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AMENDED VERSION:

Reg. of the Gov. of the Rep. Estonia of 25.03.97 No. 67, date of effect 08.04.97)

RT I 1997, 27, 395

## **Establishment of the Rates of and Procedure for Compensating for**

### **Damage Caused to Natural Flora and Fauna**

Regulation of the Gov. of Rep. of Estonia of 25 July 1995, No 275

Pursuant to Article 29(4) of the Law on Protected Natural Objects (RT I 1994, 46, 773), Article 24 (1) of the Law on Hunting Management (RT I 1994, 30, 465; 83, 1449; 1996, 49, 953) and Article 25(4) of the Law on Fisheries (RT I 1995, 80, 1384; 1996, 27, 567), the Government of the Rep. of Estonia hereby establishes:

(Regulation of the Government of the Rep. of Estonia of 25.03.97 No. 67, date of effect 08.04.97)

1. to establish the rates of compensation for damage to natural fauna and flora in accordance with Annex 1 of this Regulation;
2. to establish the procedure for compensation for damage to natural flora and fauna in accordance with Annex 2 of this Regulation;
3. to invalidate the regulation of the Government of Estonia of 31 December 1991 No.280 "On adoption of compensation rates for causing illegal damage to fauna and flora" (RT 1992, 2, 24).

**Prime Minister Tiit VÄHI**

**Minister of the Environment Villu REILJAN**

**State Secretary Uno VEERING**

Annex 2

to Regulation of the Government of the Rep. of Estonia

of 25 July 1995, No. 275

## **Procedure for Compensating for Damage Caused to Natural Flora and Fauna**

1. For the purpose of this Procedure, causing damage to natural fauna and flora means causing damage to the natural environment through picking wild plants or killing animals, or through damaging or destroying wild plants or animals in other ways, in case such action constitutes violation of laws or other legal acts, excluding forest violation.
2. In determining the rate of compensation to be claimed from a person who has caused damage to natural flora and fauna, the rates of compensation for causing damage to natural flora and the rates of compensation for causing damage to natural fauna shall be applied.
3. If damage caused to a wild plant has led to the plant being destroyed, compensation shall be claimed in the size of the full compensation rate. If a plant has been damaged but not destroyed, compensation shall be claimed in the size of half of the relevant compensation rate.
4. Full compensation rate shall be applied in the event of both killing and injuring an animal.
5. In case a game is injured or caught by a person who does not possess the right to hunt, or in case a game is injured or caught in a place which is not part of the hunting district belonging to the issuer of the hunting permit, and also in case more animals than allowed by hunting permits are caught in a hunt for large game, or if the catching or injuring of a game is not marked on the hunting permit, compensation shall be claimed in the size of full compensation rate, except in cases referred to in Article 7.
6. Compensation shall not be claimed in case an animal that is older or of a different sex than allowed has been caught in a hunt for large game.
7. In case damage has been caused to a pregnant animal, and in case birds are damaged during their nesting season or fish are damaged during a closed season or within a restriction area established by fishing rules, the relevant compensation rate shall be applied threefold.
8. In the event of damaging bird nests or illegal gathering of bird eggs, half to full compensation rate established for the relevant bird species shall be applied, depending on the extent of the damage.
9. In the event of causing damage to or destroying protected nesting sites, nests or marked nest trees of eagles and black stork, the compensation rate established for the relevant species shall be applied five-fold.
10. Compensation for damage caused to natural flora and fauna shall be claimed by nature conservation, forestry or hunting inspection authorities through court in case the guilty person does not recover the damage voluntarily.

11. Damage caused to natural flora and fauna shall be recorded in an official statement drawn up in accordance with the format established by the Minister of the Environment. The right to draw up a statement lies with the authorities referred to in Article 10 of this Procedure (their officials possessing supervision authority).

12. Compensation for damage to natural flora and fauna shall be transferred to the relevant county branch of the Environmental Fund unless otherwise provided by law. In case damage is caused to game stock, the relevant compensation shall be subject to transfer to the hunting management foundation of the relevant county branch of the Environmental Fund.

**Establishment of the Format of Statements Determining the Extent of Damage**

**Caused to Natural Flora and Fauna**

Regulation of the Minister of the Environment of 14 February 1996, No. 11

Pursuant to Article 11 of the Procedure for Compensating for Damage Caused to Natural Flora and Fauna established by the regulation of the Government of the Republic of Estonia of 15 July 1995, No. 275 (RT I 1995, 63, 1062), I hereby establish:

To approve the format for “Statement Determining the Extent of Damage Caused to Natural Flora and Fauna” (attached).

**Minister Villu Reiljan**

**Secretary General Rein Ratas**

Approved

by the reg. of the Minister of the Envir.

of 14 February 1996, No. 11

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name of institution, address, and telephone

STATEMENT

Determining the Extent of Damage Caused to Natural Flora and Fauna

(annex to Statement No. .... of “.....”.....199... a.)

Time of drawing up the statement .....

Place of drawing up the statement .....

Statement drawn up by .....

(position, first and family name)

Time and date of occurrence of damage to natural flora and fauna .....

.....  
.....

Damage caused by .....

.....  
.....

(first and family name of the natural person, ID code, address)

.....  
.....

(name of legal person, registration code, and address)

Compensation for damage caused to natural flora and fauna shall be calculated, in accordance with Articles ..... of the Procedure for Compensating for Damage Caused to Natural Flora and Fauna established by the Regulation of the Government of Estonia of 25 July 1996, No. 275, as follows:

Name of plant or animal species	Number of plants or animals (specimens)	Manner and extent of causing damage to plants or animals	Compensation rate per plant or animal (EEK)	Size of compensation for damage	Remarks
1	2	3	4	5	6

total .....

Annexes:

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.....  
.....

Statement drawn up by ..... (signature)

Damage caused by ..... (signature)