

**PARLIAMENT
OF THE REPUBLIC OF ALBANIA**

Based on the Articles 78 and 83, paragraph 1 and 59 paragraph dh of the Constitution, with the proposal of the Council of Ministers, decided:

ENACTING THE LAW ON FORESTS AND PASTURES

Promulgate the Law on “**Forests and Pastures**”, adopted by the Albanian Parliament,

No. _____, Dated _____

CHAPTER I

GENERAL PROVISIONS

Article 1

Aim

This law regulates the development and protection of forests and pastures, as natural resources, and a national wealth of special importance, for its irreplaceable values in climate and soil protection, conservation and improvement of the balance of the natural environment, biodiversity, genetic resources, production potentials and hydro regime, as liabilities in the interest of present and future generations, on the national level and beyond.

Article 2

Object

1. The object of this law are the governance, management and the protection of national forest and pasture resources, based on the principles of sustainable development, reflected in sector strategic documents and the commitments of the Republic of Albania in the framework of international conventions, agreements, protocols and treaties signed to ensure the preservation of biological diversity, regenerative abilities and potential, with the aim of continuously fulfilling the environmental, economic, social and cultural functions, in the interest of the whole society, locally and nationally.

2. Sets rules, obligations, rights, responsibilities and relationships of state institutions, local government units, private owners, users, non for profit organizations and private business, management, governance and protection of the national forest and pasture resources.
3. Defines the organization and functioning of the Forest Service, as a public service, unifies information system of forests and pastures, regardless of form of ownership and sanctions the community support and private landowners to develop forest and pasture sector in our country.

Article 3

Definitions and fields of action

Based on this law, the following terms have the following meanings:

1. "Forest governance" is refers to how decisions are made about the management and use of forest lands and resources and is a set of measures of treatment and use, as recommended by the management plan, which aimed at steering the process of natural development, after creating a new forest stand in replacement of the older generation, due to its original function.
2. "Management" of forests and pastures is a set of organizational, technical and financial support to governments and their protection.
3. "Biodiversity" is a set of different species of living organisms in a particular environment.
4. "Wind-protective belt" forest trees planted in a row, with the goal of protecting agricultural land from winds.
5. "Forest resources" are all elements of a natural forest area or forest land with significant value, for the purposes of the society, which include land, trees, water, diverse non-forest vegetation and wildlife.
6. "Forest Certification" in the general meaning, is a declaration whereby a third party, independent, verifies and certifies that a production system, a product or a service is in accordance with the requirements, standards, technical specifications or legislation. Criteria and indicators used in the process of certification vary depending on the selected system.
7. "Damage to forest and forest environment," the consequences are loss damage functions or parts of the forest environment and destruction of natural biological balances as a result of interference by man or by other natural factors.
8. "Decorative forest trees" are forest trees that are used for ornamental or traditional celebration.
9. "Forest economy" is the area, within which a forest stand are subject to a certain governing regime forms and special treatment operations by other regimes, organized with plots and sub-plots, which meets the principle of sustainable forest production.

10. "Ecosystem" is the entirety of a community of organisms and their environment, which functions as an ecological unit.
11. "Forest nursery" is a designated area of land, which serves for the production of seedlings of various types and sizes, originating from seeds, cuttings, roots, tubers, twigs and stockings.
12. "Forest resources" are all areas with forest stands, non-forest accompanying resources, including bare surfaces (shelter-woods, rocks, sandy areas and dunes), which create a harmonious environment with forests and forest land and related infrastructure.
13. "Pasture resources" are all areas of grassland and natural meadows, trees and shrubs within their areas used for grazing, not included in forests, bare and rocky areas and their respective infrastructures.
14. "Forest stand" is a homogeneous part of the forest, in terms of structure, age, production class, density, environmental conditions and manner of silvicultural treatment.
15. "Group of forest trees" is a certain number of trees together, wherever they are in an area smaller than 0,1 h or in a row.
16. "Cadastre" is data system of the national forest and pasture resources, organized in the central, regional and local level, which records all the basic information and periodic changes occurred, along with geographic information system (GIS), necessary for its administration and governance.
17. "Forest and pasture management" is long-term planning, which is performed on the basis of criteria defined for the economic organization of forest and pasture, gathering information on the condition of forests and pastures and defining the objectives of the measures necessary for their status treatment in order to provide for the fulfillment of ecological, economic and social functions, on the basis of the principles of sustainable development.
18. "The protection of forests and forest land" is to prevent the degradation activity of their human and natural factors, with the aim of ensuring the renewal and improvement of forest and accompanying non-forest resources and forest environment as a whole.
19. "Plot" is the basic unit of organization and control of the entire works of various forest under a forest economy, forest economy or watershed part, minimum and maximum size of which is determined by the management plan design methodology.
20. "Sub-plot" is part of the plot, which is used for sharing it, if it is not uniform in terms of forest structure, or if it is composed of different site conditions.
21. "Management plan" is the basic document governing the forest and/or pasture, designed for the forest and/or pasture economy or watershed, which contains the totality of information on the

situation of these natural resources, and proposes measures needed to address them, on the objectives that must be met in order to have status.

22. "Pre-commercial thinning" is a set of silvicultural works in the context of forest governance, consisting of rejuvenation/coppicing, clearances, cleaning, thinning and harvesting, which are applied in different life stages of the forest stand.

23. "Forest" is a land area greater than 0,1 ha, with forest trees in a forest stand form, which covers over 30% of its potential and reach heights above 3 m, which represents a complex and multifunctional ecosystem, with its the impact on the surrounding environment.

24. "Communal forest/pasture" is state owned forest or grassland given in usufruct or ownership and administered by the local government unit.

25. "Protective forests" are forests, whose main function was assigned to protect land from erosion phenomenon, landslides, hydro balance regulation, protection from winds, etc..

26. "Production forest" is forest, whose management plan has designated the main goal of producing timber and other products through the implementation of silvicultural treatment rules, until the final cuts, without sacrificing environmental functions.

27. "Reforestation" is planting trees in a forest area as defined "forest", which for various reasons is not provided in the way natural regeneration or renewal is damaged and does not guarantee the development of the new forest stand, and replanting trees after application of clear felling occurred in the same area or line.

28. "Forest roads" are roads with different parameters from those of national and local roads, of multifunctional nature that enable the use and treatment of forest and pasture, timber transport and non-wood products, protecting them from fires, pests , the development of various economic activities, recreation, entertainment, tourism, sports, etc. and connecting rural residential areas with local and national road network.

29. "Forest harvesting" represents cutting operations and timber extraction within and from forest plots/sub-plots in forest stands that have reached mature age, while creating the conditions necessary for the installation of the new generation in natural way, and economic assessment of wood material produced from them.

30. "The sale of standing timber" is the operation of evaluation and standing trees selling.

31. "Bushes/scrub" perennial plants, with one or several stems, with small diameters and heights.

32. "Deforestation" is the process of cutting or extraction of all forest trees and shrubs in an area classified as "forest".

33. "Silviculture" is the science and techniques of knowledge, ownership and management of processes related to the existence and development of the forest, with a view to maximizing the productive and protective functions it performs.

34. Strategy is the official document, approved by the government, which sets long-term strategic directions for the development and protection of the national forest and pasture, in accordance with national policies and obligations arising from international conventions, protocols and international treaties signed by Albanian state.

35. "Forest land" is land with trees, shrubs and other non-forest vegetation, the degree of coverage from 5 to 30 percent, bare surface, shelter wood, rock, eroded and unproductive soil, sandbanks and forest roads, not-registered in other farmland funds and ecologically and functionally associated with the forest resources.

36. "Treatment of forests" represented by silvicultural operations, which are intended implementation of the target structure for forest stand, due to the management regime form.

37. "Sustainable development of forests and pastures" is the process of governance and use of forests and pastures, in such manner and intensity to maintain their biological diversity, productivity and respective capabilities, to meet current and future ecological, economic and social functions, without causing damage to other systems, such as local, national, regional and global.

38. "Ministry" means the Ministry responsible for forests and pastures.

39. "Minister" means the Minister responsible for forests and pastures.

CHAPTER II

POLICIES, STRATEGIES, PLANS AND DEVELOPMENT PROGRAMS AND MANAGEMENT PLANS

Article 4

Policies and development strategies

1. Policies and strategies are official documents, serving as basis for forest and pasture governance and fulfillment of the obligations arising from international conventions, protocols and international treaties signed by the Republic of Albania.

2. National policies and strategies aimed at introducing the principles of sustainable development of forests and pastures in the interest of the society and interested groups in the overall framework of sustainable development of the country.

3. Policies and strategies are developed by the Policy Council of Forests and Pastures Development, which functions as an inter-ministerial, where in addition to representatives of state institutions and includes representatives of interested groups related to forests and pastures.
4. The composition, functions and responsibilities of the Policy Council of Forest and Pastures, are appointed by the Prime Minister.
5. The national policies and strategies of development of forests and pastures, the decisions have to be adopted by the Council of Ministers.

Article 5

Development programs

1. The implementation of national policies and strategies for the development of forests and pastures, implemented through national programs and action plans and long term.
2. National programs and action plans and long term, common tasks and contain specific operational goals and objectives that are planned for the development of public forests and pastures, communal and private.
3. Long-term action plans developed and implemented for a period of 10 years, while plans for a mid-term period are 3-5 years.
4. National programs and action plans and long term fit and filled in accordance with the changes that occur during the implementation of national policies and strategies of forests and pastures, in the context of the general.
5. National programs and long term action plans, developed by the Council of Policy Development of Forests and Pastures and signed by the heads of institutions and representatives of interested groups involved in them.
6. Forest Service and local governments, the latter in cooperation with private landowners and representatives of interested groups, are responsible for the implementation of national programs and action plans and short-term and long term programs development plans of public forests and pastures, communal, and private.

Article 6

Management plans

1. Management plan is the official document and instrument for the realization of governance, development and protection of forests and pastures, valid for a period of 10 years.

2. Management plan, regardless of the status of forests and pastures and their form of ownership, based on the methodology developed prepared and approved by the Department of Forests and Pastures in the Ministry.
3. Management plan features and in principle recommends:
 - a. Status of forests and pastures during the drafting period;
 - b. Measures for sustainable use of forests, pastures and natural resources, the conservation of natural biological balance, in accordance with the functions and status that they have;
 - c. Measures for silvicultural treatment works through the pasture and other works, in order to improve the environmental functions, ecological, economic and social context of sustainable development, and to build the necessary infrastructure maintenance.
4. Management plans and a set of measures recommended by them, are required to be implemented by structures that manage or have owned public forests and grasslands, from private owners, as well as all legal persons who conduct activities in national forests and pastures.
5. Management plan reviewed during the period of validity, in view of the new situation created after the initial intervention and the need for other interventions before the end of its validity, in accordance with the phase or frequency of these interventions.

CHAPTER III

FUNCTIONS, COMPOSITION, PROPERTY AND MANAGEMENT

OF NATIONAL FORST AND PASTURE RESOURCES

Article 7

The functions of forests and pastures

1. Forests and grasslands are complex ecosystems that fulfill the following functions:
 - a. ecological, to preserve and improve the natural environment balances, biodiversity, genetic resources, potentials manufacturer, hydro regime and corrosion inhibition phenomena;
 - b. economic, for harvesting timber, non-wood, hunting, gathering medicinal plants, aromatic ether, use of other natural resources and the development of commercial activities;
 - c. social development activities for entertainment, recreation, sports, tourism, educational, health, cultural and natural heritage and other environmental aspects of aesthetics.

2. Forests are also subject to carbon sequestration. The Ministry is responsible for implementing the provisions of the Kyoto Protocol. Carbon sequestered calculated and marketed under the rules and procedures laid down in the Kyoto Protocol, with which Albania is a party.

Article 8 **Classification of forests**

1. Specifically, forests are classified:

a. Production forest, whose government aimed at producing timber, observing all the rules of silvicultural treatment, until the final cuts;

b. Protective, whose government aims firstly protect soil from erosion, landslides, floods, protection from winds of agricultural land, water regime stabilization, improving its quality, etc.;

c. Protected, whose government aims to meet the goals set in the status given.

2. Protected forests are included in the Protected Areas Network and are administered by separate legal acts and regulations.

3. In the category of protected forests include special trees or groups of trees for their specific values.

4. Forests, their parts, groups of trees or woody particular, the administration / local government owned or private owners, included in the category of protected forests only with their consent.

5. In cases where due to special interest and value to represent, forests, their parts, trees or groups of trees particular, decided to include in the category of protected forests, without the consent of the local government or private owner, they compensated for missing the benefits of the restrictions on their use.

6. Classification of forests, made on the basis of criteria defined by the instruction of the Minister.

7. The creation of strategic reserves of standing timber, storage and handling of virgin forest or almost virgin, and their transfer in full conservation, made in accordance with the criteria and procedures set forth by the Council of Ministers.

Article 9 **Classification of pastures**

1. Pastures, meadows and wooded areas and scrub forest or grassland, used for grazing, not included in forests, according to the period of use, classified into:

a. summer pastures;

b. winter pastures.

2. Classification of pastures and meadows made in accordance with the technical requirements specified by the instruction of the Minister.

Article 10

Composition of the national forest and pasture resources composition

1. The national forest resources forests and pastures, as defined below.

2. The forest resources consist of these plant and non-plant formations:

a. forests and forest trees;

b. bushes;

c. natural herbaceous, medicinal, taniferous and ether-oil plants;

d. forest lands, bare surfaces, rocks, dunes and sandbanks located in forests and near them (no farther than 500 m) and to create a harmonious ecological environment of the forest;

e. natural lakes, wetlands and lagoons, creeks and streams, creating a harmonious ecological environment of the forest;

f. road infrastructure, communications with all accompanying elements, dikes, dams, water-points, troughs, fountains, fences or siltation fences in protected areas, in forests with special function in hunting;

g. buildings, offices, warehouses, depots, forest stations, information centers and visitor reception, water, electricity and telephone lines (built by the forest service or information in their possession), cars, billboards, signs indicating different signaling and breeding.

3. Pasture resources consists of:

a. pastures and meadows;

b. natural herbaceous, medicinal and taniferous plants,;

c. wooded areas, shrub or forest vegetation used for grazing, not included in the forest;

d. road infrastructure, ponds, water points, taps, troughs and other facilities included in the letter g, paragraph 2 of this article;

e. rocky or swampy areas within the pasture.

4. The national forest and pasture resources are not included, but are administered under the provisions of this law:

- a. Particular trees and groups of trees, wherever they are, when the surface covering is not considered to meet the criteria for forest and those in a row over agricultural land, the roads, canals, watercourses, and wind-protection generators etc.;
- b. Presents urban and forested area near the monuments and cemeteries, regardless of their surface.

Article 11

Ownership of national forest and pasture fund

1. Forests and pastures in the territory of the Republic of Albania are national assets. State guarantees equality of property relations.
2. National forest and pasture fund consists of:
 - A. Public ownership:
 - a. national forests and grasslands, which are administered by the central government, with its subordinate structures;
 - b. national forests and grasslands in local governments ownership.
 - B. Private ownership:
 - a. forest, forest trees, and pastures owned by private individuals, legal entities and individuals;
 - b. forest of trees, special trees and pastures owned institutions / religious communities.
3. Owners of forests and pastures are legal or natural persons.
4. Transfer of forest and pasture owned by local government units, made in accordance with applicable law.
5. The privatization of forests and pastures made by a special law. There are excepted of privatization the water points for livestock
6. Foreigners acquire ownership rights over forests and pastures, according to the legislation in force.
7. Quotes of carbon in its sequestration process, belong to their owners, according to the property rights they own the forest.

Article 12

The management of national forest and pasture resources

1. The management of forest and pasture resources, represents the totality of necessary organizational, technical and financial measures, as defined in this law and other legal acts of the

laws in force, which guarantee the sustainable and multifunctional management and its protection .

2. Depending on the form of ownership, managed by:

a. Forest Service, forest and pasture fund public;

b. Local governments, public forest and pastures owned by them.

c. Private owners, forests and pastures in their ownership.

3. Criteria and procedures of forest and pasture management resources of local governments ownership and private owned, are determined by the Council of Ministers.

Article 13

The management of public forest and pasture resources

1. The management of forest and pasture fund made public by the relevant Ministry, through its structures, organized at central, regional and local.

2. Forest Service also manages forest parts, trees and stands of forest trees, designated for conservation, germoplasm, *in situ* and *ex situ*.

Article 14

The management of forest and pasture resources, under local government administration (LGU)

1. The management of the forest and pasture resources owned by the local government is done by the local government unit itself.

2. The local government recruits and includes in its technical personnel structure, for their administration and management, and protection of forests and pastures, transferred in their own management and ownership.

3. In cases where, for reasons justified, cannot recruit its personnel, in understanding with one of the neighboring units, collaborating through an agreement and signed contract with mutual obligations between the parties, to recruit a staff common.

4. The local government cooperates with associations of users of forests and pastures and forest service structures, governance and protection of the forest and pasture to take possession or ownership.

Article 15

The management of private forest and pasture fund

1. The management of forest and pasture fund owned or private institutions / religious communities, made by the owners.
2. Within their willingness and agreement or contract with the forest service or local government unit, private owners or religious communities and institutions, entrust the management of forests and pastures, their properties, one of these structures, against payment.
3. In these cases, the responsibility for the administration, governance, protection of forests and pastures and for reporting all necessary information, in accordance with the provisions of this law, is common.

CHAPTER IV

CADASTRA OF THE NATIONAL FOREST AND PASTURE RESOURCES

Article 16

National Cadastre of Forests and Pastures

1. Forests and pastures, along with their relevant infrastructures, are registered in the Registry of Real Estate, by the administrators and their owners under the provisions of the relevant legislation in force.
2. National Cadastre of Forests and Pastures represents the official registry and database, which reflects the totality of the information necessary for the administration and management of the national forest and pasture, along with geographic information system (GIS).
3. Administrators and owners of forests and pastures, are obliged to keep cadastre in form and content its approved.

Article 17

Organization of National Cadastre

1. National Cadastre is organized on the basis of technical criteria that enable the identification and coverage of the situation and the periodical changes occurring in the national forests and pastures.
2. Ministry responsible for the administration of public forests and pastures is responsible for maintaining the National Cadastre.
3. Ministry organizes cadastral data for national forests and pastures in central, regional and local levels.

4. Local government units also organize maintenance of cadastral data for forests and pastures in management / ownership of them and make appropriate reports to the district's Directorate of Forest Service where they are located.

5. Private owners and religious communities and institutions delegate and maintaining cadastral data and its reporting to the district's Directorate of Forest Service or local government unit, in the territory of which are located forests and grasslands that are owned, in case they have entrusted their property administration to them.

6. Ministry, with special guideline, sets out the detailed system of maintaining cadastral data in local, regional and central government, specified information to be recorded, as well as deadlines for the preparation and reporting of all entities that administer or own forests and pastures.

Article 18

National Inventory of Forests and Pastures

1. National Inventory of forest and pasture aims to collect and evaluate data on the extent and condition of national forest and pasture fund, which are part of policy planning in the area of forests and pastures, sustainable development and their multifunctional.

2. National Inventory of forest and pasture is conducted no-less than once in a 10 years period and managed by the Forest Service.

3. In the process of the National Inventory of Forest Service structures are involved local governments and private owners.

4. Expenditures necessary to carry out the National Inventory, are borne by the state budget, while the organization and interaction between the Forest Service, local governments, private forest and forestland owners and other structures are defined by the Council of Ministers.

5. Procedures and criteria for conducting the National Inventory of design methodology is defined by the Directorate of Forests and Pastures in the Ministry, in collaboration with the Environment Agency and Forestry, which is approved by the Minister.

6. Results are to be reflected in the report prepared by the Ministry, which is sent for approval to the Council of Ministers within six months period from the date of completion of the National Inventory of forests and pastures.

CHAPTER V

PROTECTION OF NATIONAL FOREST AND PASTURE RESOURCES

Article 19

The Protection of National Forests and Pastures

1. Republic of Albania applies the principles and norms of international conventions, agreements, protocols of international treaties, to which it is a party, and considers, recognizes and respects the principles and generally accepted norms of international law, for the protection of forests and pastures.
2. Protection of forests, pastures and forest environment from pollution and damage by gaseous, liquid, solid, radioactive, hazardous waste, created or downloaded by objects or industrial activities, agricultural, communal, commercial, social, cultural, military, transportation or other activities which affect the ecological balance of natural systems or damage to goods of historical and cultural values, is a permanent obligation and liability of all state agencies, local governments, private owners and entities natural or legal persons, domestic and foreign, that perform activities in national forests and pastures.
3. Depending on the form of ownership, protection of national forest and pasture fund from injuries, illegal logging or grazing, disease, insects, fires, destruction, or transfer of illegal occupation, is also a permanent obligation and liability structures of forest service, local governments, private landowners, and the physical and legal entities where applicable and other state structures, regulated within other laws.
4. Facilities protection of this law are also water resources, natural lakes, swamps, lagoons, creeks, streams and all other elements, which are located within national forest and pasture fund and create complex natural and harmonized with.
5. All hydro-technical works (check-dams, fences, dams), works of drinking water for livestock (water points, ponds, troughs, taps) and the whole infrastructure built in national forests and pastures are inalienable and protected by legislation force.
6. It is prohibited the destination deviation of drinking water works for livestock.
7. Lighting fires in forests and pastures and other lands in their vicinity is strictly prohibited, and any other action that is a source of uncontrolled ignition.
8. Controlled burn fires can be set out only when necessary, and with the permission of the forestry service and after they take all appropriate fire-extinguishing measures, to keep them under control at all time and when weather conditions do not favor their spread out of control. At the end of the processes, set out fires have to be oppressed from structures who set them out.
9. Within forests and pastures or parts thereof intended for recreational activities, entertainment, etc. allowed lighting fires with permission from administrators or owners, only in certain of these countries.

10. Visitors through various forms and tables placed in the vicinity of where allowed to light fires, informed and consulted about the obligations they have to keep under control at all times and completely shut down at the end of their activities.

11. Shutting down the fires in national forests and pasture is common task of forestry service structures, local governments, private landowners, forest user associations and pastures, entities that develop activities in this fund, military units and structures other state by law.

12. The firefighting operations organized by the forest service structures, forests and pastures for public and local government, to fund municipal forest and pasture, cooperating among themselves.

13. In cases of fires in forests and pastures declined private facilities operations organized by the Forest Service, in cooperation with private landowners and local governments.

14. Funds needed for firefighting facilities that are covered by the administration or owned forest or pasture where the fire is, while private forests and pastures are covered by the state budget.

15. For extinguishing fires, the Forest Service and local governments, establish special units and cooperate among themselves and with private owners of other government bodies, according to the criteria set by the Council of Ministers.

16. Vehicles parking, roulettes and placement of tents in national forests and pastures areas, can be made only in places designated by the managers and owners, according to the rules prescribed by the Minister.

17. Combating diseases and insect pests in national forests and pastures, organized by the Forest Service, in cooperation with local government units, associations and of forests and pastures users and private owners, and the necessary funds are covered by the state budget.

18. It is forbidden the grazing of livestock and animal passage in young forests, in newly natural regenerated forests in rejuvenated forests, in protective forests with special function, in game and of wild fauna hunting reserves and provenances, seed orchards, except in cases where there is no risk of injury and according to rules set by the Directorate of Forests and Pastures in the Ministry.

Article 20

Monitoring of national forest and pasture resources

1. For continuously monitoring and recording the changes undergone by forests and pastures of atmospheric pollution, pests, diseases, fires and other factors, the impact indicators and pasture ecosystems, biodiversity, etc. As well as measures necessary appropriate for the rehabilitation of their normal governance, organized network of permanent monitoring of national forest and pasture fund.

2. The organization and functioning of the network of permanent monitoring, as well as human and financial contributions of managers and owners of forests and pastures in the network are determined by the Council of Ministers.

3. Forest Service, local governments and private owners, in cooperation between them, establish permanent monitoring network, in accordance with the obligations set out in the relevant decision of the Council of Ministers, under paragraph 2 of this Article.

Article 21

Monitoring program, criteria and indicators

1. Directorate of Forests and Pastures in the Ministry, in collaboration with the Environment Agency and Forestry, Faculty of Forestry, local government representatives and associations of communal forests and pastures users, designs the national forests and pastures monitoring program.

2. Monitoring program includes all components subject to monitoring, a set of elements necessary for each of their data and systems that enable filing status and trends of processes for each component.

3. Environment and Forestry Agency builds criteria and indicators for the assessment of each component involved in monitoring, by aligning them with the systems of FAO and EU directives.

4. Methodology for information gathering, analysis, interpretation, organization of the data and reporting, developed by the Agency of Environment and Forestry.

5. Agency of Environment and Forestry controls continuously monitoring process on overall national forests and pastures resources.

6. The program, criteria, indicators and monitoring methodology is approved by decision of the Minister.

Article 22

Information on monitoring the state of the national forest and pasture fund

1. Environment Agency and the Forestry processes and tabulates the results of monitoring of forest and pasture national fund, according to established criteria.

2. On the basis of the monitoring results, Directorate of Forests and Pastures in the Ministry, in collaboration with the Environment Agency and Forestry, designs and publishes an annual report on the situation of national forest and pasture fund, within the first three months of next year.

3. Results and annual monitoring report was distributed to forest service structures, units of government units, concerned institutions, etc., and published in the official website of the Ministry.

CHAPTER VI

Treatment and Development of National Forest and Pastures Resources

Article 23

Management of Forests and Pastures

1. Forest management represents long-term planning, which includes gathering information on the situation of forests and pastures and defining the objectives of the measures needed to address them in accordance with the situation and status data, with the aim of fulfilling the functions of ecological, economic and social, and applying the principles of sustainable development, and continuously control the results.
2. Management of forest and pasture fund is organized on the basis of forest economies / economic or parts watersheds, regardless of form of ownership, according to the required criteria to determine the appropriate methodology.
3. Smaller units, in the context of forest economics / or pasture watershed, are plots and sub-plots.
4. Criteria for the size of the economies of forest / pasture, watersheds, economic parts and plots, set in methodology for the design of the plans.
5. Field work for forestry and pasture begin in May and ends in September of each year.
6. Management is done, for forests and pastures:
 - a. Public, by physic or legal entities,
 - b. Communal, by technical staff of local government units, legal entities, or associations of communal forests and pastures users;
 - c. Private, by legal and physic subjects, technical staff of the local government unit or communal forests and pastures users.
7. For private forests and pastures, which are represented by separate sub-plots or plots outside the forest clusters or large areas of pastures, breeding prepare simple plans, the most important data for registration in the cadastre, according to the methodology developed by the Department of Forests and Pastures Minister.

8. Review and approval of management plans made by technical committees set up as defined in the relevant instruction:

9. Directorate of Forests and Pastures designs Minister methodology of designing management plan and guidance procedures for their approval, which is approved by the Minister.

Article 24

Wild Flora and Fauna

1. Flora and fauna are important compound elements and very important of forest and pasture ecosystems.

2. Flora and fauna are not subject to this law, but of other specific laws and legislation.

Article 25

Treatment of Forests and Pastures

1. Treatment of forests and pastures realized through the implementation of recommendations and planned measures of the management plans.

2. Recommendations and measures for forest treatment include the whole forest operations carried out, from forest stewardship until their harvesting, which guide the process of natural development for the realization of long-term objectives and the replacement of generations in natural way.

3. Recommendations and measures for treatment of pastures and meadows include the whole of the operations, which affect the improvement of skills and increasing their production capacities, and to maintain and continuously improve the biological diversity of ecosystems.

Article 26

Silvicultural operations

1. In the high and coppice forests are performed silvicultural cuttings (thinning), in the function of the development phase and the situation at the moment of intervention and goal to be achieved, according to the requirements of treatment.

2. In degraded coppice forest initially are carried out their improvement, which continuously followed by other silvicultural operations.

3. As part of silvicultural operations are the sanitary clearance carried out for forest stands of affected trees, dried, decomposed by fungi, insects or other factors, and the trees of injured or fallen, in order to improve their healthy situation.

4. The intensity and periodicity of cultural cuts, and the frequency and timing of sanitary cutting interventions are defined in the relevant guidelines for the treatment of forest operations.
5. For forests included in the protected areas, such interventions is carried out in accordance with the protection status of each category.

Article 27

Forest harvesting and use of pastures

1. The forest harvesting is carried out in the forest stands that have reached the age of exploitation, with the main goal of removing the old generation and the creation of conditions for the installation of the new generation in natural way, at all stages of harvesting and the introduction of economic circulation of timber advantage of.
2. Harvesting is subject only to certain plots and sub-plots in the management plan for the respective year.
3. Harvesting is subject to the plots or sub-plots damaged by natural disasters or fires.
4. According to the site specific conditions, damaged plots and sub-plots are included within the annual opportunity to harvest that year or the following year, excluding non-damaged plots or sub-plots, as defined in the management plans, which are planned for the next years .
5. For plots and sub-plots damaged, initially the verification and assessment of actual damage and depending on the level of damage, whether or not they are included in the annual usage. Criteria for assessment of damages determined by instruction of the Minister.
6. The volume of timber to be used every year, planned in the annual probability of exploitation of the national forests. This volume is added to the timber volume of economic value, planned by silvicultural thinning.
7. Forest Service Department develop the annual planning and timber volume harvesting that would result from silvicultural operations of public forests while fro communal forests it has to be planned from the local government units.
8. Allowable cut and the volume of timber that will result from silvicultural interventions of private forests is planned by the Department of Forest Service or local government unit, depending on the choice made by a private owner.
9. The harvesting of forest public and private forests are organized within forest year, which begins on October 1st, except for providing firewood for residents of the local government units.

10. Types and stages of harvesting and intensity of interventions for removal of timber, for each plot and sub-plot, as determined in the management plan, are required to be implemented by structures that manage or own forests, from private owners and physical and legal persons.
11. In plots and sub-plots with their natural regeneration is grown in its optimum height, the harvesting is permitted even in the vegetation period, always respecting the criteria set in the regulation of forest harvesting.
12. Tree cutting, throughout the national forest resources, made after signing their marks.
13. Tree marking is carried out in the period May, 1 to June, 30.
14. The trees marking right belongs to the senior specialists of Forest Service Directorate. Administration and ways of using the stamp hammer, is determined by the Minister's guide.
15. For plots and sub-plots destined for the production of firewood, the determination of the volume to be expected, calculated according to the criteria established in the regulation of forest exploitation.
16. Local government units and private owners, submit claims to the district's Forest Service, for marking trees, defined in terms of the decision of the Council of Ministers.
17. Any legal or physical entity that performs forest harvesting, in the public, municipal or private forest is obliged to carry out marking process and label each piece assortment of round, as troops or other work subject to the criteria set in the regulation of harvesting.
18. The wood material, processed or unprocessed, and other forest products and non, transported from points of production, collection and processing centers to final destination, coupled with transport certificate, issued by the Directorate of Forest Service unit local government or private owner, certifying their production, in accordance with the provisions of this law. The model of wood transportation certificate is approved by the Minister.
19. The use of public, communal and private pastures and meadows, is used applying:
 - a. The time of access and leaving of livestock;
 - b. Carrying capacity in order not to allow overgrazing;
 - c. Rational grazing.
20. There are excepted from grazing, plots of pastures and meadows:
 - a. experimental;
 - b. when there are going on improving operations;
 - c. degraded.

21. In the water points constructed in the public and communal pastures, are allowed water drinking for all livestock, independently of contracts signed for their grazing are not signed with administrators or pasture owners wherein they are located.

22. Directorate of Forests and Pastures in the Ministry designs regulation for forest use and the guideline for pasture use.

Article 28

Improvement of pastures and meadows

1. Works to improve pastures and meadows consist of:
 - a. interventions to enrich and improve the condition of herbaceous vegetation and grazing capacity;
 - b. fertilization of chemicals and manures;
 - c. cleaning the stones, cutting and weeding trees, shrubs and plants harmful to livestock;
 - d. interventions to increase drinking water works and infrastructure in general or specific acts;
 - e. burning with fire control, for improving the pasture.

Article 29

The burning of pastures and meadows

1. The burning of pastures and meadows controlled fires conducted with the permission and forestry service.
2. Controlled fires lit after making arrangements to keep under control all the time and when weather conditions do not favor their uncontrolled proliferation.
3. Criteria necessary for the burning of pastures and meadows, set with instruction approved by the Minister.

Article 30

Other papers in national forests and pastures

1. In the national forests and pastures resources, besides working to address these natural resources, and other works carried out, with positive environmental and economic impacts, such as afforestation, reforestation, adjustments mountain, construction of water points, ponds and fountains trough.

2. The object of artificial afforestation are forest lands, areas of bare, eroded and sandpits, part of forest and pasture fund public, private and municipal.

3. Besides the native species, used for artificial afforestation tree species of fast-growing shrub, valuable for the processing industry and energy needs.

4. Reforestation sites are the forest areas damaged by different reasons and where there is a natural way to ensure regeneration, seedling installed surfaces is not damaged and burnt guaranteed new cluster development, and forest belts or surfaces treated with artificial afforestation and cutting beaten (poplar spp. etc.).

5. Hydrotechnic installations, represented by fences and barriers, constructed to contain the phenomenon of erosion in areas of national forest and pasture fund, where this phenomenon is present.

6. Hydrotechnic installations, according to specific needs and conditions, accompanied by reforestation of the watershed slopes, streams and rivers.

7. Water points, pounds, trough and taps, are built in pasture areas, regardless of form of ownership, to provide drinking water for livestock.

Article 31

Planning works

1. For all types of work in national forests and pastures, before implementation, plan the following year, according to the recommendations of the management plans.

2. Planning works in public forests and pasture makes the Forest Service Department, while at the municipal local government unit.

3. Owners do own planning works, or whether it is done by the Forest Service Directorate or unit of local government that has been delegated the administration of the forest and/or pasture property.

4. For estimates preparation and planning of investment funds, regardless of funding sources, the Directorate of Forests and Pastures in the Ministry designs manual labor rates in forests and pastures and corresponding price, which is approved by the Council of Ministers.

Article 32

Drafting and approval of projects

1. To work planned for the treatment of forests and pastures, as well as other works, technic-economic projects designed to implementation.

2. Works projects developed based on methodologies and criteria defined in the guidelines and regulations, prepared by the Directorate of Forests and Pastures in the Ministry, approved by the Minister.

Article 33

Evaluation of environmental impact

1. Estimates of the expected effects on the environment that would result from the implementation of projects in the forest and pasture, accomplished through impact assessments, in accordance with relevant legislation.

2. Evaluation of environmental impacts based on guidelines developed for this purpose, which contain mitigation of adverse effects, in terms of the nature of the project.

3. Mitigation of negative effects on the environment are required to be part of the project.

4. For legal activities associated with unavoidable environmental damage, besides projects for the implementation of these activities, entities are required to develop special projects for the rehabilitation of the environment.

5. For projects submitted initially be reviewed and field verification of places where you will apply and be approved as ascertained that are designed in accordance with relevant standards and technical requirements, and the measures envisaged ensure mitigation of their impacts on the environment or its rehabilitation.

6. Review, verification and approval of projects designed by the Forest Service and local government unit, forests and pastures for public utilities, and for private forests and pastures from one of them, due to the choice made by the owner himself.

7. After approval, the subject is given permission to start work, the Forest Service or local government.

8. During project implementation, monitoring becomes implementation of works and measures to mitigate environmental impacts or to rehabilitate it, until their completion and receipt of the facility or the construction manager or owner of the forest fund and pasture.

9. Before the development of military maneuvers, the forest service structures and regional environmental agencies, determine the conditions for reducing harmful effects on the environment and then provide the appropriate permit.

10. For projects designed for the purposes of national defense, acting under the provisions of the legislation on environmental impact assessments.

CHAPTER VII

PRODUCTS OF FOREST AND PASTURE RESOURCES

Article 34

Classification of products

1. Products of national forest and pasture fund are classified:
 - a. wood, including the timber, firewood, twigs, sticks, stumps, shingles, tree roots, whole, stakes, binders and bark.
 - b. non-wood, including flowers, fruits, seeds, buds, cuttings, branches, decorative trees, slips, leaves, needles, reed, pitch, clods, grass, roots, tubers, mushrooms, musk, humus, litter, peat, soil, rocks, gravel and sand.
2. For assortments resulting from the timber and firewood, Directorate of Forests and Pastures in the Ministry adopts national standards and approves them under applicable law.

Article 35

Accessories

1. Wood and non-wood products, included in paragraph 1 of article 34 of this chapter, excluding the timber and firewood, are called accessories (second products).
2. Before collection of the accessories, is planned their quantities to be collected within the biological production plan recommended by management plan and in accordance with the criteria established in the regulation approved by the Minister and other legal acts and regulations in force.
3. Their quantity planning for public forests and pastures is done from the Forest Service Directorate, for the forest and pasture owned by local government by their own structures and private forests and pastures, one of two structures above the chosen by the owner.

CHAPTER VIII

PROMOTING, MARKETING,

TIMBER SALE OF WOOD MATERIAL AND CERTIFICATION

Article 36

Promotion

1. Promoting the values of multiple national forest and pasture fund, the need for protection and development are realized through various ways and means of publishing and information from their managers and owners.

2. Forest Service, local governments and private owners also promote wood products, non-wood products and services that provide public forests and pastures, communal and private.

3. Forest Service organizes information and communication campaigns to raise the awareness of the public, with a view to greater involvement in its decision-making process, as necessary for the protection and development of natural resources.

Article 37

Marketing

1. Forest Service builds database of timber and non-timber products sold and services provided in the woods and pastures, along with fees, prices or corresponding values.

2. Forest Service continuously monitors the market supply and demand and prices of raw wood products, semi-processed and processed, non-timber products and services in different forests, pastures and reflects them in the database.

3. In view of the changes undergone by the market prices of timber, the second of products and services, periodically indexed respective fees, making concrete proposals for change in the decision of the Council of Ministers.

Article 38

Timber sales

1. Timber sales by the Forest Service and local government units, the auction is done in two ways:

- a. standing timber;
- b. with assortments, on roadside.

2. Auctions organized by the Departments of Forest Service and local government units, for their respective forests ownership.

3. Procedures for selecting subjects and sales for both forms, guidelines determined by the Council of Ministers.

4. Directorate of Forests and Pastures in the Ministry, in accordance with the bylaws issued by the Council of Ministers for the sale of timber, regulations designs, in which all rules are defined and detailed procedures and documentation required for the management of timber produce, to transport it.

5. The rights provided by the contract for forest harvesting, cannot be transferred to third parties.

6. Owners have the right to sell wood material without auction or use forms of selling timber as set forth in paragraph 1 of this article.

Article 39

Sale of standing timber

1. Sale of standing timber made in plots and sub-plots that are concerned with road network, which are stigmatized in advance trees to be cut.

2. Harvesting project is developed by the entity that acquired and is awarded the plot and the material cutting begins after installation or construction of internal transportation lines, such that the conditions imposed in the contract concluded between the parties.

Article 40

On roadside timber sales

1. Sale of wood assortments ready to be organized for wood material deposited on the side of the road.

2. Trunks and other round wood timber, marked with labels for each pieces, are to be divided into parties according to their respective quality.

3. Firewood and similar assortments are piled in various respective parties and marked in accordance with the criteria established in the regulation of forest harvesting.

Article 41

Invitation to bidding

1. For the production of assortments to be sold by auction on the roadside, initially is organized the tender for the selection of the subject that will carry sub-plot and/or plot's harvesting.

2. Form of tender that applies is "Invitation for bidding".

Article 42

Wood products, timber and non-timber certification

1. For certification of public, communal and private forests, Forest Service, local governments and private owners have the right to join a certification system, in view of their compliance with the requirements of that system.
2. Forest certification is issued by bodies which represent a third party, independent, accredited conformity with the rules and obligations set by the relevant certification system.
3. Certification of timber and non-timber products made by entities accredited for certification of forest or only accredited certification of these products.

CHAPTER IX

THE USE OF NATIONAL FOREST AND PASTURE RESOURCES

Article 43

The use right

1. The right to use public forests and pastures, communal and private owners have their own authorized entities, entities that have earned this right as a result of legal action in case of forest owned by the local government users, people with permanent residence in the local government unit.
2. State guarantees free use of forests and pastures concerns over the development of their activities.
3. Forests and grasslands taken in use, used to meet the economic interests of users and managers or owners, but without ever sacrificing their functions and values and in accordance with the legal provisions in force.
4. In cases where a certain area of forest and pasture fund public or municipal, there are some requirements for the development of the same activity, subject selection is done through tendering procedures.
5. In cases where for the same area there are various requests for the different development activities the selection of winning has to be considered the nature of the activity, the impact on the forest and pasture area, their economic and social benefits and status of forests and pastures.
6. Relations between the managers or owners of forests and pastures of natural and legal persons, governed by notarial contracts, in accordance with the provisions of this Law and other legal acts of the legal act in force.
7. In any case, the user of the forest fund / pasture can not have more rights and fewer obligations in relation to the owner, to get the surface in use. Any binding agreement contrary is void.

Article 44

Use of public forests and pastures, under administration of State Forest Service

1. Parts of the public forest and pasture resources, are leased to develop different activities:
 - a. nursery, didactic and experimental basis and scientific research in the field of forest and pasture;
 - b. flora management, cultivation and collection of different plants;
 - c. management of wild fauna and development of tourism and sport hunting;
 - d. agro-forestry and aquaculture,
 - e. livestock grazing and mowing the grass;
 - f. temporary buildings on pasture for livestock as cottage, warehouse, corralled, dairy processing facilities, etc.;
 - g. holiday purposes, recreation, health, social, tourism, sports, etc.;
 - h. extraction, production and storage inert carrier material;
 - i. placement of fixed antennas, mobile, TV, radio communications, installation of stationary cable car (passenger or cargo), high voltage lines;
 - j. building energy parks, aero-generator and various industrial facilities;
 - k. construction of roads, railways and airports;
 - l. operations of search and discovery and exploitation of minerals, hydrocarbons and water;
 - m. pipe extending to the surface of the water, oil, gas, high voltage lines, construction of canals, roads connecting surfaces obtained with the use of the existing road network, etc.;
 - n. placement fireplaces for wood and coal production, tinder, lime kiln, the markets for temporary storage of various materials (transit point), etc.;
 - o. development of military maneuvers or implementation of projects in the interest of national defense.

2. Legal and natural persons who perform activities allowed in public parts of the forest fund, despite having contracts with the entry into force of this law, are required to sign contracts with the Ministry, maintenance and services in the areas of green forest according to studies approved by Commission of Territory Adjustment of the RoA, and to protect them from damage and illegal logging, diseases, insects and fires, as well as young trees to be planted. Fees for these services are determined by the Council of Ministers.

3. Excavations in the public forest and pasture for producing humus, turf grass, stone, sand, gravel, placing coal fireplaces for wood, tinder/touch-wood, the lime kilns, etc., made with permission of the Forest Service, in certain of these countries.

4. Residents and local governments have the right to collect the second staples in public forests and pastures, in those parts which were not given to subjects use for the same purpose and in these cases the payments made to Forest Service structures, the tariffs imposed by the local government, residents of where they are.

5. For temporary use pasture, pastures are given for a period up to 3 years.

6. Use for a period of 10 years, when given legal entity or natural person, through an investment plan assumes any investments to improve pasture and its infrastructure, which included plans to contractual obligations between the parties.

7. Allocation of pastures and meadows made in accordance with the holder pasture skills defined in the breeding plan for every plot and sub-plot.

8. Natural or legal person who has taken pasture or meadow for grazing or mowing, not entitled to a grant him or her part, to third parties to subcontract.

9. Research procedures, the rules and requirements for granting approval to use public forest resources, and the rules for granting the use of public pastures or meadows for grazing or mowing, determined by a special instruction approved by the Minister.

10. For surfaces of public forests and pastures given in use, related entities have to make payments in advance, according to tariffs approved by the Council of Ministers unless specified in paragraph 4 of this article.

11. Parts of the public forests can be granted with the concession in accordance with the provisions of the relevant legislation in force.

Article 45

The use of forests and pastures

1. The local government provides user-owned forests and pastures in their administration, to permanent residents residing in the community/municipality, according to criteria decided by its decision-making, after consultation with the community and forest users association and pastures and in accordance with the provisions of applicable law.

2. Forest and pasture resources received in administration / owned by local government, aims to meet the primary needs of its residents with firewood, building material, through the improvement works and their use for grazing and providing fodder livestock, the second collection of products, etc.

3. Residents of the local unit are entitled to collect forest products in the second / pasture taken in their use of forests and pastures and in common use, to meet personal needs or for trading.

4. The use of forest by natural or legal persons are allowed only after ensuring the fulfillment of the needs of the inhabitants of the local unit, firewood, building materials, and fodder for livestock, etc..

5. Unit government units have the right to provide the use of forest and pasture areas taken in management / ownership, the activities provided for public forests and pastures, observing the

same rules, duties and fees, as for the forest and pasture public, except forests and trees of exceptional natural importance or of special national interest.

6. In any event referred to in paragraph 1 of article 44, violates the needs of residents, then the entity interested in its development, is not given to use forest or pasture area required.

7. Excepted are the forest and pasture in management and/or ownership of the local government unit, which are required for essential items or particular national interest.

8. In the forest and pasture in administration / unit owned government units, assignment of seats for the activities referred to in paragraph 3 of Article 44, made from it.

Article 46

Use of private forests and pastures

1. The private owner has the right to use forest and pasture in its possession, to meet personal needs or for economic gain, according to the provisions of this law and regulations for their implementation.

2. For the treatment and utilization of forest products collection and second grazing on his property, the owner contracts with private legal persons concerned.

3. The private owner has the right to provide the use of forest / pasture in its possession, the activities provided for public forests and pastures, in paragraph 1 of Article 44, respecting the same rules and obligations, excluding financial ones.

Article 47

The forest and pasture resources destination change

1. From the cadastre of national forest and pasture fund removed surface, whose initial destination was changed by turning on land lines for expansion of the urban boundary, construction of facilities for tourist purposes, health and other public purposes, road, rail , airports, telecommunications and television facilities, industrial centers, military purposes, drilling, exploitation activities of oil and gas, mining, geology, etc..

2. Removing the fund national forest and pasture areas for activities described in paragraph 1 of this Article shall be to:

- a. forest land to forest vegetation, bare surfaces and clearances, with up to 1 ha area, with the approval of the Minister;
- b. forests and forest lands, bare surfaces and clearances, with an area of 1 ha to 100 ha, with the Council of Ministers;
- c. forests and forest lands, bare surfaces and clearances, with an area of 100 ha, with a special law;

- d. pasture and meadow area to 1 ha, with the approval of the Minister;
- e. pasture and meadow area over 1 ha to 10 ha by the Council of Ministers.
- f. pasture with an area of 10 hectares, with a special law.

3. For surfaces that are removed from the forest fund the opening of careers, construction of industrial facilities, etc. similar, beneficiary entities are obliged to invest in reforestation of the same area, with their financial assets, in countries that are set by the forest service or local government.

4. Part of the national forest and pasture fund, the source revert to agricultural land, by the request of the structures who have them in administration or ownership, or of private owners, as defined in the relevant legislation, regardless of the size of the surface, only to plant these areas with trees cultures, which are part of national priority programs and policies, long-term.

5. Area required for granting approval for the use or diversion, in the event scheduled to take place:

- a. is provided in the for forest and pasture management plan;
- b. without prejudice or affect the economic status of forest / pasture;
- c. not prevent the realization of the objectives of forest management plan / pasture.

6. Not allowed providing or performing actions to change the destination of the parts of public forests and pastures, municipal and private, with no draft technical report, except when specific parts of the national forest and pasture fund included in urban studies tourism development and urban planning approval from Commission of Territory Adjustment of the RoA (CTAoRA), apply to those parts of laws and regulations in force for the development of areas that have potential for tourism.

7. Local government units and private owners, who want to change the use of land with forest vegetation of the area and return them naked in the woods, pastures or meadows display the structures of Forest Service written request, with appropriate arguments.

8. Alienation of forest and pasture fund cannot be done by administrators, owners, or their users, without the approval of the legal bound bodies.

9. Changes destinations forests, forest lands, bare areas, pastures and meadows, reflected in the cadastre, in all its levels, after approval by the competent authority.

10. Rules and procedures for change of destination, defined by the Council of Ministers.

11. Not considered destination changes, forest and pasture areas that are occupied by forest road construction and other infrastructure necessary for the administration of forest and pasture fund public, private and municipal.

Article 48

Activities in national forests and pastures

1. Services and construction activities and scientific research activities of treatment, development and protection of the forest and pasture, held by legal persons, associations of various educational institutions and scientific organizations.
2. The above entities equipped with all necessary documentation, according to the legislation in force, the area / areas where they operate.
3. In this context, the Directorate of Forests and Pastures in the Ministry provide with certificate all the top specialists and technicians of forests and pastures sector, according to the criteria specified in the relevant regulations.
4. Before starting activities in national forests and pastures, legal persons, equipped with the necessary permits to conduct activities by the Ministry responsible for forests and pastures and the Ministry of Economy, Trade and Energy (MoETE), in the areas that has charge of the relevant legislation in force.

CHAPTER X

ROAD INFRASTRUCTURE

Article 49

Planning, design and construction of the road network in national forests and pastures

1. Road network planning in public forests and pastures, municipal and private, where he lacks, done by the Forest Service, in cooperation with local governments and private owners, in accordance with criteria established by the Department of Forests and Pastures Minister.
2. Design of forest roads within public forest and pasture fund, is made by the Forest Service.
3. The local government has the right to project itself roads within the area of forest and pastures in their own administration and/or property or require their design by Forest Service or licensed entities, against state tariffs charges.
4. Owners require the design of roads within areas that are owned by the Forest Service, local government or entities licensed. In the case of development projects by the Forest Service and the unit used government units and state charges in the case of their development by private entities, used tariffs agreed by the parties or the state ones.
5. In all cases the design of forest roads in the forest and pasture municipal and private, the Forest Service, the relationship between the parties governed by contracts.

6. Forest roads, forests and pastures in public, communal and private funds built with the Forest Service, the local government and the private owner.

7. Forest Service, local government and private owner, if they agree, join funds together for the construction of a forest road, which will traverse areas of their owned forest and pasture management. In these cases, the contributions of the parties will be in correlation with the volume of work of each of its segment, which will go to the respective surfaces by ownership.

8. Construction of forest roads in national forests and pastures, performed by entities licensed through bidding procedures as specified by the relevant legislation. Owners have the right to select the subject without tender.

9. For obtaining permits, construction, supervision, testing and receipt of forest roads, follow the procedures laid down by the laws and regulations in force.

10. Repair and maintenance of forest roads is the responsibility of managers and owners of forests and pastures, where they spend.

11. Natural or legal persons who have received forest in concession, build, repair and maintain forest roads with their financial means.

12. Directorate of Forests and Pastures in the Ministry defines the categories of forest roads, purpose of use, along with their technical characteristics and prepare their standards which are approved according to the legislation in force.

13. Directorate of Forests and Pastures in the Ministry, the database creates the inventory of the road network, which crosses areas of public forest and pasture resources, municipal and private administrative function of addition and their categories.

Article 50

The use of the road network in national forests and pastures

1. Forest roads are part of the national forest and pasture resources and their use is of multifunctional functions.

2. Administrators and owners of forest and pasture use for road network management, governance and protection of forests and pastures public, private and municipal.

3. Administrators and owners of forests and pastures have the right to establish checkpoints to prevent the entry of vehicles on the roads have built themselves on certain surfaces or parts of surfaces that administer or have owned.

4. They are not allowed to stop the movement of vehicles and people in national or local roads, which traverse forests and/or pastures that administer or property, as well as forest roads

constructed by them in the way that there are other related national or local network, the movement of vehicles and people.

5. Directorate of Forest Service, local governments and private owners allow visitors access to the tools and woods and pastures intended for rest, recreation, social, tourism, sports, etc., towards tariffs set and approved by them.

6. Forest Service, the control structures of forests and pastures and other government bodies have the right to pass without any limitation on the road network of forest and pasture and private.

7. In case of fires, natural disasters or military maneuvers, allowed entry without restriction and human resources in national forests and pastures areas.

CHAPTER XI

FUNDING

Article 51

Financial Resources

1. Funding needed for administration, governance and protection of the national forest and pasture, provided by:

- a. state budget;
- b. internal resources;
- c. donations and various grants.

2. Based on the organic law of the State Budget each year, the Ministry responsible for the administration of public forest and pasture fund and Ministry of Interior, responsible for local government, planning the necessary funds for the forest and pasture in the Forest Service administration and management / ownership local government units.

3. Forest Service, local government units and private owners, provide income from activities in the forest and pasture public, private and municipal.

4. Forest Service, local governments and private owners also provide funding through competitive grants, donations and national and international programs.

Article 52

The use of financial resources

1. Financial resources for public forests and grasslands are used for:

- a. various investments in forests and pastures, management, treatment and development;
 - b. protection of wild fauna, environment and biodiversity;
 - c. management, inventory and monitoring of forest and pasture;
 - d. preventing and combating diseases, pests and fires;
 - e. support of local government units and private owners;
 - f. studies and research projects;
 - g. forest service.
2. Financial resources available to local government units, are used for:
- a. maintenance work and improvement of the state of forests and pastures;
 - b. increase the area of forest;
 - c. management, inventory and monitoring of forest and pasture;
 - d. construction, repair and maintenance works for livestock drinking water and road infrastructure;
 - e. protection of fauna, environment and biodiversity;
 - f. prevention of diseases, pests and fires.
3. Financial resources, the private owner of uses:
- a. maintenance and improvement works on the state of forest / pasture;
 - b. increasing forest area;
 - c. breeding forest / pasture;
 - d. protection of fauna, environment and biodiversity;
 - e. construction, repair and maintenance works for livestock drinking water and road infrastructure;
 - f. prevention of diseases, pests and fires.

Article 53

Distribution of internal financial resources

1. The revenues from activities in public forests and pastures, divided in the ratio of 70 percent for forest service structures, which are kept in a separate account in the bank and 30 percent paid into the State.
2. Incomes creates local government unit of their own administration forests and pastures property, are divided into 90 percent for the unit itself, which is kept in a separate bank account and deposited and 10 percent of the state budget.

3. Incomes provided under paragraphs 1 and 2 of this article, are used to working and investing in forests and pastures.

Article 54

Tariffs of the forests and pastures resources

1. Tariffs and deadlines for all activities that take place in public forests and pastures, as well as public and environmental services are approved by the Council of Ministers.

2. Decision-making body of the local government decides charges of selling firewood, building material and paper, forest grazing, pasture, collection of fodder for livestock, medicinal plants, tannin, etc. and services for residents of the local unit.

3. For legal persons carrying out activities in the forest and pasture in management and ownership of the local government unit, used tariffs approved by the Council of Ministers on public forests and pastures.

4. Owners of the activities in the forest / pasture owned by them, have the right to use state fees or other fees, located in agreement with the interested parties.

Article 55

Support of local governments and private owners

1. The State Forest Service, on order to stimulate the growth of forest area, within budget every year, plans funds to purchase saplings and other plant material, which has been distributed to local governments, private landowners and farmers without compensation.

2. To reduce the erosion phenomenon, appeared on the surfaces of forest and pasture in management and ownership to local governments and private owners, Forest Service contributes and co-finance to building embankment/check-dams. Forest Service contribution is at 70%, the local government unit 25% and 5% of the private owner, to total value of each item.

CHAPTER XII

SCIENTIFIC RESEARCH

Article 56

The scientific research activity

1. Scientific research activities in the field of forest and pasture performed by educational institutions and scientific organizations, legal entities and natural persons who meet the conditions and criteria for such activities.

2. Scientific research activities as provided in paragraph 1 of this article shall be performed in the framework of national research programs.

3. Ministry responsible for forests and pastures public cooperates with the Ministry of Education and Science, for planning and funding of scientific research.

4. Organizations, institutions, legal persons providing consultancy, critic and technical assistance fund national forest and pasture.

Article 57

Didactic and experimental basis

1. Educational institutions, other institutions and legal entities and natural persons have the right to establish an experimental basis and teaching in national forests and pastures, the development of scientific research activities, student teaching practices and student training of specialists in the forest and pastures, etc.

2. Didactic and experimental bases established with the approval of the Minister, based on the subject requests submitted.

Chapter XIII

FOREST SERVICE

Article 58

Organization of Forest Service

1. The Forest Service is organized and operates under the principles of professionalism, independence, transparency, public services, accountability and fairness in carrying out the mission and tasks

2. The Forest Service is organized as follows:

- a. Directorate of Forests and Pastures in the Ministry, the central body;
- b. Regional Directorate of Forests and Pastures, intermediate structures in the region;
- c. Forest Service Directorate, the structure at the district level.

3. Senior specialists of the Forest Service structures at central and regional benefit the civil servant status.

4. Local technical-administrative personnel and other employees at the regional level (excluding those included in paragraph 3 of this article) and local law dealt with "Code of Labor".

5. The organizational structure of the Forest Service, approved by the Prime Minister, on the basis of proposals made by the Minister.

6. Salaries of employees of the Forest Service, are established by the Council of Ministers.

7. Forest Service employees are provided with uniforms (with distinctions), with identification and other technical tools needed to perform the task. Setting rules for maintenance, composition, terms of use and replacement of uniforms, appointed by the Council of Ministers.

Article 59

The Forest Service Functions

1. Forest Service represents forest governance structures and public pastures, organized at central, regional and local levels.

2. Forest Service operates under the provisions of this law and regulations for its implementation, as well as other legal acts and regulations in force, relating to forests and pastures.

3. The main functions of the forest service are:

- a. management, governance and development of public forest and pasture fund, in accordance with the policies and strategies adopted and the obligations arising from treaties, conventions, protocols and international treaties signed by the Republic of Albania;
- b. protection of forest and pasture fund public by different biotic and abiotic factors and measures to improve the situation;
- c. advisory services to local governments and private owners, for treatment, development and protection of forests and pastures in their administration and ownership as an integral part of the national forest and pasture fund;

Article 60

Directorate of Forests and Pastures in the Ministry

1. Directorate of Forests and Pastures in the Ministry, represents the highest level of the Forest Service and has the following main functions:

- a. design and implementation of policies, strategies and long-term development programs for forestry and pasture public, in collaboration with institutions, interest groups and other interested stakeholders, in the context of policies, strategies and national development programs;
- b. developing, improving and completing the legal framework of forestry and pasture at national level;
- c. design of short-term financial resources for planning and investment plans in the framework of the medium and long term programs for the realization of the strategic objectives of forestry and pasture;
- d. organization and management of forest and pasture breeding public and private utility;
- e. organization and management of national forest inventory and pastures;
- f. organizing and holding national cadastre of forests and pastures;
- g. marketing organization and establish appropriate database;
- h. organization's database for fund assets public forest and pasture, and national;
- i. organizing and maintaining statistical information on public forests and pastures of national legislation in conformity criteria;

- j. promotion of multiple national forest and pasture fund and the need for its protection and development;
- k. organizing awareness campaigns and public awareness with a view to greater involvement in its decision-making process;
- l. determining the directions of scientific research, based on strategic goals, the future development of forestry and pasture;
- m. human resources management, identifying training needs and areas for all levels of forest service structures;
- n. promoting and supporting the initiatives of local government and private owners for development and protection of forests and pastures and private;
- o. conducting and controlling the activities of its structure, management, governance and protection of the public forest and pasture;
- p. representation of forestry and pasture in international forums and activities;
- q. cooperation with various international institutions and other counterparts.

Article 61

Regional Directorate of Forests and Pastures

1. Regional Directorate of Forests and Pastures represents the intermediate level of the Forest Service, on which dependence are District's Forest Service offices, in regional level under which dependence are the Directorates of Forest Service of the districts of this region.

2. The functions of the Regional Directorate of Forests and Pastures are as follows:

- a. govern and control of the activity of the subordinate's District's Forest Service;
- b. organization and management of planning process and investment income, and control their implementation;
- c. organization, management and monitoring process for forest and pasture public, at regional level;
- d. approval of plans for public forests and pastures;
- e. organization and holding of public forest cadastre, municipal and private, at the regional level;
- f. support and legal assistance to local structures, the dependence;
- g. budget management structure and regional local structures;
- h. financial and technical audit of dependency structures;
- i. management and support of local structures in the organization of the firefighting operations;
- j. organizing and maintaining statistical information for public forests and pastures, regional legislation in conformity criteria;
- k. promotion of multiple regional forest and pasture fund and the need for its protection and development;
- l. organizing awareness campaigns and public awareness with a view to greater involvement in its decision-making process;

Article 62

Directorate of Forest Service (DFS)

1. Directorate of Forest Service of the district, representing local Forest Service.
2. Functions of the Forest Directorate are:
 - a. governance, management and development of forest and pasture fund public;
 - b. protection of public forest and pasture, by various factors and measures to improve the state;
 - c. planning and implementation of the annual budget and investment income;
 - d. preparation of investment projects, in accordance with the annual plan;
 - e. marketing of timber, other products of forest origin and fund services that provide public forest and pasture;
 - f. organization and development of auctions timber sales;
 - g. organization and development of tenders for the execution of works in the forest and pasture;
 - h. monitoring of forest harvesting activities and other silvicultural works and pasture;
 - i. organization and holding of public forest cadastre fund, municipal and private, at the local level;
 - j. monitoring the process of drafting plans for public forests and pastures, locally;
 - k. approval of forest management plans of private pastures;
 - l. monitoring of forest and pasture fund public under permanent monitoring network;
 - m. review of management plans before the expiry of their validity;
 - n. organization of operations for extinguishing fires in forests and pastures of private and public cooperation with local governments and private owners;
 - o. advisory service for forests and pastures in owned by local units and privately owned;
3. In detail the functions of the Directorate of Forests and Pastures in the Ministry, the Regional Directorate of Forests and Pastures and Forest Service Department, defined in the relevant regulations, approved by the Minister.

Article 63

Consultative Council

1. The Ministry responsible for the administration of public forest and pasture resources established and operates the Consultative Council of forests and pastures.
2. Advisory Council chaired by the Minister responsible for the administration of public forests and pastures.
3. The composition of the Consultative Council includes representatives of various state institutions, associations of private owners, users of forests and pastures, and environmental business.
4. Consultative Council holds meetings once in six months. It examines the performance of software development, the implementation of policies and strategies adopted, and formulates proposals on the further progress of these programs, which are sent to the Policy Council of Forest and Pasture Development.
5. The establishment of the Consultative Council, its composition and functions are determined by the Prime Minister.

Chapter XIV

CONTRAVENTIONS IN THE FOREST AND PASTURES RESOURCES

Article 64

The lawsuit right

1. Violations of legal provisions cause administrative responsibilities depending on the damage caused it may be a criminal liability.
2. Forest Police Inspectors, when detecting violations of these provisions, bear process-verbal, in accordance with the legal requirements due to inspection law.
3. Forest Service Structures, local government and private owners, when identify violations of the law, regardless of their form of ownership, are required to immediately notify the Forest Police to carry out the necessary procedures.
4. In any case, they cooperate with Forest Police, to identify violations and damages caused.

Article 65

The decision toward contraventions

1. The Forest Police Inspector, according to the needs of the case, the decision to take emergency measures, leading sentencing and punishments in accordance with the law for inspection.
2. Pursuant to this law, additional penalties are:
 - a. sequestration measure, the tools and everything else that has served to commit the offense, and any benefit of putting her through that account go to the forest service, the local government or private owner, depending on the form of ownership forest and pasture fund, where the offense was committed.
 - b. permanent closure and decommissioning of installations operating, legal and physical entities that develop activities without a contract with the forest service or unit of local government.

Article 66

Appraisal of damage

1. In any case the performance of administrative violation or criminal offense in forests and pastures, the inspector assess the damage that has been caused.
2. Forest Service, local government and private owners are forced to seek, in any case, compensation for damage caused by the offender, in the forest and pasture in their management or ownership.
3. Forest Police reports subjects provided in paragraph 2 of this article, to ascertain the damage and filled them with all relevant practice.

4. Criteria and method of determining the value of the damage caused shall be approved by the Council of Ministers.

Article 67

Administrative contraventions

1. The following offenses, if not a criminal offense, constitute an administrative offense punishable by a fine:

I. In the forests:

- a. cutting band saw or cutting trees without permission of forest seedlings and saplings in the nursery, where the consequences are light material, from 80,000 (eighty thousand) to 100,000 (one hundred thousand);
- b. collection of wood and non-wood products, as twigs, stumps, shingles, tree roots, pickets, bark, flowers, fruits, seeds, buds, cuttings, branches, decorative trees, scion, needles, cones, leaves, reeds, resin, lumpy, grass, roots, tubers, mushrooms, moss, humus, litter, peat, soil, stone, gravel and sand, without permission of the forest service or local government unit, the 5,000 (five thousand) to 10,000 (ten thousand).
- c. extraction of the roots of heath, bushes, mares and cutting willow stick and other types of forest trees during the vegetation period, from 20,000 (twenty thousand) to 25,000 (twenty five thousand);
- d. collection of accessories as are medicinal plants, aromatic plants and tannin, rare plants and endangered and other similar, except for the collection of technical ways that lead to degradation, threats, thinning, disappearance or weakening of their functions , from 80,000 (eighty thousand) to 100,000 (one hundred thousand);
- e. grazing in young forests, in thee are seedlings in new afforestation in the nursery, in experimental plots of genetic and protective forests, where the consequences are light material, from 5,000 (five thousand) to 10,000 (ten thousand) ;
- f. for leaf pruning, mowing and collecting grass in the forest without permit from the forest service or local government unit, from 8,000 (eight thousand) to 10,000 (ten thousand);
- g. different interventions work in wetlands and coastal dunes, an integral part of the national forests without permission of the forest service or local government unit, from 30,000 (thirty thousand) to 50,000 (fifty thousand);
- h. igniting the fires outside designated by the Forest Service or local government unit, 7,000 (seven thousand) to 10,000 (ten thousand);
- i. breaking the mark of stigma in the use of wood or hammer-stamp by unauthorized persons and from a forest area to another without the permission of forest services, from 30,000 (thirty thousand) to 50,000 (fifty thousand);
- j. building lime kilns and coal fireplaces wood in the forest, without the approval of the forestry service or local government unit, or outside of their adopted countries, 7,000 (seven thousand) to 10,000 (ten thousand All);
- k. establishment of simple construction, fences, camping, enclosed within the territories of forest fund and those declared with a special protective function, contrary to the rules laid down by 20,000 (twenty thousand) to 30,000 (thirty thousand) ;

- l. parking of vehicles, establishment of casinos in the protective function of forests in particular, national parks, reserves and breeding in flora and fauna, forest nurseries or in other countries of the forest fund, with particular importance, without approval of the forestry service or unit of local government, from 3000 (three thousand) to 5,000 (five thousand);
- m. change of cadastral registry or forest species from a private landlord or local government, without the approval of the forestry service, 7,000 (seven thousand) to 10,000 (ten thousand);
- n. non-reporting from private owners and local government, the relevant changes in the forest and pasture and forest land, within 6 months from the date of the transactions or the conclusion, from 3000 (three thousand) to 5,000 (five thousand) ;
- o. transfer of rights secured by permission of the activity in the national forest fund, from 80,000 (eighty thousand) to 100,000 (one hundred thousand);
- p. the trucks transporting timber from the forest and from storage sites to processing centers of the sale, without accompanied license by type of transport, from 80,000 (eighty thousand) to 100,000 (one hundred thousand);
- q. marketing of timber and other forest products, infected by diseases, parasitic weeds or affected by insects, from 30,000 (thirty thousand) to 50,000 (fifty thousand).
- r. not reforest after logging of forest areas or forest belt types of species not able to be self-regenerated in the natural way (hybrid poplars, etc.), 180,000 (eight hundred ten thousand) to 250,000 (two hundred and fifty thousand) / ha.

II. In pastures and meadows:

- a. pasture grazing without contract and grazing of other grassland areas than those specified in the contract, from 30,000 (thirty thousand) to 50,000 (fifty thousand).
- b. mowing the grass in the meadows, without permission of the forestry service or local government unit, from 30,000 (thirty thousand) to 50,000 (fifty thousand).
- c. grazing in the experimental plots in areas where remedial works are carried out or are degraded and left again, 30,000 (thirty thousand) to 50,000 (fifty thousand).
- d. the destination deviation of drinking water works for livestock, without the approval of the forestry service or local government unit, from 30,000 (thirty thousand) to 50,000 (fifty thousand).
- e. interventions to enrich and improve the capacity of vegetation and pastures and meadows, without the approval of the forestry service or local government unit, from 20,000 (twenty thousand) to 40,000 (forty thousand).
- f. use of chemical fertilizers and pesticides, without the approval of authorities Forest Service or local government unit, from 40,000 (forty thousand) to 80,000 (eighty thousand).
- g. cutting of trees and shrubs, without the approval of authorities Forest Service or local government unit, from 30,000 (thirty thousand) to 60,000 (sixty thousand).
- h. clearing pastures and meadows, without the approval of the forest service or local government unit, from 20,000 (twenty thousand) to 40,000 (forty thousand).
- i. construction of buildings and development activities that cause degradation and soil erosion from 40,000 (forty thousand) to 70,000 (seventy thousand).

III. In forests, pastures and meadows:

- a. Police do not notice the structures Forest Service, local government and the private owner, and damages for violations found, with 10,000 (ten thousand).
- b. extraction of stones, turf, roots, stumps, taking soil, sand and gravel, when materials are easy consequences, from 50,000 (fifty thousand) to 80,000 (eighty thousand);
- c. damage to infrastructure, such as roads, water resources and works, from 30,000 (thirty thousand) to 50,000 (fifty thousand).
- b. destruction, damage or delete landmarks signs, and topographic surveying, warning or indicator tables, located in national forests and pastures, from 15,000 (fifteen thousand) to 20,000 (twenty thousand);
- c. waste disposal and solid waste within the area of the national forest and pasture fund and certain overseas countries, where the consequences are light material, from 30,000 (thirty thousand) to 50,000 (fifty thousand);
- d. unauthorized exercise of activities in areas of national forest and pasture fund punishable by a fine of 70,000 (seventy thousand) to 100,000 (one hundred thousand);
- e. discharges of chemicals, industrial wastewater, agricultural and urban water, etc. of this nature, in national forests and pastures, from 150,000 (one hundred and fifty thousand) to 200,000 (two hundred thousand).
- f. opening and exploitation of quarries or any kind of careers that use explosives without permission of forest authorities or local government unit, from 100,000 (one hundred thousand) to 150,000 (one hundred and fifty thousand).
- g. implementation of measures not provided or work on projects to mitigate environmental impacts or his rehabilitation from 300,000 (three hundred thousand) to 500,000 (five hundred thousand).

3. The criteria for minor violations consequences or consequences appointed by the Council of Ministers.

Article 68

Penal offences

1. Administrators, local government units, private owners, Forest Police, legal persons and other government bodies have the legal obligation to denounce to the nearest Prosecution office, when in accordance with the provisions of the legislation, the damage caused can be considered as a crime.

2. Not implementing the above paragraph of this article imposes administrative liability and/or criminal, of above mentioned entities.

Article 69

Appeal and execution of administrative sanctions

1. Against the decision given pursuant to article 62 of this Law may be denounced, in accordance with the law for inspection.

2. Execution of administrative sanctions is made in accordance with the procedures of administrative law offenses.

CHAPTER XV

FINAL AND TRANSITIONAL PROVISIONS

Article 70

Repeal of provisions

1. Within entry into force of this Law is repealed the Law no. 9385, dated 4.05.2005 "On Forests and Forest Service", as amended, except the articles 6, 7 and 12 of the former Law 3, and articles 8 of the Law 36/2013: "For some appendixes and amendments in the Law no 9385 dated 4.05.2013: "On Forests and Forest Service" until approval of the new structure of the Forest Police.

Article 71

Bylaws

1. The Council of Ministers, based on article 4, paragraphs 4, 5, article 8, paragraph 7, article 18, paragraph 4, article 19, paragraph 15, paragraph 20, paragraphs 2,3, article 27, paragraph 16, article 31, paragraph 4, article 38, paragraph 3, article 44, paragraphs 2, 10, article 47, paragraph 10, article 54, paragraph 7, article 63, paragraph 5, article 66, paragraph 4 and article 67, paragraph 3, is obliged to issue bylaws and regulations in a 6 month period to implement this law.

2. The Minister responsible for the administration of public forest and pasture resources, is obliged based on article 18 point 5, paragraph 19, paragraph 18, paragraph 21, paragraph 6, article 23, paragraphs 7, 8 and 9, article 27, paragraphs 5, 11, 18 and 22, article 29, paragraph 3, article 32, paragraph 3, article 35, paragraph 3, article 38, paragraph 4, article 44, paragraph 9, article 48, paragraph 3 and article 62, paragraph 3, to issue bylaws and regulations to implement this law, within a period of 6 months after its entry into force.

Article 72

Transitional provisions

1. Forest Police exercises its functions under the current organization until a new body, under articles 1, 2, 3 and 8 of Law no. 36/2013 "On some amendments to Law no. 9385, dated 4.5.2005 "On Forests and Forest Service", as amended.

2. Implementing Provisions of Law No. 9385, dated 4.5.2005 "On Forests and Forest Service", as amended, are applicable until they are replaced within this Law provisions.

3. The bylaws under application of the Law no 9385 dated 4.05.2005: "On Forests and Forest Service", as amended, are applicable until they are replaced with new bylaw acts under this law implementation.

Article 73

Entry into force

This law enters into force 15 days after its publication in the Official Gazette.