

Amendments made
under the order
of the Minister of
Environment Protection and Natural
Resources of Georgia
N 177 03.02.07

Registered at the Ministry
of Justice of Georgia
Reg. code:
010.240.070.22.023.009.920

Order No 76 of the Minister of Environment Protection and Natural Resources
January 30, 2007
Tbilisi

On Approval of the Charter of the Sub Agency – Forestry Department of the Ministry of Environment Protection and Natural Resources

On the basis of the law on the structure, authorities and activity rules of the Government of Georgia, Article 25, clause 5, Article 26, clause 1, hereby I order:

1. The following reorganization shall be applied to:
 - a. territorial units of the state sub agency – forestry department, Bolnisi, Tetri Tskaro forestry units and on their basis regional forestry bureau of Kvemo Kartli shall be established with Bolnisi, Gardabani-Marneuli, Dmanisi and Tsalka-Tetri tskaro forest districts;
 - b. territorial units of the state sub agency – forestry department, Java, Tskhinvali, Khashuri-Kareli, Kornisi and Kaspi selective forestry units and on their basis regional forestry bureau of Shida Kartli shall be established with Tskhinvali-Kornisi, Kaspi, Java and Khashuri-Kareli forest districts;
 - c. territorial units of the state sub agency – forestry department, Dusheti, Akhagori, Tianeti, Mtskheta forestry units and on their basis regional forestry bureau of Mtskheta-Mtianeti shall be established with Akhagori, Pasanauri, Barisakho, Tianeti and Mtsketa forest districts;
 - d. territorial units of the state sub agency – forestry department, Adigeni, Akhaltsikhe, Borjomi-Bakuriani forestry units and on their basis regional forestry bureau of Samtskhe-Javakheti shall be established with Adigeni, Aspindza-Akhalkalaki, Akhaltsikhe and Borjomi-Bakuriani forest districts;
 - e. territorial units of the state sub agency – forestry department, Bagdati, Chiatura-Sachkhere, Kutaisi, Kharagauli forestry units and on their basis regional forestry bureau of Imereti shall be established with Bagdati, Vani, Zestaphoni-Kharagauli, Sachkhere, Tkibuli, Chiatura and Khoni forest districts;
 - f. territorial units of the state sub agency – forestry department, Ozurgeti-Lanchkhuti, Chokhatauri, forestry units and on their basis regional forestry bureau of Guria shall be established with Ozurgeti, Lanchkhuti and Chokhatauri forest districts;
 - g. territorial units of the state sub agency – forestry department, Ambrolauri, Oni, Lentekhi, Tsageri forestry units and on their basis regional forestry bureau of Racha Lechkhumi and Kvemo Svanetia shall be established with Ambrolauri, Lentekhi, Oni and Tsageri forest districts;
 - h. territorial units of the state sub agency – forestry department, Zemo Svaneti, Kolkheti, Martvili, Odishi forestry units and on their basis regional forestry bureau of Samegrelo

- Zemo Svaneti shall be established with Mestia, Khaishi, Martvili, Chkhorotsku, Tsalenjikha and Kolkheti forest districts;
- i. territorial units of the state sub agency – forestry department, Telavi, Kiziki, Kvareli, Sagarejo Gurjaani, forestry units and on their basis regional forestry bureau of Kakheti shall be established with Akhmeta, Gurjaani, Dedoplistkaro Signagi, Telavi, Lagodekhi, Sagarejo and Kvareli forest districts
 - j. territorial units of the state sub agency – territorial units of Abkhazia AR forestry department and on its basis shall be established Zemo Abkhazia regional forestry bureau with Chkhalta and Gentsvishi forest districts;
2. Territorial unit of the forestry department – Georgian forest species control station.
 3. Administrative department of the Ministry of Environment Protection and Natural Resources and the state sub agency – forestry department under the rule established by the legislation shall ensure implementation of procedures of reorganizing and liquidating the territorial units referred in this order;
 4. The attached charter of the forestry department shall be approved.
 5. Article 8 of the charter of the forestry department approved under clause 4 of the present order shall be put into effect as of March 1,2007.
 6. Charter of the sub agency – forestry department approved by the order of the Minister of Environment Protection and Natural Resources N 131 as of February 28, 2006 shall be declared void with exception of Article 8.
 7. As of March 1, 2007, the order of the Minister of Environment Protection and Natural Resources N 131 as of February 28, 2006 on approval of the charter of the forestry department shall be declared void.
 8. The present order, other than 1 and 2 clauses, shall be put into effect on February 1, 2007.
 9. 1 and 2 clauses of this order shall be put into effect as of March 1, 2007.

D. Tkeshelashvili

Charter of the Forestry Department – State Sub Agency of the Ministry of Environment Protection and Natural Resources.

Article 1. General Provisions

1. The forestry department (hereafter – department) is the state sub agency subordinated to the Ministry of Environment Protection and Natural Resources.
2. The department is the establishment of the executive power under the guidance of the Ministry. The purpose of its establishment is to exercise the state policy and public functions in the forestry sector.
3. In the course of its activities, the department adheres to the constitution of Georgia, international treaties and covenants, laws of Georgia, normative acts issued by the President, Government of Georgia, Minister of Environment Protection and Natural Resources and the present charter.
4. In the course of performance, the department acts on behalf of the Ministry.
5. The department possesses completed balance and an account at the treasury opened consistent with Georgian legislation, the letterhead and the seal with Georgian state emblem, with indication of the own title. Also, the relevant logo and uniform, which are approved by the Minister of Environment Protection and Natural Resources under the administrative legal act.
6. the property of the department is in state ownership.
7. the department is accountable against the Ministry.
8. Legal address of the department: Tbilisi, Mindeli st. 9.

Article 2. Sphere and Tasks of the Department

1. the sphere of activities of the department is determined by the forestry code of Georgia, law on environment protection and other normative acts;
2. the sphere of activities of the department is management of the state forestry fund;
3. Tasks of the department are:
 - a. participation in development and implementation of the state policy in the sphere of usage of forest resources and protection of forestry fund, restoration-revival of forests;
 - b. protection of forests from illegal cuts and fires, pests and diseases, development of measures for preserving sanitary hygienic, recreational and other forests and improvement of quality parameters;
 - c. participation in design of legal, normative methodological and economic base for further development of the forestry sector under the established rule;
 - d. ensuring system of recording forest resources;
 - e. development of target programs of the forest sector, monitoring of current state programs and other activities permitted by the law in the territories of the forestry fund, and supervising their performance;
 - f. centralized administration of funds received according to the sources of funding determined by the legislation specific to the department;
 - g. cooperation between the agencies under the rule established by the legislation on the issues of development of the forestry sector;
 - h. under the rule established by the legislation, in the course of management of the state forestry fund, for the purpose of public participation, development of relevant recommendations and proposals and facilitation of their implementation;
 - i. within its scope of competence, with regard to the issues on sustainable development of the state forestry fund, participation in the international relations, cooperation with local and international scientific organizations and NGO-s.

Article 3. Authority of the Department

The department is authorized to:

- a. under the centralized rule, within the scope of the uniform funding, administer assignments allocated by the state budget designated for operation of the forestry department and establish control for utilization of funds commensurate with the legislation and protection of material values;
- b. develop and implement the measures and work plans, which shall secure sound management of the forestry fund and preservation and restoration of the composition of its natural eco systems;
- c. record resources existing in the territory of the state forestry fund and together with the Ministry of Environment Protection and Natural Resources regulate their usage;
- d. within its competence, prepare and submit draft legal acts to the Ministry of Environment Protection and Natural Resources;
- e. in agreement with the Ministry of Environment Protection and Natural Resources determine the extent of timber resources usage of the state forestry fund and if necessary submit the agreed suggestions to the Minister;
- f. under the rule established by the legislation, develop and submit proposals to the Minister on granting appropriate categories to the forests (territories) of Georgia, also their transition from one into another category;
- g. establish system control on adherence to the rules on forest protection and usage on the territories of the state forestry fund;
- h. under the established rule, shall submit and request relevant information and statistical reports from the Ministries, Agencies, legal (regardless of ownership and organizational-

- legal forms) and physical persons over the issues pertaining to the competence of the department;
- i. under the established rule, take part in the solution of issues related to allocation of lands from the state forestry funds for the state and public needs;
 - j. within its scope of competence, while performing the obligations imposed by the legislation represent the state at judicial and law enforcement establishments;
 - k. within its scope of competence, prevent law violations in the territory of the state forestry fund, drawing up the protocol on administrative violations and transfer to the relevant establishments for further actions;
 - l. under the rule established by the law, take part in organizing construction activities and accommodation works needed for functioning of the department and its territorial units.
 - m. exercise other rights granted by the law.

Article 4. Funding of the Department and Financial Support of the Activities of the Department

The Department is funded from the state budget.

Article 5. Organizing management of the department, rights and obligations of managers

1. Chairman of the department is in charge of the department who is appointed and dismissed by the prime minister under the nomination of the Minister;
2. Chairman of the department:
 - a. utilizes budget funds and is accountable to the Minister of Environment Protection and Natural Resources (hereafter – Minister) for their reasonable use according to the legislation;
 - b. is accountable to the Minister for the conditions and development of the sphere under its guidance, for the exact performance of the legal acts regulating the activities of the department;
 - c. submits proposals to the Minister on regulation of the activities of the department;
 - d. within the scope of the competence of the department, issues individual administrative legal acts;
 - e. submits candidates of heads of the agencies and deputies of the regional forestry bureaus and deputy chairmen to the Minister for approval;
 - f. assigns functions to the deputy chairmen;
 - g. under the scope of its competence, establishes links and executes agreements over the issues pertaining to the sphere of activity of the department;
 - h. under the rule established by Georgian legislation, represents the department in internal and foreign relations, with mass media and third persons;
 - i. prepares proposals on structural changes of the department and submits to the Minister;
 - j. develops action plans and priorities of the department;
 - k. controls activities of the structural divisions of the territorial units and the central unit of the department;
 - l. in case of necessity, approves the action plan of the structural divisions of the department;
 - m. once in the year submits the technical and financial report to the Minister;
 - n. exercises other functions, imposed under the legislation, order of the minister and the present charter;
 - o. submits draft charters of the regional forestry bureaus of the territorial units of the forestry department to the Minister for approval;
 - p. appoints and dismisses employees of the department;
3. The chairman of the department has two deputies;
4. Deputy chairmen are appointed and dismissed by the Minister with nomination of the chairman of the department;

Article 6. Structure of the Department

The following structural divisions are included in the structure of the department:

- a. forest management service;
- b. economic service;
- c. administrative service;
- d. monitoring service.

Article 7. Competence of the Structural Divisions of the Department

1. The forest management service exercises key tasks by means of its divisions as follows:
 - a. forest usage division
 - b. forest recording division
 - c. forest protection division
2. Main tasks of the forest management service are:
 - a. organizing recording of the forestry fund of Georgia;
 - b. development and submission of the perspective plans of organizing-developing forestry related activities, projects, to the Ministry for approval;
 - c. determining annual volume of timber resources usage;
 - d. analysis of the forestry fund and submission of materials for auctioning;
 - e. development of long term proposals on forest usage;
 - f. review analysis of the materials received from the territorial units and development of suggestions for exercising relevant measures;
 - g. review of materials for allocation of the lands from the state forestry fund for public needs and development of relevant proposals;
 - h. from the point of using state forestry fund, participation in development of relevant rules, guidelines, provisions and other normative acts;
 - i. exercising supervision over forest arrangement and cutting area works;
 - j. review of issues of allocation of the areas from the state forestry fund and development of proposals;
 - k. for the purpose to regenerate forest resources, improve species, prevent fire, protect from pests and diseases, development of proposals and targeted programs;
 - l. coordination of the activities of territorial units, relevant structural units. Analysis of the materials (suggestions) submitted by them and rendering methodological aid.
3. Functions of the economic service include:
 - a. centralized administration of assignments allocated from the budget during the settlement period for the forestry department;
 - b. establishing control over reasonable and targeted use of funds and protection of material values;
 - c. under the centralized rule, providing logistics to the department and its territorial units under the scope of funding;
 - d. recording of material values of the department and the territorial units and holding inventory;
 - e. conducting all kinds of credit and financial operations at credit and treasury establishments;
 - f. drawing up annual and quarter balances of the department and their submission to the Ministry of Environment Protection and Natural Resources commensurate with the established forms and terms;
 - g. planning and implementing state procurements pursuant to current legislation;
 - h. according to the expenditures approved by the budget and organizational and economic classification of funds preparation of the quarter list and submission to the Ministry of Environment Protection and Natural Resources;

- i. preparation of the staffing schedule of the department staff and territorial units and the expenses thereof;
4. Functions of the administrative service include:
 - a. coordination of the structural sub divisions and territorial bodies subordinated to the department, organizing uniform administrative proceedings and control over performance of assignments of the chairman;
 - b. preparing suggestions on appointment, transfer, dismissal, disciplinary measures and incentives, vacation and business trip of the department employees and preparing draft administrative acts commensurate with the rule established by the legislation;
 - c. processing personal files of the department employees commensurate with the rule established by the legislation;
 - d. organizing attestation of the staff and arranging competition on vacant positions;
 - e. providing consultations to the department employees on limitations and servicing established by the law ;
 - f. legal support of the department activities;
 - g. for the purpose of efficient management of human resources participation in development job description of each position in the department;
 - h. ensuring issuance of the public information consistent with the requirements of the general administrative code of Georgia;
 5. Functions of the Monitoring Service are:
 - a. reacting on illegal actions held against the state forestry fund consistent with the legislation;
 - b. revision of incoming applications and claims and reaction thereon;
 - c. analysis of the activities performed by the district heads and forest guards and development of relevant recommendations;
 - d. control over performance of the rules prescribed for the state forestry fund commensurate with the legislation;
 - e. control over the discipline and law abidance by the heads of districts and forest guards.
 6. Heads of structural divisions of the department are accountable against the chairman of the department.

Article 8. Territorial Units of the Department

Territorial Units of the Department are:

- a. Kvemo Kartli regional forestry unit
- b. Shida Kartli regional forestry unit
- c. Mtskheta Mtianeti regional forestry unit
- d. Samtskhe Javakheti regional forestry unit
- e. Imereti regional forestry unit
- f. Guria regional forestry unit
- g. Racha Lechkhumi Kvemo Svaneti regional forestry unit
- h. Samegrelo Zemo Svaneti regional forestry unit
- i. Kakheti regional forestry unit
- j. Base plant unit of the forestry department

Article 9. Liquidation of the Department

The department is liquidated commensurate with the regulations established by the legislation.