

Pursuant to Article 89 of the Constitution of the Republic of Croatia, I hereby pass the following

DECREE
promulgating the Amendments
to the Law on Forests

I hereby promulgate the Amendments to the Law on Forests passed by the House of Representatives of the Croatian Parliament at its session of 30 July 1993.

Ref.: PA4-82/1-93
Zagreb, 5 August 1993

President
of the Republic of Croatia
Dr. Franjo Tuđman (signed)

AMENDMENTS
to the Law on Forests

Article 1

In the Law on Forests (Official Gazette Nos. 52/90, revised text, 5/91, 9/91, 61/91 and 26/93), Article 1, paragraph 1 shall be amended to read as follows:

"Forests and woodlands are a property of national interest to the Republic of Croatia and shall enjoy its special protection"

After paragraph 1 a new paragraph 2 shall be added to read as follows:

"Forests and woodlands shall be protected and used as stipulated in this Law"

The previous paragraph 2 shall become paragraph 3.

Article 2

In Article 2, the word "civil" shall be deleted and the word "defence" shall be followed by the words "of the Republic of Croatia".

Article 3

Article 3 shall be deleted.

Article 4

In Article 4, paragraph 4, the words "executive council of the municipal assembly" shall be replaced by the words "the Ministry of Agriculture and Forestry" and the words "if a forest or a woodland extends over an area of more municipalities" shall be deleted.

Article 5

Article 6, paragraphs 1, 2 and 6, the words "municipal assembly" shall be replaced by the words "county assembly and the City Assembly of Zagreb respectively".

Paragraph 3, the word "municipality" shall be replaced by the words "county or the City of Zagreb" and the words "municipal assemblies" shall be replaced by the words

"county assemblies and the City Assembly of Zagreb respectively".

Paragraph 4, the words "socially-owned" shall be deleted.

Paragraph 5, the words "civil defence" shall be replaced by the words "defence of the Republic of Croatia".

Article 6

Article 16, paragraph 2 shall be amended to read as follows:

"Individual forests and woodlands under paragraph 1 of this Article not being administered by the Public Forestry Enterprise can be exceptionally administered by state authorities and state-owned legal entities (hereinafter: legal entities), provided that they meet the requirements stipulated by this Law".

Article 7

Article 17, the introductory words "Special public" shall be deleted and after the word "interest" the words "of the Republic" shall be inserted.

Article 8

Article 30, paragraph 2, the words "military requirements of the Yugoslav People's Army and other national defence needs" shall be replaced by the words "military requirements of the Republic of Croatia", whereas the words "the Federal Defence Secretariat or" shall be deleted.

Article 9

Article 32, paragraph 3, the words "socially-owned" and the words "and another legal entity (hereinafter: legal entity)" shall be deleted.

Article 10

Article 37 shall be deleted.

Article 11

Article 39, the words "administered by national defence authorities" shall be replaced by the words "administered by the Ministry of Defence", whereas the words "except for those being intended for military purposes of the Yugoslav People's Army" shall be deleted.

Article 12

Article 50, paragraph 3, the words "other legal and civil defence requirements" shall be deleted.

Article 13

Article 55, paragraph 1, the words "involving land regrouping or consolidation" in parenthesis shall be replaced by the words "singling out from the forest management area".

Article 14

Article 57 shall be deleted.

Article 15

Chapter II, after Article 63, section 9, the word "Regrouping and" shall be deleted and in Article 64 the words "regrouping and "the Land Regrouping Law" shall be deleted.

Article 16

Article 69, paragraph 1, point 1, the words "the value of designated trees" shall be replaced by the words "income from the sale of wood".

Point 2, the words "the municipal tax authorities" shall be replaced by the words "Direct Taxation Administration"

Paragraph 2, the words "the municipal assembly" shall be replaced by the words "Minister for Finance".

Article 17

After Article 70 Article 70a shall be added to read as follows:

"Article 70a

Legal entities and persons engaged in the sale of forest products shall pay a forest contribution at the rate of 2.5% of the proceeds.

The forest contributions shall be paid to a special account of the local self-government in the area of which felling has taken place and shall be used for financing public utility infrastructure construction projects".

Article 18

Article 75, the words "municipal authorities" shall be replaced by the words "county offices and the City Office of Zagreb respectively", and the words "(hereinafter: Forestry Inspectorate)" shall be deleted and paragraph 2 added reading as follows:

"The implementation of fire protection measures in forests and woodlands shall also be supervised by fire protection police inspectors who in the performance of these duties shall have the powers of forest inspectors defined under this Law".

Article 19

Article 77, paragraph 1, shall be amended to read as follows:

"The county offices and the City Office of Zagreb in charge of forestry inspection shall directly perform the duties of forest inspection, except for the affairs under the legal competence of the Ministry of Agriculture and Forestry".

Paragraph 2, the word "municipal" shall be deleted.

Article 20

Article 78, the introductory words "Forestry Inspectorate" shall be replaced by the words "Ministry of Agriculture and Forestry".

Point 6, the words "municipal forest inspection authorities" shall be replaced by the words "county offices and the City Office of Zagreb".

Article 21

Article 5, paragraph 4, point 3, the words "military needs of the Yugoslav People's Army and other purposes of national defence". Article 15, paragraph 1, point 2, the words "military needs of the Yugoslav People's Army and other purposes of national defence" and Article 48, paragraph 2, the words "Yugoslav People's Army and civil defence" shall be replaced by the words "defence needs of the Republic of Croatia".

Article 27 and Article 79, the words "socially-owned" shall be deleted.

Article 11, Article 13, paragraph 3, Article 41, paragraph 6, Article 48, paragraph 3, Article 61, paragraph 3, and Article 51, paragraph 1, the words "municipal forestry authority" shall be replaced by the words "county offices and the City Office of Zagreb" in singular or

plural, as applicable.

Article 15, paragraph 1, point 1, and Article 48, paragraphs 1, 2 and 3, the word "municipalities" shall be deleted.

Article 41, paragraph 7, Article 45, paragraphs 4 and 5, Article 47, paragraphs 2 and 3, Article 53, paragraphs 3 and 4, Article 63, paragraph 1, the words "municipal assembly or the authority appointed by it" shall be replaced by the words "county office and the City Office of Zagreb" in singular or plural, as applicable.

Articles 65 and 66, the words "regrouping and consolidation" shall be deleted.

Article 22

State-owned forests and woodlands exceptionally administered by legal entities created through the restructuring of socially-owned enterprises, the forests and woodlands which have not been handed over by certain municipalities and other legal entities to the Forest Enterprise for administration by the date of enforcement of this Law shall be taken over by the Forest Enterprise within 60 days following the enforcement of this Law or from the date of completed restructuring of the legal entity concerned, with the status found on 30 June of the current year or 31 December of the year before.

Article 23

The validity of the Decree on the Amendments to the Law on Forests (Official Gazette No. 14/93) shall cease with the date of the enforcement of this Law.

Article 24

This Law shall enter into force on the eighth day following its publication in Official Gazette.

File: 324-01/93-01/01

Zagreb, 30 July 1993

HOUSE OF REPRESENTATIVES OF THE CROATIAN PARLIAMENT

Chairman

House of Representatives
of the Croatian Parliament

Stjepan Mesić (signed)