

The Law of Georgia

Forest Code of Georgia

Forest of Georgia is the foremost element of country's natural environment. It is a natural resource of special value for the country and an important foundation for its ecological, social and economic development. Irrespective of its form of ownership, forest of Georgia shall be managed based on the system established in accordance with the principles of sustainable development, which will provide improvement of quantitative and qualitative parameters of forest, protection of its biodiversity, rational use of forest's economic potential taking into consideration its ecological value, public involvement in forest management and public access to forest resources [involvement of communities in forest management and their access to forest resources].

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Chapter I: General Provisions

Article 1. Scope of Action and the Goals of the Code

1. This Code regulates the legal relationships related to forest management.
2. The goals of this Code are:
 - a) Protection of the biodiversity of the forest of Georgia; preservation and improvement of forest's characteristics, and quantitative and qualitative features of its resources in order to deliver ecological, social and economic functions of forest;
 - b) Preservation of distinctive natural and cultural environment, including vegetation and wildlife, natural and cultural monuments situated in forests, rare, endangered species of plants and other values for the future generations and harmonized regulation of their mutual influence;
 - c) Targeted and rational use of resources and other natural potential of forest;
 - d) To define the main principles of forest management that should serve as the basis for sustainable forest management.

Article 2. Definition of Terms

The terms used in this Code have the following meanings:

- a) **Forest of Georgia** – totality of forests under state, municipal and private ownership, and their resources;
- b) **Forest** – Area covered with forest forming species and other territory within the forest contour that is an integral part of forest ecosystem:
 - b.a) **Area covered with forest forming species** - land plot with the width of minimum 10 meters and area of not less than 0.5 hectare covered with one or several forest forming timber species, where the tree density per area unit is not less than 0.1;
 - b.b) **Other territory:**

b.b.a) Territory where forest forming species are temporarily degraded or destroyed due to natural and/or anthropogenic processes;

b.b.b) Forest land – open land area inside of forest contour: land used as hay land or pasture; special purpose land; land that includes marshes, cliffs, stony shores and other land area in forest unsuitable for afforestation; infrastructure necessary for implementing forestry activities (forest road, timber storage area, business service yard), etc.;

Note: The term “Forest” is not applicable to the following lands outside the forest contours: garden (fruit orchard, etc.), square, park; row of trees with the function of preventing soil erosion (windbreak); territory that is not located in forest and is used for short term rotation for up to thirty years starting from the time when forest forming timber species were planted (plantation); arboretums of timber species, new year tree plantations; plantations of timber trees used for producing nuts, plantations of fruit/ berry species;

c) Arid forest – light forest, where the stand density is less than 0.1 due to low moisture content and/or other natural conditions;

d) Floodplain forest – forest located in river basins that is periodically (during flooding and/or mudflow) covered with water;

e) Subalpine forest – forest located within a belt of 300 meters width below the alpine zone, representing the transitional area;

f) Forest resources – The totality of timber resources, non-timber resources, timber plant products and secondary wood material of forest;

f.a) Non-timber forest resources – mushrooms, medicinal material, technical material, other herbaceous plants and their parts, shrub plant parts and their products, which do not contain wood;

f.b) Timber plant products – needles, leaves, flowers, pollen, resin, sap, seeds, cones and fruits of timber plants;

f.c) Secondary wood material - roots, bark, sapwood and stumps of timber plants;

g) Wood waste - bark, chips, sawdust and branches unusable as firewood left from forest maintenance measures and logging operations, lying trees having no value of timber resources due to the natural or other factors;

h) Pole – timber resource suitable as support material, 8 to 12 cm in diameter at thicker end;

- i) **Pale** - timber resource of agricultural purpose, 4 to 8 cm in diameter at thicker end;
- j) **Stake** - timber resource of agricultural purpose, up to 4 cm in diameter at thicker end;
- k) **Forest contour** - Forest boundary established by the Government of Georgia, with the relevant decree;
- l) **Forest forming species** - Timber plants included in the 'list of forest forming timber plant species' approved by the Minister of Environment Protection and Agriculture of Georgia (hereinafter, the Minister);
- m) **Tree** – a perennial timber plant which develops a main stem, or in case of coppice [tree] – several stems, and forms a branched crown, with no less than 3 meters height in maturity;
- n) **Shrub** – a perennial timber plant with a branched crown formed from the ground surface and the height of not more than 3 meters;
- o) **Understory** – a group of timber plants / plant species which do not form, and under the existing conditions will not be able to form a top layer of stand canopy;
- p) **Brushwood** – fallen branches of timber plant, each of them with diameter not more than 6 cm at the base;
- q) **Stand** – part of forest clearly differing from adjacent area in composition and structure;
- r) **Round wood (logs)** – timber resources more than 12 cm in diameter at thinner end obtained from wood harvesting (including one from broken and uprooted trees);
- s) **Special signboard** – a signboard which confirms the legitimate origin of round wood (logs) in the cases provided by the legislation of Georgia, and is registered in the general database according to the established rules;
- t) **Principles of sustainable development** - principles that are integrated in the following final documents adopted by United Nations Conference on Environment and Development, Rio de Janeiro, 1992: Rio Declaration on Environment and Development, Global Sustainable Development Program for the 21st - Agenda 21, Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests;
- u) **Forest management** – planning and implementing measures for using beneficial features and resources of forest as well as for forest protection, maintenance and reforestation/afforestation;
- v) **Sustainable forest management** - Management and use of forest in such a way and rate that maintains its biodiversity, productivity, regeneration capacity, vitality and potential so that at

present and in the future ecological, economic and social functions of forest could be fulfilled on local, national and global levels without causing damage to other ecosystems;

w) National forest inventory - inventory of the forest of Georgia aimed at obtaining statistical information about forests and forest resources, continuous monitoring of forest conditions, international reporting on forest related data, and planning of unified policy in this sector;

x) Forest planning – planning the implementation and increased effectiveness of measures for inventory, protection, maintenance and reforestation/afforestation of the forest of Georgia, as well as sustainable use of forest resources;

y) Forest monitoring – the system of assessing the condition of the forest of Georgia, and continuous observation, analysing and forecasting of its dynamics;

z) Supporting natural regeneration – implementation of following activities: full or partial fencing of reforestation area, protection of forest saplings and/or coppice shoots from grazing, removal of shrub/herb layer, digging up soil for supporting self-seeding;

aa) Forest pests and diseases – harmful organisms (insects, rodents, fungi, bacteria or viruses), increased number of which may endanger ecological condition of forest or significantly reduce the quality of timber;

bb) Forestry operations - Organizational and technical measures aimed at reforestation/afforestation, maintenance, protection and sustainable use of forest;

cc) Forest use – using forest within the scope of general use of forest and special use of forest to meet ecological, economic and social needs of the state and its population, and extraction of forest resources of economic or other values;

dd) General use of forest - use of the natural forest environment free of charge, implying the right of a person to enter and freely move inside the forest and to collect non-timber forest resources, products of timber plants and secondary wood material, as well as brushwood for personal use;

ee) Special use of forest – forest use that is not carried out in the framework of general forest use;

ff) Forest user – an authorized person defined by the legislation of Georgia who carries out forest use;

gg) Felling area – a section of forest on which the quantity of trees that are to be felled and fallen trees is determined and trees that are to be felled are marked;

- hh) Logging** – felling of a standing tree and/or extraction of timber out of deadwood, its sorting and bringing out to the business service yard;
- ii) Commercial felling** – felling conducted in accordance with the rules provided by this Code for the purpose of obtaining timber;
- jj) Tending felling** – a forestry measure carried out for improvement of the species composition, structure and sanitary condition of forest and establishing highly productive stands;
- kk) Special use felling** – felling carried out for the purposes of special forest use types provided under this Code, except for commercial felling;
- ll) Forest use plan** - a planning document prepared by a forest user, which includes information about the measures to be taken in the framework of forest use, their stages and volumes;
- mm) Forest road** – a road in forest aimed for implementing forestry measures;
- mm.a) Ground road** – forest road arranged for short-term forest use;
- mm.b) Hard-surface road** – gravel road and/or levelled road in forest, construction and repair of which are carried out for long-term use;
- nn) Temporary construction [/facility]** - construction arranged/to be arranged on a forest area in the framework of special forest use, which does not have a foundation and serves for exercising the right of respective forest use;
- oo) Minister** – the Minister of Environment Protection and Agriculture of Georgia;
- pp) Ministry** – the Ministry of Environment Protection and Agriculture of Georgia.

Article 3. Legislation of Georgia Governing Forest Sector

1. Legislation of Georgia governing forest sector consists of the Constitution of Georgia, international treaties signed by Georgia, the National Forest Concept of Georgia, this Code, other legislative acts of Georgia and secondary normative acts adopted/issued based on those acts.
2. Issues related to protection of species and habitats of forests, as well as accessibility to genetic resources and fair distribution of benefits are regulated by the respective legal act, unless otherwise provided in this Code.

3. This Code is applied in the forest management relations within the administrative boundaries of Tbilisi municipality, unless otherwise provided by the Georgian legislation.
4. Issues related to the management of forests situated in protected areas are regulated by this Code unless otherwise provided in the Law of Georgia on the System of Protected Areas.
5. If the activity requiring special use of forest is subjected to environmental impact assessment, the relevant decision shall be made in compliance with the provisions of the Environmental Assessment Code.

Article 4. Principles of Sustainable Forest Management

1. Sustainable management of forest of Georgia, with respect of ecological, social and economic functions of forest, shall be based on the following principles:
 - a) Methods used in the process of forest management must provide for the preservation and improvement of its biodiversity, productivity, self-regeneration and viability;
 - b) Functional purpose of forest shall be considered in forest management planning process so that benefiting from one function of forest does not cause degradation of its other function;
 - c) Integration of local population's interests into the forest management decision-making shall be based on the sustainable forest management. Everyone's access to forest for its general use shall be ensured;
 - d) In the case if forest is used for non-forestry purposes for the state or public interests, adequate compensation measures defined under Georgian legislation shall be provided, excluding the exceptions set out by this Code.
2. Sustainable forest management is assessed and reported based on the criteria and indicators of sustainable forest management defined with the decree on the Criteria and Indicators of Sustainable Forest Management, which are based on the sustainable development principles and the Criteria and Indicators of Sustainable Forest Management adopted by the Ministerial Conference on the Protection of Forests in Europe (FOREST EUROPE). The decree shall be developed by the Ministry and approved by the Government of Georgia.

Article 5. Forest Ownership Rights

1. The forest ownership right is inseparable from the land ownership right. Forest of Georgia may be under state, municipal or private ownership.

2. State forest is part of forest of Georgia which is not under municipal or private ownership.
3. Municipal forest is forest of local importance owned by a municipality, with the related management powers exercised by the representative and executive authorities of the municipality in accordance with this Code and other legal acts and secondary legal acts of Georgia.
4. Private forest is a part of forest of Georgia located on a land plot owned by a physical or a legal entity;
5. An Autonomous Republic may own a forest only if the forest is artificially cultivated on the land owned by it and complies with the definition of forest defined in Article 2 (b) of this Code.
6. The rules provided in this Code are applicable to the forest of Georgia, irrespective of its ownership, unless otherwise specified in this Code.

Article 6. The goals of Categorization of the Forest of Georgia

The goals of categorizing the forest of Georgia are to:

- a) support preservation of ecological function and biodiversity of forest, sustainable use of the forest's economic potential and exercising its social function;
- b) facilitate and enhance preservation and recovery of soil protection, water regulation and climate regulation functions of forest;
- c) rational use of the forest productivity, including forest resources, tourism and recreation capacity, considering delivery of long term benefits;
- d) Support harmonious and sustainable development of various sectors of economy (agriculture, energy, etc.) related to forest ecosystem services and protection of forest ecosystems from cumulative negative impact.

Article 7. Categorisation of Forests of Georgia and their Management Objectives

1. Forest of Georgia, considering ecological, social and economic functions of forest and the main goals of management, is divided into following categories:

- a) Protected forest;
- b) Protective forest;
- c) Resort and recreational forest;

c) Commercial [/production] forest.

2. The management objective for protected forest is protection of its biodiversity and rare and/or endangered species and vulnerable ecosystems.

3. The management objective for protective forest is to maintain and strengthen the protective function of forest (regulatory ecosystem services).

4. The management objective for resort and recreational forest is to protect and improve recreational function, landscape and specific natural elements of forest.

5. The management objective for commercial forest is sustainable use of forest resources and preservation of protective functions of forest.

6. Division of forest of Georgia according to its functional purposes is carried out in accordance with the Rules of Record Keeping System, Categorization and Monitoring of the Forest of Georgia by the Ministry, and on the territory of an autonomous republic – by the relevant authorized body.

Article 8. Protected Forest Category

1. Protected forest includes:

a) Forest assigned with the status of protected area. Its management is carried out in compliance with the protected areas legislation and the management plan;

b) Floodplain forests and arid forests that are forming natural landscapes, as well as forests with high concentration of (dominating) forest forming timber species protected at the national level;

2. Forests defined in subparagraph "a" of paragraph 1 of this Article fall under the first category of protected forest, where special protection regime applies based on the requirements of protected areas legislation of Georgia.

3. Forests defined in subparagraph "b", of paragraph 1 of this Article belong to the second category of protected forest, which may represent potential/reserve protected areas, where the network of protected areas is extended in accordance to the commitments and in periods defined under international treaties signed by Georgia.

Article 9. Protective Forest Category

1. Protective forest is forest that has a function of protecting a settlement, agricultural land, cultural/historical monument, infrastructure and vulnerable territory.
2. Protective forest includes:
 - a) forest with up to 200 meters width located along permanent path of avalanches or mudflows;
 - b) forest located on the slope with inclination of more than 35°;
 - c) forest of up to 30 hectares in size located between non-forested spaces;
 - d) forest of up to 100 meters width located around [ფლატეები], landslide, eroded slope, karstic formation, protrusion of mountain strata;
 - e) forest of up to 100 meters (measured from the shoulders) width located along a railway or a motor road;
 - f) forest of up to 100 meters width from the banks of a river, lake or water reservoir;
 - g) forest located within 50 meters radius of a stone fall or rocky area;
 - h) forest located within 50 meters radius of a natural cave;
 - i) forest located on an eroded slope;
 - j) forest located on a creeping soil;
 - k) forest located on a slope prone to landslides;
 - l) subalpine forest;
 - m) Forest located within 100 meters radius of a water intake headwork;
 - n) Cultural heritage protection zone, forest within 250 meters radius of a cultural / historical monument.

Article 10. Resort and Recreation Forest Category

1. Resort and recreation forest includes:
 - a) Forest located in the sanitary protection zone of a resort;
 - b) Forest section located within 1 km radius of a medical institutions or a mineral water spring; Established area is subject to restriction by natural boundaries of a watershed;

- c) Forest located on an area adjacent to a city or other settlement, which is used by population for public recreation, tourism and sport/health-improving activities;
2. Management of resort and recreation forest shall ensure preservation of its resort and health improving features, landscape, important natural elements and cultural values. Any activity that may negatively affect these values is prohibited.

Article 11. Commercial [/Production] Forest Category

1. Commercial forests include the forests which do not fall under the forest categories defined in Articles 8-10 of this Code.
2. Commercial forest category is assigned to a forest which delivers the functions of soil protection and water regulation where all types of forest use are allowed in accordance with the rules set out in this Code.
3. Sustainable management of commercial forest shall ensure protection of forest and soil formed under the forest, preservation of fertility of the soil and benefits delivered from it.
4. Based on the forest management objective and the environmental conditions of a specific section of forest defined by this article, forest use may be temporarily prohibited and/or other limitations of forest use may be introduced.

Article 12. Setting up Forest Status

1. The status of state forest shall be assigned by the decision of the Government of Georgia. The decision shall be based on the motion of the Ministry on setting up the status of state forest, which will be developed in agreement with the Ministry of Economy and Sustainable Development of Georgia.
2. The motion of the representative body of a municipality on assigning the status of municipal forest to forest or part of the forest of local importance located within the administrative boundaries of the municipality shall be reviewed by the Commission defining the forest status, established based on the decision of the Minister.
3. On the basis of the motion of the Ministry on setting up the status of municipal forest elaborated based on the conclusion of the Commission defining the forest status , the Government of Georgia decides on transferring the forest of local importance located within the administrative boundaries of the municipality to the municipality and assigning the status of the municipal forest.

4. With the initiative of the private owner or the motion of the Ministry on setting up the status of private forest elaborated based on the conclusion of the Commission defining the forest status, in agreement with private owner, the Government of Georgia decides on assigning the status of a private forest to the privately owned territory, if the area was afforested naturally and meets the forest definition provided by this Code.
5. If private owner substantiates higher interest to use the privately owned territory for other purpose, the territory shall not be assigned the status of a private forest. This right of the private owner does not apply to the territory with the forested area of at least 5 ha where the average age of forest forming species is 20 years.
6. If, in the case provided in paragraph 5 of this Article, assignment of the private forest status to the area under private property - against the will of its owner, imposes the irrelevant social commitment to the owner, taking into consideration the nature of limitation of ownership right, the owner is entitled to demand compensation of damage from the state in accordance with the procedure prescribed by Georgian legislation.
7. The Commission defining the forest status stipulated in this Article is created by the Minister. The duties and the procedure of functioning of the Commission are set out in the statute of the Commission for Defining Forest Status, which is developed and approved by the Minister.

Article 13. Termination of Forest Status, Restoring Forest Status

1. The decision on termination of forest status is made by the Government of Georgia.
2. Public administrative proceeding on termination of forest status is initiated through the motion of the Ministry/the Government of Autonomous Republic/executive body of a municipality, which includes the conclusion on advisability of project implementation. The Ministry of Economy and Sustainable Development may also be authorized to prepare the motion, for which there have to be a conclusion of the Ministry on advisability of implementation of the project.
3. A person interested in terminating the forest status shall apply to the Ministry / the Government of the Autonomous Republic/executive body of a municipality or the Ministry of Economy and Sustainable Development of Georgia. The application have to contain information on the results of study of the alternatives of project implementation, unless the activity is subjected to the environmental impact assessment.

4. Decision on terminating the forest status is made on the basis of estimation of interests. If the interest in termination of the forest status prevails over the interest in retaining the forest status, then the Government of Georgia will take a decision on establishing compensation measure in favour of forest management body/private owner, according to the rule established by the Georgian legislation.

5. Prevailing interest in the termination of forest status provided in paragraph 4 of this Article may be:

a) State defence and security interests of Georgia;

b) The objective provided by subparagraph "a" of paragraph 1 of Article 68, as far as its implementation is not possible within the scope of special use of forest and / or due to economic expediency of the project of particular state and public importance.

6. A territory that has been assigned a status of Protected Area in accordance with the Law of Georgia on the System of Protected Areas may have forest status terminated with the procedure established by this Code, for the purposes provided by this Article, in case of termination of the status of respective protected area.

7. After termination of the status of forest, if there is no longer a basis for termination of the forest status specified in Paragraph 5 of this Article, forest status of the territory shall be restored.

8. In the case specified in Paragraph 7 of this Article, the Government of Georgia shall make a decision on restoring the forest status of the territory based on the motion of the Ministry/Autonomous republic/executive body of a municipality which is initiated by the Ministry/Autonomous republic/municipality taking into account the given circumstances, or upon the application of the person who requested termination of forest status.

Article 14. Adjustment of Boundaries of Forest of Georgia

1. Adjustment of boundaries of the forest of Georgia is undertaken on the basis defined by Articles 12 and 13 of this Code.

2. Adjustment of boundaries of forest of Georgia is undertaken according to the decree on Granting and Terminating Forest Status, and Establishment and Adjustment/Changing of Forest Boundaries which will be developed by the Ministry and submitted to the Government of Georgia for approval.

Article 15. Transfer of State Forest to the Legal Entity of Public Law - Georgian Apostolic Autocephalous Orthodox Church

With the decision of Government of Georgia, the part of the state forest is transferred in ownership of the Legal Entity of Public Law -Georgian Apostolic Autocephalous Orthodox Church in accordance with the procedures provided by the Law of Georgia on State Property.

Article 16. Informing of Public / Awareness raising

The Ministry, in cooperation with the Ministry of Education, Science, Culture and Sport of Georgia shall ensure informing of the population on significance of forests and forest resources.

Article 17. Public Involvement in Forest Management Related Decision Making Process

1. Stakeholders have the right to participate in forest management related decision making process, where the identity and culture of the communities residing in the vicinity of forests as well as their traditions of forest management should be considered.
2. The Governmental/Autonomous Republic/municipal authorities involved in legal relations associated with forest shall ensure publicity and access to the information on forest management, as well as public participation in forest management related decision-making process, according to the procedure established by the Georgian legislation.
3. Forest Management Plan is approved through public administrative procedure.

Chapter II: Authority in the Sphere of Forest Policy, Management and Supervision of Forest of Georgia

Article 18. Competence of the Ministry

1. Competence of the Ministry includes:
 - a) elaboration and implementation of sectorial policy in forest management;

- b) drafting of legislative acts and legal acts of the Government of Georgia in the sphere of forest, and submitting them to the Government of Georgia;
 - c) dividing the forest of Georgia (except for the forests within the territories of Autonomous Republics and Tbilisi municipality) by functional purposes according to the Rule of Record Keeping System, Categorization and Monitoring of the Forest of Georgia;
 - d) Organizing the forest inventory [record keeping] system;
 - e) applying a unified scientific-technical policy in the sphere of forest management, developing and approving normative and methodological documents, organizing scientific/research activities;
 - f) approving state forest management plans and private forest management plans;
 - g) organizing fulfilment of the commitments of Georgia in the sphere of forest management provided by international treaties and coordinating international projects;
 - h) elaborating motion on assigning the status of state, municipal or private forest;
 - i) elaborating motion on terminating or restoring the forest status of an area (except for the forests within the territories of Autonomous Republics and municipalities);
 - j) carrying out legal and sectorial control over the activity of the state forest management body (except for the forest management bodies of Autonomous Republics and municipalities);
 - k) developing recommendations for forest management bodies;
 - l) Implementing national forest inventory.
2. The Ministry shall support implementation of the voluntary and independent forest certification process.

Article 19. Competence of an Autonomous Republic

Competence of the authorities of Autonomous Republics of Abkhazia and Adjara in the sphere of state forest management includes:

- a) dividing forests located in their action areas by functional purposes, in accordance with the Rule of Record Keeping System, Categorization and Monitoring of the Forest of Georgia;
- b) participating in development of state programs for forest protection, maintenance, reforestation/afforestation and forest use;
- c) developing and implementing measures for protection, maintenance, reforestation/afforestation and use of forests located within their action areas;

- d) participating in the organization of activities for reforestation/afforestation of forests damaged as a result of ecological disasters, forest pests and diseases, and other causes;
- e) approving forest management plans of state forests located within their action areas;
- f) financing and/or contributing to the financing of the activities for protection, maintenance, reforestation/afforestation and use of forests located within their action areas and control of spending of allocated funds;
- g) issuing relevant permission document and concluding contracts for special forest use (except for the activities carried out exclusively by the Forest Management Body) within their action areas in compliance with the rules set forth in this Code;
- h) participating in the emergency response actions during natural disasters in forests;
- i) submitting motion to the government of Georgia on terminating or restoring forest status of forests located within their action areas;
- j) establishing state forest management body within their action areas;
- k) Submitting the information specified in the Decree on the Rule of Record Keeping System, Categorisation and Monitoring of the Forest of Georgia to the Ministry.

Article 20. Competence of a Municipality

Competence of the municipal authorities in the sphere of municipal forest management includes:

- a) creating of a municipal forest management body;
- b) developing and implementing measures for protection, maintenance, reforestation/afforestation and use of forests;
- c) elaborating and supporting implementation of local programmes on protection, maintenance, reforestation/afforestation and use of forest in cooperation with authorised state bodies;
- d) participating in the organization of reforestation/afforestation of forests damaged as a result of ecological disasters, forest pests and diseases, and other causes;
- e) participating in emergency actions during natural disasters in forest;
- f) submitting proposals on adjustment of municipal forest boundaries to the authorised state bodies;

- g) approving forest management plans of municipal forests;
- h) issuing relevant permit documents (except for activities carried out exclusively by the forest management body) and concluding contracts for forest use within the municipal forest area in accordance with the procedure provided for by this Code;
- i) suppression of the facts of illegal forest use within the scope of its authority and reporting these facts to the relevant law enforcement authorities;
- j) Exercising other powers granted by the legislation of Georgia.

Article 21. Forest Management Body

1. State forest management body is a Legal Entity of Public Law established on the basis of this Code and the law of Georgia on the Legal Entities of Public Law.
2. On the territory of autonomous republic, state forest management body shall be established by the highest representative body of the relevant autonomous republic.
3. Forests located within the protected areas are managed by the body authorized for management of the protected areas.
4. Municipal forest management body shall be established and forest management plans of municipal forests shall be approved by the representative body of the municipality.
5. Private forest is managed by the forest owner or the body authorised by the forest owner.
6. Forest management body within its authority:
 - a) conducts forest planning activities;
 - b) conducts forest protection activities;
 - c) conducts forest maintenance and reforestation/afforestation activities;
 - d) conducts forest use activities;
 - e) conducts assessment and study of forest condition in order to identify factual circumstances in individual forest areas and creates database of the monitoring data;
 - f) demands prevention of a threat of forest destruction from other forest users and discontinuation of activities detrimental to forest;
 - g) participates in the emergency response actions in forest during natural disasters;

- h) ensures compliance with the fire safety rules; in case of fire danger immediately informs relevant authorities and participates in fire liquidation measures;
- i) (State forest management authority, management authority of the forests located within the protected areas, private forest owner) develops a draft forest management plan and submit it to the Ministry for approval. Forest management authorities of autonomous republics and municipalities submit their forest management plans to the relevant authorities;
- j) develops and approves an annual action plan;
- k) participates in organizing reforestation/afforestation of forests damaged as a result of ecological disasters, forest pests and diseases, and other causes;
- l) Implements other authorities provided by this Code, other legal acts and secondary legal acts of Georgia, and its statute or regulation.

7. The right of implementing forest protection measures provided by subparagraph "b" of paragraph 6 of this Article does not include the right of the state forest management body provided in paragraph 1 of this Article on actions of prevention and suppression of illegal cuts. In case of identified facts of illegal cutting, the state forest management body provided in paragraph 1 of this Article is obliged to notify the body authorized for forest supervision.

8. Sources of funding of the state forest management body are:

- a) Earmarked allocations from the state budget of Georgia;
- b) Credits and donations;
- c) Fees for services provided based on this Code and annual fees for forest use (including the final price fixed at an auction);
- d) Compensation fees provided in this Code;
- e) Other incomes allowed by the legislation of Georgia.

Article 22. Forest Supervision Authority

1. State control over complying with the requirements of Georgian legislation of in the field of forest and protection of the forest of Georgia (with exception of the municipal forests) is exercised by the Environmental Supervision Department – an entity subordinated to the Ministry, and in case of a municipal forest - an authority established by the representative body of the municipality.

2. State control in forests within protected areas is also exercised by the respective body as set out in the Law of Georgia on the System of Protected Areas.
3. State control over the forest located on the territory of autonomous republic is also exercised by state forest management body of the autonomous republic.

Article 23. [Powers][Rights] of a Private Forest Owner

1. Private forest owner is authorised to carry out any activity related to forest management which do not run counter to the requirements for forest protection set forth in this Code, or to entitle the third party with such rights. Private forest owner's right to use forest resources may be restricted on the basis and within the limits of regulations set forth in this Code and current legal acts of Georgia in the sphere of environment protection.
2. Private forest owner is obligated to develop a draft Forest Management Plan in compliance with the requirements of Article 26 of this Code and to submit it to the Ministry for approval.
3. As need be, the Ministry may demand from a private forest owner to:
 - a) avoid the activity that damages or destructs the forest;
 - b) maintain and/or improve sanitary condition of the forest;
 - c) reduce or, to the extent possible, prevent damage of forest soil or/and vegetation cover during timber logging;
 - d) abolish the limitation [/restriction] of entering the forest and remove the signs indicating the limitation if there is no longer a ground for such limitation;
4. A private forest owner is obliged to inform the relevant authorised body on identified facts of illegal forest use;

Chapter III: Inventory [/Forest Record Keeping] and Planning of Forest of Georgia

Article 24. Forest Record Keeping System of Georgia

1. Forest record keeping system of Georgia consists of the National Forest Inventory, forest planning and information and monitoring system of Georgia.
2. The Decree on the Rule of Record Keeping System, Categorisation and Monitoring of the Forest of Georgia shall be developed and submitted to the Government for approval by the Ministry.

Article 25. National Forest Inventory

1. National forest inventory is carried out by the ministry ones in 10 years on the territory of forest of Georgia. In agreement with the ministry, national forest inventory can also be carried out with funding of natural or legal entity.
2. National forest inventory includes statistical information on the status and diversity of the forest of Georgia.
3. National forest inventory is carried out by observation and monitoring of permanent sample plots.
4. The procedure of implementation of the national forest inventory is established with the decree on the Rule of Record Keeping System, Categorisation and Monitoring of the Forest Georgia.

Article 26. Forest Planning

1. Forest planning is undertaken by the forest management body within its action area once in every 10 years.
2. Forest planning measures are:
 - a) delineation of boundaries of the forest;
 - b) internal management organization of forests and preparation of cartographic materials for relevant areas;

- c) identification of the forest condition, species composition and age structure;
 - d) identification of rare, relict, endemic plant species that are endangered and species with limited distribution;
 - e) identification of forest sections where it is possible/necessary to conduct forestry measures, as well as defining the types, volumes and/or methods of those measures;
 - f) deciding on expediency of assigning categories and protection regimes to forest units according to their functional purposes as well as of defining and adjusting forest boundaries;
 - g) quantitative and qualitative assessment of forest resources for potential extraction;
 - h) Pathological study of forest.
3. Forest planning materials are reflected in the Forest Management Plan which is a mandatory document for implementing forest use and forestry activities, based on functional planning.
 4. In the forest of Georgia, special forest use (except for special use of forest for special purpose provided by paragraph 1 of article 68 of this Code) and forestry activities are carried out on the basis of a Forest Management Plan, taking into account paragraph 8 of this Article, except in cases of natural disasters.
 5. State Forest Management body or private forest owner submit their Forest Management Plans to the Ministry for approval, while the state forest management bodies of Autonomous Republics and municipalities submit it to the relevant bodies.
 6. Obligation to develop a Forest Management Plan does not apply to private and municipal forests that are not larger than 50 hectares in area.
 7. Forest Management Plan is developed in compliance with the requirements of the decree on the Rule of Record Keeping System, Categorisation and Monitoring of the Forest of Georgia.
 8. Special assessment of forest, specified in Article 29 of this Code is carried out on forest areas where forest planning has not been undertaken and a Forest Management Plan has not been developed and/or for undertaking measures that are not foreseen in the Forest Management Plan.
 9. Forest planning activities are financed with state funds, as well as other sources.

Article 27. Forest Information and Monitoring System of Georgia

1. Forest information and monitoring system of Georgia is aggregation of systematized documents that contains all the information on the forest of Georgia.
2. Forest information and monitoring system of Georgia contains documented and spatial information.
3. Information held in the Forest information and monitoring system of Georgia is public.
4. Forest information and monitoring system of Georgia is maintained by the Ministry using the information received from forest management bodies.
5. Forest information and monitoring system of Georgia is managed based on the Decree on the Instructions for Managing the Forest Information and Monitoring System developed and approved by the Ministry.

Article 28. Forest Monitoring

1. The goal of forest monitoring is to identify the ecological state of the forest of Georgia, to submit the results of analysis to the state entities for the purpose of improving its ecological status and to inform the population of Georgia.
2. Forest monitoring is undertaken by forest management bodies on their action areas, by their territorial divisions, as well as other authorised entities and forest users defined by the Georgian legislation.
3. Monitoring of forest of Georgia can be conducted through national forest inventory on permanent sample plots. The quantity and size of these plots, as well as the frequency of collecting statistical information on forest condition is defined by the Rule of Record Keeping System, Categorisation and Monitoring of the Forest of Georgia.

Article 29. Special Study of Forest

1. Special study of forest is carried out for:
 - a) developing a reforestation/afforestation project for a specific forest area, as well as determining pathological condition of forest and quantitative and qualitative characteristics of forest resources;

b) For ensuring effectiveness of forest resources management and for timely implementation of forest use activities.

c) For earning the right of special purpose forest use. It should include information on the results of the geological survey (when operating on a slope with the inclination of 36° and more) and quantitative and qualitative data on timber resources. The requirement set forth in this paragraph shall not apply to the activities subject to the environmental impact assessment.

2. Based on the outcomes of the special study of forest, a multi-year (not more than 3 years) prospective plan may be developed.

3. Outcomes of the special study of forest are reflected in the annual action plan, except for the cases provided in subparagraphs (b) and (c) of paragraph 1 of this Article.

4. Special study of forest is planned and carried out by forest management body, except for the case when a body interested in obtaining the right of special forest use for special purpose conducts the special study of forest.

5. The procedure of conducting the special study of forest is set out in the Rule of Record Keeping System, Categorisation and Monitoring of the Forest of Georgia.

6. Special study of state forest can be financed by the state, as well as other sources.

Article 30. Annual Action Plan

1. Annual Action Plan is elaborated based on the Forest Management Plan, Forest Use Plan and/or outcomes/data of special study of forest, and provides detailed description of the activities planned for a year.

2. Annual Action Plan shall include at least the following information:

a) location and area of territory within which the planned activities will be carried out;

b) scope of forestry activities and methodology of their implementation;

c) Types and scope of activities to be performed within the planning period.

3. Prior to the approval of the Annual Action Plan, forest user is not allowed to use forest for the economic activities (except for the cases provided by paragraph 1 of article 68).

4. In case of a private forest, the owner elaborates the Annual Action Plan and submits it to the Ministry for agreement. In case of a state forest or municipal forest, Annual Action Plan is elaborated and approved by the forest management body.

Chapter IV: General Use of Forest

Article 31. Entering and Moving Inside a Forest

1. Any person has right to enter and freely move inside a forest for recreation and entertainment. This right does not imply use of the forest resources for which special authorization is required according to the legislation of Georgia.
2. Entering a forest and/or moving inside it may be limited through the decision of a forest owner or a forest management body:
 - a) for implementing measures of fire prevention and fire impact reduction or fire extinguishing;
 - b) for implementation of forest protection, maintenance and reforestation/afforestation measures with relevant periods;
 - c) for safe implementation of ongoing activities of timber resources extraction;
 - d) in forest where timber species arboretum, forest seed site, hunting farm, fish farm, forest nursery, storage of wood and machinery, building or an action site of timber transportation equipment (except for forest roads) is located;
 - e) in a reforestation/afforestation area where the height of seedlings is not more than 3 meters;
 - f) Other ground provided in the Forest Management Plan or Annual Action Plan.
3. Entering and/or moving inside a forest by transport means is allowed only on forest roads except in cases where a forest user has had this right restricted, on a ground provided by paragraph 2 of this article.

Article 32. Regulation of Limitation of Entering and Moving inside Forest

1. Limitation of entering and moving inside forest shall be regulated by placing relevant information signs in the forest area.
2. Information signs in forest area shall be placed along the roads of common use, forest roads and paths that pass through a limitation zone entering and moving inside the forest or the territory adjacent to the limitation zone.
3. Limitation of entering and moving inside the forest shall be abolished and restrictive information signs placed in the forest are shall be removed if grounds for imposing limitation as provided in paragraph 2 of Article 31 of this Code no longer exist.

4. The rules of using restrictive signs for entering and moving inside forest are defined in the decree on the Rules of Forest Use developed by the Ministry and approved by the Government of Georgia.

Article 33. Grazing in Forest

1. Taking into account needs of the local population, relevant territories are allocated for grazing in the state or municipal forests, except for the cases when it is impossible due to the function and/or condition of the forest.
2. Grazing areas in forest and relevant quotas are established based on the Forest Management Plan or Annual Action Plan. Respective information signs shall be installed in the forest areas allocated for grazing.
3. Use of designated grazing areas may be temporarily restricted based on the decision of the forest management body, if this is necessary to allow the implementation of forest protection, maintenance or reforestation/afforestation activities.

Article 34. Making Fire in Forest

1. Making fire in forest is allowed in specifically allocated areas. Relevant information signs shall be placed in those areas.
2. For the purpose of cleaning the forest, forest management body is allowed to burn waste wood from cutting and debarking of trees infected by pests and diseases in forest, if this activity will not impose a threat to the forest, will not deteriorate the quality of the soil, or will not impose a danger of forest fire.
3. Forest owner or forest management body is authorized to restrict making of fire in the specifically allocated areas for a certain period, for the purpose of preventing forest fires.

Article 35. Extraction of Forest Resources

1. General use of forest implies free access to the non-timber forest resources, timber plant products and secondary wood material, as well as brushwood for personal consumption (except for private forests).
2. Free access to non-timber forest resources, timber plant products and secondary wood material may be restricted:
 - a) based on the status and functional purpose of the forest;

- b) For the purpose of implementing forest protection, maintenance and reforestation/afforestation measures.
3. The decision based on Paragraph 2 of this Article is taken by forest owner or forest management body.

Article 36. Extent of the Right of General Use of Forest

1. The right of general use of forest implies that the person who uses this right is obliged to take care of forest, protect its resources and inform relevant authorities about any revealed action that is harmful for the natural environment.
2. It is prohibited for general forest user to introduce invasive or/and genetically modified species in the forest, use chemical or other means of forest protection.
3. The right of general use of forest in private forest implies its accessibility for moving inside and recreation.

Chapter V: Special Use of Forest

Article 37. Types of Special Use of Forest

1. Types of special use of forest allowed in the forests of Georgia are:
 - a) commercial logging;
 - b) collection of non-timber forest resources, timber plant products and secondary wood material;
 - c) arrangement of plantation;
 - d) forest use for agricultural purpose;
 - e) forest use for resort activities, recreation, sports and other cultural / health-improving purposes;
 - f) arranging hunting farms and/or fish farms;
 - g) arranging animal shelters and breeding facilities;
 - h) installation of linear infrastructure of electronic communication networks;
 - i) forest use for scientific research and teaching purposes;
 - j) Special forest use for special purpose.

2. It is permitted to carry out several types of forest use provided in paragraph 1 of this article simultaneously on the same area, unless the types of use substantially interfere with each other.
3. All types of special forest use provided in paragraph 1 of this article are permitted in commercial [production] forest. Collection of non-timber forest products, timber plant products and secondary wood material, use for resort, recreation, sports and other cultural and health improving purposes, use for scientific research and teaching, placement of linear facilities of electronic communication networks and special forest use of purpose use (except for the survey and / or extraction of fossil minerals) are allowed in protected forest. All types of special forest use except for commercial logging and extraction of fossil minerals are allowed in protective forests. All types of special forest use except for commercial logging are allowed in resort and recreation forests.

Article 38. The Right of Special Use of Forest

1. Special use of forest without respective permission document is prohibited.
2. Timber logging by a physical person in order to meet the need on firewood is carried out based on the ticket issued by the Forest Management Body, considering the limitations defined in Article 93 of this Code.
3. In the case of urgent necessity, for implementation of emergency and rehabilitation works on the facility, it is permissible to carry out special purpose forest use (except for the categories and zones of protected areas where forest use is prohibited by the legislation of Georgia) without a forest use permit document. The person performing these activities is obliged to inform the forest management body within reasonable time about commencement of the activity and in order to obtain the document confirming the relevant right, apply to it within 1 month after commencement of the action.
4. The [prospective forest user] carries out the types of special forest use defined by subparagraphs "c" - "g" of paragraph 1 of Article 37 of this Code on the basis of an administrative contract on special forest use, which is concluded taking into account the results of the auction, according to this Code and the decree on Forest Use Rules.
5. The rules for carrying out special forest use in accordance with this Code shall be defined in the decree on Forest Use Rules.

Article 39. Implementation of Special Forest Use of State Forest by the Forest Management Body

1. Special use of state forest for timber logging is carried out exclusively by the forest management body based on the goals of sustainable forest management within the authority granted under this code and in accordance with the forest management plan and/or annual action plan.
2. The rules of transferring the right of wood waste extraction from forest, as well as use of poles, stakes and pales, to third parties shall be defined by the decree on Forest Use Rules.

Article 40. Implementation of Special Forest Use Based on Planning

1. Special forest use shall be carried out based on planning, except for the cases provided in paragraph 4 of Article 26 of this Code.
2. Main requirements for planning of special forest use are derived from the principles defined by this Code.
3. In the planning of special forest use, preference is given to the long term forest use and multifunctional forest use that provides for several types of forest use simultaneously.
4. During planning of special forest use, it is mandatory to use methods that are not harmful to the sustainability [/stability] of the environment and its biodiversity, wildlife, and historical-cultural and natural monuments.
5. Annual action plan shall be developed for planning of special forest use.

Article 41. Implementing Special Forest Use in the Border Zone

Special use of forest in the border zone is carried out in compliance with this Code and the Law of Georgia on the State Border of Georgia.

Article 42. Implementing Special Forest Use in the Water Protection Zone

Special use of forest in the water protection zone is carried out in compliance with the Law of Georgia on Water and marine legislation of Georgia.

Article 43. Rights and Obligations of Forest User

1. Within the framework of special forest use right granted to the forest user by the forest management body, the forest user is authorised to:

- a) Use forest based on the purposes of own activities;
- b) Demand compliance with the contract conditions;
- c) Arrange temporary and permanent buildings and facilities of specific purpose required for exercising the right of special forest use in agreement with the forest management body;
- d) Use forest roads and relevant infrastructure for exercising the right of special forest use;
- e) Participate in forest protection, maintenance, reforestation/ afforestation measures as well as in planning and implementation of special forest use;
- f) Own, use and manage forest resources obtained as a result of forest use only for plantation arrangement purposes.

2. Within the framework of special forest use right granted to the forest user by the forest management body, the forest user is obligated to:

- a) Get acquainted with the rules of special forest use and comply with them;
- b) Carry out only those activities of special forest use which are defined with the forest use document, on the location, in the quantity and for the period specified in it;
- c) Carry out the activities with such forms, methods and instruments that do not cause the erosion of forest soil and will have limited or no negative impact on the environment, forest condition and its regeneration;
- d) Comply with the fire safety rules, take fire liquidation measures in case of a fire danger and immediately inform relevant authorities on the fire hazard;
- e) Comply with the safety rules of special forest use;
- f) Comply with the rules of sanitary protection of forest;
- g) Immediately inform the relevant supervision body and/or law enforcement bodies about the cases of illegal special forest use;
- h) Carry out the full scope of the activities specified in the Forest Use Document.

Article 44. The Rule of Conducting an Electronic Auction for Special Forest Use of State Forest Area

1. For the purpose of implementing special forest use defined by this Code, the state forest area shall be issued on the basis of an electronic auction. For the forest use for scientific/research and teaching purposes and special forest use of special purpose, state forest area shall be issued directly, with the authorised body granting the right of relevant type of special forest use.
2. State forest area shall be issued on the basis of an electronic auction, provided that the recipient of the right of special use of forest will pay the relevant fee and fulfil other conditions set out in the relevant contract.
3. The procedure for conducting an electronic auction and directly granting the right of special forest use is defined with the decree on the Forest Use Rules.

Chapter VI: Logging with Commercial Felling

Article 45. Grounds for Logging with commercial felling

1. Commercial felling is performed for the purpose of timber extraction under the conditions allowing steady and permanent extraction of timber without damaging natural beneficial characteristics of the forest.
2. Commercial felling is performed in mature or over-mature [older than mature] stands. Predominantly over-mature [older than mature] trees are cut in the stand thus facilitating its rejuvenation (health improvement).
3. Logging with commercial felling in forest is carried out on the slopes of up to 36° inclination.

Article 46. Special Requirements for Logging with Commercial Felling between Slope Gradients of 31° and 36°

1. During timber logging with commercial felling on the slopes with the inclination between 31° and 36°, stand density cannot be lowered below 0.5.
2. Transporting the timber cut with commercial felling in stands located on the slopes with the inclination between 31° and 36° is allowed only by sliding, with cable ways, air transport or animal power;

3. Special conditions for logging with commercial felling in stand located on the slopes with the inclination between 31° and 36° are established on the basis of the Forest Management Plan and are mandatory.

Article 47. Types of Commercial Felling

1. Timber extraction from the forest is performed through clear cuts and selective commercial cuts.
2. Commercial clear cut means total simultaneous felling of timber species in a particular section of the forest.
3. Commercial clear cuts are allowed in alder stands of Colchis lowland, plantations and Acacia stands located on the slopes with the inclination of up to 6 degrees.
4. Selective commercial felling means cutting of relevant number of trees with selective method on a particular section of forest. The volume of extracted wood, considering the rotation period, shall not exceed the natural annual increment of forest.
5. Optimal age for commercial felling of forest forming species is established by the decree on the Forest Use Rules.

Article 48. Annual Allowable Cut

1. For the purpose of long-term forest use, the Ministry, based on the forest planning materials, establishes the annual potential optimal volume of timber logging with commercial felling – annual allowable cut, according to the action area of the forest management body.
2. Increase or reduction of annual allowable cut may be allowed by the Ministry based on changes in the forest planning materials, forest protection regime, forest category or other changes that affect the condition of forest.

Article 49. Defining Annual Allowable Cut / Allocation of Felling Area

1. For the purpose of timber logging, annual allowable cut [/felling area] is defined [/allocated] for special forest use for the period of up to 2 years.
2. Commercial felling in excess of the annual allowable cut is allowed only on the account of unutilized annual allowable cut of the previous year.

3. Rules of allocation of felling area are defined with the decree on the Forest Use Rules.

Article 50. Legal Basis for Logging with Commercial Felling

1. Forest management body exercises logging with commercial felling within its authority, for the interests of forest management.

2. Individual administrative legal act issued by the forest management body is the legal basis for logging with commercial felling in the case provided in paragraph 1 of this Article. In case of private forest - written document prepared by the forest owner / forest management body is the legal basis for logging with commercial felling, which will reflect the work to be carried out and volumes of timber to be extracted.

Article 51. Document Confirming Wood Origin

1. It is prohibited to transport round wood (logs), timber plants [/tree] or firewood without relevant document and/or marking with special signboard. Document confirming wood origin shall be issued for each unit of transportation for moving out the timber logged in compliance with this Code.

2. Document confirming wood origin is issued by the forest management body. It is the strict accounting document confirming timber ownership.

3. Timber transportation without the document confirming wood origin is prohibited. The document confirming wood origin shall be presented upon request to the controlling body authorized by the legislation of Georgia.

4. Format of the document confirming wood origin and rules of its issuance are established in the Technical Regulation on the Wood Traffic Rules and Round wood (logs) Primary Processing Facilities (Sawmills) on the territory of Georgia.

5. In order to register the activities related to the use of wood, transportation and primary processing of wood in the forest of Georgia, forest management body uploads the relevant information to the Electronic System of Timber Resources Management which is a part of Forest Information and Monitoring System of Georgia.

Chapter VII: Collection of Non-timber Forest Resources, Woody Plant Products and Secondary Wood Material

Article 52. The Purpose of Forest Use for Collection of Non-timber Forest Resources, Woody Plant Products and Secondary Wood Material

1. Special forest use for collection of non-timber forest resources, woody plant products and secondary wood material is conducted by the forest management body on the basis of this Code, for forest management purposes or by granting this right to the legal entity interested in special forest use.
2. Special forest use for collection of non-timber forest resources, woody plant products and secondary wood material implies accessibility of these resources for commercial purposes.
3. The purpose of special forest use provided by this article shall not contradict with the sustainable forest management interests.
4. Rules and conditions of issuing permits for export, import, re-export and marine introduction of specimens, parts and derivatives of species included in Annexes of Convention on International Trade in Endangered Species of Wild Fauna and Flora, Washington, March 3, 1973 (CITES), licenses for extracting the specimens of plant species included in Annex II of CITES for exporting with commercial purposes, certificates of origin for the plants including in Annex III of CITES (CITES Certificate of Origin), as well as licenses for using fir cones for export (hereinafter - the license) are established with the Law of Georgia on Licenses and Permits.

Article 53. Legal basis of Forest Use for Collection of Non-timber Forest Resources, Woody Plant Products and Secondary Wood Material

1. Administrative proceeding on collection of non-timber forest resources, woody plant products and secondary wood material is commenced on the basis of application of the legal entity interested in special forest use, or is initiated by the forest management body.
2. Forest areas for collection of non-timber forest resources, woody plant products and secondary wood material are selected by the forest management body based on the Forest Management Plan and/or Annual Action Plan.

3. The rules for collection of non-timber forest resources, woody plant products and secondary wood material, including the procedures of granting this right to the legal entity interested in special forest use are defined by the decree on the Forest Use Rules.

Chapter VIII: Arranging Forest Plantation

Article 54. Purpose of the Forest Use for Arranging Forest Plantation

1. Special forest use for arranging plantation is carried out by the forest management body for the interests of forest management, or by transferring the forest area for commercial purpose to the person interested in special use of forest.
2. Administrative proceeding on arranging forest plantation is initiated based on the application of the person interested in special use of forest or by the forest management body.
3. The purpose of arranging plantation by the forest management body may be to:
 - a) Stop erosion and landslide processes by planting forest timber species on forest land;
 - b) Increasing the energy potential of forest;
 - c) Obtaining timber resources of forest without damaging the natural forest.
4. Selection of forest timber species for arranging plantation and use of the extracted timber resources is carried out based on respective Forest Plantation Management Plan. Use of invasive species in forest plantations is prohibited.
5. Only temporary facilities may be constructed in the forest area allocated for forest use for arranging the plantation.

Article 55. Grounds for Making Decision on Arranging Forest Plantation

1. Forest area for forest use for the establishment of plantation is selected by the forest management body or initiated by the person interested in special use of forest based on the Forest Management Plan and/or annual action Plan. The decision shall include the information about:
 - a) The forest area and its boundaries (cadastre drawing);
 - b) Location (forest management unit, compartment, liter, elevation from the sea level, inclination, exposition, etc.) of the forest area;

- c) Existing roads, roads to be constructed and other infrastructure of the forest area;
 - d) Taxation data on plantations / plant species already existing within the forest area.
2. Forest user develops the forest use plan for arranging forest plantation according to the decree on the Forest Use Rules.

Chapter IX: Use of Forest for Agricultural Purpose

Article 56. Purpose of Forest Use for Agricultural reasons

1. Use of forest for agricultural purpose means use of forest land (area) as a hay land, pasture or for arranging temporary beekeeping facilities
2. Administrative proceeding for using the forest area for implementing forest use for agricultural purpose begins based on the application of the person interested in special use of forest or is initiated by the forest management body.
3. Forest use for agricultural purpose is performed in the form and the methods which do not cause damage of timber species and do not trigger erosion processes.
4. Only temporary facilities may be constructed in the forest area allocated for forest use for agricultural purpose.

Article 57. Legal Basis of Forest Use for Agricultural Purposes

1. The land for forest use for agricultural purpose is selected by the forest management body or initiated by the person interested in special use of forest based on the Forest Management Plan and/or Annual Action Plan. The decision shall include the information about:
 - a) Forest area and its boundaries (cadastre drawing);
 - b) Location (forest management unit, compartment, liter, elevation from the sea level, slope gradient, exposition, etc.) of the forest area;
 - c) Existing roads, roads to be constructed and other infrastructure of the forest area;
 - d) Taxation data of plant species in the forest area.
 - e) General description of the area adjacent to the selected forest area.
2. Forest user develops the plan of forest use for agricultural purposes according to the decree on the Forest Use Rules.

Chapter X: Forest Use for Resort, Recreation, Sport and other Cultural and Health Improving Purposes

Article 58. The purpose of forest use for resort, recreation, sport and other cultural and health improving purposes

Special use of forest for resort, recreation, sport and other cultural and health improving purposes implies arrangement of facilities essential for exercising this right, including building catering and supporting storage facilities and installation of equipment and sport facilities, walking trails and viewing sites based on the respective permitting document.

Article 59. Legal basis of forest use for resort, recreation, sport and other cultural and health improving purposes

1. Administrative proceeding on special use of a forest area for resort, recreation, sport, and other cultural and health improving purposes starts upon application of the person interested in special use of forest or is initiated by the forest management body.
2. Forest area for implementing forest use for resort, recreation, sport, and other cultural and health improving purposes is selected by the forest management body or initiated by the person interested in special use of forest based on the Forest Management Plan and/or the Annual Action Plan. The decision shall contain the following information:
 - a) The forest area and its boundaries (cadastral drawing);
 - b) Location (forest management unit, compartment, liter, elevation from the sea level, slope gradient, exposition, etc.) of the forest area;
 - c) Existing roads and those to be constructed and other infrastructure of the forest area;
 - d) Taxation data on the plants species in the forest area;
 - e) General description of the territories surrounding the selected forest area.
3. Forest user submits to the forest management body a plan of forest use for resort, recreation, sport or other cultural and health improving purposes compiled on the basis of the decree on the Forest Use Rules.

Chapter XI: Arranging Fish Farms and Hunting Farms

Article 60. The Purpose of Arranging Fish Farm and/or Hunting Farm

1. Fish farms are arranged for breeding and obtaining fish for commercial purposes.
2. Introduction and breeding of invasive species is prohibited within the framework of the right of arranging fish farm.
3. Arrangement of fish farm and/or hunting farm is regulated by the relevant legislative act.

Article 61. Legal Basis for Arranging Fish Farm and/or Hunting Farm

1. Administrative proceeding on using forest area for implementing forest use for the purpose of arranging fish farm and/or hunting farm starts upon the application of the person interested in special use of forest, or is initiated by the forest management body. The relevant decision shall contain the information about:
 - a) The forest area and its boundaries (cadastral drawing);
 - b) Location (forest management unit, compartment, liter, elevation from the sea level, slope gradient, exposition, etc.) of the forest area;
 - c) Existing roads and those to be constructed and other infrastructure of the forest area;
 - d) General description of the territories adjacent to the selected forest area.
2. The forest area for implementing forest use for the purpose of arranging the fish farm and/or hunting farm is selected by the forest management body or initiated by the person interested in special use of forest based on the Forest Management Plan and/or Annual Action Plan or special study.
3. Forest user submits a forest use plan for arranging fish farm and/or hunting farm to the forest management body, elaborated according to decree on the Forest Use Rules.

Chapter XII: Arranging Animal Shelters and Breeding Facilities

Article 62. Purpose of Arranging Animal Shelters and Breeding Facilities

1. Animal shelters and breeding facilities are arranged with the purpose of conservation or breeding of animal species and their realization.
2. Forest area for arranging an animal shelter and breeding facility shall not be selected in the territory where felling of more than 20 cubic meters of tree(s) per one hectare is required for this purpose. Clear cutting of shrubs and understory for arranging an animal shelter and breeding facility is permitted.

Article 63. Legal Basis for Arranging Animal Shelters and Breeding Facilities

1. Administrative proceeding on the use of forest area for forest use for the purpose of arranging an animal shelter and breeding facility starts upon the application of the person interested in special use of forest, or is initiated by the forest management body. The relevant decision shall contain the information about:
 - a) The forest area and its boundaries (cadastral drawing);
 - b) Location (forest management unit, compartment, liter, elevation from the sea level, slope gradient, exposition, etc.) of the forest area;
 - c) Existing roads, roads to be constructed and other infrastructure of the forest area;
 - d) Taxation data on plant species in the forest area;
 - e) General description of the territories surrounding the selected forest area.
2. Forest area for implementing forest use for the purpose of arranging an animal shelter and breeding facility is selected by the forest management body or initiated by the person interested in special use of forest, based on the forest management plan and/or annual action plan or special study. The forest area shall be selected so that forest use for the given purpose does not damage forest and the breeding animal species do not negatively affect forest ecosystem. Use of animal shelter and breeding facility for breeding of invasive species is prohibited.
3. Forest user submits a forest use plan for arranging an animal shelter or breeding facility, elaborated according to the decree on Forest Use Rules, to the forest management body.

Chapter XIII: Placement of Linear Facilities of Electronic Communication Networks

Article 64. Purpose of Forest Use for Placement of Linear Facilities of Electronic Communication Networks

1. Forest use for placement of linear facilities of electronic communication networks implies expansion and improvement of the communication networks.
2. The forest area for placement of linear facilities of electronic communication networks shall not be selected in the territory where it will require cutting of more than 20 cubic meters of tree(s) per hectare. If there are no alternative sites, clear cutting of shrubs and understory is allowed on not more than 20% of the selected forest area.

Article 65. Legal Basis for Forest Use for the Purpose of Placement of Linear Facilities of Electronic Communication Networks

1. Administrative procedure on granting the right of forest use for placement of a linear facility of the electronic communication network is initiated on the basis of an application submitted by the person interested in special use of forest. The relevant decision shall contain the information about:
 - a) The forest area and its boundaries (cadastral drawing);
 - b) Location (forest management unit, compartment, liter, elevation from the sea level, slope gradient, exposition, etc.) of the forest area;
 - c) Existing roads, roads to be constructed and other infrastructure of the forest area;
 - d) Taxation data on plant species in the forest area;
 - e) General description of the territories surrounding the selected forest area.
2. Forest user submits a forest use plan for placement of a linear facility of the electronic communication networks, elaborated according to the decree on the Forest Use Rules, to the forest management body.

Chapter XIV: Forest Use for Scientific / Research and Teaching Purposes

Article 66. The Purpose of Forest Use for Scientific / Research and Teaching

1. Forest use for scientific / research and training purposes implies the scientific/research and training activities which are related to the use of forest resources in the amount and extent necessary for the particular activity and without damaging forests.
2. Forest use for scientific/research and training purposes shall comply with the principle of scientific and pedagogical autonomy and academic honesty. Limitation of such activities by the forest management body is permissible only for the interests of forest protection based on the legislation of Georgia.

Article 67. Legal Basis for Forest Use for Scientific / Research and Teaching Purposes

1. Administrative proceeding on issuance of an individual administrative legal act for granting the forest use right for scientific / research and teaching purposes is initiated on the basis of an application submitted by the prospective forest user.
2. Application of the prospective forest user and the accompanying documents shall meet the requirements of the General Administrative Code of Georgia, this Code and the decree on Forest Use Rules.
3. Forest management body takes a decision on granting the forest use right for scientific / research and teaching purposes through simple administrative procedure.

Chapter XV: Special Forest Use for Special Purpose

Article 68. Purposes of Special Forest Use for Special Purpose

1. Special forest use for special purpose is performed for the following purposes:
 - a) Implementing projects of special state or public significance, use of water supply and sewerage infrastructure, hydroelectric systems, power plants, pipelines, oil and gas resources

and/or gas storages arranged in natural reservoirs, construction/functioning of roads, power transmission facilities, electric networks and channels or design and / or engineering-geological works required for this purpose;

- b) Study and / or extraction of fossil minerals;
- c) Reconstruction (rehabilitation) of cultural heritage monuments, performing archaeological works, archaeological surveillance, archaeological excavations;
- d) In case of urgent necessity for performing emergency and rehabilitation works on the facilities.

2. Forest Management Body takes decision on granting the right of special forest use for special purpose through a simple administrative procedure.

3. Forest management body ensures involvement of other administrative body and concerned parties into the administrative proceeding for taking the decision stipulated in Paragraph 2 of this Article, in accordance with the requirements of the General Administrative Code of Georgia.

4. An individual administrative legal act stipulated in Paragraph 2 of this Article is sent to the applicant and the Ministry, and in the case considered in subparagraph "b" of paragraph 1 of this article, to the license issuing body as well.

5. Based on the individual administrative legal act defined in Paragraph 4 of this Article, the forest management body concludes an administrative contract on the special forest use for special purpose with the person interested in obtaining the right of special forest use for special purpose.

Article 69. The Basis for the Decision on Granting the Right of Special Forest Use for Special Purpose

1. The right of special forest use for special purpose is granted to the person interested in obtaining this right based on the application.

2. The application of the person interested in obtaining the right of special forest use for special purpose and attached documents shall meet the requirements of the General Administrative Code of Georgia, this Code (including subparagraph (c) of paragraph 1 of Article 29), Environmental Assessment Code of Georgia and the decree on the Forest Use Rules.

3. The procedures of granting the right of special use of forest for special purpose provided in subparagraph "b" of paragraph 1 of Article 68 of this Code are established with the decree on the Forest Use Rules and the decree on the Rules and Conditions of Issuing Licenses of Extraction of Fossil Resources.
4. Forest use of special purpose by forest user is subject to compensation, based on the provisions of the Georgian legislation, except for forest use implemented for the purpose provided by paragraph 1 of article 68 of this Code, prior to enactment of this Code and/or special purpose forest use necessary of functioning of objects provided by paragraph 1 of article 68 of this Code, prior to enactment of this Code.
5. If logging is required for exercising the right of special forest use for special purpose, wood logging and transportation are carried out by the forest management body and financed by the forest user [/interested party] on the basis of the relevant contract.
6. The rule of conducting special use cuts within the protection zones of linear facilities of main pipelines and electronic networks is defined with the decree on the Forest Use Rules.

Chapter XVI: Protection of the Forest of Georgia

Article 70. The Purposes of Protecting the Forest of Georgia

1. The purposes of protecting the forest of Georgia are to:
 - a) Maintain and improve ecological balance in the forest;
 - b) Prevent soil erosion, waterlogging, mudflows, avalanches and other processes deteriorating soil condition;
 - c) Conserve the traits of untouched forests;
 - d) Protect relict, endemic and other rare plant species.
2. Forest of Georgia shall be protected from:
 - a) fires;
 - b) forest pests and diseases;
 - c) violation of rules of forest use and other established regulations;
 - d) illegal cuts;

- e) deterioration of sanitary condition;
- f) Other negative anthropogenic impacts.

Article 71. Forest Protection Measures

1. Protection of the forest of Georgia is undertaken with consideration of forest biodiversity and other properties. It includes implementation of forestry measures, using biological, chemical and mechanic methods, as well as organizational, legal and other means for protecting forest from destruction, damage, pollution and other negative impacts.
2. Chemical means of forest protection are applied in cases specified in the decree on the Rules of Forest Protection, Restoration and Maintenance and according to established rules.
3. Forest protection measures include:
 - a) Forest zoning according to the threat of forest pests and diseases spreading (into low, average and high risk zones);
 - b) Pathologic study and monitoring of forest;
 - c) Protection of forest from spreading of forest pests and diseases, in case of necessity, with the use of biological, chemical and mechanical methods based on the outcomes of pathologic study of forest;
 - d) Banning removal of infected cut trees from forest without biological or mechanical processing to avoid emergence of new breeding grounds for forest pests and diseases;
 - e) Protecting forest from fire;
 - f) Preventing and restricting illegal forest use and extraction of forest resources;
 - g) Other necessary measures required in emergency situations.
4. Forest protection measures are part of the Forest Management Plan.

Article 72. Prohibition of Forest Destruction

1. Activities causing forest destruction are prohibited.
2. An activity is considered destructive to forest if it:
 - a) causes average or higher than average degradation of forest soil;

- b) poses an obvious risk of landslides or erosion processes to the forest soil;
 - c) hinders timely reforestation/afforestation of forest;
 - d) Makes trees vulnerable – hinders their growth due to widespread impacts (wind, fire, use of biologic and chemical means, spread of forest pests and diseases, and any type of pollution).
3. Regulations for cleaning forest from household, industrial and other types of waste are set forth in the decree on the Rules of Forest Protection, Restoration and Maintenance.
4. Issues of compensation and legal responsibility for the damage caused to forest are regulated based on this Code and other legislative acts of Georgia.

Article 73. Legal Basis for Forest Protection

Rules of forest protection are set forth in the decree on the Forest Protection, Restoration and Maintenance developed by the Ministry and approved by the Government of Georgia.

Article 74. Financing of Forest Protection Measures

1. Forest protection measures are financed from the state budget or the budget of an Autonomous Republic, respectively. Other sources of funding may also be used for this purpose.
2. Protection measures of private forest are financed by the private owner. These measures may be co-financed by the State, when it is necessary to carry out unified, large-scale measures of forest protection.

Chapter XVII: Reforestation and Afforestation

Article 75. The purpose of Reforestation and Afforestation

1. Reforestation and afforestation make a multi-year cycle of forestry activities aimed at protecting soil from wind erosion, water erosion and other types of erosion processes, as well as improving species composition, productivity, protective and other beneficial functions of low-density and low productivity stands located in the forestless areas [?].

2. Reforestation and afforestation are carried out based on the provisions of the decree on Forest Protection, Restoration and Maintenance

Article 76. Planning and Implementation of Reforestation and Afforestation Measures

1. Forest management body annually plans reforestation and afforestation measures with consideration of available resources and based on the Forest Management Plan and/or Annual Action Plan. Based on the [reforestation and afforestation] plan, a reforestation and afforestation project is developed for a specific forest area.

2. A special state program may be developed for reforestation and afforestation purposes.

3. Forest management body approves the reforestation and afforestation project and exercises control over its implementation.

4. Reforestation and afforestation is undertaken through sowing, planting or/and supporting natural regeneration.

5. Reforestation and afforestation measures are carried out by the forest management body or the relevant authorized physical or legal body in accordance with the legislation of Georgia.

6. Reforestation and afforestation activities aimed at arresting degradation of forest areas and preventing potential damage shall be undertaken not later than within three calendar years after the loss of forest density or/and forest cover due to natural or anthropogenic processes.

7. In case of a large-scale damage (5 hectares and more damaged), when it is impossible to carry out reforestation and afforestation measures within three calendar years, the period of reforestation and afforestation starts after the causes of damage have been eliminated and the territory subject to restoration has been cleaned.

8. If forest regeneration takes place through natural seeding or sprouts and it is expected to result in reforestation of target area, then reforestation and afforestation shall be carried out by supporting natural regeneration.

9. Reforestation and afforestation measures will be considered completed if the area subject to restoration carries sufficient number of regeneration and/or planted seedlings, and there are no circumstances preventing their growth and development.

10. Reforestation is performed by using reproduction materials certified according to the decree on the Rules of Import, Export and Production of Forest Reproduction Materials, developed and approved by the Ministry.

Article 77. Forest Seed Production

1. Forest seed production serves as a basis for developing highly productive, targeted forests or/and plantations through reforestation and afforestation.
2. For the purpose of organizing and developing forest seed production following measures are conducted:
 - a) Zoning of forest timber species;
 - b) Arranging permanent seed collection sites of forest timber species;
 - c) Creating seed bank of forest timber species.
3. Relevant measures shall be implemented to support collection, processing, storage, sale and use of seeds of forest timber species.
4. High quality seeds of forest timber species shall be used for reforestation and afforestation; in case of their absence the condition of the available seeds shall be improved.
5. In the course of reforestation and afforestation, seeds and planting materials allocated for use in one location may not be used elsewhere; seeds may not be used without their quality being checked and determined.
6. Rules of collection and use of seeds of forest timber species are set forth in the decree on the Rules of Forest Protection, Restoration and Maintenance.

Chapter XVIII: Forest Maintenance

Article 78. Forest Maintenance and its Purpose

1. Forest maintenance is a system of measures with general purpose of:
 - a) Maintaining and improving social and ecological functions of forest (soil protection, water and climate regulation and other beneficial properties);
 - b) Improving species composition, structure and productivity of forest;
 - c) Improving sanitary condition of forest;
 - d) Increasing volume of timber per forest unit for the purpose of using it.

2. Forest maintenance measures shall be carried out by forest management body according to the regulations defined by the decree on the Rules of Forest Protection, Restoration and Maintenance.
3. As a result of forest maintenance measures, the relevant volume of wood resources is obtained. The rule of disposal of these resources is defined by the decree on the Rules of Forest Protection, Restoration and Maintenance.
4. Tending cuts are undertaken according to the age, function and conditions of forest stands. Types of tending cuts include sanitary and reconstruction cuts.

Article 79. Tending Cuts

Tending cuts are carried out in the stands below maturity age and with density of 0.7 and more. The purpose of tending cuts is to achieve even distribution of trees of valuable and economically appealing species typical for the local area and providing sufficient sunlight for these trees by cutting trees with selective method; creating/improving conditions for full formation of the tree stem and the canopy and improving timber increment.

Article 80. Sanitary Cuts

1. Tending sanitary cuts do not belong to the systemic forest cuts. This is a forestry measure aiming at the improvement of sanitary condition of forest. Sanitary cuts imply felling and extraction of dead, hollow, and pest invaded trees within a certain territory and timeframe, as well as removing these trees and trees uprooted or broken by natural disasters.
2. Sanitary cuts which are expected to reduce stand density below 0.3 are allowed only in case of urgency. Such sanitary cuts shall be properly justified and represent a part of the set of measures.

Article 81. Reconstruction Cuts

1. Tending reconstruction cuts are carried out in the stands of low value and low productivity for a given area, with the purpose of improving their species composition, structure and productivity through the extraction of undesired trees and/or removal of evergreen understory, followed by facilitation of natural regeneration and/or planting forest species.

2. In resort and recreational forests, reconstruction cuts may be carried out for landscape (open, closed, semi-closed) formation.

Article 82. Financing of Forest Maintenance Measures

1. Forest maintenance measures are financed from the budgets of the forest management body. Other sources of funding may also be used for this purpose.
2. Forest maintenance measures for private forest are financed by the private forest owner. Forest maintenance measures may be co-financed by the State, when it is necessary to carry out unified, large-scale measures of forest maintenance.

Chapter XIX: Relevant Academic and Vocational Education in the Field of Forest

Article 83. Mandatory Participation of Persons Qualified as Forester and Forest Worker in Forest Management

Forest management body shall ensure the mandatory participation of persons having the qualification of forester and forest worker in forest management.

Article 84. Forester

Forester is a person who meets relevant qualification requirements and is in employment relations with the forest management body in accordance with the labour legislation of Georgia.

Article 85. Forest Worker

Forest worker is a person who, under the supervision of a forester, undertakes forestry measures and is in employment relations with the forest management body in accordance with the labour legislation of Georgia.

Article 86. Special Requirements

1. While on duty, forester and forest worker shall wear respective special uniforms.
2. Special requirements related to the uniforms of forester and forest worker as well as the requirement of their occupational safety are defined by the ministry with the decree on Establishing Uniforms for the Persons Employed in the State Forest. In case of autonomous republics and municipalities these requirements and rules are defined with the normative administrative act of the government of the autonomous republic or the municipality, respectively.

Article 87. Qualification Requirements for Forester and Forest Worker

1. A person may be a forester if he/she holds a respective university degree in the field of forest (at least bachelor's degree).
2. A person may be a forest worker if he/she has a relevant vocational education.
3. Qualification requirements of forester and forest worker are established by this Code and other legislative acts of Georgia.

Article 88. The Body Responsible for Defining Position Ranking and Qualification Requirements for Forester and Forest Worker

Ranking and qualification requirements of a forester and forest worker are established by the Ministry through the decree on Establishment of Position Ranking and Qualification Requirements for Persons Employed in the State Forest. In case of autonomous republics and municipalities relevant ranking and requirements are established with the normative administrative acts of the government of the autonomous republic or the municipality, respectively.

Chapter XX: Social Protection Guarantees for Forester and Forest Worker

Article 89. Social Protection of Forester and Forest Worker

1. Social protection of forester and forest worker shall be provided by the forest management body.
2. The forest management body may define additional measures of one-time aid and social protection and other benefits for foresters and forest workers.

Article 90. Rewarding of Forest Personnel

1. Forester is rewarded by conferring the title of “Distinguished Forester of Georgia” in accordance with the rule specified in Georgian legislation.
2. Persons with the work experience of 10 years and over in the field of forest are rewarded by granting a Special Lapel Pin for the Successful Performance.
3. Other persons employed in the field of forest may be rewarded by formal statement of gratitude.
4. The rules for establishment of “Professional Day of Forester” in Georgia and for rewarding the persons employed in the field of forest are approved with the order of the Minister.

Chapter XXI: Responsibility for Violating the Forest Code

Article 91. Legal Basis for Responsibility for Violating the Code

1. Responsibility for violating this Code is defined in accordance with the legislation of Georgia.
2. Bringing to justice for an offence does not relieve the offender from the obligation of compensation for the damage of forest. Grounds and rules for compensation of this damage are defined by the legislation of Georgia.

Chapter XXII: Transitional Provisions

Article 92. Transitional Regulation of Licenses and Leases issued in the sphere of Forest Use, Designated Forest Use and Other Issues

1. Licenses and leases issued in the sphere of forest use prior to enactment of this Code retain their legal force during the respective validity period.
2. Contracts of designated forest use concluded prior to enactment of this Code retain their legal force during the respective validity period.
3. A document conferring the right of forest use issued prior to enactment of this Code shall retain the legal force during its respective validity period.
4. For the purpose of safe operation of the infrastructure of power plants, pipelines and electric networks, cutting of trees within their protection zones for protecting the clear-cut line, as well as works necessary for their operation shall be carried out without compensation.

Article 93. Regulation of Forest Logging Issues in the Transitional Period

1. Logging ticket is issued with consideration of individual social interests of a physical person within the felling area allocated by the forest management body.
2. Logging ticket is a document issued by the forest management body to a resident of the municipality authorizing its holder to perform forest logging for obtaining firewood.
3. Logging ticket is issued on the basis of the list compiled by the relevant municipal authority. The list shall indicate the name, surname and personal number of the representative of a household (family) actually residing in the municipality.
4. A person applying for a logging ticket submits to the forest management body a receipt proving payment for the sought service and the receipt confirming the payment of the fee established in accordance with the Law of Georgia on Fees for Using Natural Resources. The forest management body promptly issues the relevant decision through the simple administrative proceeding.

5. Logging ticket includes the following information: the number of the logging ticket; number of the felling area, location of the felling area, forest timber species to be obtained, its quality and volume, and the period of ticket validity;
6. If the volume of the forest timber species (resources) indicated in the logging ticket have not been obtained within the relevant timeframe, the ticket becomes void and the fee for service provided by the forest management body is not reimbursed.
7. Logging ticket is issued according to the decree on Forest Use Rules.
8. In case of necessity to carry out logging under the right of special forest use for special purpose, logging is conducted by a person with the right of special forest use.
9. Issuing of firewood logging rights based on the logging ticket to physical persons considering their individual social interests is allowed until January 1, 2023.
10. Prior to enactment of paragraph 5 of Article 69 of this Code, in case of necessity of forest logging under the right of special forest use of special purpose, logging and transportation of timber may be carried out by the forest management body as well as the interested party.
11. In the forest located within a protected area, taking into consideration the needs of the local population, timber logging with commercial felling is permitted until January 1st, 2026.

Article 94. Regulation of the issues of Vocational Education in the Transitional Period

1. Person employed in the sphere of forest before enactment of this Code is obliged to get his/her non-formal vocational education recognized according to the legislation of Georgia until the end of the year 2025.
2. If a person employed as a forest worker fails to fulfil the obligation under paragraph 1 of this article, this will result in prohibition of his / her professional activity on the grounds of non-compliance with the qualification requirements stipulated in Article 87 of this Code.

Article 95. Normative Acts to be Adopted/Issued for the Purposes of Enactment of this Law

1. By January 1st, 2030, the Government of Georgia shall develop the criteria for identifying a "forest of local importance" and the procedure for transferring the forest of local importance to the municipality.

2. By January 1st, 2021, the Ministry of Environment Protection and Agriculture of Georgia shall develop and submit to the Government of Georgia for approval the following secondary legal acts:

- a) The Decree on the Forest Use Rules;
- b) The Decree on the Rules of Forest Protection, Restoration and Maintenance;
- c) The Decree on the Rule of Record Keeping System, Categorisation and Monitoring of the Forest of Georgia;
- d) The Decree on Granting and Terminating Forest Status, and Establishment and Adjustment/Changing of Forest Boundaries;
- e) The Decree on the Criteria and Indicators of Sustainable Forest Management.

3. The Ministry of Environment Protection and Agriculture of Georgia shall:

a) Develop and approve the following secondary legal acts by January 1, 2021:

- a.a) Establishing the Uniforms for the Persons Employed in the State Forest;
- a.b) Establishing the Rules of Ranking and Qualification Requirements of the Persons Employed in the the State Forests;
- a.c) The List of Forest Forming Timber Plant Species;
- a.d) The Committee for Defining the Status of Forest;
- a.e) The Rule for Establishment of the “Professional Day of Forester” in Georgia and for Rewarding Persons Employed in the Forest Sector.

b) Develop and approve the following secondary legal acts by January 1, 2022:

- b.a) The Rules of Import, Export and Production of Reproduction Materials of Forests;
- b.b) The Instruction of Maintaining the Forest Information and Monitoring System.

4. Prior to adoption/issuing of the secondary normative acts specified in this Article, the acting secondary normative acts stay in force unless they contradict the requirements of this Code.

Article 96. Necessary Measures for Enacting this Code

1. The State Forest Fund existent before enactment of this Code is considered as state forest, the boundaries of which are determined with the Decree №299 of the Government of Georgia from August 4, 2011 on Establishing the Borders of the State Forest Fund.

2. With consideration of the definition of the term “forest” as provided by this Code, the Ministry of Environment Protection and Agriculture of Georgia shall, by January 1st, 2026, ensure gradual adjustment of the boundaries of state forests. Granting the status of state forest to an area does not result in termination of the contract concluded before for the purpose of agricultural use of this area or changing of its conditions. In the framework of adjustment of the state forest boundaries, an area excluded (from the forest fund?) before enactment of this Code is assigned with the state forest status if there is no longer a legal interest for termination of the forest status of the area that has been the reason for termination of the status.
3. Based on the Article 12 of this code the Ministry of Environment Protection and Agriculture of Georgia shall develop and submit to the commission defining the forest status the motion on assigning the status of private forest to the area under private ownership before January 1st, 2026.
4. The Ministry of Environment Protection and Agriculture of Georgia shall set up the Commission defining the forest status envisaged in Article 12 of this Code before January 1st, 2021 and shall ensure its functioning.
5. The Ministry of Environment Protection and Agriculture of Georgia shall ensure legal and organizational arrangement of the supervision body responsible for state control in the field of protection of the forest of Georgia, set forth in Article 22 of this code, before January 1st, 2021.
6. State, autonomous republic and municipal bodies, within their authority, shall ensure adjustment of the relevant secondary legal acts in accordance with this Code before January 1st, 2021.
7. In order to implement the principles of sustainable forest management of Georgia, the forest management body shall ensure, before January 1st, 2025, increasing of the number of persons specified in Article 83 of this Code each year so as to ensure that not more than 3500 hectares of the forest is assigned under authority of not less than 1 person.

Chapter XXIII: Final Provisions

Article 97. Legislative Acts Becoming Void upon Enactment of this Code

Upon enactment of this Code, following shall become void:

a) Forest Code of Georgia of June 22, 1999 (Legislative Herald of Georgia, №28(35), 1999, Art. 148)

b) Law of Georgia on the Management of Forest Fund of July 6, 2010 (Legislative Herald of Georgia, №39, 19.07.2010, Art. 235).

Article 98. Entry into Force of the Code

1. This Code, with exception of paragraphs 4 - 6 of Article 12 and paragraph 5 of Article 69 shall enter into force from January 1st, 2021.

2. Paragraph 5 of Article 69 of this Code shall enter into force from January 1st, 2023.

3. Paragraphs 4 - 6 of Article 12 of this Code shall enter into force from January 1st, 2025.