

## **Government Resolution No. 96 of May 10<sup>th</sup>, 2007**

### ***“On the inclusion and exclusion of certain areas within the State Forest Fund”***

signed: **Prime Minister Zurab Nogaideli**

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#### **Article 1. General Provisions**

This Regulation determines the rules and conditions applying to the inclusion or exclusion of certain areas in or from the State Forest Fund.

#### **Article 2. Public Bodies charged with the exclusion or inclusion of certain areas of the State Forest Fund**

The Ministry of Environmental Protection and Natural Resources of Georgia shall submit proposals for the inclusion or exclusion of forest areas in or from the State Forest Fund to the Government of Georgia for consideration. The Government of Georgia shall take a decision on the recommendation of the State Committee on Land Use and Land Protection (hereafter: “the Committee”).

#### **Article 3. Entitled Applicants**

1. The following bodies are entitled to claim the inclusion or exclusion of forest areas in or from the State Forest Fund:
  - a) State Organs
  - b) Local bodies of Self-Government
  - c) Natural or legal persons
2. The claimant shall apply to the Ministry of Environmental Protection and Natural Resources of Georgia and justify their proposal for the inclusion or exclusion of forest areas in or from the State Forest Fund.

#### **Article 4. Required documentation**

1. The claimant shall, upon submitting their application, furnish the documents listed below:
  - a) Application;
  - b) In the case of legal persons and bodies corporate an excerpt of the public register; in the case of natural persons proof of identity as provided by law. Bodies

- corporate under public law shall provide authenticated documentation on the property in question;
- c) Site-plans of the area in question;
  - d) A detailed justification for the applied for inclusion or exclusion of forest areas in or from the State Forest Fund.
2. In drawing up an appraisal for review by the Committee, the Ministry of Environmental Protection and Natural Resources of Georgia shall involve the public bodies listed below:
- a) Ministry of Economic Development
  - b) Ministry of Culture, Protection of Historic Buildings and Monuments, and Sport
  - c) The concerned Local Bodies of Self-Government
  - d) Other concerned public administrations.

### **Article 5. Procedures for taking a decision concerning the inclusion or exclusion of forest areas in or from the State Forest Fund**

1. The Committee shall review the documentation submitted by the the Ministry of Environmental Protection and Natural Resources of Georgia, and thereupon draw up its recommendation.
2. If the Committee returns a favourable recommendation, it shall thereupon forward it for consideration by the Government of Georgia.
3. The Government of Georgia shall consider the Committee's recommendation, and on this basis decide on the application.
4. Forest areas to be removed from the State Forest Fund shall be transferred to the custody and the management by the entitled organ determined by law, subject to a transfer-protocol.
5. Forest areas to be included in the State Forest Fund shall be transferred to the custody and the management by the State Department of Forestry under the Ministry of Environmental Protection and Natural Resources of Georgia, subject to a transfer-protocol.

### **Article 6. Final Provisions**

Amendments and additions to this regulation shall be effected and recorded as provided for by law.