

LAW OF GEORGIA

FOREST CODE OF GEORGIA

The forest of Georgia is a major element of the country's natural environment. It is a natural resource having particular value for the country and an important basis for its environmental, social and economic development. The forest of Georgia, irrespective of its form of ownership, shall be managed on the basis of a system developed in accordance with principles of sustainable development, which shall ensure the improvement of the quantitative and qualitative characteristics of forest, the conservation of its biodiversity, the rational use of the economic potential of forest taking into consideration its environmental value, the participation of the public in the management of forest, and the availability of forest resources to the public.

Chapter I – General Provisions

Article 1 – Scope and purpose of the Code

1. This Code regulates legal relations related to forest management.
2. The purpose of this Code is:
 - a) to conserve the biodiversity of the forest of Georgia, and, in order for the environmental, social and economic functions of forest to be performed, to preserve and improve its qualitative properties, and the quantitative and qualitative characteristics of forest resources;
 - b) to preserve the original natural and cultural environment of forest, including the vegetation cover and animal world, and natural and cultural property located in forest, and rare and endangered plant species and other assets for future generations and to ensure the harmonised regulation of their interrelation;
 - c) to ensure targeted and rational use of forest resources and other natural potential of forest;
 - d) to determine the main principles of forest management which shall become the basis for sustainable forest management.

Article 2 – Definition of terms

The terms used in this Code shall have the following meanings:

- a) forest of Georgia – state, municipal and private forests and the resources thereof;
- b) forest – the area inside a forest boundary covered with forest forming species and other areas which are an integral part of the forest ecosystem:
 - b.a) area covered with forest forming species – a minimum area of land of 0.5 hectares and not less than 10 m in width, which is covered with one or more forest forming woody plant species and where the tree density is not less than 0.1 per unit area;



b.b) other areas:

b.b.a) areas where forest forming species are temporarily degraded or destroyed as a result of natural and/or anthropogenic processes;

b.b.b) forest land – an open area of land inside a forest boundary, such as: land used as grassland or pasture; special purpose land; land that comprises marshes, rocks, and rocky ground located in a forest or other land not used for afforestation; infrastructure necessary for the implementation of forestry measures (forest roads, timber yards, landings), etc.

Note: Land outside a forest boundary shall not be considered to be forest, such as: a garden (an orchard, etc.), a square, a park; a shelterbelt which protects soil from erosion (a wind break belt); land outside a forest which is used as a short-term alternative for the period of up to 30 years after planting forest forming species (plantation forest); an arboretum of woody plants, a plantation forest of new year trees; a plantation forest of woody trees (nuciferous) to yield fruit, and a plantation forest of berries and fruits;

c) arid forest – an open forest where forest stand density is less than 0.1 due to the lack of moisture and/or other natural conditions;

d) riparian forest – a forest that is located in a river basin and is periodically covered with water (during flood and/or high water);

e) subalpine forest – a transition zone within a strip of 300 m in width below the alpine zone;

f) forest resources – a unity of wood resources, non-wood forest products, wood products and secondary wood materials:

f.a) non-wood forest products – mushrooms, crude drugs, technical raw materials, other herbs and parts thereof, parts of shrubby plants and products thereof with no wood in their composition;

f.b) wood products – needles, leaves, blossoms, pollen, gum, juice, seed, cones and fruit of woody plants;

f.c) secondary wood materials – roots, bark, phloem and stump of woody plants;

g) wood waste – bark, chips, and sawdust left as a result of carrying out forest tending measures and timber harvesting, as well as branches useless as firewood and fallen deadwood which are no longer valuable as wood resources due to the impact of natural or other factors;

h) pillar – a wood resource of 8 cm to 12 cm in diameter from the thick end, which can be used as a support material;

i) pole – a wood resource of 4 cm to 8 cm in diameter from the thick end, which is used for agricultural purposes;

j) stake – a wood resource of up to 4 cm in diameter from the thick end, which is used for agricultural purposes;

k) forest boundary – a boundary of a forest established by an ordinance of the Government of Georgia;

l) forest forming species – woody plants which are included in the List of Forest Forming Wood Species approved by the Minister of Environmental Protection and Agriculture of Georgia ('the Minister');

m) tree – a perennial woody plant which develops one main trunk or, in the case of regrowth, several trunks and has a spreading crown of not less than 3 m in height at the age of maturity;

n) shrub – a perennial woody plant of not more than 3 m in height, which has a spreading crown from or near the ground;

o) undergrowth – species of woody plant/plants which do not create and, in given conditions, are unable to create



an upper canopy cover of a forest stand;

p) brushwood – fallen branches of woody plants of not more than 6 cm in diameter in the bottom part;

q) forest stand – a part of a forest distinctly differing from an adjacent territory in its composition and structure;

r) round timber (log) – a wood resource of more than 12 cm in diameter from the narrow end, produced as a result of timber harvesting (including from uprooted and broken trees);

s) special tag – a tag which certifies a legal origin of round timber (log) in the cases provided for by the legislation of Georgia and which is registered in a unified database in accordance with the established procedure;

t) sustainable development principles – principles integrated in the following final documents adopted by the United Nations Conference on Environment and Development, held in Rio de Janeiro in 1992: Rio Declaration on Environment and Development, Global Sustainable Development in the 21st Century – 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 – the planning and implementation of measures for using the useful properties of forest and forest resources, as well as for the protection, tending, reforestation and afforestation of forests;

v) sustainable forest management – the management and use of forest in a manner and extent so as to maintain forest biodiversity, productivity, regeneration capacity, vitality and potential, such that the environmental, social and economic functions of forests are performed at local, national and global levels both at present and in the future, and whereby other ecosystems are not damaged;

w) national registration of forest – the registration of the forest of Georgia in order to obtain statistical information on forests and forest resources, to carry out continuous monitoring of the condition of forest, to provide international reporting on forest data and to plan a unified policy in the field of forestry;

x) forest planning – planning the implementation and the increase of efficiency of measures for registration, protection, tending, reforestation and afforestation of the forest of Georgia, as well as the sustainable use of forest resources;

y) forest monitoring – a system of assessment of forest conditions and continuous observation on, and analysis and forecasting of, forest dynamics;

z) facilitation of natural regeneration – the implementation of the following measures: full or partial fencing of a land (area) to be reforested, protecting new shoots and/or regrowth from grazing, cleaning soil from undergrowth within a fenced area, and removing grass and loosening soil in order to facilitate natural seeding;

z₁) forest pests and diseases – harmful organisms (insects, rodents, fungi, bacteria, viruses) which, when increased in quantity, may threaten the ecological condition of a forest or substantially worsen the quality of the wood therein;

z₂) forestry measures – organisational and technical measures implemented for the purpose of the reforestation, afforestation, protection, tending and sustainable use of forest;

z₃) forest use – using forest within the framework of common forest use and special forest use, and obtaining forest resources having economic and other values in order to meet the environmental, economic and social needs of the State and its population;

z₄) common forest use – the use of natural forest environment free of charge, involving the right of a person to enter and freely move around forest, to collect non-wood forest products, wood products and secondary wood materials, as well as brushwood for personal use;



- z₅) special forest use – forest use other than common forest use;
- z₆) forest user – an authorised person determined by the legislation of Georgia who is using forest;
- z₇) felling area – a forest area where the number of fallen deadwood and trees to be felled is determined and trees are marked for felling;
- z₈) timber harvesting – felling of standing trees and/or the removal of wood from fallen deadwood, and sorting and hauling them to a landing;
- z₉) commercial felling – felling in accordance with the procedures established by this Code for obtaining wood;
- z₁₀) improvement felling – a forestry measure carried out for improving the species composition, structure and sanitary conditions of forest and for forming forest stands with high yielding capacity;
- z₁₁) felling for special use – felling for the purposes of special forest use provided for by this Code, except for commercial felling;
- z₁₂) forest use plan – a planning document developed by a forest user, which contains information on measures to be taken within the framework of forest use and on the stages and the extent of such measures;
- z₁₃) forest road – a road in forest used for carrying out forestry measures:
- z₁₃.a) earth road – a forest road constructed for short-term forest use;
- z₁₃.b) metalled road – a gravel and/or levelled road in forest that is constructed and rehabilitated for long-term use;
- z₁₄) temporary structure – a structure without a foundation constructed or to be constructed in forest area within the framework of special forest use, which is used to exercise a respective right to forest use;
- z₁₅) Minister – the Minister of Environmental Protection and Agriculture of Georgia;
- z₁₆) Ministry – the Ministry of Environmental Protection and Agriculture of Georgia.

Article 3 – Legislation of Georgia in the field of forestry

1. The legislation of Georgia in the field of forestry comprises the Constitution of Georgia, the international agreements of Georgia, the National Forest Concept for Georgia, this Code, other legislative acts of Georgia and subordinate normative acts adopted/issued on their basis.
2. Issues related to the protection of species and habitats in forest, as well as the availability of genetic forest resources and the fair distribution of benefits shall be regulated by a relevant legislative act, unless otherwise provided for by this Code.
3. This Code shall apply to relations in respect of the management of the forest located within the administrative borders of Tbilisi Municipality, unless otherwise provided for by the legislation of Georgia.
4. Issues related to the management of forest located within protected areas shall be regulated by this Code, unless otherwise provided for by the Law of Georgia on the System of Protected Areas.



5. If an activity requiring special forest use is subject to environmental impact assessment, an appropriate decision shall be made in compliance with the requirements of the Environmental Assessment Code.

Article 4 – Principles of sustainable management of the forest of Georgia

1. The sustainable management of the forest of Georgia, taking into consideration the environmental, social and economic functions of forest, shall be based on the following principles:

a) methods ensuring the preservation and improvement of forest biodiversity, productivity, regeneration capacity and vitality shall be used in the process of forest management;

b) the functional purpose of forest shall be taken into account in the process of forest management planning in order to avoid the degradation of other functions of forest as a result of obtaining benefits from one function;

c) when making a decision on forest management, the interests of the local population shall be taken into consideration on the basis of sustainable forest management. For the purposes of common forest use, the availability of forest shall be ensured for everyone;

d) taking into consideration state and public interests, appropriate compensatory measures determined by the legislation of Georgia shall be taken when using forest for non-forest purposes, except for the exceptions determined by this Code.

2. Assessment of and reporting on sustainable forest management shall be carried out on the basis of the criteria and indicators for sustainable forest management determined by the Regulations on the Criteria and Indicators for Sustainable Forest Management, which are based on sustainable development principles and the Criteria and Indicators for Sustainable Forest Management adopted by the Ministerial Conference on the Protection of Forests in Europe ('Forest Europe'). The above Regulations shall be drawn up by the Ministry and approved by the Government of Georgia.

Article 5 – Right of ownership of forest

1. The right of ownership of forest shall be inseparable from the right of ownership to a plot of land. The forest of Georgia may be under state, municipal or private ownership.

2. State forest is a part of the forest of Georgia which is not under municipal or private ownership.

3. Municipal forest is a forest of local importance under municipal ownership, in relation to which managerial authority shall be exercised by the representative and executive bodies of a municipality in accordance with this Code and other legislative and subordinate acts of Georgia.

4. Private forest is a part of the forest of Georgia located on a plot of land which is under the ownership of a natural or legal person.

5. An autonomous republic may have a forest under its ownership only if the forest is planted on the land owned by the autonomous republic and complies with the requirements of the definition of the term 'forest' provided in Article 2(b) of this Code.

6. The rules established by this Code shall apply to the forest of Georgia, irrespective of its form of ownership, unless otherwise provided for herein.



Article 6 – Purposes of dividing the forest of Georgia into categories

The forest of Georgia shall be divided into categories for the following purposes:

- a) to preserve the environmental function and biodiversity of forest, to ensure sustainable use of the economic potential of forest and to facilitate the performance of the social function of forest;
- b) to facilitate the preservation and restoration of soil protecting and water and climate regulating functions of forest, and to enhance those functions;
- c) to use rationally the productivity of forest, including forest resources, and tourism and recreational potential of forest, taking into consideration the receipt of long-term benefits;
- d) to facilitate the harmonised and sustainable development of various sectors of economy (agriculture, energy, etc.) related to forest ecosystem services, and to protect forest ecosystems from negative cumulative effects.

Article 7 – Dividing the forest of Georgia into categories and their management objectives

1. Taking into consideration the environmental, social and economic functions of forest and the main purposes of forest management, the forest of Georgia shall be divided into the following categories:

- a) a protected forest;
- b) a protection forest;
- c) a resort and recreational forest;
- d) a commercial forest.

2. The objective of the management of a protected forest is to conserve biodiversity and to protect rare and/or endangered species and vulnerable ecosystems of the forest.

3. The objective of the management of a protection forest is to preserve and enhance the protective function (regulatory ecosystem services) of the forest.

4. The objective of the management of a resort and recreational forest is to preserve and improve the recreational function, landscape and natural elements of the forest.

5. The objective of the management of a commercial forest is to ensure the sustainable use of forest resources and to preserve the protective function of the forest.

6. The forest of Georgia shall be divided according to its functional purposes by the Ministry, and in the territory of an autonomous republic, by a relevant authorised body, in accordance with the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia.

Article 8 – Protected forest

1. A protected forest shall be:

- a) a forest granted the status of a protected area. Such forests shall be managed in accordance with the legislation of Georgia on protected areas and a management plan;
- b) a riparian forest and an arid forest creating a natural landscape, as well as a forest with a high (dominant)



concentration of forest forming species that are protected at the national level.

2. The forest determined by paragraph 1(a) of this article is Category I protected forest, which shall be subject to a special protection regime on the basis of the requirements of the legislation of Georgia on protected areas.

3. The forest determined by paragraph 1(b) of this article is Category II protected forest, which may be a potential/reserve protected area where the network of protected areas is expanded in accordance with the obligations and schedules determined by the international agreements of Georgia.

Article 9 – Protection forest

1. A protection forest is a forest which performs the function of protecting settlements, agricultural land, cultural/historical property, infrastructure and vulnerable land.

2. A protection forest shall be:

a) a forest of up to 200 m in width located alongside a permanent avalanche corridor or mud flow channel;

b) a forest located on a slope with an inclination angle of more than 35 degrees;

c) a forest with an area of up to 30 ha located between unforested areas;

d) a forest of up to 100 m in width located around the precipice, landslide area, scree, karst area, and a place of exposure of the parent material of mountain soils;

e) a forest of up to 100 m in width from its roadbed, which is located alongside a railway or a motorway;

f) a forest of up to 100 m in width from the riverbank, a shore of a lake or of a water reservoir;

g) a forest located within a radius of up to 50 m from a rockfall area or a rocky area;

h) a forest located within a radius of up to 50 m from a natural cave;

i) a forest located on eroded land;

j) a forest located on creeping soil;

k) a forest located on a slope with a landslide hazard;

l) a subalpine forest;

m) a forest located within a radius of 100 m from headworks;

n) a cultural heritage protection zone, a forest located within a radius of 250 m from a cultural heritage/heritage site.

Article 10 – Resort and recreational forest

1. A resort and recreational forest shall be:

a) a forest located in the sanitary protection zone of a resort;



b) a forest area within a radius of 1 km from a medical institution or a mineral spring. The relevant distance shall be limited by a watershed;

c) a forest located in the adjacent territory of a city or other settlement and used by the population for mass recreation, tourism, and sports and recreation activities.

2. The resort and recreation properties, the landscape, and important natural elements and cultural assets of the forests shall be preserved in the process of the management of resort and recreational forests. All actions which may have a negative impact on said forest assets shall be prohibited.

Article 11 – Commercial forest

1. A commercial forest is a forest other than the categories of forest determined by Articles 8-10 of this Code.

2. A commercial forest category shall be assigned to a forest performing soil protection and water regulation functions, where all types of forest use may be carried out according to the procedure established by this Code.

3. In the process of the sustainable management of a commercial forest, the soil formed in and under the forest shall be protected and soil fertility and derived benefits shall be preserved.

4. Forest use may be temporarily prohibited and/or other limitations may be imposed in a specific forest area determined by this article, depending on the objectives of forest management and the ambient conditions.

Article 12 – Granting the status of a forest

1. A territory shall be granted the status of a state forest by a decision of the Government of Georgia. The decision shall be made on the basis of a request of the Ministry on granting the status of a state forest, which shall be prepared in agreement with the Ministry of Economy and Sustainable Development of Georgia.

2. The request of a representative body of a municipality on granting the status of a municipal forest to a forest of local importance or part thereof located within the administrative borders of the municipality shall be considered by a commission determining the status of a forest, which is established on the basis of a decision of the Minister.

3. Based on a request of the Ministry on granting the status of a municipal forest prepared on the basis of an opinion of the commission determining the status of a forest, the Government of Georgia shall make a decision on transferring to the municipality the forest of local importance located within the administrative borders of the municipality and on granting to it the status of a municipal forest.

4. On the initiative of or in agreement with a private owner, based on the request of the Ministry on granting the status of a private forest prepared on the basis of an opinion of the commission determining the status of a forest, the Government of Georgia shall make a decision on granting the status of a private forest to the area under private ownership, provided that the area is naturally afforested and meets the requirements of the definition of the term ‘forest’ provided for by this Code.

5. If a private owner substantiates a preferential interest to use the area under private ownership for other purposes, the status of a private forest shall not be granted to such area. The above-mentioned right of a private owner shall not apply to an area at least 5 ha of which is covered with forest and the average age of the forest forming species is 20 years.

6. If, in the case provided for by paragraph 5 of this article, the granting of a status of a private forest to an area under private ownership against the will of the private owner gives rise to irrelevant social responsibility, the owner shall have the right to request compensation for damage from the State as provided for by the legislation of Georgia, taking into account the nature of the limitation of the ownership right.



7. The commission determining the status of a forest provided for by this article shall be established by the Minister. The powers and the rules of operation of the commission shall be determined by the Regulations on the Commission Determining the Status of a Forest, which shall be prepared and approved by the Minister.

Article 13 – Termination of the status of a forest, regaining of the status of a forest

1. A decision on the termination of the status of a forest shall be made by the Government of Georgia.
2. Public administrative proceedings on the termination of the status of a forest shall commence on the basis of a request of the Ministry/the government of an autonomous republic/the executive body of a municipality, which contains an opinion on the feasibility of the implementation of the project. The Ministry of Economy and Sustainable Development of Georgia may also be authorised to prepare such a request, for which an opinion of the Ministry on the feasibility of implementation of the project is necessary.
3. A person seeking the termination of the status of a forest shall submit an application to the Ministry/the government of an autonomous republic/the executive body of a municipality, or the Ministry of Economy and Sustainable Development of Georgia. The application shall contain information on the results of the consideration of alternatives to the implementation of the project, except if the activity is subject to environmental impact assessment.
4. A decision on terminating the status of a forest shall be made on the basis of a balance of interests. If the interests of termination of the status of a forest supersede the interests of the preservation of forest, the Government of Georgia shall make a decision on determining a compensatory measure in favour of a forest management body/private owner in accordance with the procedure established by the legislation of Georgia.
5. The preferential interests in terminating the status of a forest provided for by paragraph 4 of this article may be:
 - a) the interests of the state defence and security of Georgia;
 - b) the purpose provided for by Article 68(1)(a) of this Code, if it cannot be achieved within the scope of special forest use for particular purposes and/or in view of the economic feasibility of a project of particular state or public importance.
6. The status of a forest of an area which has been granted the status of a protected area in accordance with the Law of Georgia on the System of Protected Areas, may be terminated for the purpose determined by this article according to the procedure established by this Code, if the status of a protected area is terminated.
7. After the termination of the status of a forest of an area, if the grounds for terminating the status of a forest determined by paragraph 5 of this article no longer exist, the area shall regain the status of a forest.
8. In the case determined by paragraph 7 of this article, a decision on regaining the status of a forest in an area shall be made by the Government of Georgia on the basis of a request of the Ministry/an autonomous republic/the executive body of a municipality on regaining the status of a forest, which shall be prepared taking into consideration the factual circumstances, on the initiative of the Ministry/an autonomous republic/the executive body of a municipality, or on the basis of an application of the person upon whose request the status of a forest of the area was terminated.

Article 14 – Adjustment of the boundaries of the forest of Georgia

1. The boundaries of the forest of Georgia shall be adjusted on the grounds determined by Articles 12 and 13 of this Code.



2. The boundaries of the forest of Georgia shall be adjusted in accordance with the Regulations on Granting and Terminating the Status of a Forest and Determining and Adjusting/Changing the Forest Boundaries, which shall be developed by the Ministry and submitted to the Government of Georgia for approval.

Article 15 – Transferring state forest to the Legal Entity under Public Law called the Georgian Apostolic Autocephalous Orthodox Church

By a decision of the Government of Georgia, a part of the state forest shall be transferred into the ownership of the Legal Entity under Public Law called the Georgian Apostolic Autocephalous Orthodox Church according to the procedures established by the Law of Georgia on State Property.

Article 16 – Keeping the public informed/promoting public awareness

In cooperation with the Ministry of Education, Science, Culture and Sport of Georgia, the Ministry shall provide information to the public on the importance of forest and forest resources.

Article 17 – Participation of the public in the decision-making process regarding forest management

1. An interested party may participate in the decision-making process regarding forest management. The identity and culture of people living in areas adjacent to forest, as well as forest management traditions, shall be taken into consideration when making such decisions.

2. State/autonomous republic/municipal bodies, that are parties to forest-related legal relations, shall ensure the publicity and availability of information on forest management, as well as the participation of the public in the decision-making process regarding forest management as provided for by the legislation of Georgia.

3. A forest management plan shall be approved in accordance with the procedure for administrative proceedings.

Chapter II – Powers in the Field of Forest Policy, and the Management and Supervision of the Forest of Georgia

Article 18 – Competence of the Ministry

1. The following shall fall within the competence of the Ministry:

a) developing and implementing a sectoral policy for forest management;

b) drafting the legislative acts of Georgia and the legal acts of the Government of Georgia in the field of forestry and submitting them to the Government of Georgia;

c) dividing the forest of Georgia (except for forest located in the territories of an autonomous republic and Tbilisi Municipality) according to functional purposes in accordance with the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia;

d) organising a forest registration system;

e) implementing a unified scientific and technical policy in the field of forest management, drafting and approving normative and methodological documents, and organising scientific and research works;



- f) approving a state forest management plan and a private forest management plan;
- g) organising the fulfilment of obligations determined by the international agreements of Georgia in the field of forest management, and coordinating international projects;
- h) preparing requests on granting to an area the status of a state, municipal or private forest;
- i) preparing requests on terminating or regaining the status of a forest of an area (except for forest located in the territory of an autonomous republic and a municipality);
- j) carrying out legal and sectoral control of the activities of a state forest management body (except for a state forest management body located in the territory of an autonomous republic and a municipal forest management body);
- k) adopting recommendations for a forest management body;
- l) carrying out the national registration of forest.

2. The Ministry shall facilitate the introduction of a process of voluntary and independent certification of forest.

Article 19 – Competence of an autonomous republic

The following shall fall within the competence of the authorities of the Autonomous Republics of Abkhazia and Ajara in the field of state forest management:

- a) dividing the forest located in the territories within their jurisdiction according to functional purposes in accordance with the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia;
- b) participating in the preparation of state programmes for the protection, tending, reforestation and afforestation of forest and forest use;
- c) developing and implementing measures for the protection, tending, reforestation and afforestation of forest and forest use in the territories within their jurisdiction;
- d) participating in the organisation of reforestation and afforestation of forest damaged as a result of ecological disasters, forest pests and diseases, and other reasons;
- e) approving a management plan of state forest located in the territories within their jurisdiction;
- f) financing and/or co-financing measures for the protection, tending, reforestation and afforestation of forest and forest use in the territories within their jurisdiction, and monitoring the expenditure of allocated funds;
- g) issuing a document certifying the right to special forest use in the territories within their jurisdiction (except for activities that are performed only by a forest management body) and concluding agreements according to the procedure established by this Code;
- h) participating in the implementation of emergency measures during natural disasters in forest;
- i) submitting to the Government of Georgia requests on terminating and regaining the status of a forest to forests located in the territories within their jurisdiction;
- j) establishing a management body of a state forest located in the territories within their jurisdiction;



k) submitting to the Ministry the information determined by the Regulations on the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia.

Article 20 – Competence of a municipality

The following shall fall within the competence of municipal bodies in the field of municipal forest management:

- a) establishing a municipal forest management body;
- b) developing and implementing measures for the protection, tending, reforestation and afforestation of forest and forest use;
- c) developing and facilitating the implementation of local programmes for the protection, tending, reforestation and afforestation of forest and forest use in cooperation with the authorised state bodies;
- d) participating in the organisation of reforestation and afforestation of forest damaged as a result of ecological disasters, forest pests and diseases, and other reasons;
- e) participating in the implementation of emergency measures during natural disasters in forest;
- f) submitting to an authorised state body proposals on the adjustment of municipal forest boundaries;
- g) approving a municipal forest management plan;
- h) issuing a document permitting forest use in a municipal forest territory (except for activities that are performed only by a forest management body) and concluding agreements according to the procedure established by this Code;
- i) preventing illegal forest use within the scope of its authority and notifying relevant law enforcement bodies in that regard;
- j) exercising other powers granted by the legislation of Georgia.

Article 21 – Forest management body

1. A state forest management body shall be a legal entity under public law established on the basis of this Code and the Law of Georgia on Legal Entities under Public Law.
2. A state forest management body located in the territory of an autonomous republic shall be established by a supreme representative body of the autonomous republic.
3. A management body of a forest located within a protected area shall be a body authorised to manage protected areas.
4. A municipal forest management body shall be established and a municipal forest management plan shall be approved by a representative body of a municipality.
5. A private forest shall be managed by a forest owner or a person appropriately authorised by the forest owner.
6. Within the scope of its authority, a forest management body shall:
 - a) carry out forest planning measures;



- b) carry out forest protection measures;
- c) carry out forest tending, reforestation and afforestation measures;
- d) carry out measures for forest use;
- e) in order to identify factual circumstances related to certain areas of forest, assess and monitor their condition and create a database containing the results;
- f) require from other forest users to avoid the destruction of forest and to terminate actions which damage forest;
- g) participate in the implementation of emergency measures during natural disasters in forest;
- h) ensure the observance of fire safety rules and, in the case of fire hazard, immediately provide information to relevant bodies and participate in the implementation of fire suppression measures;
- i) develop and submit to the Ministry for approval a draft forest management plan (by a state forest management body, a management body of a forest located within a protected area, and a private forest owner). A state forest management body located in the territory of an autonomous republic or a municipal forest management body shall submit a draft forest management plan to a relevant authorised body for approval;
- j) develop and approve an annual action plan;
- k) participate in the organisation of reforestation and afforestation of forest damaged as a result of ecological disasters, forest pests and diseases, and other reasons;
- l) exercise other powers provided for by this Code, other legislative and subordinate acts of Georgia, and its own statute or regulations.

7. The authority to implement forest protection measures provided for by paragraph 6(b) of this article shall not include the authority of a state forest management body determined by paragraph 1 of this article to implement measures for preventing incidences of illegal felling. If an incidence of illegal felling is identified, a state forest management body determined by paragraph 1 of this article is obliged to inform a body authorised to carry out forest supervision of said incidence.

8. The sources of financing of a state forest management body shall be:

- a) target funds allocated from the state budget of Georgia;
- b) loans and donations;
- c) fees for services provided on the basis of this Code, and an annual fee for forest use (including a final price determined at an auction);
- d) compensation as provided for by this Code;
- e) other revenues permitted by the legislation of Georgia.

Article 22 – Authority to carry out forest supervision

1. State control over the fulfilment of the requirements of the legislation of Georgia in the field of forestry and in terms of the protection of the forest of Georgia (except for a municipal forest) shall be carried out by the state sub-agency of the Ministry called the Department of Environmental Supervision, and in the case of a municipal forest, by an authorised body established by a representative body of the municipality.



2. State control over the forest within a protected area shall also be carried out by an authorised body determined by the Law of Georgia on the System of Protected Areas.

3. State control over a state forest located in the territory of an autonomous republic shall also be carried out by a state forest management body located in the territory of the autonomous republic.

Article 23 – Powers of a private forest owner

1. A private forest owner shall be authorised to perform any action related to forest management which does not contravene the requirements for the protection of forest established by this Code, or to grant such authority to a third person. The right of a private owner to use forest resources may be restricted within the framework and on the grounds determined by this Code and the legislative acts of Georgia in the field of environmental protection.

2. A private forest owner is obliged to develop and submit to the Ministry for approval a draft forest management plan in compliance with the requirements of Article 26 of this Code.

3. As appropriate, the Ministry may require from a private forest owner:

a) to avoid any action which damages or destroys forest;

b) to preserve and/or improve the sanitary condition of forest;

c) to reduce or, as far as possible, to avoid the damage of soil and/or vegetation cover of forest in the process of timber harvesting;

d) to remove a restriction on entering forest and the signs indicating such restriction, if the grounds for the restriction no longer exist.

4. A private forest owner is obliged to inform a relevant authorised body of a fact of illegal forest use if such fact is detected.

Chapter III – Registration and Planning of the Forest of Georgia

Article 24 – System of registration of the forest of Georgia

1. The system of registration of the forest of Georgia consists of the national registration of forest, forest planning, and the information and monitoring system of the forest of Georgia.

2. The Regulations on the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia shall be developed and submitted by the Ministry to the Government of Georgia for approval.

Article 25 – National registration of forest

1. The national registration of forest shall be carried out by the Ministry in the area of the forest of Georgia once every 10 years. The national registration of forest may also be carried out with the financing of a natural or legal person, in agreement with the Ministry.

2. The national registration of forest shall include statistical information on the condition and diversity of the



forest of Georgia.

3. The national registration of forest shall be carried out through the observation and monitoring of permanent demonstration areas.
4. The procedures for the national registration of forest shall be established by the Regulations on the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia.

Article 26 – Forest planning

1. Forest planning shall be carried out by a forest management body in the territory within its jurisdiction once every 10 years.
2. Forest planning measures are the following:
 - a) the establishment of forest boundaries;
 - b) the internal organisation of forest and the preparation of cartographic materials for relevant areas;
 - c) the determination of the condition, the species composition and the age structure of forest;
 - d) the identification of endangered, rare, relict and endemic plant species and species with limited propagation area;
 - e) the identification of forest areas where it is possible/necessary to implement forestry measures, and the determination of the types, extent and/or methods of implementation of those measures;
 - f) the determination of the reasonableness of assigning categories and protection regimes to forest areas according to their functional purpose, as well as of determining and adjusting forest boundaries;
 - g) the quantitative and qualitative assessment of the resources which may be obtained in forest;
 - h) the examination of forest pathology.
3. Forest planning materials shall be included in a forest management plan, which is a mandatory document for forest use and the implementation of forestry measures on the basis of functional planning.
4. Special forest use (except for the special forest use for particular purposes provided for by Article 68(1) of this Code) and forestry measures shall be carried out in the forest of Georgia on the basis of a forest management plan, taking into consideration paragraph 8 of this article, except for cases of natural disaster.
5. A state forest management body or a private forest owner shall submit a draft forest management plan to the Ministry for approval, and a state forest management body located in the territory of an autonomous republic or a municipal forest management body shall submit a draft forest management plan to a relevant body for approval.
6. The obligation to prepare a draft forest management plan shall not apply to a private forest or a municipal forest, the area of which does not exceed 50 ha.
7. A draft forest management plan shall be prepared in compliance with the requirements of the Regulations on the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia.
8. A forest area, where forest planning has not been conducted and for which a draft forest management plan has not been prepared, and/or measures that are not determined by a forest management plan, shall be subject to a special forest survey determined by Article 29 of this Code.



9. Forest planning measures shall be financed with both state funds and other funds.

Article 27 – Information and monitoring system of the forest of Georgia

1. The information and monitoring system of the forest of Georgia is a set of systematised documents containing complete information on the forest of Georgia.
2. The information and monitoring system of the forest of Georgia contains documented and spatial information.
3. The information contained in the information and monitoring system of the forest of Georgia is public.
4. The information and monitoring system of the forest of Georgia shall be managed by the Ministry on the basis of information provided by a forest management body.
5. The information and monitoring system of the forest of Georgia shall be operated in accordance with the Regulations on the Instructions for Operating the Information and Monitoring System of Forest, which is prepared and approved by the Ministry.

Article 28 – Forest monitoring

1. The purpose of forest monitoring is to determine the ecological condition of the forest of Georgia and, for the purpose of its improvement, to submit the results of the analysis to state bodies, and to inform the population of Georgia.
2. Forest monitoring shall be carried out by forest management bodies in the territories within their jurisdiction, their territorial units, as well as other authorised institutions determined by the legislation of Georgia, and forest users.
3. The monitoring of the forest of Georgia may be carried out through the national registration of forest in permanent demonstration areas. The quantity and volume of such areas, as well as the periodicity of collecting statistical information (data) on the condition of forest, shall be determined by the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia.

Article 29 – Special forest survey

1. A special forest survey shall be carried out for the following purposes:
 - a) to draft a project for the reforestation and afforestation of a specific forest area, as well as to identify forest pathologies and the quantitative and qualitative characteristics of forest resources;
 - b) to ensure effective management of forest resources and operative implementation of measures of forest use;
 - c) to obtain the right to forest use for particular purposes. It shall contain information on the results of a geological survey (when an activity is being carried out on a slope with an inclination angle of 36 degrees or more) and on the quantitative and qualitative data of the wood resources. This sub-paragraph shall not apply to activities that are subject to environmental impact assessment.
2. A multi-year (not more than three years) perspective plan may be developed on the basis of a special forest survey.
3. The results of a special forest survey shall be included in an annual action plan, except for the cases provided for



by paragraph 1(b) and (c) of this article.

4. A special forest survey shall be planned and conducted by a forest management body, except when a special forest survey is conducted by a person interested in obtaining the right to special forest use for particular purposes.
5. The procedure for conducting a special forest survey shall be determined by the Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia.
6. A special survey of a state forest may be financed with both state funds and other funds.

Article 30 – Annual action plan

1. An annual action plan shall be developed on the basis of a forest management plan, a forest use plan and/or the results/data of a special forest survey, and shall describe in detail the measures that are planned to be implemented during the year.
2. An annual action plan shall contain at least the following information on:
 - a) the location and area of the territory where the measures are planned to be implemented;
 - b) the extent and the methods of implementation of forestry measures;
 - c) the types and extent of measures/activities to be implemented during the planned period.
3. Before the approval of an annual action plan, a forest user shall be prohibited from using forest for the purpose of economic activities (except for the purposes determined by Article 68(1) of this Code).
4. In the case of a private forest, an annual action plan shall be developed and submitted to the Ministry for approval by a private owner. In the case of a state forest or a municipal forest, an annual action plan shall be developed and approved by a forest management body.

Chapter IV –Common Forest Use

Article 31 – Entering and freely moving around in forest

1. Everyone has the right to enter and freely move around in forest for recreational and relaxation purposes. This right shall not include the use of forest resources, for which a specific right must be obtained under the legislation of Georgia.
2. Upon a decision of a forest owner or a forest management body, entering and/or moving around in forest may be restricted:
 - a) for the purposes of implementing preventive measures for avoiding fire and reducing fire effects, or fire suppression measures;
 - b) for the purposes of implementing, and for the term thereof, forest protection, tending, reforestation and afforestation measures;
 - c) for the purposes of safely carrying out works to obtain wood resources;
 - d) in forest where there is an arboretum of wood species, a seed zone, a hunting area, a fishing farm, a nursery, a



timber and equipment warehouse, buildings and structures, a place for manoeuvring vehicles transporting timber, except for a forest road;

e) in a reforestation and/or afforestation area where the height of the plants is not more than 3 m;

f) on other grounds determined by a forest management plan or an annual action plan.

3. Entering and/or moving around in forest in a vehicle shall be permitted only on a forest road, except when the movement around the forest in a vehicle is restricted for forest users based on the grounds determined by paragraph 2 of this article.

Article 32 – Regulation of the restriction on entering and moving around in forest

1. The restriction on entering and moving around in forest shall be regulated by placing relevant information signs in forest.

2. Information signs shall be placed in forest areas where there is a public road, a forest road, or a path, which pass through a zone where the entry and movement around in forest is restricted, or through a territory adjacent to such zone.

3. The restriction on entering and moving around in forest and the information signs placed in forest which contain information on the restriction shall be removed if the grounds for the restriction determined by Article 31(2) of this Code no longer exist.

4. The rules for using signs containing information on the restriction on entering and moving around in forest shall be established by the Regulations on the Forest Use Rules, which shall be prepared by the Ministry and approved by the Government of Georgia.

Article 33 – Livestock grazing in forest

1. Taking into consideration the interests of the local population, appropriate livestock grazing areas shall be allocated in state or municipal forests, except where grazing is not feasible due to the function and/or condition of the forest.

2. Livestock grazing areas shall be allocated in forest and appropriate quotas shall be established on the basis of a forest management plan or an annual action plan. Appropriate information signs shall be placed in livestock grazing areas allocated in forest.

3. By a decision of a forest management body, the use of a livestock grazing area may be temporarily restricted if it is necessary in order to carry out forest protection, tending, reforestation and afforestation measures.

Article 34 – Making a campfire in forest

1. Making a campfire in forest shall be permitted in places specifically designated for that purpose. An appropriate information sign shall be placed in such places.

2. In order to clean forest, the burning of wood waste generated as a result of felling, and barking trees damaged by forest pests and diseases, may be permitted by a forest management body, unless it poses a risk to the forest, or worsens the soil quality or poses a fire hazard.

3. A forest owner or a forest management body may restrict, for a specified period of time, the making of



campfires in places specifically designated for that purpose, in order to avoid fires in the forest.

Article 35 – Obtaining forest resources

1. Common forest use means the free availability of non-wood forest products, wood products and secondary wood materials, as well as brushwood, for the purposes of private use (except in private forest).
2. The free availability of non-wood forest products, wood products and secondary wood materials, may be restricted:
 - a) taking into consideration the status and functional purpose of a forest;
 - b) for the purposes of carrying out forest protection, tending, reforestation and afforestation measures.
3. A decision under paragraph 2 of this article shall be made by a forest owner or a forest management body.

Article 36 – Scope of the right to common forest use

1. The right to common forest use shall imply the obligation on a person exercising such right to take care of the forest and protect its natural wealth, and, if an action damaging the natural environment is detected, to notify the relevant authorised bodies.
2. A person exercising the right to common forest use may not introduce invasive and/or genetically modified species into forest, or use chemical or other means of forest protection.
3. In the case of private forest, the right to common forest use means the availability of the forest for movement therein and for recreational purposes.

Chapter V – Special Forest Use

Article 37 – Types of special forest use

1. The following types of special forest use may be carried out in the forest of Georgia:
 - a) timber harvesting through commercial felling;
 - b) the harvesting of non-wood forest products, wood products and secondary wood materials;
 - c) the establishment of a plantation forest;
 - d) forest use for agricultural purposes;
 - e) forest use for resort, recreational, sports and other cultural and health enhancing purposes;
 - f) the establishment of a fishing farm and/or a hunting area;
 - g) the establishment of animal shelters and breeding sites;
 - h) the construction of line structures for electronic communications networks;



i) forest use for scientific, research, and educational purposes;

j) special forest use for particular purposes.

2. Several types of special forest use determined by paragraph 1 of this article may be carried out per unit area simultaneously, unless they substantially interfere with each other.

3. All types of special forest use determined by paragraph 1 of this article shall be permitted in a commercial forest. The harvesting of non-wood forest products, wood products and secondary wood materials, forest use for resort, recreational, sports, and other cultural and health enhancing purposes, forest use for scientific, research, and educational purposes, the construction of line structures for electronic communications networks, and special forest use for particular purposes (except for studying and/or extracting subsoil) shall be permitted in a protected forest. All types of special forest use shall be permitted in a protection forest, except for timber harvesting through commercial felling and the extraction of subsoil. All types of special forest use shall be permitted in a resort and recreational forest, except for timber harvesting through commercial felling.

Article 38 – Right to special forest use

1. Special forest use shall be prohibited without a document certifying such right.

2. In order to satisfy the need for firewood, a natural person may harvest timber on the basis of a ticket for timber harvesting issued by a forest management body, taking into consideration the restrictions determined by Article 93 of this Code.

3. In the case of urgent necessity, while performing emergency repair works on site, the use of the forest of Georgia for particular purposes shall be permitted without a forest use document (except for the categories and zones of protected areas where forest use is prohibited by the legislation of Georgia). To perform such works, a person carrying out the activity is obliged to inform, within a reasonable period, a forest management body about the commencement of such activity, and to file an application for a document certifying the respective right within one month after the commencement of the activity.

4. An interested person may carry out the types of special forest use determined by Article 37(1)(c)-(g) of this Code on the basis of an agreement under public law on special forest use, concluded taking into account the auction results, in accordance with this Code and the Regulations on the Forest Use Rules.

5. In accordance with this Code, the rules for special forest use shall be established by the Regulations on Forest Use Rules.

Article 39 – Special use of state forest by a forest management body

1. The special use of state forest for harvesting wood shall be carried out only by a forest management body in the light of sustainable forest management, within the scope of its competence granted by this Code, in accordance with a forest management plan and/or an annual action plan.

2. The procedures for obtaining wood waste and transferring to a third person the right to use pillars, poles and stakes in forest shall be determined by the Regulations on Forest Use Rules.

Article 40 – Special forest use on the basis of planning

1. Special forest use shall be carried out on the basis of planning, except for the cases provided for by Article 26(4)



of this Code.

2. The main requirements for planning special forest use shall derive from the principles determined by this Code.
3. In the process of planning special forest use, priority shall be given to long-term forest use and multifunctional forest use, which means carrying out several types of forest use simultaneously.
4. In the process of planning special forest use, it shall be mandatory to use methods that do not affect the sustainability of the environment and its biodiversity, the animal world, and the cultural/historical and natural heritage.
5. An annual action plan shall be developed for planning special forest use.

Article 41 – Special forest use in the borderland

Special forest use in the borderland shall be carried out in compliance with the requirements of this Code and the Law of Georgia on the State Border of Georgia.

Article 42 – Special forest use in a water protection strip

Special forest use in a water protection strip shall be carried out in compliance with the requirements of the Law of Georgia on Water and the maritime legislation of Georgia.

Article 43 – Rights and obligations of a forest user

1. Within the scope of the right to special forest use granted to a forest user by a forest management body, the forest user shall have the right:

- a) to use forest based on the purposes of his/her/its activities;
- b) to request the fulfilment of the conditions determined by an agreement;
- c) to construct, in agreement with a forest management body, temporary structures and permanent structures of commercial and other specific purposes necessary for exercising the right to special forest use;
- d) to use forest roads and appropriate infrastructure for exercising the right to special forest use;
- e) to participate in forest protection, tending, reforestation and afforestation measures, as well as in the planning and implementation of special forest use;
- f) to possess, use and administer forest resources obtained only as a result of forest use carried out for the purposes of establishing a plantation forest.

2. Within the scope of the right to special forest use granted to a forest user by a forest management body, the forest user is obliged:

- a) to become familiar with and follow the rules of special forest use;
- b) to carry out only the special forest use determined by a forest use document, in the places, within the time limits, and to the extent indicated therein;



- c) to perform works in a form, and by a method and means, which do not cause the erosion of forest soil, as well as to limit or exclude any negative impact of special forest use on the environment, or the condition of the forest and reforestation;
- d) to follow fire safety rules, and in the case of fire hazard, to implement fire suppression measures, and to notify relevant bodies immediately about a fire hazard;
- e) to follow the safety rules for special forest use;
- f) to follow the rules of the sanitary protection of forest;
- g) to notify immediately relevant supervision bodies and/or law enforcement bodies about facts of unlawful special forest use;
- h) to perform completely the works determined by a forest use document.

Article 44 – Procedure for holding an electronic auction for the purpose of special use of the state forest area

1. For the purpose of special forest use determined by this Code, a state forest area shall be allocated on the basis of an electronic auction. For forest use for scientific, research, and educational purposes, and for special forest use for particular purposes, a state forest area shall be allocated on the basis of the right to special forest use directly granted by an authorised person.
2. A state forest area shall be allocated on the basis of an electronic auction, provided that a person acquiring the right to special forest use pays an appropriate fee and observes other conditions established by a relevant agreement.
3. The procedures for holding an electronic auction and for directly granting the right to special forest use shall be established by the Regulations on Forest Use Rules.

Chapter VI – Timber Harvesting through Commercial Felling

Article 45 – Grounds for timber harvesting through commercial felling

1. Commercial felling may be carried out for the purposes of wood harvesting, if equal and continuous conditions for wood harvesting are ensured without damaging the natural useful properties of forest.
2. Commercial felling shall be carried out in mature and over-mature forest stands. Mainly, over-mature trees are felled in a forest stand which facilitates its rejuvenation (restoration).
3. Timber may be harvested through commercial felling on slopes with an inclination angle of up to 36 degrees.

Article 46 – Special requirements for harvesting timber through commercial felling in forest stands located on slopes with an inclination angle of 31 to 36 degrees

1. In the case of harvesting timber through commercial felling in a forest stand located on a slope with an inclination angle of 31 to 36 degrees, the forest stand density shall not fall below 0.5.



2. The timber harvested through commercial felling in a forest stand located on a slope with an inclination angle of 31 to 36 degrees may be removed only by rafting, cable or air transport, and draught animals.
3. Special requirements for harvesting timber through commercial felling in a forest stand located on a slope with an inclination angle of 31 to 36 degrees shall be established on the basis of a forest management plan and they shall be binding.

Article 47 – Types of commercial felling

1. For the purposes of harvesting wood, clear felling and selection felling shall be carried out in forest.
2. Clear felling is the instantaneous (clear) cutting of wood species in a specific forest area.
3. Clear felling shall be permitted in alder forest stands located in the Kolkheti Plain, in plantation forests, and in Acacia forest stands located on slopes with an inclination angle of up to 6 degrees.
4. Selection felling is the selective cutting of an appropriate number of trees in a specific forest area. The amount of wood harvested in a forest, taking into consideration the repeated period of felling, shall not exceed the gross annual increment of the forest.
5. The optimum age of forest forming species subject to commercial felling shall be determined by the Regulations on Forest Use Rules.

Article 48 – Estimated felling area

1. On the basis of forest planning materials and according to the territory under the jurisdiction of a forest management body, the Ministry shall determine the estimated annual optimum amount of timber to be harvested through commercial felling, i.e. the estimated felling area, for the purposes of long-term forest use.
2. The Ministry may increase or reduce the estimated felling area when forest planning materials, a forest protection regime, a forest category and other conditions are changed, which affect the condition of the forest.

Article 49 – Determination/allocation of a felling area

1. A felling area shall be determined for carrying out special forest use for up to two years for the purposes of wood harvesting.
2. Commercial felling in excess of an estimated felling area shall be permitted only at the expense of a felling area that was not used in the previous year.
3. The procedures for allocating a felling area shall be established by the Regulations on Forest Use Rules.

Article 50 – Legal grounds for timber harvesting through commercial felling

1. A forest management body shall harvest timber through commercial felling in view of forest management interests, within the scope of its authority.
2. In the case provided for by paragraph 1 of this article, the legal ground for timber harvesting through commercial felling shall be an individual administrative act issued by a forest management body. In the case of a



private forest, the legal ground for timber harvesting through commercial felling shall be a written document drawn up by a forest owner or a forest management body, in which the work to be performed and the amount of wood to be harvested are specified.

Article 51 – Certificate of timber origin

1. Round timber (log), tree-plants or firewood shall not be transported without an appropriate document and/or a special tag. For the transportation from a forest of timber harvested in the forest in compliance with the requirements of this Code, a certificate of timber origin shall be issued to each vehicle.
2. A certificate of timber origin shall be issued by a forest management body. A certificate of timber origin is a strict accounting document certifying the ownership of the timber.
3. The transportation of timber without a certificate of timber origin shall be prohibited. Upon request, a certificate of timber origin shall be submitted to an authorised controlling body determined by the legislation of Georgia.
4. The form and the procedures for issuing a certificate of timber origin shall be determined by the Rules for Movement of Timber in the Territory of Georgia and the Technical Regulations of Round Timber (Log) Primary Processing Facility (Sawmill);
5. In order to register measures related to the use, movement and primary processing of timber in the forest of Georgia, a forest management body shall enter appropriate information into the electronic system of wood resources management, which is a part of the information and monitoring system of the forest of Georgia.

Chapter VII – Harvesting of Non-wood Forest Products, Wood Products and Secondary Wood Materials

Article 52 – Purposes of forest use for harvesting non-wood forest products, wood products and secondary wood materials

1. Special forest use by a forest management body for the purposes of harvesting non-wood forest products, wood products and secondary wood materials shall be carried out on the basis of this Code, by a forest management body granting a respective right to a legal person interested in special forest use, or based on the purposes of forest management.
2. Special forest use for the purposes of harvesting non-wood forest products, wood products and secondary wood materials means their availability for commercial purposes.
3. The purpose of the type of special forest use determined by this article shall not contravene the interests of sustainable forest management.
4. The procedures and conditions for issuing a permit for the export, import, re-export and introduction from the sea of any species or any parts or derivatives included in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), signed on 3 March 1973 in Washington, D.C., a licence for obtaining specimens of plant species included in Appendix II to the Convention for their export for commercial purposes, a certificate of origin of plants included in Appendix III to the Convention (CITES certificate of origin), and a licence for the export of fir cones (the 'licence'), shall be established by the Law of Georgia on Licences and Permits.



Article 53 – Legal grounds for forest use for the purposes of harvesting non-wood forest products, wood products and secondary wood materials

1. Administrative proceedings for the purposes of harvesting non-wood forest products, wood products and secondary wood materials shall be commenced on the basis of an application of a legal person interested in special forest use, or on the initiative of a forest management body.
2. For the purposes of forest use for harvesting non-wood forest products, wood products and secondary wood materials, a forest area shall be selected by a forest management body on the basis of a forest management plan and/or an annual action plan.
3. The procedures for harvesting non-wood forest products, wood products and secondary wood materials, including the procedure for granting a respective right to a legal person interested in special forest use, shall be established by the Regulations on Forest Use Rules.

Chapter VIII – Establishment of a Plantation Forest

Article 54 – Purposes of forest use for establishing a plantation forest

1. Special forest use for the purposes of establishing a plantation forest shall be carried out by a forest management body based on the purposes of forest use, or by transferring a forest area for commercial purposes to a person interested in special forest use.
2. Administrative proceedings for the purposes of establishing a plantation forest shall be commenced on the basis of an application of a person interested in special forest use or on the initiative of a forest management body.
3. A forest management body may establish a plantation forest for the following purposes:
 - a) to stop erosion and landslide processes, by planting wood species on the forest land;
 - b) to increase the energy potential of forest;
 - c) to obtain wood resources without damaging natural forest.
4. For the purposes of establishing a plantation forest, wood species shall be selected and harvested wood resources shall be used on the basis of the plantation forest management plan. The use of invasive species in a plantation forest shall be prohibited.
5. Only temporary structures are permitted to be installed in the forest area allocated for the purposes of forest use for establishing a plantation forest.

Article 55 – Grounds for making a decision for the purposes of establishing a plantation forest

1. A forest area shall be selected for the purposes of forest use for establishing a plantation forest by a forest management body or on the initiative of a person interested in special forest use, on the basis of a forest management plan and/or an annual action plan. A respective decision shall include information on the following:
 - a) the forest area and its boundaries (a cadastral survey drawing);
 - b) the location of a forest area (forest, quarter, alphabetical designation, height above the sea level, inclination, exposure, etc.);



- c) existing roads and roads to be constructed, and other infrastructure in a forest area;
- d) taxonomic data on the planted vegetation/plant species existing in a forest area.

2. A forest user shall develop a forest use plan for establishing a plantation forest on the basis of the Regulations on Forest Use Rules.

Chapter IX – Forest Use for Agricultural Purposes

Article 56 – Purpose of forest use for agricultural purposes

1. Forest use for agricultural purposes means the use of forest land (area) as a hayfield, a pasture or a temporary beeyard.
2. To use forest for agricultural purposes, administrative proceedings related to the use of the forest area shall be commenced on the basis of an application of a person interested in the special forest use or on the initiative of a forest management body.
3. For agricultural purposes, forest shall be used in a form and with a method that do not affect woody plants and do not cause erosion.
4. Only temporary structures are permitted to be installed in a forest area allocated for forest use for agricultural purposes.

Article 57 – Legal grounds for forest use for agricultural purposes

1. A forest area shall be selected for forest use for agricultural purposes by a forest management body or on the initiative of a person interested in special forest use, on the basis of a forest management plan and/or an annual action plan. A respective decision shall include:
 - a) information on a forest area and its boundaries (a cadastral survey drawing);
 - b) information on the location of a forest area (forestry, quarter, alphabetical designation, height above the sea level, inclination, exposure, etc.);
 - c) information on the existing roads and roads to be constructed, and other infrastructure in a forest area;
 - d) information on taxonomic data on the plant species existing in a forest area;
 - e) general description of adjacent territories of a selected forest area.
2. A forest user shall develop a forest use plan for agricultural purposes on the basis of the Regulations on Forest Use Rules.

Chapter X – Forest Use for Resort, Recreational, Sports and Other Cultural and Health Enhancing Purposes



Article 58 – Purpose of forest use for resort, recreational, sports and other cultural and health enhancing purposes

The forest use for resort, recreational, sports and other cultural and health enhancing purposes means the construction of buildings and structures necessary to exercise such right, including food facilities and auxiliary storage facilities, the installation of equipment and sports equipment, and the construction of footpaths and viewing platforms on the basis of an appropriate permit.

Article 59 – Legal grounds for forest use for resort, recreational, sports and other cultural and health enhancing purposes

1. For special forest use for resort, recreational, sports and other cultural and health enhancing purposes, administrative proceedings related to using a forest area shall be commenced on the basis of an application of a person interested in special forest use or on the initiative of a forest management body.
2. A forest area shall be selected for using forest for resort, recreational, sports and other cultural and health enhancing purposes by a forest management body or on the initiative of a person interested in the special forest use, on the basis of a forest management plan and/or an annual action plan. A respective decision shall include:
 - a) information on a forest area and its boundaries (a cadastral survey drawing);
 - b) information on the location of a forest area (forestry, quarter, alphabetical designation, height above the sea level, inclination, exposure, etc.);
 - c) information on the existing roads and roads to be constructed, and other infrastructure in a forest area;
 - d) information on taxonomic data on the plant species existing in a forest area;
 - e) general description of adjacent territories of a selected forest area.
3. A forest user shall submit to a forest management body a plan of forest use for resort, recreational, sports and other cultural and health enhancing purposes developed on the basis of the Regulations on Forest Use Rules.

Chapter XI – Establishment of a Fishing Farm and/or a Hunting Area

Article 60 – Purposes of establishing a fishing farm and/or a hunting area

1. A fishing farm may be established for commercial purposes to breed and catch fish.
2. The introduction and reproduction of invasive species of fish shall be prohibited under the right to establish a fishing farm.
3. The establishment of a fishing farm and/or a hunting area shall be regulated by a relevant legislative act.

Article 61 – Legal grounds for establishing a fishing farm and/or a hunting area

1. For the purposes of forest use for establishing a fishing farm and/or a hunting area, administrative proceedings related to using a forest area shall be commenced on the basis of an application of a person interested in special forest use or on the initiative of a forest management body. A respective decision shall include:



- a) information on a forest area and its boundaries (a cadastral survey drawing);
 - b) information on the location of a forest area (forestry, quarter, alphabetical designation, height above the sea level, inclination, exposure, etc.);
 - c) information on the existing roads and roads to be constructed, and other infrastructure in a forest area;
 - d) general description of adjacent territories of a selected forest area.
2. A forest area may be selected for the purposes of forest use for establishing a fishing farm and/or a hunting area by a forest management body or on the initiative of a person interested in the special forest use, on the basis of a forest management plan and/or an annual action plan or special research.
3. A forest user shall submit to a forest management body a plan of forest use for the purposes of establishing a fishing farm and/or a hunting area developed on the basis of the Regulations on Forest Use Rules.

Chapter XII – Establishment of Animal Shelters and Breeding sites

Article 62 – Purposes of establishing an animal shelter and a breeding site

1. An animal shelter and a breeding site may be established for the purposes of preserving or reproducing/breeding and selling animal species.
2. To establish an animal shelter and a breeding site, a forest area shall not be selected in a territory where the felling of more than 20 m³ of tree/trees per 1 ha will be necessary. The clear felling of shrubs and undergrowth may be permitted for establishing an animal shelter and a breeding site.

Article 63 – Legal grounds for establishing an animal shelter and a breeding site

1. For the purposes of forest use for establishing an animal shelter and a breeding site, administrative proceedings related to using a forest area shall be commenced on the basis of an application of a person interested in special forest use or on the initiative of a forest management body. A respective decision shall include:
- a) information on a forest area and its boundaries (a cadastral survey drawing);
 - b) information on the location of a forest area (forestry, quarter, alphabetical designation, height above the sea level, inclination, exposure, etc.);
 - c) information on the existing roads and roads to be constructed, and other infrastructure in a forest area;
 - d) information on the taxonomic data on plant species existing in a forest area;
 - e) general description of adjacent territories of a selected forest area.
2. For the purposes of forest use for establishing an animal shelter and a breeding site, a forest area shall be selected by a forest management body or on the initiative of a person interested in special forest use, on the basis of a forest management plan and/or an annual action plan or special research. The forest area shall be selected so that a forest use for the said purposes does not cause damage to forest, and the animal species to be bred do not have negative impact on the forest ecosystem. Using an animal shelter and breeding site for the purposes of reproduction of invasive species shall be prohibited.



3. A forest user shall submit to a forest management body a plan of forest use for the purposes of establishing an animal shelter and a breeding site developed on the basis of the Regulations on Forest Use Rules.

Chapter XIII – Construction of Line Structures of Electronic Communications Networks

Article 64 – Purpose of forest use for the construction of line structures of electronic communications networks

1. Forest use for the construction of line structures of electronic communications networks involves the extension and improvement of communications networks.
2. For the purposes of the construction of line structures of electronic communications networks, a forest area shall not be selected in a territory where the felling of more than 20 m³ of tree/trees per 1 ha will be necessary. If it is impossible to select another area for the construction of such structures, the clear felling of shrubs and undergrowth may be permitted on not more than 20% of the selected forest area.

Article 65 – Legal grounds for forest use for the purposes of construction of line structures of electronic communications networks

1. Administrative proceedings related to the granting of a right to forest use for the construction of line structures of electronic communications networks shall be commenced on the basis of an application of a person interested in special forest use. A respective decision shall include:
 - a) information on a forest area and its boundaries (a cadastral survey drawing);
 - b) information on the location of a forest area (forestry, quarter, alphabetical designation, height above the sea level, inclination, exposure, etc.);
 - c) information on the existing roads and roads to be constructed, and other infrastructure in a forest area;
 - d) information on taxonomic data on the plant species existing in a forest area;
 - e) general description of adjacent territories of a selected forest area.
2. A forest user shall submit to a forest management body a plan of forest use for the purposes of construction of line structures of electronic communications networks developed on the basis of the Regulations on Forest Use Rules.

Chapter XIV – Forest Use for Scientific Research and Educational Purposes

Article 66 – Purpose of the forest use for scientific, research, and educational purposes

1. Forest use for scientific, research, and educational purposes involves the performance of scientific, research, and educational activities which are related to the use of forest resources, without damaging the forest, to the extent and within the scope necessary for the purposes of such activities.
2. A forest may be used for scientific, research, and educational purposes in compliance with the principles of



scientific and pedagogical autonomy and academic integrity. A forest management body may restrict such activities only on the basis of the legislation of Georgia, in view of the interests of forest protection.

Article 67 – Legal grounds for the forest use for scientific, research, and educational purposes

1. Administrative proceedings on issuing an individual administrative act related to the granting of the right to forest use for scientific, research, and educational purposes shall be commenced on the basis of an application of an interested person.
2. An application of an interested person and attached documents shall meet the requirements of the General Administrative Code of Georgia, this Code and the Regulations on Forest Use Rules.
3. A decision on granting the right to forest use for scientific, research, and educational purposes shall be made by a forest management body under a simple administrative procedure.

Chapter XV – Special Forest Use for Particular Purposes

Article 68 – Purpose of special forest use for particular purposes

1. The purposes of special forest use for particular purposes shall be the following:
 - a) to implement a project of special state or public importance, to use water supply and sewerage infrastructure, hydroelectric installations, power stations, pipelines, oil and gas resources and/or to use gas storage facilities installed in natural reservoirs, to perform works for the construction/operation of roads, power transmission communications, power grids and channels, or for the designing and/or engineering and geological works required for such purposes;
 - b) to examine and/or extract subsoil;
 - c) to reconstruct (rehabilitate) cultural property, to perform archaeological works, to carry out archaeological research and excavations;
 - d) to perform emergency repair works on site, in the case of urgent necessity.
2. A decision on granting the right to special forest use for particular purposes shall be made by a forest management body under a simple administrative procedure.
3. The participation of another administrative body and interested party in the administrative proceedings to be carried out for the purpose of making a decision provided for by paragraph 2 of this article shall be ensured by a forest management body in compliance with the requirements of the General Administrative Code of Georgia.
4. An individual administrative act determined by paragraph 2 of this article shall be sent to an applicant and the Ministry, and in the case determined by paragraph 1(b) of this article, to a licence issuer as well.
5. On the basis of an individual administrative act determined by paragraph 4 of this article, a forest management body shall enter into an administrative agreement on forest use for particular purposes with a person interested in obtaining the right to special forest use for particular purposes.

Article 69 – Grounds for making a decision on granting the right to special forest use for particular purposes



1. A person seeking to obtain the right to special forest use for particular purposes shall be granted such right on the basis of an application.
2. An application of a person seeking to obtain the right to special forest use for particular purposes and the attached documents shall meet the requirements of the General Administrative Code of Georgia, this Code (including Article 29(1)(c) of this Code), the Environmental Assessment Code and the Regulations on Forest Use Rules.
3. For the purposes determined by Article 68(1)(b) of this Code, the procedures for granting the right to special forest use for particular purposes shall be established by the Regulations on Forest Use Rules and the Regulations on the Procedures and Conditions for Issuing a Mineral Extraction Licence.
4. Forest use for particular purposes by a forest user, except for forest use before the entry of this Code into force, for the purposes determined by Article 68(1) of this Code and/or forest use for particular purposes, before the entry of this Code into force, which is necessary for the operation of the entities determined by Article 68(1) of this Code, shall be subject to compensation as provided for by the legislation of Georgia.
5. In the case of a necessity for timber harvesting within the scope of the right to special forest use for particular purposes, the harvesting and transportation of timber shall be provided by a forest management body, with the financing of an interested party, on the basis of an appropriate agreement.
6. The procedure for felling for special use in protection zones of the main pipelines and the line structures of power grids shall be established by the Regulations on Forest Use Rules.

Chapter XVI – Protection of the Forest of Georgia

Article 70 – Purposes of the protection of the forest of Georgia

1. The purposes of the protection of the forest of Georgia are as follows:
 - a) preservation and improvement of the ecological balance in forest;
 - b) prevention of erosion and bogging of forest soil, mud flow, avalanche and other processes which degrade the soil condition;
 - c) preservation of the original state of a virgin forest;
 - d) protection of relict, endemic and other rare species of plants.
2. The forest of Georgia shall be protected against:
 - a) fire;
 - b) forest pests and diseases;
 - c) violation of forest use rules and rules established by other measures;
 - d) unlawful felling;
 - e) the worsening of sanitary conditions;
 - f) other negative anthropogenic impacts.



Article 71 – Forest protection measures

1. The forest of Georgia shall be protected taking into consideration the biodiversity and other peculiarities of forest. It shall involve the implementation of forestry measures in order to preserve forest, and the use of biological, chemical and mechanical methods, as well as the implementation of organisational, legal and other measures, in order to protect forest from destruction, damage, pollution and other negative impacts.
2. Chemical products intended for forest protection shall be used in the cases and according to the procedures provided for by the Regulations on Forest Protection, Reforestation and Tending Procedures.
3. Forest protection measures are as follows:
 - a) the zoning of forest, taking into consideration the risk of spread of forest pests and diseases (division into low, medium and high risk zones);
 - b) the examination and monitoring of forest pathology;
 - c) as appropriate, on the basis of the examination of forest pathology, the protection of forest against the spread of forest pests and diseases by biological, chemical and mechanical methods/means;
 - d) the prohibition of the removal of biologically or mechanically untreated and infected felled trees from forest, in order to prevent the expansion of new centres of forest pests and diseases;
 - e) the protection of forest from fire;
 - f) the prevention of unlawful forest use and the theft of forest resources;
 - g) other measures necessitated by an emergency.
4. Forest protection measures are a part of a forest management plan.

Article 72 – Inadmissibility of destruction of forest

1. Any action causing the destruction of forest shall be prohibited.
2. An action shall be considered to be causing the destruction of forest if it:
 - a) causes medium or above medium degradation of forest soil;
 - b) poses an obvious risk of landslide or erosion in forest soil;
 - c) makes timely reforestation and afforestation of forest impossible;
 - d) makes trees vulnerable by impeding their growth due to the impact of widespread hazards (wind, fire, the use of biological and chemical products, the spread of forest pests and diseases, and any type of pollution).
3. The procedures for cleaning forest from household, industrial and other waste and from hazardous substances shall be established by the Regulations on Forest Protection, Reforestation and Tending Procedures.
4. Issues of compensation for damage inflicted on forest and of the legal liability of a person causing such damage shall be regulated by this Code and other legislative acts of Georgia.



Article 73 – Legal grounds for forest protection

Forest protection rules shall be established by the Regulations on the Forest Protection, Reforestation and Tending Rules, which shall be prepared by the Ministry and approved by the Government of Georgia.

Article 74 – Financing of forest protection measures

1. Forest protection measures shall be financed from the state budget of Georgia or the budget of an autonomous republic, respectively. Other funds may also be used for such purpose.
2. Private forest protection measures shall be financed by a private owner. The said measures may be also implemented with state co-financing, when the implementation of unified large scale forest protection measures is required.

Chapter XVII – Reforestation and Afforestation

Article 75 – Purpose of reforestation and afforestation

1. Reforestation and afforestation is a multi-year cycle of forestry measures which aims to protect soil from wind, water and other erosion processes, as well as to improve the species composition and productivity of forest stands with low density and yielding capacity that are located on land not covered by forest, and to improve the protective and other useful functions of forest.
2. Reforestation and afforestation shall be carried out in compliance with the requirements of the Regulations on Forest Protection, Reforestation and Tending Rules.

Article 76 – Planning and implementation of reforestation and afforestation measures

1. Reforestation and afforestation measures shall be planned annually by a forest management body, taking into consideration the available means, on the basis of a forest management plan and/or an annual action plan. A project for reforestation and afforestation shall be developed for a specific forest area on the basis of the said plan.
2. A special state programme may be developed for reforestation and afforestation purposes.
3. A reforestation and afforestation project shall be approved and its implementation shall be controlled by a forest management body.
4. Reforestation and afforestation shall be carried out through sowing, planting and/or facilitating the natural regeneration of forest.
5. Reforestation and afforestation measures shall be carried out by a forest management body or an appropriately authorised natural or legal person according to procedures established by the legislation of Georgia.
6. In order to stop the degradation and to prevent the damage of forest area, reforestation and afforestation measures shall be carried out within not later than three calendar years after sparse and/or open forest areas are formed as a result of natural or anthropogenic processes.



7. In the case of a large scale damage (damage of 5 ha or larger area), when reforestation and afforestation measures cannot be carried out within three calendar years, the time limit for the reforestation and afforestation shall commence from the time when the impact of the circumstances causing the damage is over, and the area to be reforested is cleaned up.
8. If reforestation is being carried out through natural sowing or regrowth, which is the basis for the reforestation of the area to be restored, the reforestation and afforestation shall be carried out by facilitating natural regeneration.
9. Reforestation and afforestation measures shall be considered completed if there is an appropriate quantity of regrowth and/or saplings in the area to be reforested, and there are not any circumstances impeding their growth and development.
10. Reforestation shall be carried out with forest reproductive materials certified on the basis of the Regulations on the Procedures for Importing, Exporting and Producing Forest Reproductive Materials, which shall be developed and approved by the Ministry.

Article 77 – Forest seed-growing

1. Forest seed-growing shall be the basis for establishing a highly productive targeted forest and/or plantation forest by reforestation and afforestation.
2. In order to regulate and develop forest seed-growing:
 - a) forest wood species shall be zoned;
 - b) permanent seed zones of forest wood species shall be established;
 - c) a seed bank of forest wood species shall be established.
3. Appropriate measures shall be taken in order to facilitate the harvesting, processing, storage, sale and use of seeds of forest wood species.
4. In the process of reforestation and afforestation, high quality seeds of forest wood species shall be used, however, in their absence, available seeds shall be treated to achieve an acceptable condition.
5. The seeds and planting materials of zoned species may not be used in other areas, nor may untested seeds and seeds of uncertain quality be used during the process of reforestation and afforestation.
6. The procedures for harvesting and using seeds of forest wood species shall be established by the Regulations on Forest Protection, Reforestation and Tending Procedures.

Chapter XVIII – Forest Tending

Article 78 – Forest tending and its purposes

1. Forest tending is a system of measures which mainly aims at:
 - a) preserving and improving the social and environmental functions of forest (soil protecting, water and climate regulating and other useful functions/properties of forest);



b) improving the species composition, structure and productivity of forest;

c) improving the sanitary condition of forest;

d) increasing the quantity of wood to be harvested per unit area of forest in order to obtain benefit.

2. Forest tending measures shall be carried out by a forest management body in compliance with the requirements of the Regulations on Forest Protection, Reforestation and Tending Procedures.

3. An appropriate amount of wood resources shall be harvested as a result of the implementation of forest tending measures. The procedures for managing those resources shall be determined by the Regulations on Forest Protection, Reforestation and Tending Procedures.

4. Improvement felling shall be carried out taking into consideration the age, function and condition of forest stands. The types of improvement felling are sanitary and reconstruction felling.

Article 79 – Improvement felling

Improvement felling shall be carried out in forest stands of maturing age with a density of 0.7 or more. The purpose of improvement felling is to distribute evenly per unit area the precious tree species characteristic to a specific place and useful for the economy by a method of selection felling of selected trees, to provide trees with light, and to create/improve appropriate conditions for the proper formation of tree trunks and crowns and to increase wood increment.

Article 80 – Sanitary felling

1. Improvement sanitary felling, which is not a type of systematic felling, is a forestry measure aimed at improving the sanitary condition of forest. It involves the felling of dry, severely defective (hollowed-out) trees, and trees severely affected by forest pests and diseases at a specific place within an established timeframe, as well as the removal from forest of such trees, and trees uprooted and broken as a result of a natural disaster.

2. If it is expected that the forest stand density may become less than 0.3 as a result of sanitary felling, felling shall be permitted only in the case of urgent necessity, if appropriately substantiated, during the implementation of unified measures.

Article 81 – Reconstruction felling

1. Improvement reconstruction felling may be carried out in forest stands which are less valuable and have a low yield capacity in a specific place, in order to improve the species composition, structure and productivity of such forest stands. It involves the felling of undesired trees and/or evergreen undergrowth, and the facilitation of natural regeneration and/or the planting of forest crops in the area left vacant as a result of the felling.

2. Reconstruction felling in resort and recreational forests may be carried out for the purpose of creating a landscape (an open, closed, semi-closed landscape).

Article 82 – Financing of forest tending measures

1. Forest tending measures shall be financed from the budget of a forest management body. Other funds may be also used for such purpose.



2. Private forest tending measures shall be financed by a private owner. The said measures may be implemented with state co-financing, when the implementation of unified large scale forest tending measures is required.

Chapter XIX – Appropriate Academic and Vocational Education in the Field of Forestry

Article 83 – Mandatory participation of persons with the qualification of a forester and a forestry specialist in forest management

A forest management body shall ensure the mandatory participation of persons with the qualification of a forester or a forestry specialist in forest management.

Article 84 – Forester

A forester is a person who meets appropriate qualification requirements and who is in labour relations with a forest management body on the basis of the labour legislation of Georgia.

Article 85 – Forestry specialist

A forestry specialist is a person who carries out forestry measures under the supervision of a forester and who is in labour relations with a forest management body on the basis of the labour legislation of Georgia.

Article 86 – Special requirements

1. When exercising their powers, a forester and a forestry specialist shall wear appropriate special uniforms.
2. Special requirements for the special uniforms of a forester and a forestry specialist and their labour safety regulations shall be determined by the Ministry in the Regulations on Determining the Form of the Uniforms of Persons Employed in the State Forest. In the case of an autonomous republic or a municipality, the said requirements and regulations shall be determined by a relevant normative administrative act of the government of an autonomous republic or the municipality, respectively.

Article 87 – Qualification requirements for a forester and a forestry specialist

1. A forester shall be a person with appropriate higher education in the field of forestry (with a minimum of a Bachelor's degree).
2. A forestry specialist shall be a person with an appropriate vocational qualification.
3. The qualification requirements for a forester and a forestry specialist shall be determined by this Code and other legislative acts of Georgia.



Article 88 – A body authorised to rank the positions of and to determine the qualification requirements for a forester and a forestry specialist

The positions of a forester and a forestry specialist shall be ranked and their qualification requirements shall be determined by the Ministry in the Regulations on Ranking Positions and Determining Qualification Requirements for the Persons Employed in the State Forest. In the case of an autonomous republic or a municipality, the positions shall be ranked and the requirements shall be determined by a relevant normative administrative act of the government of an autonomous republic or the municipality, respectively.

Chapter XX – Social Protection Guarantees for Foresters and Forestry Specialists

Article 89 – Social protection of foresters and forestry specialists

1. The social protection of foresters and forestry specialists shall be provided by a forest management body.
2. A forest management body may determine additional measures for one-time allowance and social protection, and other benefits for foresters and forestry specialists.

Article 90 – Incentives for persons employed in the field of forestry

1. An incentive measure for foresters shall be the awarding of the title of Honourable Forester of Georgia according to the procedure established by the legislation of Georgia.
2. An incentive measure for a person working for 10 years or more in the field of forestry shall be the awarding of a special lapel badge for successful work.
3. A commendation may be used as an incentive measure in relation to other persons employed in the field of forestry.
4. The Procedures for Announcing the Professional Day of the Forester in Georgia and Providing Incentives for Persons Employed in the Field of Forestry shall be approved by an order of the Minister.

Chapter XXI – Liability for the Violation of the Code

Article 91 – Legal grounds for liability for violating the Code

1. The liability for violating this Code shall be determined by the legislation of Georgia.
2. The imposition of liability shall not exempt an offender from the obligation to compensate for the damage inflicted on forest. The grounds and the procedure for compensating such damage shall be determined by the legislation of Georgia.

Chapter XXII – Transitional Provisions



Article 92 – Regulation of the licences and leases issued in the field of forest use, the forest use for assigned purposes, and other issues during the transitional period

1. Licences and leases issued in the field of forest use before the entry into force of this Code shall maintain their legal force for the respective term of validity.
2. An agreement on forest use for assigned purposes, concluded in the field of forest use before the entry into force of this Code, shall maintain its legal force for the respective term of validity.
3. A document granting the right to forest use, issued before the entry into force of this Code, shall maintain its legal force for the respective term of validity.
4. For the purposes of the safe operation of power stations, pipelines and power grid infrastructure, tree-plants shall be felled on land within their protection zones in order to protect forest glades, and the works necessary/required for their functioning shall be carried out without any compensation.

Article 93 – Regulation of timber harvesting during the transitional period

1. A ticket for timber harvesting may be issued taking into consideration the individual social interests of a natural person, within the boundaries of a felling area allocated by a forest management body.
2. A ticket for timber harvesting is a document issued by a forest management body to a person living in a municipality, which grants its holder the right to harvest timber for the purposes of obtaining firewood.
3. A ticket for timber harvesting shall be issued on the basis of a list drawn up by a relevant municipal body. The list shall include the name, surname and personal number of the representative of a household (family) factually residing in the municipality.
4. A person seeking to obtain a ticket for timber harvesting shall submit to a forest management body a cheque certifying the payment of a fee for the respective services and the fee determined by the Law of Georgia on Fees for the Use of Natural Resources. A forest management body shall make a relevant decision immediately, under a simple administrative procedure.
5. A ticket for timber harvesting shall include the following information: the number of the ticket for timber harvesting, the number of the felling area, the location of the felling area, wood species to be harvested and the quality and quantity thereof, and the validity period of the ticket for timber harvesting.
6. If the wood species (resources) to be harvested are not used in the quantities referred to in a ticket for timber harvesting within the appropriate time frame, the ticket for timber harvesting shall be annulled, and the fee paid for the services of a forest management body shall not be refunded.
7. A ticket for timber harvesting shall be issued on the basis of the Regulations on Forest Use Rules.
8. If timber harvesting is necessary under a right to special forest use for particular purposes, the timber shall be harvested by a person having the right to special forest use.
9. Taking into consideration the individual social interests of a natural person, the granting of the right to obtain firewood on the basis of a ticket for timber harvesting shall be permitted until 1 January 2023.
10. Before the entry into force of Article 69(5) of this Code, if timber harvesting is necessary under a right to special forest use for particular purposes, the timber may be harvested and transported by both a forest management body and an interested party.
11. Taking into consideration the needs of a local population, timber harvesting through commercial felling in



forest located in a protected area shall be permitted until 1 January 2026.

Article 94 – Regulation of the issue of vocational education during the transitional period

1. A person employed in the field of forestry before the entry into force of this Code is obliged to have recognised informal vocational education recognised before the end of 2025 as provided for by the legislation of Georgia.
2. The failure of a person employed as a forestry specialist to fulfil the obligation determined by paragraph 1 of this article shall result in the prohibition of his/her professional activity on the grounds of failure to fulfil the appropriate qualification requirements provided for by Article 87 of this Code.

Article 95 – Normative acts to be adopted/issued in connection with the entry into force of this Code

1. The Government of Georgia shall, before 1 January 2030, develop the criteria for defining 'forest of local importance' and the procedures for transferring forest of local importance to a municipality.

2. Before 1 January 2021, the Ministry of Environmental Protection and Agriculture of Georgia shall develop and submit to the Government of Georgia for approval the following subordinate acts:

a) Regulations on Forest Use Rules;

b) Regulations on Forest Protection, Reforestation and Tending Procedures;

c) Regulations on Procedures for the System of Registration, Categorisation and Monitoring of the Forest of Georgia;

d) Regulations on Granting and Terminating the Status of a Forest and Determining and Adjusting/Changing the Forest Boundaries;

e) Regulations on the Criteria and Indicators for Sustainable Forest Management.

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

- a) before 1 January 2021, develop and approve the following subordinate acts:

a.a) on Determining the Form of the Uniforms of Persons Employed in the State Forest;

a.b) on Ranking Positions and Determining Qualification Requirements for Persons Employed in the State Forest;

a.c) on the List of Forest Forming Wood Species;

a.d) on the Commission Determining the Status of a Forest;

a.e) on the Procedures for Announcing the Professional Day of the Forester in Georgia and Providing Incentives for Persons Employed in the Field of Forestry;

- b) before 1 January 2022, develop and approve the following subordinate acts:

b.a) on the Procedures for Importing, Exporting and Producing Forest Reproduction Materials;

b.b) on the Instructions for Operating the Information and Monitoring System of Forest.

4. The subordinate normative acts, being in force before the adoption/issuance of the subordinate normative acts



determined by this article, shall maintain legal force unless they contravene the requirements of this Code.

Article 96 – Measures to be implemented in connection with the entry into force of this Code

1. The state forest fund existing before the entry into force of this Code shall be considered to be the state forest, the boundaries of which are determined by Ordinance No 299 of 4 August 2011 of the Government of Georgia on Determining the Boundaries of the State Forest Fund.
2. Taking into consideration the definition of the term ‘forest’ provided for in this Code, the Ministry of Environmental Protection and Agriculture of Georgia shall gradually adjust the boundaries of the state forest until 1 January 2026. Granting the status of a state forest to an area shall not result in the termination or changing of the conditions of an agreement concluded earlier on using the area for agricultural purposes. The status of a state forest shall be granted to an area excluded within the scope of adjustment of the boundaries of the state forest before the entry into force of this Code, if the legal interest which served as the grounds for terminating the status of the area no longer exists.
3. Before 1 January 2026, the Ministry of Environmental Protection and Agriculture of Georgia shall, on the basis of Article 12 of this Code, prepare and submit to the commission determining the status of a forest, a request on granting the status of private forest to an area under private ownership.
4. Before 1 January 2021, the Ministry of Environmental Protection and Agriculture of Georgia shall establish and ensure the operation of a commission determining the status of a forest provided for in Article 12 of this Code.
5. Before 1 January 2021, the Ministry of Environmental Protection and Agriculture of Georgia shall ensure the legal and organisational formation of an entity carrying out state control in the field of protection of the forest of Georgia, which shall be authorised to carry out forest supervision as provided for by Article 22 of this Code.
6. Before 1 January 2021, state bodies, the bodies of autonomous republics, and municipal bodies shall ensure, within the scope of their authority, the compliance of appropriate subordinate acts with this Code.
7. For the purposes of implementing the principles of sustainable management of the forest of Georgia, a forest management body shall, before 1 January 2025, annually increase the number of persons determined by Article 83 of this Code in order to ensure that at least one person exercises powers over not more than 3500 ha of forest.

Chapter XXIII – Final Provisions

Article 97 – Legal acts repealed in connection with the entry of this Code into force

Upon the entry into force of this Code, the following shall be declared invalid:

- a) the Forest Code of Georgia of 22 June 1999 (Legislative Herald of Georgia, No 28(35), 1999, Art. 148);
- b) the Law of Georgia on the Management of Forest Fund (Legislative Herald of Georgia, No 39, 19.7.2010, Art. 235).

Article 98 – Entry of this Code into force

1. This Code, except for Article 12(4)-(6) and Article 69(5) of this Code, shall enter into force on 1 January 2021.



2. Article 69(5) of this Code shall enter into force on 1 January 2023.

3. Article 12(4)-(6) of this Code shall enter into force on 1 January 2025.

President of Georgia

Salome Zourabichvili

Tbilisi

22 May 2020

No 5949-სს

