleaned;

8) the deadlines for the export of raw, unpeeled conifers from the forest are violated.

(3) In the cases specified in Clause 2, Clause 1 of this section, the loss is calculated in accordance with the rates provided in Appendices 2 and 3 of this Act.

(4) In the cases specified in Clause 2, Clause 2 of this section, a loss of 3,200 euros is calculated for each hectare that exceeds the area permitted to be cut.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

(5) If forest culture or natural regeneration with a height of less than 0.6 meters, or trees or bushes have been destroyed or damaged by mechanically damaging them, making the growth conditions unfavorable or causing a fire, except in the case of controlled burning of the landscape, with:

[RT I , 30.12.2020, 2 - in force. 01.03.2021]

1) more than 30 percent (more than 10 percent in spruce) of the circumference of the tree trunk has been damaged on trees or shrubs, so that the damage to the bark is at least as far as the wood, or more than half of the crown or root system of the tree or shrub has been damaged or destroyed as a result of the damage, or the top part of the tree has been destroyed, the damage is calculated according to the rates provided in Appendix 2 of this Act;

2) on trees or shrubs, 10-30 percent (up to 10 percent for spruce) of the circumference of the tree trunk is damaged, so that the damage to the bark is at least as far as the wood, or 1/3-1/2 of the crown or root system of the tree or shrub is damaged, the damage is calculated as 25 percent to the extent of the rates provided in Appendix 2 of this Act;

3) trees or shrubs have damaged less than 10 percent of the circumference of the tree trunk so that the bark is damaged at least as far as the wood, or 1/4–1/3 of the crown or root system of the tree or shrub has been damaged, the damage is calculated to the extent of 10 percent of the rates specified in Appendix 2 of this Act ;

4) a forest culture or natural innovation, the height of which is less than 0.6 meters, has been damaged in such a way that it has caused the destruction of the forest culture or natural innovation, the damage is calculated at 447 euros per hectare.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

(6) If the soil is damaged, the damage is calculated:

1) in floodplain, marshy and lowland forest and floodplain heath 0.60 euros for damage to one square meter of the land area;

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

2) 0.50 euros for damage to one square meter of land area in low and heath forests;

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

3) 0.35 euros for damage to one square meter of land area in palu, lane, salu and syrja forests;

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

4) 0.25 euros for damage to one square meter of the land area in swamp, flooded, swamp and transitional swamp forest.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

(7) If the soil is damaged in the course of harvesting the forest on felling poles, damage that exceeds 25 percent of the area of the felling pole shall be considered as damage.

(8) If a forest has been littered:

1) with waste or other substances transported there or in another way, damage is calculated at 6.40 euros per square meter of the littered land area;

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

2) by not cleaning the stop or camp site, the damage is calculated at 0.60 euros per square meter of littered land area.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

(9) If clearcuts or forest material storage areas have been left uncleared, the damage shall be 320 euros for one hectare of uncleared land or 1.60 euros for failure to clear the place where a single tree or bush was felled, but not more than 320 euros per per hectare, or 1.60 euros for each dense meter of raw, unpeeled softwood, which has not been removed from the cutting log or the forest material storage area by the deadline set by this law.

[RT I, 11.12.2013, 1 - enters into force. 01.01.2014]

(10) If the stumps have been removed when the forest is damaged, or if it is not possible to assess the damage caused by individual trees or bushes, the damage is calculated based on the assessment data of the average tree of the stand contained in the forest descriptions of the forest management plan, while the number of damaged trees is calculated by allotments, dividing the damaged forest part by the average tree volume of the general reserve.

(11) In case of damage to the forest in the nature reserve of the protected area and in the target protection zone, when calculating the damage caused to the environment, the damage consideration rate is multiplied by the coefficient 5.0, and in the restricted zone and storage area of the protected natural object by 3.0.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

(12) Compensation for environmental damage shall be collected by the Environmental Board. Damage compensation is transferred to the state budget.

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

Chapter 6 RESPONSIBILITY

§ 68. Illegal felling, destruction and damage of forest, trees and bushes

(1) Illegal felling, destruction or damage to a forest, trees or bushes - shall be punished by a fine of up to 300 fine units or by arrest.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

§ 69. Violation of the obligation to prove legality and to check it when transferring the right to fell and forest material and giving the forest for felling

(1) Violation of the obligation to prove the legality and to check it when transferring the right to fell or forest material or giving the forest for felling - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

§ 70. Violation of forest management requirements

(1) A fine of up to 200 fine units shall be imposed for violating the requirements of forest renewal, cultivation or use or the requirements of forest protection, except in the cases specified in §§ 68 and 69 of this Act.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 2,000 euros.
[RT I 2010, 22, 108 - entry into force. 01.01.2011]

§ 71. Application of confiscation

An extrajudicial proceeding or a court may apply the confiscation of an object that was the direct object of the commission of a misdemeanor provided for in §§ 68 and 69 of this Act in accordance with § 83 of the Penal Code.

§ 72. Procedure

(1) The general part of the Penal Code and the provisions of the Misdemeanor Procedure Code apply to misdemeanors provided for in §§ 68–70 of this Act.

(2) Extrajudicial proceedings for misdemeanors provided for in §§ 68–70 of this Act are:

1) Environmental Board;

[RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

2) police agency.

[RT I 2009, 62, 405 - entry into force. 01.01.2010]

Chapter 7 FINAL PROVISIONS

§ 73. – § 79. [Omitted from this text.]

§ 80. Implementation of the law

(1) On the basis of the Forest Act that was in force before the entry into force of this Act, the restrictions on the management of research and wind-prone areas, forest areas and areas with pressurized groundwater and within the boundaries of heritage protection objects, which were classified as protected forest, are valid until January 1, 2008.

(2) [Repealed - RT I 2008, 56, 314 - entry into force. 01.01.2009]

(3) If the forest owner has an obligation to renew the forest before January 1, 2007, he shall renew the forest in accordance with the Forest Act in force before the entry into force of this Act. If the area to be renewed has not been renewed in accordance with § 24 (4) of this Act within seven years after the obligation to renew has arisen, the Environmental Board issues the injunction provided for in § 25 (8) of this Act to the forest owner. In the event of non-fulfillment of the prescription by the deadline specified therein, coercive measures will be applied to the forest owner in accordance with § 25 subsection 8 of this Act.

[RT I 2009, 3, 15 - entered into force. 01.02.2009]

(4) The powers of the members of the RMK Council formed before the entry into force of this Act are valid until the composition of the Council established on the basis of this Act is confirmed.

(5) The powers of the Director General of RMK, appointed before the entry into force of this Act, are valid until the decision of the Council on the election of members of the Management Board of RMK enters into force.

(6) Decisions to establish a forest management plan adopted before the entry into force of this subsection are not legally binding to the Environmental Board when processing forest notifications submitted after the entry into force of this subsection.

[RT I, 05.01.2011, 13 - entered into force. 15.01.2011]

(7) A forest manager's certificate issued before this subsection enters into force is valid for five years from the entry into force of this subsection.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(8) § 28 subsection 10 of this Act shall enter into force on September 1, 2022.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

(9) § 42 subsection 3 of this Act enters into force on September 1, 2020.

[RT I, 06.07.2017, 1 - enters into force. 01.09.2017]

§ 81. Management and felling of forest growing on unreformed land

(1) The management of the forest growing on the land subject to privatization and restitution is organized by the Environmental Board until land ownership is reformed on the basis of the Land Reform Act.

[RT I, 05.01.2011, 13 - entered into force. 15.01.2011]

(2) Areas that belonged to the state before July 23, 1940 and are currently covered with forest are not subject to privatization.

(3) If a forest grows on the land specified in subsection 2 of § 31 of the Land Reform Act, the forest management and felling shall be organized by the RMK until land ownership is reformed based on the Land Reform Act.

[RT I 2008, 56, 314 - entry into force. 01.01.2009]

§ 82. Entry into force of the law

(1) This Act enters into force on January 1, 2007.

(2) § 26 and § 41 subsection 5, subsection 7 point 2 and subsections 9 and 10 of this Act shall enter into force on July 1, 2007.

1

Council Directive 99/105/EC on the marketing of forest reproductive material (OJ L 11, 15.01.2000, pp. 17–40).

Appendix 1

[Repealed - RT I 2009, 3, 15 - entry into force. 01.02.2009]

Appendix 2 Rates of consideration of damage caused to the environment depending on the diameter of the stump of an illegally cut tree

Annex 3 Rates of consideration of the damage caused to the environment by reducing the forest chest area to less than the permitted minimum level during forest cutting

[RT I, 11.12.2013, 1 - entered into force. 01.01.2014]