

THE PRIME MINISTER**THE SOCIALIST REPUBLIC OF VIETNAM**
Independence - Freedom - Happiness**No. 17/2015/QĐ-TTg***Hanoi, June 9, 2015***DECISION****Promulgating the Regulation on protection forest management^(*)***Pursuant to the December 25, 2001 Law on Organization of the Government;**Pursuant to the 2004 Law on Forest Protection and Development;**Pursuant to the Government's Decree No. 23/2006/ND-CP of March 3, 2006, on implementation of the Law on Forest Protection and Development;**At the proposal of the Minister of Agriculture and Rural Development,**The Prime Minister promulgates the Decision promulgating the Regulation on protection forest management.*

Article 1. To promulgate together with this Decision the Regulation on protection forest management.

Article 2. This Decision takes effect on July 30, 2015.

To annul Articles 25, 26, 27, 28, 29, 30, 31, 32 and 33; Point a, Clause 4, Article 42; and Clause 2, Article 12 of the Prime Minister's Decision No. 186/2006/QĐ-TTg of August 14, 2006, promulgating the Regulation on forest management.

Article 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

^(*) Công Báo Nos 611-612 (21/6/2015)

THE PRIME MINISTER

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

REGULATION

on protection forest management

(Promulgated together with the Prime Minister's Decision No. 17/2015/QĐ-TTg of June 9, 2015)

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Regulation prescribes the management, protection, development and use of, and benefits from, protection forests; and protection forest development investment.

Article 2. Subjects of application

This Regulation applies to domestic state agencies, organizations, rural residential communities, households and individuals; overseas Vietnamese; and foreign organizations and individuals involved in the management, protection, development and use of protection forests in Vietnam.

Article 3. Interpretation of terms

In this Regulation, the terms and phrases below are construed as follows:

1. Subsidiary plants means plants grown together with major ones in a certain period to help create habitat for, and boost the growth and development of, major plants.
2. Intercropped plants means plants grown in combination with major ones to make full use of land and the nutritious space so as to increase products and revenues on forest areas without adversely affecting the growth and development of major plants.
3. Major plants means forest plants grown for protection purpose.

Chapter II

PROTECTION FOREST MANAGEMENT

Article 4. Classification of protection forests

1. Watershed protection forests

a/ Watershed protection forests aim to enhance water source-regulation capacity of water flows and reservoirs, thereby reducing floods and erosion, protecting land and limiting sedimentation of lakebeds and downstream areas;

b/ Areas of watershed protection forests include the areas of forests and forest land

planned according to the State's regulations mainly for protection and development of watershed protection forest;

The size of watershed protection forests must conform with the size of river basins and the management of watershed protection forests shall be associated with the integrated management of river basins.

2. Wind- and sand-breaking protection forests

a/ Wind- and sand-breaking protection forests aim to reduce wind speed and prevent moving sand and protect agricultural production, residential areas, urban centers, production zones and other works;

b/ The areas of wind- and sand-breaking protection forests include the areas of forests and forest land planned according to the State's regulations mainly for protection and development of wind- and sand-breaking protection forests.

3. Protection forests for breakwater and sea encroachment prevention

a/ Protection forests for breakwater and sea encroachment prevention aim to break waves, prevent landslides, protect dikes and coastal and riverside works and maintain natural developments of the eco-system;

b/ The areas of protection forests for breakwater and sea encroachment prevention include the areas of forests and forest land planned according to the State's regulations mainly for protection and development of protection forests for breakwater and sea encroachment prevention.

4. Environmental protection forests

a/ Environmental protection forests contribute to regulate climate, prevent environmental pollution, create landscape in residential areas, urban centers and industrial parks, in combination with tourism and convalescence;

b/ The areas of environmental protection forests include the areas of forests and forest land planned according to the State's regulations mainly for protection and development of environmental protection forests.

Article 5. Criteria for determination and classification of level of importance of protection forests

1. Watershed protection forests shall be classified as important and very important according to the following indicators:

a/ Very important:

- Having an annual rainfall exceeding 2,000mm or of between 1,500-2,000mm which concentrates on 2 or 3 consecutive months.

- Having hill and mountain terrains with an elevation difference of over 50 meters and a slope of over 35 degrees; having hill and mountain terrains with an elevation difference of between 25 and 50 meters and a slope of over 25 degrees; having hill and mountain terrains with an elevation difference of under 25 meters and a slope of over 15 degrees.

- The elevation is of one-third of the top of the mountain (peak).

- Elements of soil mechanics and depth of soil layers: Soil is sandy or mixed with sand, the soil layer is medium or thin with a layer depth of 80cm or less; soil is light or medium-weight clay with a layer depth of under 30cm;

b/ Important:

- Having an annual rainfall of between 1,500-2,000mm or between 1,000mm and less than 1,500mm which concentrates on 2 or 3 consecutive months.

- Having hill and mountain terrains with an elevation difference of over 50 meters and a slope of between 26 and 35 degrees; having hill and mountain terrains with an elevation difference of between 25 and 50 meters and a slope of between 15 and 25 degrees; having hill and mountain terrains with an elevation difference of under 25 meters and a slope of between 8 and 15 degrees.

- The elevation is of one-third of the middle of the mountain (side).

- Soil is sandy or mixed with sand, the soil layer is over 80cm; soil is light or medium-weight clay with a layer depth of between 30cm and 80cm;

c/ Additional criteria

In classification of level of importance of protection forests, the important level shall be raised to very important level in case protection forests are adjacent to key irrigation or hydropower reservoirs or dams, or cities, towns, townships or mountainous roads; or in case protection forests are along main rivers or streams or around reservoirs or dams.

2. Criteria for determination of wind- and sand-breaking protection forests

a/ Mobile dunes, areas adjacent to mobile dunes, dune slacks: Mobile sand are formed from rains, floods or storms or inland areas are leveled or filled by sand, causing harm to cities, towns or areas already planned for development, national or provincial-level infrastructure, cultural or social works, centralized agricultural and industrial establishments, villages, roads, bridges and sewers with an area of over 100 ha;

b/ Anchored dunes, coastal sandbars and inland areas will be leveled and filled by sand in 5-10 years, causing harm to townships, townlets, commune cluster centers, district-level, inter-district and commune-level infrastructure works, areas with few fields, scattered small mills, villages, roads, bridges and sewers not in danger of being buried by sand in 5 years and with an area of under 100 ha.

3. Criteria for establishment of protection forests for waterbreak and sea encroachment prevention

a/ Coastal areas and estuaries with dykes or dams: The distance shall be calculated as 200m from the foot of the dykes or dams to the sea at medium tide;

b/ Eroded coastal areas and estuaries without dykes or dams: The distance shall be calculated as 500 meters from the water edge to the sea at medium tide. In case estuaries are not eroded, protection forests combined with production may be established up to 200 meters counting from the water edge to the sea at medium tide.

4. Environmental protection forests shall be established for each specific work with areas decided by localities according to current regulations.

Article 6. Criteria for formation of protection forest zones

1. Protection forest zones shall be formed when fully meeting the criteria prescribed in Clauses 2 and 3 of this Article.

2. General criteria for formation of protection forest zones:

a/ The area of land under forest trees must make up at least 70% of the total area of a protection forest zone;

b/ The area of full forest coverage must be at least 0.5 hectares. A forest strip must be at least 20 meters wide and have at least 3 rows of trees;

c/ It must be an eco-system which is composed mainly of perennial woody plants, areca, bamboo and neohouzeaua with a height of at least 5 meters (except some plants of coastal mangrove forests).

3. Additional specific criteria for formation of each category of protection forests

a/ A watershed protection forest zone eligible for formation when it is capable of maintaining and regulating water sources, protecting soil and reducing erosion. The canopy of a very important or important watershed protection forest must be respectively 0.8 or 0.6 or more;

b/ A wind- or sand-breaking protection forest zone is eligible for formation when it has a closed canopy, the forest has helped prevent or reduce harms caused by wind or sand to production and residential areas, and raise or stabilize productivity of agricultural crops;

c/ A breakwater and sea encroachment prevention forest zone is eligible for formation when it has a closed canopy and a developed root system, the forest has helped break waves, stabilize soil, increase coastal alluvium, prevent or reduce landslides and protect coastal and riverside works;

d/ An environmental protection forest zone is eligible for formation when it has helped prevent or reduce air pollution, regulate climate and create landscapes and a clean environment for industrial parks, urban centers, tourist sites and resorts.

Article 7. Decentralization of state management of protection forests

1. The Ministry of Agriculture and Rural Development shall perform the unified state management of protection, development and use of protection forests nationwide as follows:

a/ To direct the planning of protection, development and use of protection forests;

b/ To develop, direct and guide the implementation of the system of laws on management, protection, development and use of protection forests;

c/ To lawfully inspect, examine, settle disputes and handle violations in the observance of the law on management, protection, development and use of protection forests;

d/ To direct and provide guidance for making statistics and inventory, monitoring developments of forest resources and making protection forest management dossiers;

dd/ To direct and guide the allocation, lease, recovery and change of use purposes of protection forests in accordance with law.

2. Provincial-level People's Committees shall perform the state management of protection forests in their localities as follows:

a/ To direct the planning of protection and development of provincial-level protection forests; to direct and guide district-level People's Committees in developing local master plans and plans to protect protection forests;

b/ To promulgate documents according to their competence to direct district- and commune-level People's Committees, organizations, households and individuals in their localities in implementing the law, policies and regimes on management, protection, formation and development of protection forests;

c/ To establish, merge, divide, split and dissolve protection forest management boards in accordance with law;

d/ To organize the classification, determination of boundaries and formation of local protection forest zones under the guidance of the Ministry of Agriculture and Rural Development;

dd/ To direct and organize the allocation, lease, recovery and change of use purposes of protection forests; recognition of the right to use protection forests in accordance with law; and the making and management of dossiers of allocation and lease of local protection forests and protection forest land;

e/ To organize forest fire prevention and fighting and pest prevention and control for local protection forest areas; to organize the network to protect protection forests, to mobilize forces to coordinate with forest management forces in preventing and stopping acts of destroying protection forests in their provinces;

g/ To organize inspection, examination and settlement of disputes and handling of violations of the law on management, protection, development and use of protection forests in accordance with law.

3. Provincial-level Agriculture and Rural Development Departments shall assist provincial-level People's Committees in performing the state management of protection forests prescribed in Clause 2 of this Article.

4. District-level People's Committees shall perform the state management of protection forests in their localities as follows:

a/ To develop district-level master plans and plans on protection and development of protection forests, submit them to competent state agencies for approval according to regulations and organize their implementation after they are approved;

b/ To promulgate documents according to their competence and organize the implementation of the law on protection and development of protection forests in their localities;

c/ To direct commune-level People's Committees in developing master plans and plans on forest protection and development; and plans on protection forest allocation and lease, to monitor and examine the implementation of regulations and contracts on forest allocation and lease and contracted allocation of protection forests to organizations, village communities, households and individuals (below referred to as forest-receiving parties) in their localities;

d/ To organize the determination of boundaries of protection forest zones within their localities;

dd/ To make statistics and inventory and monitor developments of protection forest resources within their localities;

e/ To organize the allocation, lease and recovery of protection forests for households, individuals and village communities;

g/ To inspect and examine the observance of the law on forest protection and development in their localities; to sanction law violations according to their competence.

5. Commune-level People's Committees shall manage protection forests in their localities as follows:

a/ To direct, urge and guide households, individuals and village communities in implementing the law on protection and development of protection forests in their localities;

b/ To develop local master plans and plans on protection and development of protection forests and plans on forest allocation and lease, submit them to competent state agencies for approval and organize their implementation;

c/ To hand over protection forests in the field to forest-receiving parties and certify boundaries of protection forests of owners in the field;

d/ To guide village communities in developing and implementing rules on management, protection and development of protection forests; to organize and mobilize local people to coordinate with local forest management, public security and army forces in detecting and promptly stopping acts of infringing upon protection forests;

dd/ To examine and handle violations of law according to their competence;

e/ To directly manage areas of protection forests not yet allocated or leased in their communes and propose district-level People's Committees to put such areas into use.

6. Protection forest zones which are established in more than one district shall be managed by the provincial-level Agriculture and Rural Development Department. District- and commune-level People's Committees shall coordinate in managing and protecting areas of protection forests within their administrative boundaries.

7. Chairpersons of People's Committees at all levels who, within the ambit of their responsibilities, fail to take prompt measures to prevent, stop and handle violations of the Regulation on protection forest management, planning and use of protection forests for improper purposes, illegal deforestation and forest fire causing serious consequences in their localities, shall take responsibility in accordance with law.

Article 8. Organization of protection forest management

1. Provincial-level People's Committees shall decide to establish protection forest management boards according to current regulations of the State in the following cases:

a/ Concentrated watershed protection forest zones have an area of 5,000 hectares or more; concentrated waterbreak and sea encroachment prevention forest zones or wind- and sand-breaking forest protection forest zones have a an area of 3,000 hectares or more;

b/ Scattered but important watershed protection forest zones have a total area of 5,000 hectares or more within the administrative boundary of a province; scattered but important

waterbreak and sea encroachment prevention, wind- and sand-breaking forest zones have a total area of 3,000 hectares or more within the administrative boundary of a province;

c/ In special cases in which protection forest zones do not have the area as specified at Point a or b of this Article but it is necessary to establish a protection forest management board, such establishment must obtain written approval of the Ministry of Agriculture and Rural Development.

2. The State shall allocate or lease protection forest zones ineligible for establishment of a management board as prescribed in Clause 1 of this Article to people's armed forces units based in the areas having those protection forests, economic organizations, households, individuals or village communities legally residing in the areas in accordance with law.

Article 9. Provisions on protection forest management boards

1. A protection forest management board shall manage the area of protection forests assigned to it by the State. The powers and obligations of a protection forest management board must comply with Articles 59, 60 and 62 of the 2004 Law on Forest Protection and Development.

2. A protection forest management board is a public non-business unit under the provincial-level Agriculture and Rural Development Department and shall be established by the provincial-level People's Committee in accordance with law.

3. Revenues from forest product exploitation, eco-tourism activities and payment for forest environment services prescribed in the Government's Decree No. 99/2010/ND-CP of September 24, 2010, on policies on payment for forest environment services and other forestry services, shall be balanced in the financial plan of the protection forest management board, shared under the co-management mechanism, and paid to contractual labor under the self-payment mechanism.

4. Provincial-level People's Committees shall define the functions, tasks, powers and organizational structure of protection forest management boards in accordance with law.

5. Non-business payroll of protection forest management boards shall be determined according to the principle of working posts under the State's regulations. Protection forest management boards shall make annual payroll plans and submit them to competent state agencies for decision.

The total payroll of a protection forest management board, including also public employees, forest management forces (if any) and laborers, shall be determined on the basis of maximum one person for every 700 hectares of forest.

Article 10. Provisions on protection forest management forces

1. Forest management units for protection forest zones

Forest management units shall be established at protection forest management boards in accordance with the Government's Decree No. 119/2006/ND-CP of October 16, 2006, on organization and operation of forest management forces, and Decree No. 55/2012/ND-CP of June 28, 2012, on establishment, re-organization and dissolution of public non-business units.

a/ The chairperson of the provincial-level People's Committee shall decide to establish a forest management unit for protection forests;

b/ The forest management unit for protection forests is a state administrative agency under the provincial-level Forest Management Sub-Department.

2. Specialized forest protection forces

For a protection forest zone ineligible for establishment of a forest management unit as prescribed in Clause 1 of this Article, the protection forest management board shall organize specialized forest protection forces as follows:

a/ The protection forest management board shall organize and manage its specialized forest protection forces;

b/ The provincial-level Forest Management Sub-Department shall guide, support and coordinate with specialized forest protection forces in taking professional and technical measures.

Chapter III

PROTECTION AND DEVELOPMENT OF PROTECTION FORESTS

Article 11. Protection of protection forests

1. Contents of protection of protection forests

a/ Protecting the eco-system of protection forests in accordance with the laws on forest protection and development, environmental protection and conservation of bio-diversity;

b/ Protecting forest animals and plants in accordance with the laws on protection and development of forests, environmental protection and conservation of bio-diversity;

c/ Preventing and fighting fire in protection forests in accordance with the laws on forest protection and development, and forest fire prevention and fighting;

d/ Preventing and controlling organisms harmful to protection forests in accordance with the laws on forest protection and development, plant protection and quarantine, and animal health.

2. Responsibilities for organization of protection of protection forests

a/ Protection forest management boards and forest-receiving parties shall protect allocated protection forest areas;

b/ Provincial-level Forest Management Sub-Departments shall arrange local forest management forces and coordinate with protection forest management boards in protecting forests;

c/ Commune-level People's Committees shall organize militia and self-defense forces to assist protection forest owners; protect areas of protection forests not yet allocated or leased by commune-level People's Committees in accordance with the Prime Minister's Decision No. 07/2012/QĐ-TTg of February 8, 2012, promulgating a number of policies to increase forest protection.

3. Contracted allocation, co-management and benefit-sharing of protection forests

Protection forest management boards shall organize contracted allocation of protection forests associated with the implementation of the mechanism on stable and long-term co-

management and benefit-sharing of forest products and forest environment services with households, individuals and village communities according to current regulations of the State.

Article 12. Protection forest development

1. Watershed protection forests must maintain and gradually restructure typical natural forests of the region; forest trees must be those with deep and strong roots.

2. Wind- and sand-breaking protection forests each must have at least one major belt with a minimum width of 20 meters, combined with other subsidiary belts to create closed lots; protection forests combined with agricultural production and forests trees planted in bands or belts must have enduring trunks and deep and strong roots.

3. There must be strips of breakwater and sea encroachment prevention forests in coastal areas where forests can be grown. Waterbreak forests along rivers or streams must have a belt with a minimum width equal to one-third of the width of the river or stream; if they have many belts, those belts shall be arranged alternatively, forest trees must be water-tolerant and have deep and strong roots.

4. Environmental protection forests must form forest belts and strips, forest zones and greeneries intermingled with residential areas, industrial parks and tourist resorts to create a clean environment in combination with recreation, entertainment and tourism; forest trees must be wide canopy, multiflorous and nicely shaped evergreens unharmed to humans.

5. Plant species grown in protection forests must satisfy the requirements prescribed in Clauses 1, 2, 3 and 4 of this Article. Plants of multiple utilities shall also be developed to increase revenues from protection forests.

Chapter IV

USE OF PROTECTION FORESTS AND BENEFIT MECHANISM

Article 13. Principles of exploitation of forest products in protection forests

1. Exploitation of forest products in protection forests must not decrease the protection function of forests and must comply with the laws on forest protection and development, environmental protection, and bio-diversity conservation.

2. The exploitation output must comply with Articles 14, 15 and 16 of this Regulation.

3. In natural protection forests, endangered, precious and rare animals and plants and those prioritized for protection as prescribed by law shall not be exploited.

Article 14. Salvage logging in natural production forests

1. Logging is prohibited in very important watershed protection forests, wind- and sand-breaking protection forests, waterbreak and sea encroachment prevention forests and environmental protection forests being natural forests.

2. In very important watershed protection forests being natural forests, it is permitted for salvage logging of only rotten logs, internodes and barks, heartwood and burnt timber; and branches, stumps, roots; sustainable exploitation of non-timber forest products; salvage of timber and non-timber forest products on areas of land to be cleared for work construction or for other

purposes in natural rich and medium forests. After exploitation, forests must meet the criteria for formation of protection forests prescribed in Article 6 of this Regulation and current regulations on forest product exploitation.

Article 15. Exploitation of forest products in planted production forests

1. In state-invested planted protection forests, it is only permitted to exploit intercropped plants, subsidiary plants, thinly pruned plants; and salvage lying logs, rotten timber, heartwood, burnt timber, branches, tops, stumps and roots provided that the density of remaining major plants must reach at least 600 plants/hectare.

2. For protection forests planted with state budget supports or supports from programs and projects with funds originated from the state budget

a/ Exploitation of intercropped and subsidiary plants; pruning and salvage logging;

b/ Selective logging of major plants eligible for exploitation with an exploitation capacity of maximum 20% of the reserves, post-exploitation forests must still meet the formation criteria prescribed in Article 6 of this Regulation or full logging in forest bands and lots in interminglement with the total area of exploitation not exceeding 20% of the area of planted forests eligible for formation and the area of full logging each not exceeding 3 (three) hectares; after exploitation, forests shall be planted in the next crop;

Forest bands to be exploited shall be designed based on contours, having a maximum width of 20 meters for very important watershed protection forests and 30 meters for important watershed protection forests; the area of forest lots to be exploited must be at most 1 (one) hectare for very important watershed protection forests and 2 (two) hectares for important watershed protection forests.

3. For planted protection forests invested by forest-receiving parties

a/ Exploitation of intercropped and subsidiary plants; pruning and salvage logging;

b/ Selective logging of major plants eligible for exploitation with an exploitation capacity of maximum 30% of the reserves, post-exploitation forests must still meet the formation criteria prescribed in Article 6 of this Regulation. The mode of exploitation must comply with Point b, Clause 2 of this Article.

4. The Ministry of Agriculture and Rural Development shall stipulate and guide the order, procedures and technical processes for natural forest logging.

Article 16. Exploitation of bamboo and non-timber forest products in protection forests

Protection forest management boards and forest-receiving parties may exploit bamboo, neohouzeaua with a capacity not exceeding 30% of the reserves; post-exploitation forests must still meet the criteria for formation of protection forests prescribed in Article 6 of this Regulation. Exploitation of non-timber forest products must comply with the principles for forest product exploitation prescribed in Article 13 of this Regulation.

Article 17. Eco-tourism, scientific research, education and training in protection forests

1. Protection forest management boards may themselves organize, or join or allow

organizations or individuals to rent the forest environment for, commercial eco-tourism, scientific research and education and training in protection forests.

2. Development of eco-tourism in protection forests must comply with approved planning and the laws on enterprises, forest protection and development and current regulations of the State.

3. Scientific research and education and training activities in protection forests must meet the following requirements:

a/ Complying with the laws on forest protection and development, scientific research, and education and training, relevant regulations and this Regulation;

b/ Having plans on scientific research or education and training in protection forest zones approved by forest owners;

c/ Only collecting specimens, genetic resources of organisms with the quantity already determined in the plan on research or education and training approved by competent authorities and protection forest owners;

d/ Paying service charges to protection forest owners.

Article 18. Combined agricultural and fishery production in protection forests

Protection forest management boards and forest-receiving parties may combine agricultural and fishery production in areas without forests and areas of open canopy forests; and on water surface according to master plans and plans on protection and development of protection forest zones.

Article 19. Enjoyment of benefits from protection forests

1. The enjoyment of benefits from protection forests must comply with Articles 14, 15 and 16 of this Regulation

a/ Protection forest management boards and parties allocated with protection forest are entitled to enjoy all forest products salvaged and utilized from natural protection forests after paying taxes and charges according to current regulations;

b/ Protection forest management boards and parties allocated with protection forests are entitled to enjoy all forest products exploited from protection forests planted with state budget funds or supports from programs and projects with funds originated from the state budget after paying taxes and charges according to current regulations;

c/ Forest-receiving parties are entitled to enjoy all forest products exploited from protection forests invested by them after paying all taxes and charges;

d/ Protection forest management boards shall ensure that households, individuals and residential communities entitled to contracted forest allocation enjoy the value of collected forest products in the contracted area and shall pay for contracted forest protection according to current regulations of the State.

2. Protection forest management boards and parties allocated with protection forests are entitled to the value of revenues collected from non-forest product services; make payment to contracting parties; share benefits with households, individuals and village communities managing forests according to current regulations of the State.

3. Protection forest management boards and forest-receiving parties prescribed in Article 18 of this Regulation are entitled to enjoy all agricultural and fishery products.

Chapter V

NON-BUSINESS FUNDS FOR AND INVESTMENT IN PROTECTION AND DEVELOPMENT OF PROTECTION FORESTS

Article 20. Non-business state funds

Non-business state budget funds for protection forest management and protection comprise:

1. Regular non-business funds for activities of the apparatus of protection forest management boards shall be decided by competent authorities and allocated in annual state budget expenditure estimates.

2. Funds for forest management and protection must comply with current regulations of the State and the Prime Minister's Decision No. 57/QĐ-TTg of January 9, 2012, approving the plan on forest protection and management during 2011-2020.

3. The level of contracted forest protection must comply with current regulations of the State, averaging at VND 200,000/hectare/year for contracted forest protection areas for households, individuals and residential communities.

4. The State shall support once expenses for survey, designing, contract signing and dossier making for forest plantation and tending; contracted forest protection or zoning off for protection forest regeneration in accordance with the Prime Minister's Decision No. 57/QĐ-TTg of January 9, 2012, approving the plan on forest protection and management during 2011-2020.

5. Funds for organization of management and protection of protection forest areas directly managed by commune-level People's Committees must comply with the Prime Minister's Decision No. 07/2012/QĐ-TTg of February 8, 2012, promulgating a number of policies to increase forest protection.

Article 21. Investment in protection forests

1. The State shall ensure investment in forest development according to the following contents:

a/ Planting protection forests according to designs and investment estimates approved by competent state agencies;

b/ Zoning off for forest regeneration according to economic and technical norms with an average investment of VND 4 million/hectare for zoning off for natural regeneration and VND 8 million/hectare for zoning off for regeneration with additional plantation for 5 years.

2. Investment in works for protection forest management boards

Infrastructure facilities for protection forest management boards being public non-business units shall be invested as follows:

a/ Offices of protection forest management boards as prescribed in the Prime Minister's Decision No. 147/1999/QĐ-TTg of July 5, 1999, and Decision No. 260/2006/QĐ-TTg of

November 14, 2006, on criteria and norms on use of offices of state agencies, non-business units and forest protection and management stations at the average of 200 square meters/station and other auxiliary works. Temporary accommodations (condominiums) and other auxiliary works attached to working places of staff having no accommodations in the areas, at an average 12 square meters/person. National power grids or independent power systems (solar power, wind power, small hydropower, etc.);

b/ Roads:

- Roads from grades III to V linking arterial roads and offices of protection forest management boards.

- Inner roads within protection forest management boards, residential quarters of staff of protection forest management boards; instruction signs; forest patrol roads with a width of 1.5 meters at most.

- Landing stages, for offices and forest protection and management stations closed to rivers and sea in conformity with protection forest development planning and capital balancing capacity.

c/ Works, equipment and devices for forest fire forecast, warning, prevention and fighting, forest fire watch stations, systems of channels, canals, reservoirs, dams and tanks, firebreak bands, systems of signs, devices, equipment and other tools as guided by the Ministry of Agriculture and Rural Development.

Article 22. Funds

1. State budget funds arranged under the plan on forest protection and development approved under Decision No. 57/QĐ-TTg of January 9, 2012, on the plan on forest protection and development during 2011-2020, and other investment sources.

2. Protection forest management boards shall use revenues from forest product exploitation, forest services, and combined forestry, agricultural and fishery production and environmental services prescribed in this Regulation.

3. Support from domestic and overseas organizations and individuals.

Chapter VI

ORGANIZATION OF IMPLEMENTATION

Article 23. Transitional provisions

Protection forest management boards established by competent state agencies before the effective date of this Regulation shall maintain and review their operations according to this Regulation.

Article 24. Responsibilities of ministries, sectors and localities

1. The Ministry of Agriculture and Rural Development

a/ To guide the implementation of this Regulation;

b/ To examine and supervise the implementation of this Regulation, to annually report on the implementation of this Regulation to the Prime Minister;

c/ To coordinate with the Ministry of Planning and Investment, the Ministry of Finance and provincial-level People's Committees in examining and supervising investment in protection forest zones;

d/ To provide public information on policies of this Regulation and other relevant policies;

dd/ To mobilize donors to provide financial and technical assistance for protection and development of protection forests.

2. The Ministry of Planning and Investment

To assume the prime responsibility for, and coordinate with the Ministry of Finance and the Ministry of Agriculture and Rural Development in, balancing investment capital for protection forests.

3. The Ministry of Finance

a/ To assume the prime responsibility for, and coordinate with the Ministry of Agriculture and Rural Development in, balancing and arranging non-business funds for protection forests in accordance with the State Budget Law;

b/ To coordinate with the Ministry of Planning and Investment and the Ministry of Agriculture and Rural Development in, reviewing, planning and making annual, three-year and five-year budget estimates for implementation of this Regulation.

4. Provincial-level People's Committees

a/ To direct, organize and review the entire area of protection forests in their localities according to this Regulation. For previously planned areas ineligible for formation of protection forests according to the criteria prescribed in this Regulation, to adjust to production forest planning;

b/ To allocate and lease such land in accordance with law, prioritizing households, individuals and communities lawfully residing in the localities;

c/ To review and stabilize the organization and management of protection forests according to this Regulation; to complete in 2016 the grant of land use rights certificates to local protection forest management boards having not obtained such certificates;

d/ To balance and ensure non-business funds and investment capital according to this Regulation and the law on state budget;

dd/ To direct and organize the examination and inspection of the implementation of this Regulation in their localities. To annually report the implementation of this Regulation to the Ministry of Agriculture and Rural Development for summarization and reporting to the Prime Minister.-

Prime Minister
NGUYEN TAN DUNG