

Annex
to the Executive Order
of the Minister of Environment Protection,
Natural Resources and Forestry
of May 27, 1992.

STATUTE
of THE STATE FORESTRY ADMINISTRATION--STATE FORESTS

Chapter 1
General Provisions

Article 1

The State Forestry Administration--State Forests, hereinafter called "State Forests", operates pursuant to the provisions of the September 28, 1991 Law (Legislative Register [of 1991,] No. 101, Item 444, and the Legislative Register of 1992, No. 21, Item 85) and this Statute.

Article 2

The Statute of State Forests stipulates the detailed terms of its activities.

Article 3

For the purposes of this Statute the following terms are defined as follows:

- (1) "the Law" means the September 28, 1991 Law on Forests;
- (2) "the Minister" means the Minister of Environment Protection, Natural Resources and Forestry;
- (3) "regional director" means the director of a regional directorate of State Forests;
- (4) "the General Directorate" means the General Directorate of State Forests;

- (5) "regional directorate" means a regional directorate of State Forests.
- (6) "self-standing enterprise" means an organizational unit of State Forests referred to in Article 32, Section 4 of the Law.

Chapter 2 State Forests

Article 4

State Forests manages the forests, land and other movable and immovable property related to the forest economy that is the property of the State Treasury. As part of its management operations, General Director, directors of regional directorates, and forest superintendents represent the State Treasury in civil actions, each in its corresponding area of responsibility.

Article 5

State Forests operates on the territory of the Republic of Poland.

Article 6

State Forests may become a member of the following:

1. national civic organizations;
2. foreign organizations, including international organizations pursuing related objectives and tasks.

Article 7

1. Apart from Forest Service positions, employment in State Forests includes the following professional positions: managers, specialists, advisors, assistants, department officers, legal counsels, accountants, secretaries, cashiers, trainees, and superintendency office managers.

2. Required qualifications and terms of remuneration for persons employed in the positions referred to in Section 1 shall be set by remuneration agreements made at the level of the General Director.

Article 8

1. Except as provided in Sections 2 and 3, individual organizational units of State Forests shall procure services from suppliers outside of State Forests on the basis of competitive bidding procedures or comparison of quotations.

2. The provision of Section 1 shall not apply to services required in emergency situations, in particular, rescue operations to save life and safeguard human health, fight fires, and avert damages or natural disasters.

3. In the event that only one service supplier is found in a given area, the obligation stipulated in Section 1 may be waived.

Such a waiver shall be issued by:

- (1) a regional director -- in relation to a superintendency,
- (2) a regional director or the General Director -- in accordance with their organizational areas of authority --
- in relation to a self-standing enterprise,
- (3) the General Director -- in relation to a regional directorate.

Article 9

In all matters requiring the decision or consent of the Minister, the head of the organizational unit of State Forests requesting such decision or consent shall present a request therefor, conforming to official channels of authority.

Article 10

The borders of superintendencies and regional directorates are not determined by administrative borders of *gminas* and voivodships.

Chapter 3

General Director

Article 11

The General Director shall be the head of State Forests and be responsible to the Minister for the conditions of the forests that are the property of the State Treasury, as well as for the management of the resources under his charge, pursuant to the terms stipulated in the Law.

Article 12

1. As part of his or her responsibilities as head of State Forests, the General Director shall, in particular:

- (1) determine ways to perform the tasks pertaining to State Forests, by issuing administrative orders, decisions, guidelines, instructions, as well as ongoing directives;
- (2) determine ways to manage the forest economy in the forests that are the property of the State Treasury;
- (3) determine ways to conduct the financial management of State Forests as well as select accounting methods in individual organizational units of State Forests;
- (4) rescind those administrative orders, guidelines, and decisions of directors of regional directorates or heads of subordinate self-standing enterprises, issued in contravention to the Law and the management principles specified by the General Director;
- (5) determine the principles of marketing activities carried out on behalf of the organizational units of State Forests;

- (6) administer the budgetary resources referred to in Article 54 of the Law, as well as other budgetary resources to which State Forests may be entitled;
- (7) may provide credit guarantees secured by the assets of State Forests, excluding the forests themselves;
- (8) determine detailed rules for the sale of timber and other products and services provided by regional directorates and superintendencies, enter into general and preliminary agreements relating to the former with domestic and foreign contracting partners;
- (9) provide advisory opinion on draft legal acts relating to forestry and State Forests as well as protection of the environment;
- (10) determine on an annual basis the number of State Forests personnel employed in the Forest Service;
- (11) make proposals relating to the establishment and liquidation, merger or break-up as well as the territorial scope of operations of organizational units of the State Forests, referred to in Article 32, Section 2, of the Law, except as provided in Section 2;
- (12) determine the principles of merger and break-up, establishment and liquidation of self-standing enterprises;
- (13) appoint and dismiss personnel employed in the General Directorate;
- (14) determine detailed rules of self-standing enterprise operations and supervise the operations of directly subordinated self-standing enterprises;
- (15) mandate the inspection of organizational units of State Forests to be carried out by the Inspectorate.

2. An advisory opinion of the superintendent shall be attached to any proposals relating to the establishment or liquidation, merger or break-up of the superintendency [under his or her jurisdiction].

Article 13

1. The General Director has a deputy, whose tasks and authority are determined by the Director General.

2. In the event that the General Director becomes incapable of performing his or her official duties, the deputy shall assume the authority to perform all tasks and duties of the General Director.

Article 14

The General Director may authorize regional directors and General Directorate personnel employed in the Forest Service, to make decisions on his behalf in matters relating to the management of State Forests.

Article 15

1. The General Director publishes an information bulletin of State Forests, hereinafter called "the bulletin," and determines the principles and procedure of its publication and distribution.

2. In the bulletin shall be published, inter alia:

- (1) executive orders of and other information from the General Director and regional directors;
- (2) resolutions and opinions of the advisory council [collegial body] attached to the General Director's office;
- (3) the territorial scope of regional directorates and superintendencies as well as changes thereof;
- (4) a list of regional directors and superintendents as well as changes thereof.

3. The bulletin shall be distributed to, in particular, the following:

- (1) the Minister of Environment Protection, Natural Resources and Forestry;
- (2) local organs of the general government administration;

- (3) heads of the organizational units of State Forests;
- (4) headquarters of trade unions represented in the forestry sector;
- (5) forestry faculties of higher education institutions and forestry secondary schools;
- (6) the Forestry Research Institute.

4. Organizational units of State Forests shall maintain a collection of the bulletin and be obligated to provide them free of charge to interested persons for use on the organizational units' premises.

Article 16

1. An advisory council [collegial body] is attached to the office of the General Director and serves as an advisory organ to the Director General. Membership of the advisory council includes:

- (1) persons appointed by the General Director from the ranks of:
 - (a) forest rangers,
 - (b) superintendents,
 - (c) managers of self-standing enterprises;
- (2) invited representatives of
 - (a) the forestry scientific community,
 - (b) socio-professional organizations active in the forestry and environmental protection sectors.

2. As the need arises, the following may participate in the proceedings of the advisory council:

- (1) regional directors,
- (2) General Directorate personnel employed in the Forest Service.

3. The rotation of one-half of those council members who are employed in positions referred to in Section 1, Item 1, shall take place on a biannual basis.

4. The advisory council must be consulted in particular in respect to the following issues:

- (1) long-term development plans for State Forests;
- (2) the financial plan of State Forests;
- (3) proposed legal and organizational changes relating to State Forests;
- (4) the annual report on the condition of the forests and the financial business report on the operations of State Forests.

5. Sessions of the advisory council shall take place at dates determined by the General Director, not less frequently, however, than once every six months, or at any time upon a written request of at least one third of the advisory council members, addressed to the General Director.

6. Detailed rules governing the activities of the advisory council shall be stipulated by the rules and regulations of the General Directorate.

7. As the need arises, the General Director may appoint other consultative or advisory organs, determining their names, membership, organizational structure and operational procedures.

Chapter 4 General Directorate

Article 17

The General Directorate, which provides administrative support to the General Director, is an organizational unit of State Forests.

Article 18

The General Director, assisted by a deputy, is the head of General Directorate.

Article 19

The organizational structure of the General Directorate comprises the following:

- (1) the General Director,
- (2) the Deputy General Director,

- (3) basic organizational subdivisions (departments, autonomous sections).

Article 20

The following separate basic organizational subdivisions exist within the General Directorate:

- (1) departments or multi-person sections headed by department chiefs, except as provided under "a" and "b" below:
- (a) Inspectorate, headed by the Chief Inspector of State Forests;
 - (b) accounting department, headed by the Chief Accountant of State Forests;
 - (c) administrative department of the General Directorate;
 - (d) financial department;
 - (e) State Forests policy and development department;
 - (f) forest economy department;
 - (g) resource management and legal department;
 - (h) trade and marketing department
- (2) an autonomous section for public access to forests, headed by the chief specialist of State Forests.

Article 21

General Directorate is headquartered in the capital city of Warsaw.

Chapter 5 Regional Director

Article 22

The regional director is responsible for the performance of his or her tasks to the General Director.

Article 23

1. The regional director has a deputy, whose tasks and authority shall be determined by the regional director.

2. In the event that the regional director becomes incapable of performing his or her official duties, the deputy shall assume the authority to perform all tasks and duties of the director.

Article 24

As part of his or her tasks and responsibilities, the regional director shall issue executive orders, guidelines and decisions, and also:

- (1) cooperate with organs of the general government administration and, if such organs delegate to his/her office supervisory authority over the forests that are not the property of the State Treasury, to carry out such supervision;
- (2) appoint and dismiss personnel of the regional directorate;
- (3) issue, as a result of completed inspections of superintendencies and subordinate self-standing enterprises, post-inspection executive orders and supervise implementation thereof;
- (4) rescind those administrative orders, guidelines, and decisions of superintendents or heads of subordinate self-standing enterprises, issued in contravention to the Law and the management principles and/or principles of the forest economy in force in State Forests;
- (5) supervise the operations of subordinate self-standing enterprises.

Article 25

The regional director may authorize regional directorate personnel employed in the Forest Service to make decisions on his or her behalf in matters relating to the realization of the tasks pertaining to the regional director.

Chapter 6
Regional Directorate
Article 26

A regional directorate, which provides administrative support to the regional director, is an organizational unit of State Forests.

Article 27

A regional director, assisted by the deputy, is the head of the regional directorate.

Article 19

The organizational structure of the regional directorate comprises the following:

- (1) the regional director,
- (2) the deputy regional director,
- (3) basic organizational subdivisions (departments, one autonomous section).

Article 29

The following separate basic organizational subdivisions exist within the regional directorate:

- (1) departments or multi-person sections headed by department chiefs, except as provided under "b" below:
 - (a) administrative department of the regional directorate;
 - (b) financial and accounting department, headed by the chief accountant of the regional directorate;
 - (c) forest cultivation and seed production department;
 - (d) forest conservation and natural environment protection department;
 - (e) forest and resource development department;

- (f) forest use, engineering and work organization department;
- (g) trade and marketing department.
- (2) autonomous section for protecting against fire hazard, headed by the chief specialist of the regional directorate.

Article 30

The names and locations of the regional directorates are listed in Annex 1 to the Statute.

Chapter 7 Superintendent

Article 31

1. A superintendent heads a superintendency, independently managing the forest economy on the territory of the superintendency on the basis of the forest development plan, and is responsible for the condition of forest resources.

2. The superintendent is responsible for the performance of his or her duties to the regional director.

Article 32

1. During the superintendent's absence, the chief engineer acts as his or her deputy.

2. In the event that the superintendent becomes incapable of performing his or her official duties, the acting deputy assumes the authority to perform all tasks and duties of the superintendent.

Article 33

As part of his or her responsibilities as head of the superintendency and manager of the forest economy in forests that are the property of the State Treasury, the superintendent shall, in particular:

- (1) participate in the preparation of the forest development plan and determine the methods of its realization;
- (2) carry out ongoing appraisals, undertake protection measures, and ensure proper management of superintendency forests, and, if warranted by special circumstances, make decisions to depart from the forest development plan;
- (3) determine and ensure the implementation of proper work organization and efficient business activities in the superintendency, as well as make decisions on possible additional activities;
- (4) maintain and carry out an ongoing updating of the economic activity map and the land register of the superintendency;
- (5) cooperate with organs of local self-government as well as with organs of the general government administration, and, if organs of the general government administration delegate to his/her office supervisory authority over the forest economy in those forests that are not the property of the State Treasury, carry out such supervision;
- (6) provide assistance to private forest owners within the limits of the Law and of available funds provided for this purpose in the financial plan of State Forests;
- (7) regulate borders between forest areas and crop fields;
- (8) participate in the preparation of the local land use plan;
- (9) appoint and dismiss personnel of the superintendency;

- (10) carry out the sale, leasing, or contracting out for use of forests, land, and other immovable property, as well as the purchasing of forests or land, pursuant to the Law and other pertinent legal regulations;
- (11) issue directives and guidelines relating to the realization of tasks pertaining to the administration of the superintendency and management of the forest economy;
- (12) initiate appropriate actions aimed at remedying damage to forests, caused by organizational units, or other natural or legal persons.
- (13) determine the organizational framework for protecting forests against activities harmful to forests.

Article 34

The superintendent may authorize superintendency personnel employed in the Forest Service to make decisions on his or her behalf in matters relating to the management of the forest economy in the superintendency.

Chapter 8

Superintendency

Article 35

A superintendency, which manages forest resources, is the basic, autonomous organizational unit of State Forests.

Article 36

The organizational structure of the superintendency comprises the following:

- (1) the superintendency office,
- (2) forest ranger areas.

Article 37

1. The following sections are distinguished within the superintendency office:

- (a) forest economy section, headed by the chief engineer;
- (b) inspection, resource conservation and public access to forest areas section, headed by the inspection engineer;
- (c) financial and accounting section, headed by the chief accountant;
- (d) other sections for tasks falling outside of the forest economy, established on the basis of need;

2. Forest guards shall work in the area of public access to forests.

Article 38

1. The forest ranger shall be individually responsible to the chief engineer for the proper management of forest areas and forest protection, including fire hazard protection.

2. The forest ranger shall also:

- (1) provide assistance to private forest owners;
- (2) supervise the forest economy in forests that are not the property of the State Treasury, if the authority for such supervision is delegated to the forest ranger;
- (3) fight crime and other illegal activities harmful to forests.

3. Housing provided free of charge to the forest ranger shall include the premises for an administrative office.

4. A deputy forest ranger is an assistant to the forest ranger in the forest ranger area.

Article 39

1. In State Forests, the average forest area per one nonmanual worker employed in the forest ranger office shall be at least 700 ha.

2. State Forests shall comply with the condition referred to in Section 1 within one year of the effective date of this Statute.

Article 40

1. It is permitted to assign to the forest guard, in specially warranted circumstances, the responsibility to combat crime and other illegal activities harmful to forests in a specified area.

Article 41

1. Graduates of forestry secondary schools and higher education institutions, providing education in the field of forestry, shall be employed for an on-the-job training period in superintendencies selected by regional directors. The duration of this on-the-job training period shall be as follows:

- (1) two years for secondary school graduates,
- (2) one year for graduates of higher education institutions.

2. During the on-the-job training period the graduate is employed as a trainee (for one year), and subsequently as an officer in the superintendency office (if a secondary school graduate).

3. The superintendent is responsible for the employment of trainees and on-the-job training.

Chapter 9
Self-standing Enterprise

Article 42

1. A self-standing enterprise is an organizationally distinct aggregate of persons and assets, established and maintained in view of the indispensable needs relating to the realization of the tasks of State Forests.

2. The self-standing enterprise shall be established, liquidated, merged or broken up by the General Director, on his or her own initiative, or on the motion of a regional director.

Article 43

1. The self-standing enterprise shall be headed by a manager, appointed and recalled by the General Director.

2. The manager of the self-standing enterprise shall be responsible for the performance of his or her tasks, specified in the decision establishing the self-standing enterprise, to the General Director or the regional director.

Article 44

1. The list of positions in the self-standing enterprise shall be defined by the rules and regulations of the self-standing enterprise.

2. Required qualifications and terms of remuneration for persons employed in the positions referred to in Section 1 shall be set by remuneration agreements made at the level of the General Director.

Article 45

1. The list of self-standing enterprises is provided in Annex 2 to the Statute.

2. In the event of changes occurring after the Statute has been approved, the list referred to in Section 1 shall be updated by the General Director, upon agreement with the Minister of Environment Protection, Natural Resources and Forestry.

Chapter 10
Final Provisions

Article 46

Within one year of the effective date of the Statute, State Forests and its organizational units shall conform their operations to the provisions contained herein.

Article 47

The rules and regulations of the self-standing enterprise, approved by the manager thereof, shall prescribe the internal organizational structure and detail the tasks of the basic organizational subdivisions, as well as work procedures of individual organizational units of State Forests.

SELF-STANDING ENTERPRISES

LIST OF NAMES AND LOCATIONS

1. State Forests Repositories in Białogard;
2. State Forests Repositories in Gorzów Wielkopolski;
3. State Forests Repositories in Kielce;
4. State Forests Repositories in Łańcut;
5. State Forests Repositories in Miastko;
6. State Forests Repositories in Ostrów Wielkopolski;
7. State Forests Repositories in Siedlce;
8. State Forests Repositories in Stargard Szczeciński;
9. State Forests Repositories in Trzcianka;
10. State Forests Repositories in Żagań;
11. Forestry Transportation Center in Gorzów Wielkopolski;
12. Forestry Transportation Center in Jarocin;
13. Forestry Transportation Center in Jelenia Góra;
14. Forestry Transportation Center in Polczyn Zdrój;
15. Forestry Transportation Center in Przemyśl;
16. Forestry Transportation Center in Siedlce;
17. Forestry Transportation Center in Słotwiny;
18. Forestry Transportation Center in Słupsk,

43. State Forests Transportation and Shipping Enterprise in Kosobudy;
44. State Forests Transportation and Shipping Enterprise in Kraśnik;
45. State Forests Transportation and Shipping Enterprise in Morąg;
46. State Forests Transportation and Shipping Enterprise in Opole;
47. State Forests Transportation and Shipping Enterprise in Olsztynek;
48. State Forests Transportation and Shipping Enterprise in Ostrołęka;
49. State Forests Transportation and Shipping Enterprise in Ostroźnica;
50. State Forests Transportation and Shipping Enterprise in Sanok;
51. State Forests Transportation and Shipping Enterprise in Żywiec;
52. State Forests Fishery Enterprise in Krogulna;
53. State Forests Fishery Enterprise in Niemodlin;
54. State Forests Fishery Enterprise in Parowa;
55. State Forests Fishery Enterprise in Żary;
56. Forestry Development and Information Center in Gołuchowo;
57. State Forests Applied Research Center in Bedoń,
58. Forestry Construction Administration in Ustrzyki Dolne;
59. State Forests Road Construction Enterprise in Jasło;
60. State Forests Service and Construction Enterprise in Białystok;
61. State Forests Timber Transportation and Trade Enterprise
in Stary Sącz;
62. State Forests Manufacturing, Trade and Services Enterprise in
Olsztyn;
63. Wood Processing Enterprise in Tuchola;
64. Wood Processing and Shipping Enterprise in Lublin;
65. State Forests Shipping and Service Enterprise in Czerwonak.

EXECUTIVE ORDER No. 11

of the Minister
of Environment Protection, Natural Resources and Forestry
of May 27, 1992.

regarding the issuance of the Statute for the State Forestry
Administration--State Forests.

Pursuant to Article 44 of the September 28, 1991 Law on
Forests (Legislative Register [of 1991,] No. 101, Item 444, and
the Legislative Register of 1992, No. 21, Item 85), it is hereby
decreed as follows:

Article 1

The State Forestry Administration--State Forests, is hereby
issued with the Statute stipulating the detailed terms of its
activities, the Statute being annexed to this Executive Order.

Article 2

The General Director may, in warranted circumstances, merge,
liquidate or transform the basic subdivisions of the organizational
units of State Forests, upon agreement with the Minister of
Environment Protection, Natural Resources and Forestry.

Article 3

This Executive Order becomes effective as of its issuance.

MINISTER
OF ENVIRONMENT PROTECTION
NATURAL RESOURCES AND FORESTRY

[Illegible signature]