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13 March 2003;
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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted
and the President has proclaimed the following Law:

Law on Forests

Chapter I General Provisions

Section 1.

The following terms are used in this Law:

- 1) **confirmation** – a document issued by the State Forest Service, attesting to the legality of a specific planned activity and shall be regarded as a permit for such activity;
- 2) **site index** – a classification unit for the description of the productivity of a forest stand, which is determined on the basis of the height of trees at a certain age;
- 3) **final felling** – a type of felling for harvesting the main timber crop, which is conducted at once or by several turns;
- 4) **final felling diameter** – the smallest average diameter of the dominant tree species of the dominant stand of the forest stand at a height of 1.3 metres, that must be reached in order to cut forest stand in a final felling before the attainment of the final felling age;
- 5) **final felling age** – the lowest age of the dominant tree species of a forest stand, that must be reached in order to commence felling of the forest in a final felling;
- 6) **clear felling** – a type of final felling. By such felling the basal area of a forest stand or part thereof is reduced, within a year from its commencement, to the extent that it becomes smaller than the critical basal area;
- 7) **critical basal area** – limit value of a basal area below which satisfactory development of a forest stand is impossible, and the forest stand is to be regenerated;
- 8) **forest protection** – measures for prevention or reduction of forest damage and consequences thereof;

¹ The Parliament of the Republic of Latvia

9) **forest management plan** – a document in which management goals for the particular forest property or forest in lawful possession, and the intended forest management activities are specified;

10) **forest regeneration** – seeding and planting of forest, as well as facilitating natural regeneration in the forest land;

11) **forest damage** – partial or complete loss of growth potential of a forest stand due to the impact of pests, diseases, animals, humans, wind, snow, fire and similar factors;

12) **afforestation** – seeding and planting of forest, as well as facilitating natural regeneration in land not covered by forest;

13) **sustainable forest management** – management and utilisation of forest and forest land in such a manner and at such a level as to maintain the biological diversity, productivity and vitality thereof, as well as regeneration ability and the ability to fulfil significant ecological, economic and social functions at the present time and in the future, on a local and global scale;

14) **forest inventory** – acquisition and documentation of information regarding forest;

15) **forest monitoring** – a system of permanent surveillance to evaluate the interaction between the forest and the environment;

16) **basic material** – individual trees, forest stands and forest tree seed orchards;

17) **forest reproductive material** – seeds, seedlings, plants and parts of plants, which are intended to be utilised for forest regeneration or afforestation;

18) **lawful forest possessor** -

a) a person into whose ownership, in accordance with law and on the basis of a decision by a specific institution, in the course of the land reform, land has been transferred (granted) for payment or whose ownership rights to the land have been restored and the land has been determined (surveyed) on site, or

b) a person who has acquired possession of the forest land pursuant to the right of inheritance or on another lawful basis;

19) **State Forest Register** – an information system that compiles and stores information regarding forests and the economic activity proceeding therein;

20) **forest stand** – a forest with uniform forest growth conditions, composition of tree species and age;

21) **minimum basal area** – the smallest basal area, which is necessary that further productive development of a forest stand to be possible;

22) **unproductive forest-stand** – a forest stand, in which the growing of timber is not effective due to insufficient growing stock increments, composition of tree species, or quality of trees, or the basal area of which is smaller than the critical basal area;

23) **plantation forests** – forest stands established through afforestation, intended for specific purposes and registered in the State Forest Register;

24) **basal area** – the total of basal areas of tree trunks (in square metres) growing in the area of one hectare, at the height of 1.3 m from the root collar;

25) **dominant stand** – trees of a forest stand with the greatest growing stock increment, the height of which does not differ from the average height by more than 10 per cent; and

26) **dominant tree species** – a tree species that has the greatest wood supplies in the forest stand.

[16 February 2006]

Section 2.

(1) The purpose of this Law is to regulate sustainable management of all the forests of Latvia, by guaranteeing equal rights, immunity of ownership rights and independence of economic activity, and determining equal obligations to all forest owners or lawful possessors.

(2) Additional restrictions for the management of specially protected nature territories, micro-reserve, protected zones and specially protected forest areas shall be prescribed by other laws and Cabinet Regulations.

[16 February 2006]

Section 3.

(1) The subject matter of this Law is forest and forest land:

1) a forest is an ecosystem in all stages of its development, dominated by trees the height of which at the particular location may reach at least seven metres and the present or potential projection of the crown of which is at least 20 per cent of the area occupied by the forest stand; and

2) forest land is land covered by forest, land under forest infrastructure facilities, as well as adjacent overflowing clearings, marshes and glades.

(2) The following shall not be regarded as forest:

1) areas separate from forest, which conform to the conditions of Paragraph one, Clause 1 of this Section and the size of which does not exceed 0.1 hectare;

2) rows of trees of artificial or natural origin, the width of which is less than 20 metres; and

3) orchards, parks, cemeteries and forest nurseries.

(3) The following shall not be regarded as forest land:

1) State, local government, undertaking and household existing road and railway subdivision zones at the width specified in regulatory enactments if the road or railway crosses the territory of a forest; and

2) existing electrical network and electronic communication network overhead line routes at the width specified in regulatory enactments if the route crosses the territory of a forest.

(4) The conditions of Paragraph three, Clause one of this Section shall not apply to forestry roads.

(5) A park is a public service nature object, which may conform to the conditions of Section 3, Paragraph one, Clause 1, which has a specially established infrastructure and for which regular care and renewal is necessary to preserve or improve the aesthetic, landscape and cultural-historical values of the territory. The Cabinet shall determine the procedures for the establishment of a park and the basic principles of management. A

local government shall issue binding regulations regarding the management and protection of a specific park.

[16 February 2006]

Section 4.

(1) This Law shall apply to:

1) persons for which forest land is in the ownership or lawful possession; and

2) persons whose rights are determined and obligations imposed by this Law and other regulatory enactments regulating forest management and utilisation.

(2) In forest land, which land is under jurisdiction of the State or owned by the State and recorded in the name of the Ministry of Agriculture in the Land Register, the forest management and protection shall be performed by the State stock company *Latvijas valsts meži* [Latvian State Forests] which has been founded for the administration and management of State forest property. The State stock company *Latvijas valsts meži* and the stock of this company may not be privatised or alienated. The State stock company *Latvijas valsts meži* shall buy or alienate forest land only on the basis on a Cabinet order issued each time. All of the conditions of this Law, which relate to forest land under jurisdiction of the State or owned by the State shall be applicable to the existing forest land, owned by the State stock company *Latvijas valsts meži*.

(2¹) In forest areas recorded in the Land register in the name of the Ministry of Environment, the management and protection thereof shall be performed by the relevant specially protected nature territory administration.

(3) The economic independence of a person may be restricted in cases set out in this Law and other cases prescribed by regulatory enactments.

[16 February 2006]

Chapter II Right of Access to a Forest

Section 5.

(1) Natural persons have the right of access and free movement in a State or a local government forest, if regulatory enactments do not specify otherwise. Means of transportation may be used only for moving along forest roads, except in cases when it is permitted to move in the forest also for the purpose of forest management and protection.

(2) Access and free movement of natural persons in other forests may be restricted by the owner or the lawful possessor of the forest.

(3) Upon recommendation of the State Forest Service or an environmental protection institution in the interests of forest fire control, as well as in the interests of specially protected territories and wild plants and animals, a local government may restrict the right of access and free movement of natural persons in a forest.

(4) If the rights of access and free movement of a natural person in a forest are restricted, it shall be an obligation of the forest owner or lawful possessor to demarcate the relevant territory with visible warning notices.

(5) State officials in the performance of service duties, and performers of forest inventories and forest monitoring in the performance of work duties, shall have the right to move in a forest without restrictions, in case of necessity showing his or her service or work document or forest inventory performer registration document.

(6) Restrictions to access and free movement in a forest shall be in effect only if such restrictions conform with the requirements set out in Paragraph four of this Section.

[16 February 2006]

Section 6.

It is an obligation of a person, while staying in a forest, to observe forest fire safety regulations, not to damage forest soil and forest infrastructure, not to pollute the forest with waste, observe the prescribed requirements regarding utilisation of rest areas, not to destroy bird nests and ant hills, and not to otherwise harm wild plants and animals, as well as not to enter the territories specified in Section 5, Paragraphs two and three of this Law.

Chapter III Tree Felling

Section 7.

(1) Tree felling shall be permitted:

1) in a final felling – for harvesting the main timber crop in a forest stand after attainment of the final felling age or the final felling diameter;

2) in a thinning– for improvement of the composition of a forest stand, growing conditions of the remaining forest stand and the state of health of a forest stand;

3) in a sanitary felling – trees damaged by forest diseases, pests, animals or otherwise impaired, dead standing trees, felled or broken by wind;

4) in a reconstructive felling – unproductive forest stands in accordance with procedures set out in regulatory enactments; and

5) in other felling – for the establishment and maintenance of forest infrastructure, landscape formation, forest land transformation, removal of dangerous trees, as well as the preservation natural values in the cases specified in regulatory enactments.

(2) Tree felling in a forest shall be permitted only in accordance with the procedures set out in this Law and other regulatory enactments.

[16 February 2006]

Section 8.

(1) The Cabinet shall determine the procedures for tree felling outside forest land.

(2) A territorial local government in its binding regulations regarding tree felling outside forest land in the administrative territory of the city shall determine compensation for losses in respect of the reduction of natural diversity, as well as the procedures for the

calculation of such losses and the compensation thereof. Compensation for losses shall be paid into the budget of the territorial local government.

[16 February 2006]

Section 9.

(1) Final felling shall be permitted if:

1) a forest stand has reached the following final felling age:

| Dominant tree species | Final felling age (in years) depending on the site index | | |
|---------------------------|--|--------|--------------|
| | I and higher | II-III | IV and lower |
| Oak | 101 | 121 | 121 |
| Pine and larch | 101 | 101 | 121 |
| Spruce, ash and lime-tree | 81 | 81 | 81 |
| Birch | 71 | 71 | 51 |
| Common alder | 71 | 71 | 71 |
| Aspen | 41 | 41 | 41 |

2) a forest stand has reached the final felling diameter; and

3) the sanitary opinion of the State Forest Service specified in Section 11 of this Law has been received. In such case, Paragraph two, Clauses 1 and 2 of this Section are not applicable.

(2) Final felling is prohibited if:

1) the forest owner or the lawful possessor has not regenerated the forest, within the terms and in compliance with the quality specified in regulatory enactments, at least to the extent of 80 per cent of the total area to be regenerated in the forests in their possession within the territory of the relevant forest district;

2) in the forest of one management object, in the adjacent areas to the final felling, the forest stand of 1.0 hectares or larger area has not been recognised as regenerated and the forest stand has not reached at least three years of age, except in cases where a forest stand recognised as regenerated has been tended and the average height of the trees of tree species applicable for forest site type has reached at least two metres for broadleaved trees and at least one metre for coniferous trees; or

3) [16 February 2006]

(3) If as a result of a lawful transaction forest land, which is owned or lawfully possessed, is divided into two or more parts, then within a period of seven years from the division of such land, to each of the parts of the forest land created as a result of the division the final felling prohibitions specified in this Section and the provisions referred to in Section 13 shall be applied as upon forest land prior to the division thereof.

[13 March 2003; 27 January 2005; 16 February 2006]

Section 10.

(1) A thinning shall be permitted in cases when the basal area of a forest stand exceeds the minimum basal area, or if the forest stand contains trees infected with diseases, infested with pests, or damaged due to other reasons.

(2) As a result of a felling the basal area of the forest stand shall not become smaller than the minimum basal area.

Section 11.

If, before commencing a thinning or sanitary felling, it is expected that the basal area of the forest stand, after felling of the trees infected with diseases, infested with pests or damaged due to other reasons, will be smaller than the critical basal area, the forest stand may be cut in final felling upon the receipt of a sanitary opinion of the State Forest Service.

[27 January 2005]

Section 12.

(1) In order to commence tree felling in forest land, a confirmation shall be necessary, except in cases when such trees are cut, for the purpose of thinning of forest stands, the stump diameter of which is less than 12 centimetres, as well as dead standing and windthrown trees. The amount of dead standing and windthrown trees in ownership or lawful possession, cut without a confirmation at the territory of the relevant forest district, shall not exceed 10 cubic meters per year.

(2) If tree felling is necessary in emergency situations (snowbrake, windbrake, or windfall, which interfere with infrastructure operations, restriction of forest fires and other cases set out in regulatory enactments), tree felling may be started after an oral notification to the State Forest Service or to the administration of specially protected nature territories referred to in Section 39, Paragraph two of this Law. A confirmation shall be issued after the examination of the felling location on site.

(3) Tree felling in a forest is prohibited, if a forest inventory has not been made in the forest of the forest owner or the lawful possessor, except in cases referred to in Paragraph two of this Section or in cases where trees are felled to eliminate the consequences of windfall, windbrake and snowbrake.

(4) It is prohibited to cut trees that have reached the size, as specified by the Cabinet, of specially protected trees – venerable trees.

[27 January 2005; 16 February 2006]

Section 13.

The criteria for final felling and thinning— the minimum and critical basal area, the final felling diameter according to the dominant species and site index, the maximum area or width of clear felling, the procedures for declaring a forest stand as unproductive, the procedures for felling of trees infected with diseases or infested with pests, the

procedures for the establishment of felling areas, and environmental protection requirements regarding final felling and thinning, as well as the procedures for tree felling in the cases referred to in Section 12, Paragraph two, shall be prescribed by the Cabinet.

Section 14.

Tree felling in violation of the procedures set out in this Law, or the damaging of trees, shall be regarded as arbitrary tree felling or damaging of trees.

Chapter IV. Utilisation of Forest Non-Wood Values

Section 15.

Forest non-wood values are the following:

- 1) material values – tangible things which are related to the forest and which are separated from the forest in the course of acquisition thereof; and
- 2) the recreational, environment-stabilising and ecological qualities inherent in a forest.

Section 16.

- (1) Forest non-wood material values – wild berries, fruit, nuts, mushrooms and medicinal plants – may be gathered by persons at their discretion, if the forest owner or the lawful possessor has not set restrictions in accordance with the provisions of Section 5, Paragraph four of this Law.
- (2) The procedures for utilisation of wild animals shall be determined by the regulatory enactments regarding protection of species and biotopes, and hunting.
- (3) In a State or local government forest, everyone has the right to gather wild berries, fruits, nuts and mushrooms, in compliance with the provisions of Sections 5 and 6 of this Law.

Chapter V. Forest Reproductive Material

Section 17.

Forest reproductive material intended for forest regeneration (seeding or planting) and afforestation, as well as for growing of forest planting material, may be gathered only from basic material registered in the State Forest Service.

Section 18.

The State Forest Service shall maintain a register of basic material and certify forest reproductive material.

Section 19.

For forest regeneration and afforestation it shall be permitted to utilise only certified forest reproductive material of an origin suitable for the particular location. Forest owner or lawful possessor may regenerate the forest with wildings and seeds grown in his own forest.

Section 20.

Regulations regarding registration of basic material, requirements for its quality and certification, procedures for marketing and utilisation of forest reproductive material (also genetically modified forest reproductive material) shall be determined by the Cabinet.

Section 20.¹

Forest regeneration and tree felling regulations shall not apply to forest tree seed orchards.

[16 February 2006]

Chapter VI Forest Regeneration and Afforestation

Section 21.

It is an obligation of a forest owner or lawful possessor:

1) to regenerate a forest stand within a period of three years after the performance of felling (not including the year of felling) or the impact of other factors, if the basal area of the forest stand has become, due to such impact, smaller than the critical basal area. For separate forest site types the Cabinet may specify various time periods for forest regeneration; and

2) to ensure tending of the regenerated forest stand.

[16 February 2006]

Section 22.

A landowner or lawful possessor shall have the right to afforest land, if such rights are not restricted by regulatory enactments.

Section 23.

The Cabinet shall determine:

- 1) the criteria by which a forest stand shall be regarded as regenerated or afforested, and time periods for forest regeneration for separate forest site types; and
- 2) criteria for control of the tending of a forest stand established by afforestation.

Section 24.

- (1) A forest stand shall be considered to be a plantation forest, if it is registered in the State Forest Service as a plantation forest.
- (2) The procedures regarding tree felling and forest regeneration determined by this Law shall not apply to plantation forests.
- (3) After felling of a plantation forest stand, it shall be permitted to repeatedly establish a plantation forest stand in the same area.

Section 25.

The Cabinet shall determine the procedures for establishment, registration, tree felling and management of plantation forests.

Chapter VII Forest Protection

Section 26.

It is the duty of a forest owner or lawful possessor, and of a person who performs forest felling, prepares, stores or processes timber in a forest or in its immediate vicinity:

- 1) to perform activities that reduce the possibility of forest damage and restrict distribution thereof; and
- 2) to monitor the forest situation and notify the State Forest Service of determined forest damage.

Section 27.

In emergency situations, due to mass multiplying of forest pests and spread of diseases, the State Forest Service may instruct the persons referred to in Section 26 of this Law to:

- 1) discontinue or postpone all types of tree felling, except felling for the purpose of elimination of the consequences of an emergency situation;
 - 2) take measures in order to combat pests and diseases or prevent spread thereof;
- and
- 3) destroy forest reproductive material infected with diseases or infested with pests.

Section 28.

The procedures by which emergency situations are declared due to forest fire or mass spread of forest pests and diseases, forest protection measures, as well as procedures regarding their performance and time periods shall be determined by the Cabinet.

Chapter VIII Information Regarding Forests, and a Forest Management Plan

Section 29.

(1) It shall be a duty of a forest owner or lawful possessor to notify the State Forest Service, by 1 February of each year, of the following changes that have occurred in the forest land during the previous year:

- 1) activities for the performance of which a confirmation was required;
- 2) forest damage;
- 3) forest regeneration;
- 4) afforestation; and
- 5) maintenance of young growths.

(2) It shall be a duty of a forest owner or lawful possessor to perform, in the forests of his ownership or lawful possession, a forest inventory at least once in 10 years, and to submit these materials to the State Forest Service.

(3) A forest owner or legal possessor shall be liable for the veracity of the submitted information, specified in Paragraph one and two of this Section.

(4) It shall be a duty of a forest owner or lawful possessor to notify the State Forest Service, within a period of two weeks after a transaction contract has been entered into regarding the division of the existing forest land in his or her ownership or lawful possession, and to submit a copy of the relevant transaction contract.

[13 March 2003]

Section 30.

A forest owner or lawful possessor has the right to receive all information relating to the forest in his or her ownership or lawful possession from the State Forest Register. Forest inventory information regarding the forest of a definite owner or lawful possessor shall be restricted access information.

Section 31.

A forest management plan shall be developed on the basis of the forest inventory data. A forest owner or lawful possessor shall be entitled to include additional information in the forest management plan. When planning forest management, a forest owner or lawful possessor shall observe:

- 1) maximum equable and sustainable utilisation of timber resources;
- 2) the requirements set out in Section 35 of this Law;

- 3) preservation and increase of forest productivity and value; and
- 4) the requirements set out in this Law and other regulatory enactments.

Section 32.

A forest management plan shall be one of prerequisites for a forest owner or lawful possessor to receive State and European Union financing or co-financing for the development of forestry according to the procedures specified in regulatory enactments.

[14 April 2005]

Section 33. [14 April 2005]

Section 34.

(1) Forest inventory and forest management planning shall be performed by persons who have specified professional qualifications.

(2) The requirements to be set for the professional qualifications necessary for the performance of forest inventory and forest management planning, shall be determined by the Cabinet.

(3) The procedures for forest inventory, for the maintenance of the State Forest Register, the scope of information to be provided by the forest owner or lawful possessor, and the procedures for provision of such information shall be determined by the Cabinet.

Chapter IX Protection of Nature in a Forest

Section 35.

(1) Forest management regime and goals of economic utilisation, ecological or social priority shall be determined by this Law and other regulatory enactments. The management goal shall be included in the development plans of the territory (in the national planning of the Republic of Latvia, in local government development plans at the local and regional level).

(2) In the management of a forest, it is a duty of a forest owner or lawful possessor to comply with the general requirements of nature protection, in order to:

- 1) ensure the preservation of the biological diversity of the forest;
- 2) preserve the ability of the forest to protect the soil from erosion;
- 3) protect surface water and underground water from pollution; and
- 4) preserve the essential elements of cultural heritage in the forest.

Section 36.

For the preservation of biological diversity in a forest, specially protected forest areas shall be specified – micro-reserves, protected zones along waters and wetlands. Structural elements of special significance in forest stands shall be preserved in all types

of felling. The procedures regarding the establishment and management regime of such forest areas – micro-reserves – shall be determined by the Cabinet.

Section 37.

(1) The general nature protection requirements regarding forest management, and restrictions on economic activity during animal reproduction season shall be determined by the Cabinet.

(2) If necessary, the State Forest Service may determine, in addition to the general requirements, micro-reserves, the establishment criteria and procedures of which shall be determined by the Cabinet.

(3) The restrictions of rights to use a forest specified in Paragraph two of this Section shall be taken into account when determining the cadastral value of the land.

Section 38.

(1) For the evaluation of the interaction between the forest and the environment, forest monitoring shall be performed in all the territory of the State in accordance with the State forest monitoring programme.

(2) Forest monitoring shall be financed from State budget subsidies from general revenue and funds granted by the European Union.

(3) The procedures for the performance of forest monitoring and the State forest monitoring programme shall be determined by the Cabinet.

[16 February 2006]

Chapter X Issuance of a Confirmation

Section 39.

(1) A forest owner or lawful possessor shall obtain a confirmation from the State Forest Service for the following activities:

- 1) tree felling;
- 2) construction or reconstruction of land amelioration systems or other buildings, if it may have impact on the forest;
- 3) road construction for undertakings (forestry);
- 4) acquisition of forest reproductive material; and
- 5) use of artificial fertilisers and pesticides in forest land.

(2) If forest in ownership or lawful possession is located in the Gauja, Slītere, Rāzna or Ķemeri National Parks, or in Teiču, Krustkalnu, Grīņu or Moricsalas nature reserves, a confirmation shall be obtained from the administration of these territories.

(3) The administration of specially protected nature territories shall receive confirmation forms from the State Forest Service, and submit, in accordance with the procedures and

terms specified by the Cabinet, information to the State Forest Service regarding the confirmations issued.

(4) A confirmation shall be issued within a month from receipt of a written application from the forest owner or lawful possessor.

(5) The confirmation shall be valid until 31 December of the current year.

(6) The procedures for issuance of a confirmation and the information to be included in the application shall be determined by the Cabinet.

[19 December 2006]

Section 40.

(1) A confirmation shall not be issued if:

1) the planned activity does not comply with the requirements of regulatory enactments;

2) a forest owner or lawful possessor has not indicated in the application the information specified in Section 39, Paragraph six of this Law, or has not submitted the information specified in Section 29;

3) a forest owner or lawful possessor has not submitted forest inventory materials;
or

4) ownership rights acquired on the basis of a lawful transaction have not been recorded in the Land Register under the name of the acquirer, except in the case specified in Section 12, Paragraph two of this Law, as well as if the natural person to whom the land has been granted for permanent use, in accordance with the restrictions specified by law, does not have the right to acquire ownership of such land

(2) In the case, where the confirmation is not issued, a substantiated written refusal shall be issued within a month from receipt of the application.

(3) Paragraph one, Clauses 2 and 3 of this Section shall not be applied if the trees are felled in the cases referred to in Section 12, Paragraph two of this Law or to eliminate the consequences of windfall, windbrake and snowbrake.

[27 January 2005; 16 February 2006]

Chapter XI Transformation of Forest Land

Section 41.

For transformation of forest land into other types of land usage, a permit of the State Forest Service shall be necessary each time.

Section 42.

(1) If forest land is transformed, it is an obligation of the proposer of the transformation to compensate the State for the losses caused by destruction of the natural forest environment.

(2) The conditions for transformation of forest land, and the procedures for acquisition of a permit, as well as the procedures regarding calculation of and compensation for losses, shall be determined by the Cabinet.

(3) Utilisation of the subterranean depths in forest land shall be conducted in accordance with the procedures set out in the Law On Subterranean Depths.

Chapter XII

Forest Administration by the State

Section 43.

(1) In the forestry sector the functions of State administration shall be performed by:

1) the Ministry of Agriculture, which shall formulate forest policy and the regulatory enactments necessary for implementation thereof, and shall provide information to all the interested groups;

2) the State Forest Service, which shall supervise compliance with those regulatory enactments that regulate forest management and utilisation in all the forests of Latvia; and

3) the Ministry of Environment, which shall control compliance with the norms of nature protection in all the forests of Latvia, and shall approve forest management plans in the Gauja, Slītere, Rāzna and Ķemeri National Parks, as well as in the Teiču, Krustkalnu, Grīņu and Moricsalas nature reserves.

(2) The State with its institutions and with State and European Union financing or co-financing shall support stabilisation of sustainable forest functions and development of forest sector.

(3) In accordance with procedures determined by the Cabinet, a Forest Development Fund shall be established for the financing of forest sector support and development programs, scientific research of forests, and education and training of forest owners.

[14 April 2005; 16 February 2006; 19 December 2006]

Section 43.¹

A State fee shall be paid for forestry activities – issuance of confirmation, certificate of origin for basic material, State Forest Service sanitary opinion, forest land transformation permit and the issuance of opinions in respect of receipt of State and European Union financing or co-financing for forest development – according to the procedures and in the amount specified by the Cabinet.

[19 December 2006]

Section 44.

(1) State forest land shall be the land of the Forest Department of the Ministry of Agriculture according to the situation on 21 July 1940, which has not been transferred, in the course of the land reform, to other natural or legal persons for permanent use, as well as such forest land which belongs to, or is within the jurisdiction of the State.

(2) State forest land shall be entered in the Land Register in the name of the State, in accordance with the procedures specified by law.

(3) State forest land shall not be granted for permanent use and shall not be alienated or privatised, except in the cases specified in Paragraph four of this Section.

(4) Alienation or privatisation of State forest land shall be permitted by an order of the Cabinet, issued each time, in the following cases:

1) in the performance of a land exchange in the cases specified and according to the procedures in the Law On the Rights of Landowners to Compensation for Restrictions on Economic Activities in Specially Protected Nature Territories and Micro-reserves;

2) if the State forest land is necessary for the performance of the following local government autonomous functions specified in the Law On Local Governments:

a) road construction,

b) establishment or extension of cemeteries, and

c) establishment and maintenance of parks; and

3) in the privatisation, as well as alienation of the land of building (structure) owners:

a) in rural areas – land, which is covered by the buildings (structures) and courtyard, as well as the land necessary for the maintenance of such buildings (structures) up to an area of 0.5 hectares; and

b) in cities - land, which is covered by the buildings (structures) in such area as is in the building (structure) owner's lawful use (for building), up to an area of 0.12 hectares.

(5) The Cabinet shall determine the procedures by which State forestland shall be alienated for the performance of the local government autonomous functions referred to in Paragraph four, Clause 2 of this Section. Such land shall not be further alienated to another person or transferred for privatisation, as well as shall not be burdened with property rights. The land referred to in Paragraph four, Clause 3 of this Section shall be privatised or alienated according to the procedures specified in the Termination of State and Local Government Property Privatisation and the Utilisation of Privatisation Certificates Law.

[16 February 2006]

Section 44.¹

(1) Forest land belonging to or in the jurisdiction of local governments shall be recorded in the Land Register under the name of the local government according to the procedures specified by law.

(2) A local government has the right to take a decision regarding a refusal to transfer for privatisation or alienation forest land belonging to or in the jurisdiction thereof in the cases specified in the Termination of State and Local Government Property Privatisation and the Utilisation of Privatisation Certificates Law, as well as in cases where the forest land is necessary for recreation needs.

[16 February 2006]

Section 45.

The maximum amount for tree felling in hectares and cubic metres, distributed according to the dominant tree species permitted to be felled in a final felling in the course of five years, with respect to State forests, shall be calculated by the State Forest Service and approved by the Cabinet.

Chapter XIII Scientific Research Forests

Section 46.

(1) Scientific research forests shall be utilised for the establishment and maintenance of long-term scientific research sites.

(2) Income from scientific research forests shall be utilised for the management of such forests in accordance with the budget of the State Forest Service.

Section 47.

Scientific research forests shall be administrated and managed by the State Forest Service.

Section 48.

The following shall not apply to scientific research forests:

- 1) regulations regarding tree felling;
- 2) regulations regarding utilisation of forest reproductive material;
- 3) regulations regarding the establishment of a new forest stand; and
- 4) regulations regarding forest protection.

Section 49.

State forestland for the purposes of scientific research shall be allocated, and procedures for the management of scientific research forests shall be determined by the Cabinet. Scientific research forests shall be recorded in the State Forest Register.

Chapter XIV Liability for Violations of the Regulatory Enactments On Forest Management and Utilisation

Section 50.

(1) For violations of this Law and other regulatory enactments regulating forest management and utilisation, persons shall be subject to liability as prescribed by regulatory enactments.

(2) Persons held administratively or criminally liable shall not be released from the duty to compensate for damages caused as a result of violations of the regulatory enactments.

(3) If damage have been caused by a forest owner or lawful possessor, through violation of this Law and other regulatory enactments regulating forest management and utilisation, the State Forest Service shall recover compensation for damages for the benefit of the State.

(4) The procedures for calculation of damages shall be regulated by the Cabinet.

Transitional Provisions

1. With the coming into force of this Law the following are repealed:

1) the Law On Forest Management and Utilisation (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1994, No. 9; 1995, No. 11, 22; 1996, No. 13, 19; 1997, No. 7, 14); and

2) the Law On Utilisation of State Forests (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1995, No. 10; 1998, No. 5).

2. The Cabinet shall:

1) issue the regulations referred to in this Law by 1 January 2001; and

2) ensure the establishment of the State Forest Register by 1 January 2002.

3. Prior to the adoption of the relevant Cabinet Regulations, the following Cabinet Regulations shall be in force, insofar as they do not conflict with this Law:

1) Regulation No. 132 of 14 June 1994, On Classification of Forests into Categories and Specification of Specially Protected Forest Areas;

2) Regulation No. 25 of 24 January 1995, Regulations Regarding Forest Regeneration;

3) Regulation No. 58 of 21 March 1995, Sanitary Regulations Regarding Forest Management and Utilisation;

4) Regulation No. 98 of 18 April 1995, Regulations Regarding Establishment of a Specially Protected Forest Area "Sites of the Christmas Battles";

5) Regulation No. 241 of 25 July 1995, Regulations Regarding Material Liability for Violations of Regulations on Forest Management and Utilisation;

6) Regulation No. 332 of 13 August 1996, Regulations Regarding Compensation for Damages to Forestry Due to Transformation or Deterioration of Quality of Forest Land;

7) Regulation No. 332 of 20 August 1996, Procedures Regarding Organisation of State Forest Inventory;

8) Regulation No. 334 of 20 August 1996, Procedures Regarding Organisation of Forest Monitoring;

9) Regulation No. 449 of 9 December 1996, Regulations Regarding Final felling;

10) Regulation No. 450 of 9 December 1996, Regulations Regarding Intermediate Felling; and

11) Regulation No. 440 of 24 November 1998, Regulations Regarding Tree and Bush Felling not Included in the Forest Fund.

4. Until the establishment of the State Forest Register, the functions of the relevant information system shall be performed by the database “Forest Fund”.
5. Section 9, Paragraph one, Clause 2 of this Law shall come into force on 1 January 2002.
6. Section 9, Paragraph two, Clause 1 of this Law shall come into force on 1 January 2001.
7. Section 12, Paragraph three, and Section 29, Paragraph two of this Law, with respect to State forests shall come into force on 1 January 2008. Until that time, inventory information included in the updated database “Forest Fund” shall be used.
8. Forest management projects that were prepared prior to the coming into force of this Law shall be regarded as forest management plans within the meaning of this Law. Forest inventory information that was included in the above-mentioned forest management plans shall be regarded as forest inventory information within the meaning of this Law and shall be valid until termination of validity period of the relevant forest management projects.
9. The Cabinet shall, not later than by 30 June 2006, issue regulations, which regulate the State forest land alienation procedures referred to in Section 44, Paragraph five of this Law.
10. Section 44, Paragraph four, Clause 1 of this Law shall come into force on 1 January 2007.
11. The Cabinet shall issue the regulations referred to in Section 3, Paragraph five of this Law by 30 June 2006.

This Law shall come into force on the day following its proclamation.

This Law has been adopted by the *Saeima* on 24 February 2000.

President

V.Viķe-Freiberga

Rīga, 16 March 2000