

THE GOVERNMENT

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Independence – Freedom - Happiness

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DECREE

ON FOREST RANGERS AND FOREST PROTECTION FORCES OF FOREST OWNERS

Pursuant to Law on the Government organization dated June 19 2015;

Pursuant to Law on Forestry dated November 15 2017;

At the proposal of the Minister of Natural Resources and Environment;

The Government promulgates a Decree on forest rangers and forest protection forces of forest owners.

Chapter I.

GENERAL PROVISIONS

Article 1. Scope

This Decree stipulates the tasks, power, organization, equipment for operating and benefits for forest rangers and tasks, power, equipment for operating and benefits for forest protection forces of forest owners.

Article 2. Regulated entities

This Decree applies to forest rangers, forest protection forces of forest owners and agencies, organizations, individuals related to the activities thereof.

Chapter II.

TASKS, POWER, ORGANIZATION, AND BENEFITS FOR FOREST RANGERS

Section 1: TASKS AND POWER OF FOREST RANGERS

Article 3: Tasks and power of the central forest ranger organizations

1. Advising the head of the agency to assist the Minister of Agriculture and Rural Development in performing the governmental management of forestry and formulating

programs, plans for forest protection and management, forest fire safety, ensuring the compliance with law on forestry.

2. Directing, guiding and examining the performance of forest management, protection and forest fire safety, prevention and control of violations and ensuring the implementation of law on forestry nationwide as follows:

- a) Organize implementation of legislative documents, programs, plans for forest management, protection, fire safety and ensuring the compliance with law on forestry.
- b) Inspecting the development of forest, stocktaking, allocating, leasing, withdrawing, converting and repurposing forest;
- c) Organize prevention of violations against regulations on forest management, protection and exploitation; transporting, trading, storing and processing forest products in accordance with law;
- d) Organize protection of specialized, protection forests and public forests that the State has not allocated or leased out;
- dd) Tracking activities of raising, planting of forest animals and plants; tracing and verifying origins of forest products;
- e) Implementing methods of forest fire safety; forming specialized forces of fire safety;
- g) Handling administrative violations and applying measures to prevent such violations; initiating prosecution and investigation into violations related to forestry in accordance with law.
- h) Managing and using issued weapons, combat gear, uniforms, facilities and professional equipment nationwide in according with law.

3. Organize performance of tasks relevant to forest management, protection and forest fire safety, prevention and control of violations and ensuring the implementation of law on forestry nationwide as follows:

- a) Cooperating with forest owners in implementing methods of forest management, protection and forest fire safety and ensuring the compliance with law of specialized, protection forests under the management of the Central;
- b) Taking preventing measures and ensuring the compliance with law on forestry; handling administrative violations and applying measures to prevent such violations; initiating prosecution and investigation into violations related to forestry in accordance with law.

- c) Monitoring, forecasting and warning of forest fire nationwide; forming specialized forces of forest fire safety at important zones;
- d) Managing database of forest management and protection, handling violation, inspection of forest development, forest fire safety and other related database within managing field;
- dd) Disseminating, broadcasting, educating on law on forestry;
- e) Provide professional training for forest rangers and forest protection forces of forest owners nationwide;
- g) Implementing international cooperation in forest protection, forest fire safety, prevention of illegal trading of forest products at borders in accordance with assignment from competent authorities and provisions of law;
- h) Managing and using issued weapons, combat gear, uniforms, facilities and professional equipment in according with law; establishing plans of providing professional equipment for forest management and protection, forest fire safety and ensuring the compliance with law on forestry.
- i) Researching and applying technology to the forest management and protection, forest fire safety and forest product traceability.

4. Managing, directing regional branches of forest rangers to perform tasks of forest management and protection, ensuring the compliance with law on forestry and forming specialized forces of forest fire safety in managing areas.

5. Perform other tasks as assigned by law and competent authorities.

Article 4: Tasks and power of provincial forest ranger organizations

1. Advising the manager of specialized department to help the head of provincial People's Committees in performing the governmental management of forestry as follows:

a) Formulating programs, plans for forest protection and management, forest fire safety, ensuring the compliance with law on forestry.

b) Cooperating with other local agencies, organizations to protect vacant public forests;

b) Allocating, leasing, withdrawing, converting and repurposing forest in accordance with law.

2. Directing, guiding and examining the performance of forest management, protection and forest fire safety, prevention and control of violations and ensuring the implementation of law on forestry in managing areas as follows:

a) Formulating programs, plans for forest protection and management, forest fire safety, ensuring the compliance with law on forestry.

b) Inspecting the development of forest, stocktaking, allocating, leasing, withdrawing, converting and repurposing forest in accordance with law;

b) Managing and protecting forests, forming and implementing plans of forest owners on forest fire safety;

d) Taking actions against of violations of forest management, protection and exploitation; transporting, trading and storing forest products; verifying origins of forest products from forest product trading, processing, exporting and importing establishments;

dd) Examining and verifying the trading; processing, planting and raising of forest plants and animals in accordance with law;

3. Performing tasks of forest management, protection and forest fire safety, prevention and control of violations and ensuring the implementation of law on forestry in managing areas as follows:

a) Implementing legislative documents, programs, plans for forest management, protection, forest fire safety and ensuring the compliance with law on forestry within assigned scopes.

b) Cooperating with forest owners to implement methods of forest management, protection and forest fire safety and ensuring the compliance with law on forestry ; conserving natural resources, forest biodiversity in accordance with law;

c) Monitoring, forecasting and warning of forest fire; gathering forces and facilities to cooperate with forest owners and authorities in extinguishing fire; in necessary cases, advising the competent authorities to mobilize local forces and facilities for firefighting;

d) Forming specialized forces of forest fire safety; inspecting the safety on fire prevention and firefighting;

dd) Taking preventing measures and ensuring the compliance with law on forestry; handling administrative violations and applying measures to prevent such violations; initiating prosecution and investigation into violations related to forestry in accordance with law.

e) Disseminating, educating on law on forestry;

g) Provide professional training for forest rangers and forest protection forces of forest owners;

h) Managing and using issued weapons, combat gear, uniforms, facilities and professional equipment in according with law.

i) Periodically and on-demand reporting to competent authorities.

4. Performing other tasks as assigned by law and competent authorities.

Article 5: Tasks and power of forest ranger organizations of districts

1. Advising the head of provincial forest ranger organizations and the Chairman of district People's Committee to perform the following tasks:

a) Formulating programs, plans for forest protection and management, forest fire safety, ensuring the compliance with law on forestry in managing areas.

b) Cooperating with other local agencies, organizations to protect vacant public forests ;

c) Allocating, leasing, withdrawing forest to households, individuals and communities.

2. Performing tasks of forest management, protection and forest fire safety, prevention and control of violations and ensuring the implementation of law on forestry on managing area as follows:

a) Implementing legislative documents, programs, plans for forest management, protection, forest fire safety and ensuring the compliance with law on forestry.

b) Instructing, examining the formulation of forest owners' plans for managing and protecting forests, preventive measures and methods of firefighting; cooperating with forest owners to implement methods of forest management, protection and forest fire safety and ensuring the compliance with law on forestry in managing areas;

c) Inspecting the forest development and forest stocktaking;

d) Training, providing guidance on skills of forest fire safety to grassroots civilian groups of forest protection; forming civilian groups of forest fire safety and forest protection;

dd) Timely forecasting and warning of fire; applying preventive measures of fire; advising the competent authorities to mobilize local forces and facilities for firefighting;

e) Examining and verifying origins of forest products; inspecting the transportation, processing, trading, planting and raising of forest plants and animals in accordance with law;

g) Taking preventing measures and ensuring the compliance with law on forestry; handling administrative violations and applying measures to prevent such violations;

initiating prosecution and investigation into violations related to forestry in accordance with law.

h) Disseminating law and educating people to raise awareness of forest management, protection and development;

i) Managing and using issued weapons, combat gear, uniforms, facilities and professional equipment in accordance with law.

k) Periodically and on-demand reporting to competent authorities.

3. Directing and managing local forest rangers stations and officers to advise and assist the Chairman of Commune People's Committee in the implementation of legislative documents, programs, plans for forest management, protection, and forest fire safety and ensuring the compliance with law on forestry.

4. Perform other tasks as assigned by law and competent authorities.

Article 6: Tasks and power of units of forest rangers of specialized, protection forests

1. Formulating programs, plans for forest protection, forest fire safety, the implementation of law on forestry within assigned scopes of the management boards of reserve, protective forests.

2. Cooperating with management boards of reserve, protective forests, district units of forest rangers and related authorities on the formulation of cooperation, implementation regime, plans of forest management, protection and forest fire safety, prevention and control of violations within assigned scopes to ensure the implementation of law on forestry.

3. Handling administrative violations and applying measures to prevent such violations; initiating prosecution and investigation into violations related to forestry in accordance with assigned scopes and law.

4. Disseminating law and educating people in the area to raise the awareness of protecting forest and forest fire safety.

5. Tracking information of forecasting and warning of forest fire; cooperating with management boards of specialized, protection forests and local authorities to perform forest fire safety measures; in necessary cases, reporting the situation to competent authority for mobilization of forces, facilities in firefighting.

6. Managing and using issued weapons, combat gear, uniforms, facilities and professional equipment in accordance with law.

7. Periodically and on-demand reporting to competent authorities.
8. Perform other tasks as assigned by law and competent authorities.

Article 7: Tasks and power of forest rangers

1. Forest rangers on duty shall perform the assigned tasks and take responsible for their performance in accordance with provisions of this Decree and law; wear uniforms, badges, stripes and name tags as prescribed.
2. Requesting concerning agencies, organizations, individuals to provide necessary information, documents or evidence; examining illegal storage of forest products, seizure, temporary seizure evidence , check means of transport for illegal carry of forest products in accordance with provided competence and law.
3. Handling administrative violations and applying measures to prevent such violations. Heads of the central forest ranger organizations, provincial forest ranger organizations, forest ranger organizations of districts and units of specialized, protection forests has the competence of initiate prosecution and investigation into violations related to forestry in accordance with law.
4. Using issued weapons, combat gear, uniforms, facilities and professional equipment in according with law.
5. Performing other assigned tasks in accordance with law.

Section 2. FOREST RANGER ORGANIZATIONS

Article 8: Central forest ranger organization

The Central forest ranger organization is an administrative unit affiliated to the general offices that advices and assists the Ministry of Agriculture and Rural Development in performing the governmental management of forestry.

Article 9: Provincial forest ranger organizations

A Forest ranger organization of a district is an administrative unit affiliated to the specialized department of a provincial People's Committee that advices and assists the provincial People's Committee in performing the governmental management of forestry.

Article 10: Organization of district units of forest rangers

1. A district unit of forest rangers is an administrative unit affiliated to the provincial sub-department of forest rangers
2. Criteria for the establishment of a district unit of forest rangers:

- a) The area of the protecting forest is at least 3.000 hectares;
- b) The area of the protecting forest is lesser than 3.000 hectares yet the establishment of such unit is for the management and protection of the forest, ensuring the compliance with law on forestry, forest fire safety, the development and use of the forest in processing, trading and other forestry activities in the area.
- c) In case of not meeting the requirements specified in point a, b of this clause, the inter-district unit of forest rangers shall be established.

3. Based on the criteria for the establishment of district units of forest rangers and requirements of managing ,protecting local forests and other forestry activities, provincial People’s Committees shall decide the establishment, rearrangement and dissolution of such units and inter-district units.

Article 11: Organization of units of forest rangers of specialized, protection forests

1. Units of forest rangers at government specialized, protection forests are administrative units affiliated to the Central forest ranger organization; units of forest rangers of specialized, protection forests are administrative units affiliated to provincial forest ranger organizations.

2. Criteria for the establishment of units of forest rangers of specialized, protection forests:

a) Units of forest rangers of specialized forests are established at national parks, natural reserves and species - habitat reserves with the area of at least 15.000 hectares;

b) Units of forest rangers of protection forests are established at headwater protection forests, wind/sand shielding protection forests and tide shielding or sea encroachment prevention protection forests with the area of at least 20.000 hectares;

3. Based on the criteria for the establishment of units of forest rangers of specialized, protection forests and requirements of managing and protecting forests, the Ministry of Agriculture and Rural Development shall decide the establishment, rearrangement, dissolution of such units affiliated to the Government; provincial People’s Committees shall decide such matters of such units affiliated to provincial departments of forest rangers.

SECTION 3: EQUIPMENT FOR OPERATING AND BENEFITS FOR FOREST RANGERS

Article 12: Equipment for operating of forest rangers

1. Forest rangers shall be uniformly equipped with forest rangers uniforms, badge, stripes, flags, and forest rangers’ identity cards.

Uniforms of forest rangers consist of three types for use in winter, summer, formal occasions and accessories;

- b) Forest rangers badges pinned on caps;
- c) Forest protection insignia pinned on the left sleeve;
- d) Forest rangers stripes pinned on shoulder-straps or collars;
- dd) Forest rangers flags attached to patrol facilities of forest rangers;
- e) Flag with forest rangers' symbol used in meetings celebrating the anniversary of the force's establishment or in ceremonies of awarding from the Party or the Government to the force.
- g) Forest rangers' identity cards are issued to forest rangers to perform their tasks and power in accordance with law and prove that they are officers on duty.

To issue together with this Decree the Appendix I on forest rangers uniforms, badge, stripes, flags, and the form of forest rangers' identity card.

2. Forest rangers are provided with weapons and combat gear for use in accordance with law; are equipped with modern facilities and professional equipment for the forest management, inspection, forest fire safety, patrol, examination and handling violations in forestry.

3. Funds for operation of forest rangers are allocated from the State budget and other sources in accordance with law.

a) The State budget shall provide funding for the daily operation and provision of weapons, combat gear, facilities, professional equipment and uniforms of forest rangers units which are affiliated to the Government;

b) The provincial budget shall provide funding for the daily operation and provision of weapons, combat gear, facilities, professional equipment and uniforms of forest rangers units which are under the management of that locality.

Article 13: Benefits for forest rangers

1. Forest rangers shall be paid according to their grades, ranks, titles and other benefits in accordance with law.

2. Forest rangers that are injured or killed during performance of their duty shall be entitled to the same benefits as those for war invalids and martyrs in accordance with law on incentives to people with meritorious services to the revolution.

Chapter III

TASKS, POWER, EQUIPMENT AND BENEFITS FOR FOREST PROTECTION FORCES OF FOREST OWNERS

Article 14. Tasks and power of forest protection forces of forest owners

1. Patrolling, inspecting the protection of forests and land forests for forestry; implementing preventive measures of deforestation, forest encroachment, illegal exploitation and other violations of forest management and protection in managing areas.
2. Implementing measures for assurance forest fire safety and fire fighting plans where necessary; encourage people in the area to participate in protection of forests, assurance of fire safety, and forest fire fighting.
3. Promptly reporting the situation of forest protection to forest owners and related forest rangers units; complying with the direction and management of forest owners and the inspection, guidance about skill of forest rangers authorities; complying with regulations of law when being on duty.
4. Carry out inspections and take actions against violations of forest management, protection and development, forest product management; filing initial report; protecting the scene and evidence, timely reporting the situation to competent individuals or authorities for handling in accordance with law.
5. Using issued weapons, combat gear, uniforms, facilities and professional equipment in according with law.
6. Perform other tasks assigned by forest owners.

Article 15. Organization of forest protection forces of forest owners

1. Management boards of specialized, protection forests which do not establish units of forest rangers and enterprises, organizations unaffiliated with armed forces whose forests are allocated or leased by the Government can establish forest protection forces of forest owners.
2. Forest protection forces of forest owners consist of public employees and contracted employees; the number of such employees in the force shall comply with law.

Article 16. Equipment and benefits for forest protection forces of forest owners

1. Forest protection forces of forest owners shall be equipped combat gear, facilities, professional equipment, protective equipment and other necessary devices for forest protection and fire safety as well as uniforms specified in Appendix II of this Decree.

2. Benefits of forest owners to forest protection forces are as follows:

a) Public employees of forest protection forces of forest owners are entitled to wages and other benefits in accordance with law.

b) Contracted employees are entitled to wages and other benefits by forest owners in accordance with signed labor contract and law.

3. Forest protection forces shall be provided with professional skills of forest management, protection and development with the focus on forest patrolling and examining, fire prevention and fighting, pest prevention and elimination, taking preventive measures and actions against violations of law on forestry and the management and use of combat gear in accordance with laws.

4. Funding for operation of forest protection forces:

a) In case forest owners are public service providers; funding for forest protection forces shall be provided in accordance with law on organization of public service providers;

b) Forest owners that are not public service providers shall provide funding for their own forest protection forces in accordance with law.

Article 17. Responsibilities of forest owners to forest protection forces thereof

1. Directing and managing the performance of forest protection forces; forming the force responsible for protecting forests with capability that meet the requirements of assigned tasks; cooperating with forest rangers and other local forces in forest protection.

2. Provide adequate funding, wages, other benefits as well as facilities, professional equipment, combat gear, uniforms and training courses for the force responsible for protecting forests in accordance with law.

Chapter IV.

IMPLEMENTATION PROVISIONS

Article 18. Responsibilities of relevant authorities, units:

1. Responsibilities of the Minister of Natural Resources and Environment are as follows:

Providing uniform instructions, examining, inspecting the performance of forest rangers nationwide;

b) Cooperating with related ministries, branches in stipulating the standard of professional skills of forest rangers; cooperating in advising competent authorities on benefits of forest rangers and forest protection forces of forest owners;

c) Managing payroll, ensuring funds and other operating conditions of forest rangers and forest protection forces of forest owners which are affiliated to public service providers of the Central in accordance with regulations.

2. Responsibilities of relevant authorities, units are as follows:

Based on the assigned tasks, functions and scopes, relevant authorities, units shall cooperate with the Ministry of Agriculture and Rural Development in implementing provisions of this Decree.

3. Responsibilities of provincial People's Committees are as follows:

a) Directing, examining and inspecting the performance of local forest rangers and forest protection forces of forest owners;

b) Directing district People's Committees to implement measures of management and protection for local forests; cooperating with forest rangers, forest protection forces of forest owners and related agencies, organizations, individuals; mobilizing forces, facilities of organizations, individuals according to assigned scopes so as to protect forests, prevent and fight forest fire;

c) Managing payroll, ensuring funds and other operating conditions of forest rangers and forest protection forces of forest owners which are affiliated to local public service providers in accordance with regulations.

Article 19. Entry in force

1. This Decree takes effect on February 15 2019.

2. Decree No.119/2006/ND-CP dated October 16 2006 by the Government on the organization and activities of forest rangers and Decision No. 44/2016/QĐ-TTg dated October 19 2016 by the Government on forest protection forces of forest owners shall be invalidated from the effective date of this Decree.

3. Article 7, 8, 9 and 10 of Circular No. 08/2017/TT-BNNPTNT dated March 28 2017 of the Ministry of Agriculture and Rural Development stipulating provision of professional training and uniforms for forest protection forces of forest owners are annulled.

Article 20. Transition provisions

When a forest ranger department of the management board of a specialized forest or protection forest is converted into a forest protection force in accordance with Article 15 of this Decree, the wages, seniority allowance, occupation-based allowance of the public employees that worked as forest rangers shall remain unchanged when they are moved to the forest protection force until the replacement of current policies.

Article 21. Implementation organizations

Ministers, Heads of ministerial-level agencies, Heads of agencies affiliated to the Government, Presidents of People's Committees of provinces and central-affiliated cities shall implement this Decree.

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Xuan Phuc

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