



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Agriculture and Forestry

No. 0221/MAF

Vientiane Capital, date 13 October 2000

Regulation

On the Management of Harvesting of Timber and Forest Products

- Pursuant to the Law on Forestry no. 01 – 96, dated 11/10/96;
- Based on the Prime Minister's Decree on the Implementation of the Law on Forestry no. 198/PM, dated 15/11/1999.

In order to make the harvesting of timber and forest products in the Lao PDR to be in conformity with the proceedings of the Law on Forestry.

Minister to the Ministry of Agriculture and Forestry issues the following regulation:

Chapter I
General Provision

Article 1: Objectives

The regulation on management of harvesting of timber and forest products is aiming at:

1. Ensuring the harvesting of timber and forest products is able to supply raw material to the wood processing factories in a regular basis and with quality; there is a use of proper techniques; stable development of socio-economic as well as protection of environment that will help maintaining the continue regeneration of forest; and to ensure the protection of forest and forest resource to be existed with abundance and stability.
2. Ensuring that the investment of individuals and organizations in harvesting of timber and forest products to be able to have reasonable benefits.

Article 2: Definitions

Timbers: refers to all kind of timbers that are standing trees or fell trees and the meaning covers the roots, burl, stumps, twigs, branches or any parts of the timber either it was cut, fell, sawn, chopped, sliced, grated, trimmed or be impacted by any other ways.

Forest products: refers to all kinds of Non-Timber Forest Products (NTFP) growing naturally and they can include trunks, stems, vines, tubers, roots, buds, shoots, leaves, flowers, fruits, grains or seeds, bark, oil, resin, mushrooms, honey and so on.

Non seasonal Forest products: refers to the kinds of NTFPs that could be harvest in every season such as: rattans, bamboos, Nam man yang, pine resin, Peuak bong, and roots, vine and so on.

Seasonal Forest Products: refers to the kinds of NTFPs that could be harvested on a seasonal basis such as: flowers, fruits, shoots, mushrooms and so on.

Production Forest Products: refers to the forests and forest land classified to respond to the needs of national socio-economic development and multi ethnic people's living in terms of wood and forest products on a regular basis.

Timber Harvests: refers to the activities on forest starting from the forest inventory for management, forest inventory for harvest planning, tree marking, felling, trimming, dragging/hauling, including the timbers at landing I, measurement of timber for log list at landing II and transport of log from landing II to landing III or wood processing factories.

Authorization for Timber harvests: refers to the right given to individuals or organizations to conduct timber harvest operation in particular forest areas.

Royalties for replacement tree and NTFPs planting: refers to the royalties derived from individuals or organizations that obtained authorizations for timber and forest products harvests, which needs to pay to the government before conducting the harvest according to the rate defined by the government with a specific objectives for the forest regeneration, trees planting, maintenance of planted forest and the protection of forests.

Fees for forest resources: refers to the fees derived from individuals and organizations that obtained authorization for the use of wood, which pay to the government according to the rate defined by the government, the fees for forest resources are to deposit into the national budget, and shall be paid before transporting the wood from landing II.

Long term management plan: refers to a document that defined for each plot of production forest land based on the inventory for management. Long term management plan will defined the classification of production forest into different categories, division of forest areas into plots, duration of the cycles, estimated volumes for cutting in each year including the road for harvesting, roads for log transport, log landings and so on.

Timber harvesting plan: refers to the reference document for conducting timber harvest operation which defined the objectives, techniques of harvest, boundary of the area, duration, volumes to be harvest, quantity and types of machines for timber harvest, financial and labour needs, measures for regeneration and rehabilitation of the forest, and the assessment of impacts on socio, economic and environment.

Salvage logging: refers to the harvest of all trees from the planted forest, natural forests and forest land that approved by the government to convert such land to other land use such as: reservoir of the hydro

power dam, road channel, transmission line channel, irrigation canals, land development area for agriculture production, airfield, industrial zones, mining areas and other public areas.

Selective Cutting: refers to a selective cutting of trees from the forest areas on an effective manner based on the forest management plan and forest inventory for harvesting purpose with significant objectives in rehabilitating the forest conditions and tree species to allow them grow fast with good quality.

Tree marking: refers to the lawful marking of trees according to the authorization for cutting, over aged trees, the trees that are not defined for parent trees, using the stamping hammer, paints and so on, which is indicated that such amount of trees will cut from the forest areas as per harvesting plan.

Tree Felling: refers to the cutting down of the trees to its defined felling direction.

Trimming (Kan Ban Thorn) : refers to the cutting of trunk, branches of the trees to split over in conformity with the standard sizes and market needs defined to have the volumes and high quality of the cut trees, and also easy to drag and transport.

Log Landing I: refers to the holding place of logs that are tree marked and serial numbered which removed from cutting places in the logging area according to the logging plan.

Log Landing II: refers to the holding place of logs transported from log yard I ready for transport to the log landing III all year round, relatively far from the main road, safe from natural disaster and other accidents and is the place of making log list and grading of logs.

Log Landing III: refers to the holding place of logs, of the factories, transferred from log landing II through the lawful procedures of the regulations on log transport such as paying log royalties as per regulations, each log has marked and stamped with transport paper and being transported in the defined route.

Making Log list: refers to the measurements, recording and assessment of the characteristic of the logs conducted by the forestry officers that are specifically assigned such as: species, tree number, log number, diameters or bole/girth, length, number of logs, volumes and grading of logs.

Forest inventory for management purpose: refers to the study and collection of data aiming to identify the type of forests, boundaries of the forest, forest land and forest resources, assessment of the capacity in supplying tree volumes for harvesting per year in each compartment. In addition, it defines road for dragging/hauling, transport road, log landing and accommodation of employees, workers as well as marking other important point into the map based on the technical principles in order to develop the objectives of current and future needs meaningfully.

Forest inventory for harvesting purpose: refers to the analysis of the data in order to design and calculate the harvest operation effectively by identifying the trees, species and actual tree volumes to be cut annually, tree marking, tree stamping, defining felling direction for ensuring the regeneration and protection of environment.

Forest Cleaning: refers to the removal of twigs/branches and debris after the harvest including the vines and trees with below standard, non- economically value aiming to create potential conditions for the harvested areas in naturally regenerating or re-planting of the trees as well as avoiding the spread of diseases and other insects.

Post harvest inventory: refers to the survey and double checking the forest conditions for the assessment of the implementation of previous harvest operation.

Chapter 1

Planning and Conditions for timber harvest

Article 3: Forests for timber harvest operation

Forests for timber harvest operation shall be:

1. The Production forests that have already been conducted the forest inventory for management purpose and for harvesting purposes by dividing the compartments, annual cut areas and knew the harvestable volumes of trees and the cycle of the harvest based on current estimated grown rate of the trees which defined in the detailed harvesting plan and included in the overall forest management framework of each zone of the forest ensuring sustainable timber harvest.
2. Development area for the construction of irrigation canal, roan channel, transmission line channel, reservoir of the hydro power dam and other business activities formally approved by the government.

Article 4: Long term management planning

Forest inventory and planning center of the National Agriculture and Forestry Research Institute (NAFRI) shall collaborate with the Departments of Agriculture and Forestry at provincial level, Vientiane capital and special region, to be prepared for the planning for long term management for the production forests of each zone and then submit to the Ministry of Agriculture and Forestry consideration and approval accordingly.

Article 5: Timber harvest planning

The officers of the District Agriculture and Forestry Office shall prepare the harvest plan in production forest areas that have already been inventoried and planned for management which conducted by the National Agriculture and Forestry Research Institute (NAFRI). The harvest plan shall be in consistent with the long term management plan approved by the Ministry of Agriculture and Forestry. Such planning shall have the feasibility study report (economic and technical) and shall be completed one year before the harvest operation taking place.

Article 6: Endorsement of Timber Harvest Plan

1. the Departments of Agriculture and Forestry at provincial level, Vientiane capital and special region shall accept the timber harvest plan as specified in the article 5 of this Regulation in order to consolidate and then submit it to the Ministry of Agriculture and Forestry not later than 30 June of each year, in order to further consolidate it and submit for approval from the government.
2. For the timber harvest plan specified in article 3 point 2 of this regulation shall be approved by the government.

Article 7: Scope of Authorization for the timber harvest and the harvest of forest products

1. The Department of Forestry shall consolidate the plans for timber and forest products harvest nationwide and then submit to the Ministry of Agriculture and Forestry for consideration, and further submit it to the government for approval. Once the government approved the overall number of the whole country, Ministry of Agriculture and Forestry shall then approve the division annual plan for the harvest of timber and forest products to the provinces, Vientiane capital and the special region.
2. The Departments of Agriculture and Forestry of the provinces, Vientiane capital and the special region shall issue the authorizations to individuals or organizations that are eligible to receive authorization for the harvest of timber and forest products as per the plans informed by Ministry of Agriculture and Forestry.
3. The District Agriculture and Forestry Office shall implement and manage the plans for the harvest of timber and forest products within its district territory as per plans and the agreements of the Departments of Agriculture and Forestry in the province, Vientiane capital and the special region.

Article 8: Preparation of Documentation for the harvest of timber and forest products

Individuals and organizations wish to obtain the authorizations for the harvest of timber and forest products shall prepare complete documents and submit it to the District Agriculture and Forestry Office, the documents comprises of the followings:

1. Letter of request for conducting the harvest of timber and forest products;
 2. Business Operation license and Tax Registration;
 3. Biography and Certificates of Residence;
 4. Certificates from the bank regarding financial status, and availability of sufficient number of vehicles and equipment for the harvest of timber and forest products in order to ensure the successful implementation as per approved plan;
 5. Criminal Declaration;
 6. Contract related to the harvest of timber and forest products between individuals or organizations and the Departments of Agriculture and Forestry of the province, Vientiane Capital and the special region as per the plan that informed by the Ministry of Agriculture and Forestry;
- 6.1 Draft Contract of the Harvest of Timber and NTFPs will be in specific form.

Chapter 2

Principles on Timber Harvest Operation

Article 9: Timber harvest operation

The operation of timber harvest shall take place in the production forest which is officially defined by the government and through the inventories for management and for harvesting purposes, in only the forest area where forest management plan was done aiming to ensure the continued harvest of timber and recovery to the harvestable status. The following main regulation shall be applied:

1. Use the selective cutting system based on management and for harvesting plans;
2. Felling the marked trees and ensuring regeneration of the trees;
3. The cut trees shall be completely collected in order to make fully use of its value;
4. Felling the trees in accordance with the techniques;
5. Felling the trees by limiting the damages to the surrounding trees, ensure that there is no environment impact, cause of erosion or drought;
6. Clean the forest and re-plant the trees after tree felling is completed.

Article 10: Construction of dragging/hauling road, transport road and log landing

Individuals and organizations that are authorized to conduct timber harvest shall construct the dragging/hauling road, transport road and log landing before operating the timber harvest to be in line with the defined timber harvest plan.

Article 11: Trimming

1. Tree trimming shall comply with the technical principles and the supervision of the forestry officers supervising such timber harvest operation;
2. The forestry officers shall clearly and permanently mark the trimmed logs on their surface such as species, compartment number, tree/log numbers in and serial number including the diameter and length;
3. The forestry officers in charge of timber harvest management on site at landing I shall record the dates of felling, species, compartment number, tree number, log number, number of twigs and branches and the harvest zones into the felling list on a daily basis to be used as data for monitoring and inspection of log listing at landing II.

Article 12: Dragging of the logs

1. All logs shall be dragged from the felling areas along the dragging route arranged and gathered at the landing I in full according to the log list of the cut tree;
2. Dragging the logs from the felling areas and gather them at the landing I shall be done at the same time with the felling operation or at least 15 days after the felling, and logs dragging shall be conducted based on the geographic status and also the slope of the areas.

Article 13: Measurement and making the log list

1. Forestry officers who are assigned to the management of timber harvest on site shall inspect and re-measure the logs in order to make the correct log list after the logs have been transported to landing II;
2. Measurement and making the log list shall comply with the Decision of Ministry of Agriculture and Forestry no. 0134/MAF, dated 27/02/1997 on the application of measurement principles, grading of logs for domestic use and for export purposes.

Article 14: Moving the logs

Moving the logs shall comply with the regulation such as pay the logs royalties in full, each log shall be marked and stamped, availability of log moving paper, move the logs on the defined route and declare to the check points.

Article 15: Prohibited areas and prohibitions for timber harvest business operation

1. Protection forest area;
2. Absolute prohibited areas of the Conservation forests and the connected areas between the conservations themselves or between the conservation areas and forest areas of other categories;
3. Prohibited areas for science research and the surrounding areas of natural tourist sites;
4. Areas with slope of 35 degree and above;
5. Buffer zones for rivers 300 m and below;
6. Buffer zones for streams 100 m and below;
7. Buffer zones for national roads and local road 100 m and below;
8. Buffer zones for irrigation canals and transmission line channel 50 m and below;
9. Forest areas at country borders 5 km and below;
10. Areas of limestone, rocky, shallow soil layer and areas of repeatedly flooded;
11. Salvage logging unless otherwise approved by the government;
12. Issuance of license for logging of timber and forest products before paying for fees for planting of trees and NTFPs;
13. Cutting the trees without authorization;
14. Cutting the trees outside the authorized areas;
15. Cutting the trees over the approved plan;
16. Cutting the trees and left them at landing I for more than 1 month;
17. Dragging the logs outside the defined route;
18. Moving the logs without authorization;
19. Moving the logs over the approved quantities;
20. Moving the logs from 6 am to 6 pm and during the prohibited time;
21. Transporting the log with overloaded weight as authorized by the telecommunication, transport, post and construction sector.

Chapter 3

Management, Inspection and Evaluation

Article 16: Management, Monitoring and Inspection

The Departments of Agriculture and Forestry of the provinces, Vientiane Capital, the special region and the District Agriculture and Forestry offices have the duties and responsibilities in management, monitoring, inspection and evaluation of the timber harvest operation and report to the Ministry of Agriculture and Forestry within 30 days basing on the forest management plans, logging plan, harvest contract, log list of cut trees and regulation on timber harvest as a reference for implementation.

Article 17: Contents of the Inspection

Once the harvest operation have been completed in all areas, the departments of agriculture and forestry at the provincial level, Vientiane Capital and the special region shall immediately appoint forestry officers to visit and inspect the approved harvest areas in order to evaluate; the contents for post harvest inspection are as follows:

1. Contract for harvest operation;
2. Actual areas of harvesting or the approved areas for harvesting;
3. Number of marked trees for cutting which ensure the regeneration and the actual volumes;
4. Application of techniques in felling of the trees, trimming, dragging/hauling and transporting;
5. Number of cut trees left in the forest such as **Mai thone pai/ໄມ້ທ່ອນປ່າຍ**, **under standard log/ໄມ້ຕົກຮອບ** and the twigs/branches that could be used;
6. Impacts to the environment such as: land erosion condition and damages to small tree seedlings that could be naturally regenerating.

There are three types of Log inspection, as follows:

- A regular inspection system;
- Inspection with advance notice;
- Immediate inspection.

Article 18: Rights and duties of the forestry officers assigned to management of timber harvest

the forestry officers that are assigned to management of timber harvest on site have the right to follow the supervision and assignment of their higher leading authorities in implementing, managing, inspecting the harvest of timber to be line with the technical principles and strictly stick to forestry regulation, and have the right warn, advise and order to temporarily suspend the timber harvest. And then immediately report to their higher leading authorities. In the event that the authorized individuals failed to comply with the contract on timber harvest and operated their works unlawfully.

Part II

Harvest and collection of forest products

Article 19: Requesting Plan for the harvest and collection of forest products

Annual requesting plan for the harvest and collection of forest products shall follow the process and timeframe defined in article 5 of this regulation.

Article 20: Implementation of the Plan for the harvest and collection of forest products

Implementation of the Plan for the harvest and collection of forest products are as follows:

1. Non seasonal forest products are to follow the plans approved by Ministry of agriculture and forestry and based on the management plans of each forest categories, and approved zones;
2. Seasonal forest products shall be depended on the actual capacity in harvesting and collecting of each type based on the principles of non destruction harvest and use.

Article 21: Principles on the implementation of harvesting and collection of forest products

Harvesting and collection of forest products of each type shall follow the approved plan, based on contract, based on approved zone and technical guidelines strictly.

Article 22: Prohibitions on the operation of harvesting and collection of forest products

1. Harvesting and collection of all type of forest products in a destruction way;
2. Harvesting of bamboo aged below 3 years and prohibit the cut of whole bamboo clump;
3. Harvesting of rattan and vine types of plant by cutting the trees that such vines stick on;
4. Harvesting of forest products in the type of fruit, flowers and leaves by cutting the trees such as Mak Chong, Makkhamphaeb, orchid and so on;
5. Harvesting of forest product in the types of bark by peeling the tree bark such as Sisiat, Peuak Bong, Peuak Meuank and so on;
6. Harvesting of forest product in the types of oil and resin by burning it or applying other chemical substance to stimulate the oil and resin in the large amount at a time causing the death of trees such as Nam Man Yang, pine resin, Yan and so on;
7. Harvesting and collecting of forest product in the types roots, tubers, buds and shoots at one time in the whole clump or group such as bamboo shoots, Tin Houng root, Kabook tubers and so on.

Article 23: Issuance of authorization, management and inspection

The Departments of Agriculture and Forestry at provincial level, Vientiane Capital and the special region shall issue the authorization for harvest and collection of forest products based on the plan approved by the Ministry of Agriculture and Forestry, and they also directly in charge of management, inspection and monitoring of the implementation of such plan. Once the authorization for harvest and collection of forest products is expired the Departments of Agriculture and Forestry at provincial level, Vientiane Capital and the special region shall issue an order to revoke such authorization immediately.

Article 24: Inspection and evaluation of the post harvest and collection of forest products

Upon completion of the implementation of harvest and collection of forest production plan, the Departments of Agriculture and Forestry at provincial level, Vientiane Capital and the special region shall appoint their forestry officers to conduct post harvest inspection and then report to the Ministry of Agriculture and Forestry within 30 days. The contents and types of inspection shall be as provided in article 17 of this regulation.

Part III

**Obligations of individuals that harvest and collect forest products,
policies toward the persons with outstanding performance and measures against the violators
of the regulation on timber and forest product harvest**

Article 25: Obligations of individuals that harvest forest products

Individuals and originations that are authorize to conduct timber and forest product harvest shall have the following obligations:

1. Make use of all methods for the protection and development of forests and forest land to be in abundant condition in the year round;
2. Pay for obligation fee/royalties and other forestry related fees according to the regulations and laws;
3. Adherence to the plan and contract signed and agreed with the Departments of Agriculture and Forestry at provincial level, Vientiane Capital and the special region where the authorization is obtained for the timber and forest products harvest to ensure the implementation of such harvest on a seasonal basis; collection of the cut trees in the landing II in full, forest cleaning after harvesting and the protection of environment in line with regulations;
4. Report and provide information on the harvest of timber and forest products to the forestry officers, the Departments of Agriculture and Forestry at provincial level, Vientiane Capital and the special region and the Ministry of Agriculture and Forestry.

Article 26: Policies toward the person with outstanding performance

Individuals and organizations that are authorized to conduct timber and NTFPs harvesting which perform in accordance with the laws, contract and plans approved for the operation of timber and forest product harvest shall be admired by the government agencies of each level, and may be subject to special consideration for approval of timber and forest product harvesting for the government in the next year.

Article 27: Measures against the violators

1. Individuals and organizations that are authorized to conduct timber and NTFPs harvesting failed to comply with article 25 and 26 of the law on forestry and regulation on management of timber

and forest products harvest shall be subject to measures as per article 70, 71, 72 and 73 of the law on forestry;

2. Cutting of prohibited trees 1; 2 and management trees 1;2 and 3 without authorization shall be fined 2 times of the values of royalties of each category of the trees;
3. Tree felling and dragging that cause damage to small trees, trees that could be regenerated naturally and cause of land erosion in the approved areas for harvesting shall be fined according to the damage values valued by the committee for inspection and evaluation;
4. Intentionally neglecting to conduct post harvest cleaning shall be fined 10% of the log royalties of such harvested areas;
5. Individuals and organizations failed to comply with article 15 of this regulation shall be fined two times of the value of log royalties and value of damage based on the valuation made by the committee for inspection;
6. Individuals and organizations failed to comply with article 22 of this regulation shall be fined two times of the value of actual sale – purchase of log or the value of the destroyed resources and shall be confiscated to belong to the government.

Part IV Final Provisions

Article 28: Implementation

All Ministries, equivalent originations, provinces, Vientiane capital and the special region, all economic sectors including individuals and originations shall acknowledge and together implement this regulation strictly.

Article 29: Effectiveness

This regulation is effective starting from its signing date. All instructions and regulations promulgated previously contradicted with this regulation shall be revoked.

Minister to the Ministry of Agriculture and Forestry
[Signed and sealed Siegn Saphangthong]