

THE PRIME MINISTER

Decision No. 34/2011/QĐ-TTg of June 24, 2011, amending and supplementing a number of articles of the Regulation on forest management promulgated together with the Prime Minister's Decision No. 186/2006/QĐ-TTg of August 14, 2006

THE PRIME MINISTER

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the December 3, 2004 Law on Forest Protection and Development;

At the proposal of the Minister of Agriculture and Rural Development,

DECIDES:

Article 1. To amend and supplement a number of articles of the Regulation on forest management promulgated together with the Prime Minister's Decision No. 186/2006/QĐ-

TTg of August 14, 2006, as follows:

1. To amend and supplement Point b, Clause 1, Article 8 as follows:

“Article 8. Change of forest use purposes

1. Change of use purposes from one type of forest to another

b/ The change of use purposes from one type of forest to another complies with Article 28 of the Government’s Decree No. 23/2006/ND-CP of March 3, 2006, on the implementation of the Law on Forest Protection and Development.

Organizations or individuals wishing to change forest use purposes shall submit 1 dossier set to the Ministry of Agriculture and Rural Development, for forest areas established by the Prime Minister, or to People’s Committees of provinces and centrally run cities (below referred to as provincial-level People’s Committees), for forest areas established by provincial-level People’s Committees.

A dossier comprises: an application for change of forest use purposes, made according to a set form, (*not printed herein*); a report on forest status; norms and indicators for determining the type of forest to be used for another.

In case a dossier is incomplete under regulations, within 3 working days after receiving it, responsible agencies shall notify such to the applying organization or individual for dossier supplementation.

Within 10 working days after receiving a complete dossier under regulations, the Ministry of Agriculture and Rural Development or provincial-level People’s Committees shall notify dossier processing results to the applying organization and individual.”

2. To amend and supplement Clause 3, Article 39 as follows:

“Article 39. Exploitation of forest products in natural production forests

3. Major exploitation of natural forest timber
a/ Conditions:

- Forest owners being economic organizations have forest regulation ~~schemes~~ (or sustainable forest management ~~schemes~~) and exploitation designs approved by provincial-level Departments of Agriculture and Rural Development.

- Forest owners being households, individuals or village communities ~~have~~ forest exploitation schemes, which must be approved by district-level People’s Committees or district-level functional divisions under district-level People’s Committee authorization.

b/ Competence to permit exploitation:

- The Prime Minister shall set ~~limits~~ for total annual exploitation.

- The Ministry of Agriculture and Rural Development shall announce the annual exploitation output and guide localities in managing specific exploitation outputs.

- Provincial-level People’s Committees shall assign exploitation plans to forest owners being organizations and district-level People’s Committees under plans assigned to localities by the Ministry of Agriculture and Rural Development. Provincial-level Agriculture and Rural Development Departments shall approve dossiers and grant exploitation permits for forest owners being organizations.

- District-level People’s Committees shall assign plans, approve dossiers and ~~grant~~ exploitation permits for forest owners being

households, individuals and village communities.”

Article 2. Implementation provisions

1. This Decision takes effect on August 19, 2011.

2. To annul Point b, Clause 1, Article 8; and **Clause 3, Article 39** of the Regulation on forest management promulgated together with the Prime Minister’s Decision No. 186/2006/QĐ-TTg of August 14, 2006.

3. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and chairpersons of provincial-level People’s Committees shall implement this Decision.-

Prime Minister
NGUYEN TAN DUNG