

## No. 196

**PROTECTION FOREST ACT**

Issued on August 11, 1922.

## Section 1 (February 8, 1991/267)

In regions where the preservation of forest is necessary in order to prevent a lowering of the timber line, the Ministry of Agriculture and Forestry shall have the power, to proclaim, in the order prescribed in this Act, certain areas of forest land as protection forest areas.

## Section 2 (February 8, 1991/267)

In a protection forest area, the use of forest for purposes other than domestic use of an estate is allowed only on the permission of the District Forestry Board if the forest is not in the ownership of the Government. If so required by the special local conditions, the Ministry of Agriculture and Forestry can also limit or forbid the use of timber for domestic purposes in such areas.

The Ministry of Agriculture and Forestry also has the power to issue regulations limiting reindeer grazing in a protection forest area if such regulations are necessary from the point of view of achieving the purpose of Subsection 1.

## Section 3 (February 8, 1991/267)

If the use of forest for domestic purposes by a holding is limited or prohibited on the basis of Subsection 2, the landowner shall be entitled, provided that the limitation or prohibition is not based on reckless felling of timber, to take, where possible, such an amount of timber for domestic purposes from a State forest as corresponds to a reasonable degree to the reduction in the holding's right to use the forest as indicated by the National Board of Forestry.

## Section 4

If the amount of timber to be obtained from a State forest as compensation referred to in the previous Section cannot be delivered or it can only be delivered from a place which would considerably deteriorate the living conditions on the holding, the State shall be liable to pay the landowner annual compensation corresponding to a reasonable degree to the reduction or loss in the holding's right to use the forest or, if so required by the landowner, redeem the holding or part of it against such compensation and in such order as is prescribed in the Act on expropriation of real estate issued on July 14, 1898.

The provisions of Subsection 1 concerning the redemption of a holding are not applicable to a reindeer holding referred to in the Reindeer Holding Act issued on September 19, 1969 (590/69).  
(September 19, 1969/591)

## Section 5

If the preservation of a forest for the protection of settlement or cultivated areas on sea or inland-water islands and shores highly exposed to wind, highland areas or cliffs or for the prevention of a landslide, presupposes greater restrictions in forest utilization than stipulated in the Private Forests Act (412/67), the Ministry of Agriculture and Forestry shall have the power to designate a required protection area and issue orders on the permissible use of the forest or forest land belonging to the same. (February 8, 1991/267)

The same Act shall be applied to cases where it is necessary to preserve a forest against quicksand.

## Section 6

On the shores of such fishing waters which do not solely belong to the owners of the shore, the forest, if it improves the living conditions of the fish, shall not be felled in such a manner as to make it useless for the said purpose.

A group of trees or a tree which, from ancient times, has served the purpose of a landmark or guidance to ships shall not be destroyed or damaged under any circumstances.

## Section 7 (February 8, 1991/267)

When the decision to which is referred in Sections 1 or 5 concerns forest land not owned by the State, the landowners and local administrative and municipal authorities shall be given hearing prior to the final settlement of the matter.

A matter concerning restrictions on the grazing of reindeer, referred to in Section 2, Subsection 2, must be presented to the appropriate Provincial Government for a statement, which, prior to issuing its statement, must reserve the Union of Reindeer-Grazing Associations and the appropriate Reindeer-Grazing Associations a chance to give their statement.

## Section 8

The above stipulations concerning the order of execution in proclaiming forest land a protection area and imposing the resulting restrictions on the use of the forest and reindeer grazing shall also apply when the protection area is discharged from being subject to the stipulations of this Act and the above-mentioned restrictions set on the holding are cancelled.

## Section 9 (February 8, 1991/267)

The observance of this Act is supervised by the National Board of Forestry where the forest is owned by the State, elsewhere it is supervised by the District Forestry Board.

#### Section 10

Anyone who violates the regulations issued on the basis of this Act or the provision contained in Section 6 shall be fined or sentenced to prison for a maximum of one year, and the felled timber and its value, provided that the felling does not involve unauthorized use of someone else's forest, shall be forfeit.

#### Section 11

If there is reason to suspect that the timber, prior to being ordered forfeit, is going to be sold or destroyed, it must be confiscated by the appropriate execution officer if so required by any of the authorities, referred to in Section 9, responsible for the enforcement of this Act.

#### Section 12

The confiscated timber must be sold at an auction by the execution officer in accordance with the order prescribed for selling confiscated personal property as soon as it has been ordered forfeit. However, the sales can be arranged earlier if so enquired by the owner or requested by the authority, at the request of whom the confiscation was enforced, and there is reason to believe that the timber will otherwise become rotten or its storage become unreasonably expensive.

If the owner of the timber deposits the value of the timber or a security for the same, which is accepted by the execution officer, the confiscation order must be cancelled immediately.

#### Section 13

[In a municipality where there is no Execution Officer, the Police Chief shall carry out the tasks prescribed for the Execution Officer in this Act.]

#### Section 14

More detailed regulations concerning the application of this Act are issued in a statute.

#### Section 15

This Act abrogates Chapter 33, Section 8 of the Criminal Code, as well as Section 13 of the Forest Act issued on September 3, 1886, if the latter conflicts with the provisions of this Act.