LAW OF MONGOLIA

May 17, 2012 Ulaanbaatar city

ABOUT THE FOREST
/ Revised version /

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose of the law

1.1. The purpose of this law is to regulate relations related to protection, restoration, reproduction, possession, use and prevention of forest and steppe fires in Mongolia.

Article 2. Forest legislation

2.1 . Forest legislation shall consist of the Constitution of Mongolia, the Law on Environmental Protection, the Law on Fire Safety, this Law and other legislative acts enacted in conformity with them.

2.2. If an international treaty to which Mongolia is a party provides otherwise than this law, the provisions of the international treaty shall prevail.

Article 3. Definitions of legal terms

3.1. The following terms used in this law shall have the following meanings:

3.1.1. “Forest” means an environment with ecological and geographical specific conditions of a complex of trees, shrubs, shrubs and other plants, lichens, mosses, animals and microorganisms;

3.1.2. “Forest fund” means the forest specified in 3.1.1 of this Law, the area not covered by the forest within the forest and the area required for forest expansion;

3.1.3. “Forest resources” means forest by area and volume of trees;

3.1.4. “Usable resources” means the maximum amount of timber that can be harvested and used for a certain period of time, provided that the forest ecosystem is balanced;

3.1.5. “Owned forest” means a certain part of the forest fund protected, possessed and used by forest user groups, economic entities and organizations on a contractual basis for a certain period of time;

3.1.6. “Forest management plan” means a comprehensive, step-by-step document that outlines the activities to be carried out within the framework of forestry measures aimed at protecting, rational use and rehabilitation of forests in the respective administrative and territorial units;

/ This part was amended according to the law dated July 09, 2013 /

3.1.7. “Forest ecological and economic assessment” means the amount, quality and ecological and economic benefits of forest resources expressed in monetary terms;

3.1.8. “Forest partnership” means a voluntary organization of citizens organized and operating in accordance with Article 481.1 of the Civil Code and Article 3.2.8 of the Law on Environmental Protection;

3.1.9. “Forest protection” means prevention of degrading factors such as forest and steppe fires, pests and diseases, and rational use, rehabilitation and control of forest resources in

accordance with the carrying capacity of forest resources without compromising the possibility of natural regeneration. activities to stop violations;

3.1.10. “Forest use” means activities to harvest timber and non-timber forest products from the forest fund in accordance with relevant procedures, instructions and standards in accordance with the carrying capacity of forest resources;

3.1.11. “Forest resources” means forest timber resources and their by-products;

3.1.12. “Non-timber forest resources” means fruits, berries, mushrooms, nuts, medicinal and food, fodder, technical plants, tree bark, bark, birch sap, resin, forest moss and lint growing in the forest fund. any resource;

3.1.13. “Forest inventory and forest management” means methods for determining the area, resources, distribution, composition, quality, condition and changes of forest resources, calculating greenhouse gas absorption, conducting biomass research, protection of forest resources, sustainable use and rehabilitation activities that determine the size of the complex;

/ This part was amended according to the law dated July 09, 2013 /

3.1.14. “Forest afforestation” means the cultivation of planted forests in areas where there were no forests before;

3.1.15. “Forest clearing” means forest protection, improvement of forest condition by clearing the remains of dry trees, limbs, branches and logging areas affected by forest fires, pests, diseases, strong winds and heavy snow. measures;

3.1.16. “Harmful impact on the forest fund” means all adverse actions that have caused damage to the carrying capacity of the factors that make up the forest fund, polluted the forest and subsequently degraded the forest condition during economic and production activities;

3.1.17. “Fire hazard period” means a time of drought with natural conditions for forest and steppe fires in the area, or from March 20 to June 10 and September 20 to September 11 of each year. until January 10;

3.1.18. “Prevention of forest and steppe fires” means information, training, advocacy and forestry measures implemented by governmental and non-governmental organizations, business entities and citizens in order to prevent the occurrence and spread of forest and steppe fires;

3.1.19. “Forest and steppe fire detection” means to determine the topography and extent of the fire area and to identify the source of the fire;

3.1.20. “Cross-border forest and steppe fires” means the spread of forest and steppe fires in the borders of the country and in the border areas of the country and spread across the borders of the two countries;

3.1.21. “Damage caused by forest and steppe fires” means damage to human life, health, nature-ecology, material caused by fire, and expenses incurred in extinguishing forest and steppe fires;

3.1.22. “Ecological damage caused by forest and steppe fires” means loss of ecological significance of forest, its soil and water protection, extinction of animals and plants and degradation of their species habitats, and natural resources due to fires. , depletion of wealth;

3.1.23. “Material damage caused by forest and steppe fires” means damage to buildings, livestock, animals, plants, fodder, animal shelters, machinery, equipment, gers, apartments and materials due to fire. , direct damage to countries, forest user groups, business entities, organizations and individuals due to extinction;

3.1.24. “Harm of forest and steppe fires” means specified in 4.1.10 of the Law on Disaster Protection;

Article 4. Ownership of planted forests and possession of forest resources

4.1. According to Article 6, paragraphs 1 and 2 of the Constitution of Mongolia , forest resources are the property of the state and are in the hands of the people only.

4.2. In accordance with the procedures specified in the legislation, a citizen may own a forest planted on his / her own or possessed land, forest partnership, business entity or organization on his / her own land with his / her own funds.

4.3. Based on the conclusion of a professional research organization, the definition of a local administrative organization and the state central administrative body in charge of nature and environment (hereinafter referred to as “state central administrative body”), the issue of privatization of planted forests and their by-products shall be determined in accordance with Article 4.2 of this law. shall be decided in accordance with the procedure set forth in Article 30.5 of this Law.

4.4 Forest resources and forest resources shall be possessed as follows:

4.4.1. The state central administrative body shall transfer forest resources to aimags, the capital city, soums and districts;

4.4.2. Soum and district Citizens' Representatives' Khurals shall possess and use certain parts of the forest fund in accordance with the agreement based on the proposal of the bagh or khoroo Citizens' Public Khural.

4.5. The contract specified in 4.4.2 of this Law may be concluded for a period of one year in the first instance for a period of up to 60 years with a frequency of ten years.

4.6. A certain part of the forest fund allocated for possession in accordance with the agreement specified in 4.4.2 of this Law shall belong to the possessed forest.

4.7. Pursuant to Article 4.4.2 of this Law, possessors of certain parts of the forest fund shall take measures to protect their forests in accordance with the forest management plan, use timber and non-timber resources in accordance with the grounds and procedures specified in this law, and maintain and clean forests.

Unless otherwise provided by law, possession forest may belong to any zone of protection and use.

4.9. The Government shall determine the list of forest fund belonging to the protection zone taking into account its purpose, ecological, economic and social significance.

4.10 The Government shall approve the procedure for allocating certain parts of the forest fund to forest user groups, economic entities and organizations.

4.11. In accordance with Article 4.4.2 of this Law, citizens may travel, pass livestock, breed bees, as well as afforestation with the permission of the state authority without causing damage to forests owned by forest user groups, economic entities and organizations. The resources can be used and hunted.

4.12. In case of logging and use of non-timber forest products in accordance with the grounds and procedures specified in the law with the permission of the state authority, a person other than the possessor of the forest specified in 4.6 of this Law shall pay a certain percentage of the forest protection, rehabilitation and maintenance costs. .

4.13. The State Central Administrative Body shall determine the procedure and methodology for reimbursement of expenses specified in 4.12 of this Law.

Article 5. Classification of forest resources and forest department

Forest resources shall be classified according to their protection, form of use and ecological and economic significance as follows:

5.1.1 forest of the protection zone;

5.1.2 forest of the exploitation zone.

5.2. Forest lands, planted forests, shrubs, logging areas, forest and steppe fires, pests and diseases affected forest areas, forest gaps, as well as 100 meters outside the forest edge, the area of seedlings and nurseries shall be forest. belongs to the fund department.

Article 6. Forest database system and procedure

The State Central Administrative Body Responsible for Forestry shall have a national forest database containing comprehensive information on forest condition, forest area area, resources, composition, assessment, their changes, forest protection, use and rehabilitation measures.

/ This part was amended according to the law dated August 17, 2012 /

6.2 The member of the Government in charge of nature and environment shall approve the registration and reporting forms of the database specified in 6.1 of this Law and the procedure for maintaining them.

Relations related to compiling the database specified in Article 6.1 of this Law shall be regulated in accordance with Chapter 7 of the Law on Environmental Protection.

6.4. Governors of all levels shall promptly inform the higher level governors, the state central administrative body and the state administrative organization in charge of disaster protection on a regular basis on the state of forest and steppe fires.

6.5. Aimag and capital city governors shall prepare information and reports on forest and steppe fires semi-annually and annually and submit them to the state central administrative body and the state administrative organization in charge of disaster protection.

Article 7. Forest inventory, forest management and its financing

/ The title of this article was amended according to the law dated July 09, 2013 /

7.1. Forest inventory and forest management work shall be performed by a professional forest organization authorized by the State Central Administrative Body.

/ This part was amended according to the law dated July 09, 2013 /

7.2. The state central administrative body in charge of nature and environment shall conduct a national forest inventory every five years and update the state of the forest fund. Forest management shall be carried out every ten years, and forest use, protection and rehabilitation measures shall be renewed and approved.

/ This part was amended according to the law dated July 09, 2013 /

7.3. In exceptional cases, such as disasters and catastrophes, forest management may be carried out regardless of the time period specified in 7.2 of this Law.

/ This part was amended according to the law dated February 02, 2017 /

7.4. Forest inventory and forest management shall be financed as follows:

7.4.1. Expenditures required for forest management work in protected and exploitation zones, and for development of general state forest management plan related to determination of forest fund resources and determination of regional development status shall be covered from the state budget;

7.4.2. Expenditures required for forest management and development of forest management plans shall be covered by the decision of aimag, capital city, soum and district Citizens' Representatives Khurals to establish protection zones and forests in the use zone from the local budget;

7.4.3. Forest management activities and implementation of forest management plans to be carried out by forest user groups, economic entities and organizations in accordance with the agreement shall be funded by them, and forest management activities shall be carried out in certain parts of the forest fund allocated to forest user groups for the first time. with local budget funds.

/ This part was amended according to the law dated July 09, 2013 /

7.5 The Government shall approve the procedure for conducting forest inventory and forest management.

/ This part was amended according to the law dated July 09, 2013 /

CHAPTER TWO
FOREST ZONES AND THEIR PROTECTION REGIME

Article 8. Forests of protected areas and their regimes

8.1. Forests in protected areas include belt forests, special protected areas and forests for training and research, green belts, restricted strip forests, saxaul forests, oasis forests, groves up to 100 ha, shrubs, and slopes above 30 degrees. .

8.2. Prohibited strip forest shall include forest within 1000 meters on both sides of lakes, mineral springs, springs and streams, and within 100 meters on both sides along national roads and railways.

8.3. In order to ensure the environmental balance in the watershed and to prevent soil erosion, the state central administrative body shall determine the forest boundary of the belt.

Forest protection regimes in special protected areas shall be regulated by the Law on Special Protected Areas .

8.5. In order to ensure the balance of the environment and the sanitary conditions of the population, the boundaries of forests belonging to the green zone of the capital city, cities and villages shall be determined as follows:

8.5.1. The Government shall define the boundaries of forests belonging to the green zone of the capital city;

8.5.2. The state central administrative body based on the proposal of aimag and soum Citizens' Representatives Khurals shall define the forest boundaries belonging to the green zone within 30 km of the city other than the capital city;

8.5.3. Aimag Citizens' Representatives Hural based on the proposal of the respective soum Citizens' Representatives' Khural shall demarcate the forest boundaries belonging to the green zone of the center and settlement.

8.6. It is prohibited to build roads and bridges, lay water, energy, communication lines and fire protection strips in the protected zone forest, implement maintenance and cleaning measures to support normal forest growth and regeneration, and use activities other than non-timber forest products.

Article 9. Forest of the mining zone and its regime

9.1. Forests other than those specified in Article 8 of this law shall belong to forests of mining zones.

Citizens, forest user groups, economic entities and organizations shall have the right to use timber and non-timber forest products from the forests of the mining zone upon payment of appropriate fees and charges.

9.3. Forest user groups, economic entities and organizations possessing forest resources under contracts shall operate in accordance with the forest management plan that reflects the issues of protection, rational use and rehabilitation of forest resources on a scientific basis.

Article 10. Forestry measures to be carried out in the forests of the state special needs land

10.1. Forest management measures to be carried out in the forest of the state special needs land shall be regulated by special procedures.

The procedure set forth in Article 10.1 of this Law shall be developed by the State Central Administrative Body based on the proposal of the relevant authority and approved by the Government member in charge of nature and environment.

/ This part was amended according to the law dated August 17, 2012 /

~~10.3~~ . */ This part was repealed by the law in force since July 09, 2013 /*

CHAPTER THREE
POWERS OF STATE AND LOCAL SELF-GOVERNING ORGANIZATIONS

Article 11. Powers of the State Great Hural

The State Great Hural shall exercise the following powers with respect to forests:

11.1.1. To determine the state policy on forest protection, use, rehabilitation and reproduction;

11.1.2. To set minimum and maximum percentage and amount of forest resource use fee;

11.1.3 ratify and terminate international treaties and agreements on forest and forest and steppe fires;

11.1.4. Other powers provided by law.

Article 12. Powers of the Government

The Government shall exercise the following powers with respect to forests:

12.1.1. Restrict or prohibit the use, import and export of non-timber and non-timber forest products on the grounds specified by law;

12.1.2. To implement the state policy on forest and forest and steppe fire protection;

12.1.3 approve the national forest program;

12.1.4. To include in the annual budget the costs of road exploration, development of maps and budgets, and construction of the main forest road in the forest of the forest use zone with protection, rehabilitation and reproduction of forest resources;

12.1.5. Approve the area, normative and location of the forest department responsible for forest resources, condition and intensity of use;

12.1.6. To approve and enforce the procedure for estimating the damage caused by forest and steppe fires and other relevant procedures, as well as the norms of equipment required for firefighting in accordance with administrative and territorial units and their specifics;

12.1.7.Approve the procedure for announcing and conducting mobilization of manpower and equipment in case of forest and steppe fire danger;

12.1.8.Approve the list of supplies, equipment, necessary tools and equipment of citizens participating in forest and steppe fire fighting activities;

12.1.9. To limit or stop the use of land, forest, plant and animal resources in order to eliminate the damage caused to the environment due to forest and steppe fires and to ensure ecological balance;

12.1.10. Other powers provided by law.

12.2. The Government may establish a state-owned legal entity responsible for logging, construction of forest roads, and propagation of seedlings adapted to climate change.

Article 13. Powers of the State Central Administrative Body

The State Central Administrative Body shall exercise the following powers with respect to forests:

13.1.1. To organize the implementation of state policies and legislation on forest protection, rational use, rehabilitation, reproduction and protection of forests and steppes from fires and ensuring environmental balance;

13.1.2.Approve rules, regulations and other decisions to be followed by other state central administrative bodies, aimags and the capital city on forest protection within the scope of authority specified in the legislation and ensure their implementation;

13.1.3. To make inter-sectoral and inter-regional regulations on forest protection, rational use, restoration and reproduction, to have standards approved by the competent authority, to approve relevant legal acts alone or in cooperation with relevant state administrative bodies and to organize their implementation;

13.1.4. To set the maximum amount of forest resources to be used annually by tree type in accordance with the legislation;

13.1.5. Restrict or prohibit the use of non-timber and non-timber forest products in the given region taking into account ecological requirements and resources;

13.1.6.Approve the state forest management plan;

13.1.7. To develop, implement and monitor the plan in accordance with the program specified in 12.1.3 of this law;

13.1.8. To determine and assess the condition and quality of forest resources, and to monitor changes, use and protection of resources;

13.1.9 monitor the implementation of the state forest database;

13.1.10. To grant, extend and revoke the license of a professional forestry organization;

13.1.11. To plan, allocate and evaluate the implementation of expenditures from the state budget in accordance with Article 7.4.1 of this Law and to finance the contractor;

13.1.12. To organize internal control on protection of forest resources;

13.1.13. To develop and approve forest ecological and economic assessment;

/ This part was amended according to the law dated August 17, 2012 /

13.1.14. To authorize the State Special Protected Areas Authority to prohibit certain activities specified in the protection regime in the area of responsibility in case of high probability of forest and steppe fires;

13.1.15 enter into agreements and cooperation with other countries on prevention and extinguishing of transboundary forest and steppe fires;

13.1.16. To provide relevant organizations and population with information on weather and forest and steppe fire situation;

13.1.17. To plan and organize activities to prevent and protect forests and steppes from fires, pests, depletion of forest resources, land degradation and pollution, and to prevent violations related to forest use, and to monitor their implementation;

/ This provision was added by the law in 17 August 2012 /

13.1.18 Approve aimag and capital city forest management plans and support their implementation;

/ This provision was added by the law in 17 August 2012 /

13.1.19. To organize afforestation of forest areas, forests and steppes affected by forest and steppe fires, pests and diseases, reforestation of the Gobi and steppe, establishment of forest strips, and gardening of central and local areas at the central and local levels;

/ This provision was added by the law in 17 August 2012 /

13.1.20. To provide professional management for the establishment of a tree and shrub seed reserve fund, the establishment of a tree nursery, and the planting of seedlings and saplings at the national level;

/ This provision was added by the law in 17 August 2012 /

13.1.21. To provide professional and methodological assistance to local forest units, forest user groups, economic entities and organizations and monitor their activities;

/ This provision was added by the law in 17 August 2012 /

13.1.22. To approve the rules and regulations of the forestry unit;

/ This provision was added by the law in 17 August 2012 /

13.1.23 monitor the expenditure of funds allocated from the state budget for forest protection, rehabilitation and reproduction and report on its implementation;

/ This provision was added by the law in 17 August 2012 /

13.1.24. Develop and approve technological, normative and normative bases on forest protection, rational use, restoration and reproduction;

/ This provision was added by the law in 17 August 2012 /

13.1.25. To monitor and analyze changes in forest resources, to create a forest database, to provide information and to assess whether business entities and organizations meet the requirements for professional activities and to issue conclusions;

/ This provision was added by the law in 17 August 2012 /

13.1.26. To provide all-round support and assistance to local and foreign business entities and organizations in forest protection, rehabilitation and reproduction;

/ This provision was added by the law in 17 August 2012 /

13.1.27. Approve action plans for forest user groups, economic entities and organizations, forest hunting activities and services, model forest management plans, instructions and procedures for their development in the field of forest protection, rational use, rehabilitation and reproduction;

/ This provision was added by the law in 17 August 2012 /

13.1.28. To plan and implement forest management measures to protect forests and steppe fires, such as clearing and maintaining forests in protected areas, and issuing fire dust and strips, by including them in the state and local budgets;

/ This provision was added by the law in 17 August 2012 /

13.1.29. To promote legislation related to forest and steppe fire protection and prevention, and to train citizens, forest user groups, economic entities and organizations in forest and steppe fire fighting methods and operations in cooperation with the state administrative organization in charge of disaster protection;

/ This provision was added by the law in 17 August 2012 /

13.1.30. To cooperate with local administrative organizations in preventing forest and steppe fires, conducting patrols and guards in local areas and involving the public in this work in case of forest and steppe fire danger;

/ This provision was added by the law in 17 August 2012 /

13.1.31. In case of forest and steppe fire danger, submit a proposal to the aimag or capital city governor to stop certain activities related to the environment in the territory of the aimag or the capital city based on the fire hazard class and grade of the region;

/ This provision was added by the law in 17 August 2012 /

13.1.32. To monitor and participate in the implementation of the work organized by local administrative organizations, business entities, organizations and citizens on protection from forest and steppe fires;

/ This provision was added by the law in 17 August 2012 /

13.1.33. To promptly announce through the mass media the occurrence and prevention of forest and steppe fires;

/ This provision was added by the law in 17 August 2012 /

13.1.34. To operate a forest research and monitoring department within its organizational structure;

/ This provision was added by the law in 17 August 2012 /

13.1.35. Other powers provided by law.

/ This part was amended according to the law dated August 17, 2012 /

Article 14. Unit in charge of forest issues

/ The title of this article was amended according to the law dated August 17, 2012 /

Aimag and capital city environmental departments shall have a unit in charge of forest issues or an authorized official in charge of forest issues, and inter-soum and soum forest units (hereinafter referred to as “forest units”) in aimags and soums.

/ This part was amended according to the law dated August 17, 2012 /

~~14.2.~~

/ This part was annulled by the law in 5 August 2012 /

Article 15. Powers of the state administrative body in charge of disaster protection

The state administrative organization in charge of disaster protection shall exercise the following powers to prevent and extinguish forest and steppe fires: 15.1.

15.1.1. To conduct mobilization and take organizational measures to extinguish forest and steppe fires in accordance with the procedures set forth in Article 12.1.7 of this Law;

15.1.2. To provide professional and methodological assistance in organizing trainings and advertisements to educate the population on forest and steppe fire prevention, combating and extinguishing measures;

15.1.3. To restrict or stop certain activities related to the environment in the given region in order to prevent forest and steppe fires.

Article 16. Powers of the police

The police shall exercise the following powers:

16.1.1. To determine the cause and owner of the forest fire;

16.1.2. Prohibit the movement of citizens and vehicles traveling in the forest during the danger of forest and steppe fires.

Article 17. Powers of aimag and capital city Citizens 'Representatives' Khurals and Governors

Aimag and capital city Citizens' Representatives Hurals shall exercise the following powers:

17.1.1.Approve programs, plans and required budgets for forest protection, rational use, rehabilitation, reproduction and forest and steppe fire protection measures and monitor their implementation;

17.1.2. To hear information and reports of the Governor on forest protection, rational use, rehabilitation, reproduction and forest and steppe fire protection program, implementation of plans, state of the forest fund and database;

17.1.3. Based on the Governor's proposal, take a certain part of the forest fund under local protection, establish its boundaries and protection regime, and monitor its implementation;

17.1.4. To allocate and approve the amount of timber and firewood to be harvested from the forest in a given year within the limits approved by the State Central Administrative Body;

17.1.5. Citizens' Representatives Khurals of aimags and the capital city shall approve action plans and required budgets for forest and steppe fire protection in their territories and monitor their implementation;

17.1.6. To approve the list of forest species to be located in the territory and the annual budget taking into account the normative size of the forest area.

Aimag and capital city governors shall exercise the following powers:

17.2.1. To organize the implementation of forest legislation, decisions of aimag and capital city Citizens' Representatives Khurals and the Government;

17.2.2. To develop programs and plans for forest protection, rational use, rehabilitation, reproduction and forest and steppe fire protection measures, to have them approved by the Citizens' Representatives Khural and to ensure their implementation;

17.2.3. To submit forest fund information and reports to the state central administrative body;

/ This part was amended according to the law dated August 17, 2012 /

17.2.4 submit proposals on the amount of timber to be harvested from the forest in a given year to the State Central Administrative Body;

/ This part was amended according to the law dated August 17, 2012 /

17.2.5. To determine the amount of damage caused by forest and steppe fires, to issue state orders for environmental rehabilitation, to carry out research work, to calculate the results and to take measures to implement them;

17.2.6. To monitor the activities of forest user groups, economic entities and organizations on forest protection, rational use, restoration and reproduction, to eliminate the revealed violations and, if necessary, to suspend and terminate their activities that adversely affect the forest fund;

17.2.7.Approve and implement funds required from the local budget for prevention of forest pests, diseases, forest and steppe fires, elimination of damage, protection of forests, rational use, rehabilitation and reproduction;

17.2.8. Establish an inter-soum forest unit and a unit in charge of forest issues in the capital city environment department under the auspices of the aimag environment department, approve its structure and staffing, and appoint and dismiss their heads in consultation with the environment department director;

/ This part was amended according to the law dated July 08, 2015 /

17.2.9. Organize annual forest rehabilitation and reproduction activities and monitor its implementation;

17.2.10. To approve soum and district forest management plans with forests and monitor their implementation;

17.2.11. Exercise the powers specified in 14.1.2 of the Law on Fire Safety, create and replace permanent stocks of tools, food and other items in accordance with the norms set by the Government;

17.2.12. To exercise the powers specified in Article 14.1.4 of the Law on Fire Safety;

17.2.13. In the event of a forest or steppe fire, to mobilize manpower and equipment within the scope of its authority and promptly organize the firefighting work;

17.2.14. To approve and implement work plans to train citizens and business entities on methods and techniques for prevention, detection and extinguishing of forest and steppe fires, protection of life, health and property;

17.2.15. Establish forest and steppe fire protection strips along the state border, organize their permanent restoration with state budget funds, and organize forest maintenance and clearing works in the border area with local funds;

17.2.16. Appoint disaster protection services, headquarters and specialized units to be mobilized to extinguish forest and steppe fires, ensure their readiness, promptly organize forest and steppe fire extinguishing activities and provide management;

17.2.17. If citizens, forest user groups, business entities and organizations extinguish forest and steppe fires without their own manpower and equipment, the expenses for extinguishing forest and steppe fires shall be paid from the local budget and in case of insufficient funds to submit to the Government for resolution;

17.2.18. To take measures to stop logging, use of non-timber forest products, forest trips, picnics and other activities in case of forest and steppe fire danger;

17.2.19. To organize and implement measures to reduce and eliminate damage caused by forest and steppe fires;

17.2.20. To monitor the work organized at the soum and local level on forest and steppe fire prevention;

17.2.21. To monitor the supply of necessary equipment and food to citizens, business entities and organizations working at forest and steppe fire sites.

17.3. The aimag and capital city Department of Nature and Environment shall exercise the following powers:

17.3.1. To organize activities to ensure the implementation of forest legislation in the area of responsibility and report the results to aimag and capital city governors and the state central administrative body;

/ This part was amended according to the law dated August 17, 2012 /

17.3.2. To create aimag and capital city forest database and provide information to the state central administrative body;

/ This part was amended according to the law dated August 17, 2012 /

17.3.3 provide professional management and monitor the activities of its affiliated forest units;

17.3.4. To present its proposals on forest protection, rational use, rehabilitation and reproduction to the Citizens' Representatives Khural and the Governor for decision and, if necessary, to submit them to the state central administrative body;

/ This part was amended according to the law dated August 17, 2012 /

17.3.5. To order a professional organization to conduct research on forest and steppe fires, pests, diseases and forest resources;

17.3.6. To impose and collect fees and charges for the use of forest resources in accordance with relevant legislation;

17.3.7. To organize forest protection, rational use, restoration, reproduction and forest and steppe fire protection activities within its territory;

17.3.8. To submit to the Governor of the respective level a proposal to employ a forest unit or an official in charge of forest issues, to appoint and dismiss the head of the forest unit;

17.3.9.Approve forest management plans of forest user groups, economic entities and organizations possessing certain parts of the forest fund and monitor their implementation;

17.3.10. Allocate funds allocated from the budget for forest protection, rehabilitation and reproduction to the contractor, monitor its expenditure and report on its implementation;

17.3.11. To monitor the work on forest and steppe fire prevention at the soum and local level.

Article 18. Powers of soum and district Citizens 'Representatives' Khurals and Governors

Soum and district Citizens' Representatives Khurals shall exercise the following powers:

18.1.1.Approve the budget required for forest protection, rational use, rehabilitation, reproduction and forest and steppe fire protection measures, and monitor its implementation;

18.1.2. To determine the amount of forest resources to be used in a given year in accordance with the grounds and procedures specified in the legislation;

18.1.3 discuss the report on the work done by the Governor on forest protection and make decisions;

18.1.4. Based on the proposal of the bagh and khoroo Citizens' Public Khural, to resolve and monitor the issue of allowing forest user groups, economic entities and organizations to possess certain parts of the forest fund by contract;

18.1.5. To annually review and evaluate the implementation of the agreement on possession of a certain part of the forest fund by forest user groups, economic entities and organizations;

18.1.6.Approve and monitor forest protection, rational use, rehabilitation and reproduction policies and directions;

18.1.7. If necessary, to employ a forest unit and a forest official and approve the required budget;

18.1.8. To approve forest and steppe fire protection and fire fighting plans and budgets in its territory and monitor their implementation.

Soum and district governors shall exercise the following powers:

18.2.1. To organize the implementation of forest legislation, decisions of Citizens' Representatives Khurals and higher level organizations;

18.2.2. Implement programs and plans for forest protection, rational use, rehabilitation, reproduction and protection from forest and steppe fires;

18.2.3. To monitor the issuance of vouchers and certificates of origin in accordance with Articles 34.1 and 38.1 of this Law, and to revoke such vouchers and certificates if it is established that they have been issued without justification;

18.2.4. To monitor the activities of forest user groups, economic entities and organizations on forest protection, rational use, rehabilitation, reproduction and protection from forest and steppe fires, to eliminate revealed violations, and to receive planted forests planted by them;

18.2.5. To prevent forest and steppe fires, pests, diseases and illegal activities, and to eliminate the damage caused;

18.2.6. Based on the decision specified in 18.1.4 of this law, to conclude an agreement to allow forest user groups, economic entities and organizations to possess certain parts of the forest fund on terms and conditions, and to monitor its implementation;

18.2.7. To make decisions, implement and monitor logging within the limits set by the soum and district Citizens' Representatives Khurals based on the forest management plans of forest user groups, economic entities and professional forestry organizations;

18.2.8. To have forest resource registration and forest management work carried out by a professional forest organization in its area of responsibility, to approve and implement soum forest management plans;

18.2.9. To appoint and dismiss the head of the forest unit and the official in charge of forest issues;

18.2.10.Approve local action plans for forest and steppe fire protection activities annually and organize their implementation;

18.2.11. To construct and receive forest and steppe fire protection strips for railways, inter-city roads, winter and spring camps, threshing floors, agricultural areas, buildings and structures in forests;

18.2.12. To conduct patrols and guards in case of forest and steppe fire danger in its territory, to involve citizens, forest user groups, business entities and organizations in this work;

18.2.13. To manage forest and steppe firefighting activities and to issue and enforce mobilization procedures and schedules annually before the beginning of the fire danger period;

18.2.14. In case of forest and steppe fire danger, issue permits to go on forest and steppe trips, hunting, logging, use of non-timber forest products and other types of production and services, and if necessary, limit and stop such activities; decision;

18.2.15. To appoint a working group to determine the amount of damage caused by forest and steppe fires and the cost of extinguishing fires;

18.2.16. In case forest and steppe fires cover the territory of two or more soums, the expenses incurred in extinguishing the fires shall be submitted to the aimag and capital city governors for resolution;

18.2.17. To conduct trainings and advertisements on forest and steppe fire prevention in its territory and to assign responsibilities and control to forest user groups, economic entities and organizations engaged in forest logging activities;

18.2.18. To promptly organize forest and steppe fire extinguishing activities, mobilize manpower and equipment, and promptly inform higher level governors and other relevant organizations about forest and steppe fires and the progress of firefighting activities;

18.2.19. To cooperate with the police to determine the causes and conditions of forest and steppe fires and to identify the culprits of fires.

18.3. Inter-soum and soum and district forest units shall have the following rights and responsibilities:

18.3.1. To separate the logging area from the forest;

18.3.2. To issue a certificate of origin for harvested timber and timber;

18.3.3. To carry out afforestation work in the soums and districts where timber has been harvested and in areas affected by pests and diseases, and to conduct a survey of forest pests and diseases;

18.3.4. to engage in reforestation, afforestation, tree planting, sale of tree seeds, seedlings and saplings, and ecological and economic assessment of forest damage;

/ This part was amended according to the law dated July 09, 2013 /

18.3.5. To perform lighting and adjustment of forest care and to organize and ensure the implementation of soum and district forest programs and forest management plans;

18.3.6 provide professional and methodological advice to forest user groups, economic entities and organizations possessing certain parts of the forest fund;

18.3.7. To impose fees and charges for the use of forest resources and ensure their implementation;

18.3.8. Implement the policy on forest protection, rational use, restoration and reproduction at the aimag and soum level and calculate the results;

18.3.9. To maintain the database;

18.3.10 conduct training and advocacy on forest protection, sustainable use, rehabilitation, reproduction and forest and steppe fire protection;

18.3.11. To implement measures to prevent, protect and combat forest disasters and catastrophes;

/ This part was amended according to the law dated February 02, 2017 /

18.3.12. Ensure implementation of forest management plans of forest user groups, economic entities and organizations and eliminate violations;

18.3.13. Forest units shall be financed from the budget, as well as from sources such as training, professional and methodological advice and income from their work and services;

18.3.14. To organize forest protection, rational use, restoration, reproduction and forest and steppe fire prevention activities within its territory;

18.3.15. Cooperate with soum local administrative organizations in forest and steppe fire fighting activities.

Article 19. Powers of the Citizens' Public Hural and the Governor of the bagh or khoroo

Citizens' Public Hurals of baghs and khoroos shall exercise the following powers:

19.1.1. To determine, implement and monitor the direction of forest protection, rational use, rehabilitation and reproduction;

19.1.2. To hear information from bag and khoroo governors on the implementation of forest legislation;

19.1.3. To submit proposals and conclusions to forest user groups, economic entities and organizations on possession of a certain part of the forest fund and to terminate the contract to soum and district Citizens' Representatives Khurals and Governors.

19.2. Bag and khoroo governors shall exercise the following powers:

19.2.1. To organize the implementation of forest legislation, decisions of the Public Hural and higher level organizations;

19.2.2. To organize planting of trees and shrubs in its territory and to involve citizens widely;

19.2.3. Disseminate forest and steppe fire protection advertisements to everyone and ensure fire fighting preparations;

19.2.4. Promptly organize forest and steppe fire fighting activities, mobilize manpower and equipment, promptly inform higher level governors and other relevant organizations about forest and steppe fires and the process of extinguishing fires;

19.2.5. For a certain period of time, citizens, forest user groups and business entities shall be responsible for monitoring forest lands in their territories;

19.2.6. To provide assistance to the competent authority in determining the cause of the forest and steppe fire, the person who caused it and the damage.

CHAPTER FOUR RIGHTS AND OBLIGATIONS OF CITIZENS, FOREST FRIENDSHIP, BUSINESS ENTITIES AND ORGANIZATIONS

Article 20. Civil rights and obligations

Citizens shall have the following rights to protect forests:

20.1.1. To impose legal liability on the person who caused damage to the forest fund or to the health and property of the citizen due to violation of the legislation on forest and to demand compensation for the damage caused;

20.1.2. To take measures to possess, protect, use and rehabilitate the forest fund of the place of residence by establishing a forest partnership;

20.1.3. To receive true and correct information on forest resources, their protection and use from relevant organizations;

20.1.4. To submit a request for logging for fuel and household use to the forest department (in its absence, the ranger of the respective territory) and execute it in accordance with the supervision and instructions of professional forest organizations and officials.

/ This part was amended according to the law dated July 09, 2013 /

Citizens shall have the following responsibilities for forest protection:

20.2.1 comply with forest legislation;

20.2.2. To immediately notify the respective level governors, state inspectors and rangers about violations of illegal use, damage and destruction of forest resources;

20.2.3. To observe national forest protection traditions and customs and provide ecological education to children;

20.2.4. Strictly comply with the state fire control rules, do not burn open fires in case of fire danger, completely extinguish lit matches, cigarette fires, sparks and sparks to make them safe;

20.2.5 have permanent stripping and fire extinguishing equipment around the ger, house, harvested grass, fence and shed;

20.2.6. Each household shall place ashes and ashes in specially prepared holes and containers with lids to ensure that fires are not lost;

20.2.7. To protect his / her life, health and property from forest and steppe fires, to have mastered basic firefighting measures, and to educate his / her children on fire prevention;

20.2.8. Strictly follow the procedure for equipping vehicles and self-propelled vehicles with fire safety devices and storing flammable substances, combustible and lubricating materials;

20.2.9. Not to burn dry grass, vegetation cover, straw, weeds and manure;

20.2.10. Participate in forest and steppe firefighting activities in accordance with civilian duties, use private vehicles, and if forest and steppe fires are detected or received information about fires, take immediate measures to extinguish them and urgently refer to relevant level governors and other relevant organizations. to report.

Article 21. Forest partnership, its rights and responsibilities

21.1. Forest communities shall have a forest management plan for protection, rational use, restoration and reproduction of certain parts of the forest fund in accordance with Articles 4.9 and 9.3 of this Law.

21.2. Forest partnerships shall have rules in accordance with the legislation.

21.3. Forest communities shall submit to the Soum and District Citizens' Representatives Khurals an annual report on the implementation of their programs of activities and forest management plans in the field of protection, rational use and rehabilitation of forest resources.

21.4. Forest communities shall implement measures to protect certain parts of the forest fund from forest and steppe fires in their possession at their own expense.

21.5. A forest partnership may employ an active ranger in accordance with Article 26.8 of the Law on Environmental Protection on the land possessed under the contract .

21.6. At least 80 percent of the members of the forest partnership shall be permanent residents of the respective administrative and territorial unit who are able to regularly monitor and protect the forest fund they possess under the contract.

21.7. A forest partnership member shall meet the requirements set forth in paragraph 2 of Article 50 of the Law on Environmental Protection .

21.8. A forest partnership shall have the privilege to possess a certain part of the forest fund and shall submit the following documents to establish a forest partnership: 21.8.

21.8.1. An application requesting to conduct activities in the field of possession and protection of a certain part of the forest fund;

21.8.2. Proposals of bagh and khoroo Citizens' Public Khurals and proposals of soum and district Citizens' Representatives' Khurals to allow certain parts of the forest fund to be possessed by contract;

21.8.3. Forest management plan, draft agreement on protection, rational use, rehabilitation and reproduction of certain parts of the forest fund, boundary menu, location and distribution map of the forest area to be possessed by the agreement;

21.8.4. A copy of the cooperation agreement between the members of the forest partnership;

21.8.5. Copy of ID card of forest partnership members.

21.9. If the documents submitted in accordance with Article 21.8 of this Law meet the requirements set forth in Article 21.7 and 21.8 of this Law, the Soum or District Citizens' Representatives Khural shall consider and resolve the issue and based on this decision the soum or district Governor shall enter into a possession agreement and issue a certificate.

21.10. In accordance with the agreement, when allocating a certain part of the forest fund to a forest partnership, the number of members, capacity, area of responsibility, resources and ecological features shall be taken into account.

21.11. The Governor of the respective soum or district shall terminate the activities of the forest user partnership and terminate the contract in the following areas:

21.11.1. A proposal of the Public Hural of the bagh or khoroo and a decision of the Citizens' Representatives Hural of the soum or district to terminate the activities to be carried out in the field of possession and protection of a certain part of the forest fund;

21.11.2. At the meeting of all members of the forest partnership, a decision has been made to terminate the possession of a certain part of the forest fund;

21.11.3. Repeatedly failed to fulfill its obligations under the conditions and requirements specified in Articles 21.6 and 21.7 of this Law and the contract concluded in accordance with Article 21.9 of this Law, or did not carry out forest protection activities within six months after concluding the contract.

21.12. A forest partnership that has concluded a contract in accordance with Article 21.9 of this Law shall have the following rights:

21.12.1. To carry out activities in accordance with the forest management plan on the possessed land;

21.12.2. To use timber and non-timber forest products harvested in accordance with the forest management plan and vouchers from the possession land, and to sell surplus timber and non-timber forest products;

21.12.3. To develop projects, programs, vote and participate in tenders for forestry activities to be implemented with state and local budget funds;

21.12.4. Participate in trainings, seminars, vocational training and retraining activities on forest management.

21.13. In addition to fulfilling the obligations set forth in this law, forest user groups shall carry out activities specified in the agreement concluded with the respective level Governor.

Article 22. Rights and obligations of business entities and organizations

A business entity or organization shall have the following rights and obligations:

22.1.1 comply with the requirements of the legislation on environmental protection and forests, decisions of the Government, local self-governing bodies, governors, state environmental inspectors and rangers;

22.1.2. Business entities and organizations engaged in production and services in the field of forest use shall include in their annual budgets the cost of mitigation measures for forest protection, rehabilitation and reproduction;

22.1.3. Approve and comply with the forest management plan of business entities and organizations that have possessed a certain part of the forest fund by contract in accordance with Articles 4.9 and 9.3 of this Law;

22.1.4. Business entities and organizations that have possessed a certain part of the forest fund by contract shall use timber and non-timber forest products from their forests in accordance with the terms and conditions specified in the forest management plan, contract and certificate;

22.1.5. In the case specified in Article 34.4 of this Law, the certificate of origin shall be obtained from the forest department (in its absence, an authorized official of the soum or district);

22.1.6. To employ an active ranger on the land owned by the forest fund under the conditions specified in paragraph 8 of Article 26 of the Law on Environmental Protection ;

22.1.7. Business entities and organizations wishing to possess a certain part of the forest fund by contract shall submit the documents specified in Articles 21.8.1-21.8.3 of this Law;

22.1.8. Business entities and organizations possessing certain parts of the forest fund by contract shall pay appropriate taxes to the budget of the respective soum or district;

To fulfill obligations specified in forest legislation;

22.1.10. To carry out activities specified in the agreement concluded with the Governor of the respective level;

22.1.11 report annually to the soum and district Citizens 'Representatives' Khurals on the implementation of forest management plans for forest protection, sustainable use, rehabilitation and reproduction, and evaluate their work;

22.1.12 provide manpower, transport and other means to extinguish forest and steppe fires;

22.1.13. When logging in the forest and steppe, conducting prospecting, exploration and research work, and organizing field research units, obtain permission in accordance with the

legislation, notify the rangers and ensure that forest and steppe fires do not occur. not to go for walks or other travel activities;

/ This part was amended according to the law dated July 09, 2013 /

22.1.14. To strictly follow the procedures and procedures for the use, transportation and storage of flammable substances, combustible and lubricating materials;

22.1.15. To equip all types of transport and self-propelled vehicles with fire safety devices and inspect them when putting them to work;

22.1.16. Business entities and organizations possessing forest resources under contract shall implement measures to protect and extinguish forest and steppe fires with their own funds.

22.2. The Governor of the respective soum or district shall terminate the activities of a business entity or organization holding a certain part of the forest fund under a contract on the following grounds and terminate the contract:

22.2.1. The decision specified in 21.11.1 of this law has been made;

22.2.2. Failed to submit a report and evaluate his / her work in accordance with Article 22.1.11 of this Law;

22.2.3. Violation of Articles 22.1.7 and 22.1.8 of this Law;

22.2.4. No forest protection activities have been carried out within six months after the conclusion of the contract.

22.3. The model of the contract and certificate specified in 22.1.9 of this Law shall be approved by the state central administrative body.

Article 23. Professional forestry organization and its activities

A professional forest enterprise shall be a business entity or organization that has obtained the right to conduct forest protection, rational use, restoration and reproduction activities at a professional level and to provide methodological advice in accordance with relevant laws.

23.2. The organization specified in 23.1 of this Law may have any form of ownership and shall operate in the following areas:

23.2.1. To implement activities to protect forest resources;

23.2.2. To possess a certain part of the forest fund by contract and to carry out rational use, rehabilitation and reproduction of the forest, and to conduct impact assessment if authorized;

23.2.3.In addition to conducting forest rehabilitation and reproduction activities, to provide professional and methodological advice, training, develop and implement projects and programs to other organizations;

23.2.4. To be responsible for the accuracy of the work performed and to report on its activities to the state central administrative body;

/ This part was amended according to the law dated August 17, 2012 /

23.3 Requirements and working procedures for professional forestry organizations shall be approved by the State Central Administrative Body.

CHAPTER FIVE
FOREST PROTECTION AND REHABILITATION

Article 24. Forest protection measures

24.1. Forest protection measures shall include measures to prevent and combat forest and steppe fires, pests and diseases, to protect against adverse human activities, to ensure normal forest growth and regeneration, and to protect the gene pool.

Citizens' Representatives Khurals of aimags, the capital city, soums and districts may suspend mining operations for up to three years for the purpose of protecting and rehabilitating forest resources in the degraded forest areas of their territory.

Article 25. Involvement of non-governmental organizations in forest protection

25.1. A non-governmental organization with the purpose of forest resources protection charter may, in consultation with the relevant state central administrative body , carry out the following activities on forest protection in accordance with Article 32 of the Law on Environmental Protection :

25.1.1. To monitor the implementation of the forest legislation, to demand public inspection, to eliminate the revealed violations, to submit the issue to the competent authority for resolution, and to file a claim to the court to compensate the damage caused to the forest fund;

25.1.2. To submit proposals on forest protection to relevant government agencies and relevant levels of Citizens 'Representatives' Khurals and Governors;

25.1.3 organize training and advocacy on forest protection, rational use, rehabilitation, reproduction and prevention and protection of forest and steppe fires;

25.1.4. To develop projects, recommendations and methodologies for forest protection, rehabilitation, reproduction, forest and steppe fire prevention and protection, present them to relevant organizations and make decisions and implement them;

25.2. The State Central Administrative Body shall outsource certain functions of the state executive body on forest protection, rational use, restoration and reproduction to a non-governmental organization with the purpose of forest protection charter in accordance with Article 32.2 of the Law on Environmental Protection. implementation can be funded.

Article 26. Protection from forest and steppe fires

26.1. Forest user groups, economic entities and organizations shall implement measures to protect parts of the forest fund from forest and steppe fires owned by them at their own expense.

26.2. In case of fire danger, citizens, business entities and organizations are prohibited to perform the following actions in forest and steppe areas:

26.2.1. Open fire under young coniferous forests, burnt forests, dry and deciduous forests, untreated areas of logging wastes, areas with a lot of herbaceous plant resources, under trees;

26.2.2. To use incineration method to clean the logging area;

26.2.3. To discard paper, cloth, cotton and other items impregnated with combustible and lubricating materials in an unsuitable place;

26.2.4. When refueling vehicles and other equipment, smoke, burn through windows and doors, dispose of hazardous waste, ashes, matches, and use non-sparking vehicles.

/ This section was added by the law in 7 July 2013 /

26.3. Fire extinguishing tools, tools, techniques and equipment shall be installed at the place of operation in accordance with established norms and standards and shall be ready for use in case of fire.

/ This section was added by the law in 7 July 2013 /

Article 27. Protection of forests from pests and diseases

Governors of aimags, the capital city, soums and districts shall take measures to develop programs to prevent and control forest pests and diseases and to reflect the expenses required for their implementation in the local budget every year.

27.2. In case the outbreak of pests and diseases covers the territory of several administrative and territorial units, the professional forestry organization shall carry out the work to control them with state budget funds.

27.3. Forest user groups, economic entities and organizations shall implement measures to protect certain parts of the forest fund from pests and diseases at their own expense.

27.4 Forest professional organizations shall conduct research on pests and diseases, prevent and control them.

It is prohibited to use chemicals other than those approved by the State Central Administrative Body to control forest pests and diseases.

Article 28. Forest care and clearing

28.1. In order to ensure normal growth and development of forests, increase productivity, prevent forest fires, pests and diseases, and maintain ecological balance, the care specified in 28.2.1 of this law shall be provided only by professional forestry organizations and forestry organizations. Business entities and individuals shall do so by contract.

Forest maintenance and cleaning shall be financed as follows:

28.2.1. Forest lighting and adjustment care shall be financed from the state budget;

28.2.2. Maintenance and cleaning works other than those specified in 28.2.1 of this Law shall be carried out by the contractor at its own expense.

28.3 The State Central Administrative Body shall determine the amount of forest maintenance and cleaning work to be carried out in a given year by aimags and the capital city based on the proposal of its Governor.

28.4. Forest units (in their absence, rangers of the respective territories) shall issue vouchers and certificates of origin for timber harvested for care and cleaning purposes.

/ This part was amended according to the law dated July 09, 2013 /

/ This part was amended according to the law dated July 08, 2015 /

The Government member in charge of nature and environment shall approve the procedure for forest care and clearing.

Article 29. Forest prohibition activities

The following activities shall be prohibited in order to ensure normal forest growth and regeneration and to protect forests from adverse effects of human activities:

29.1.1. Cutting and damaging forests and all types of young trees up to the fifth grade, as well as all types of fruit trees and shrubs such as fir, ash, saxaul, poplar, smooth, salmon, pine, sandalwood, continental and sea buckthorn, mulberry;

29.1.2. To harvest and use cedar, spruce and pine from the forest without the permission of the State Central Administrative Body;

29.1.3 logging by flat cutting of forests;

29.1.4. mowing grass in forested areas without permission;

29.1.5. Logging and grazing of livestock in the afforestation, isolation for forest seed harvesting and nursery areas where seedlings are grown;

29.1.6. To carry out activities such as logging and use of non-timber forest products without consultation with the competent authorities specified in Articles 14.1 and 14.2 of this Law;

29.1.7. Citizens, forest user groups, economic entities and organizations shall harvest timber from the forest without proper permission, use non-timber forest products, hunt and travel in case of fire danger without proper permission;

29.1.8. To transplant a sapling from a natural forest without the permission of the competent authority specified in 14.1 of this law;

29.1.9. To use round timber for the purpose of building formwork for construction, renovation, expansion and repair of buildings and structures;

29.1.10. To build buildings and structures and place any objects on the land of the forest fund for purposes other than the implementation of state special needs and forestry measures;

29.1.11. To import seedlings of trees and shrubs, except for experimental and research works on localization and cultivation of trees and shrubs.

Article 30. Reforestation and reproduction

30.1. Citizens, forest user groups, economic entities and organizations shall take measures to rehabilitate and multiply forests affected by forest and steppe fires, pests and diseases, as well as logging areas by the state order, state and local budgets, own funds, domestic and foreign donations, performed with the help of.

Citizens, forest user groups, economic entities and organizations shall plant ten or more seedlings in the forest instead of one felled tree and hand them over to the state forest fund.

30.3 Programs and projects to establish green belts for the purpose of afforestation of steppe, Gobi and desert regions, protection of rivers, streams, springs, streams, pastures and agricultural lands shall be implemented from the state budget and other sources.

30.4. The amount of funds to be spent from the state budget for forest protection, restoration and reproduction shall not be less than specified in Article 18 of the Law on Natural Resource Use Fees .

30.5. The members of the Government in charge of finance and environment shall jointly approve the procedures for planning, organizing and financing afforestation and forestry activities, valuing planted forests, and purchasing and allocating them to the state forest fund.

Article 31. Organization of tree planting

Aimag and capital city governors shall organize a monthly tree planting campaign every year, and every 16-year-old citizen, business entity or organization shall plant, water and care for at least five trees and donate expenses if it is not possible to do so on their own.

31.2 Soum, district, bag and khoroo governors shall organize the selection of planting areas, soil treatment, provision of seedlings, watering and maintenance in cooperation with professional forestry organizations and involve citizens in this work.

31.3. Trees planted by citizens, forest user groups, business entities and organizations may be purchased in accordance with certain criteria.

31.4. Landscaping and construction of green areas in cities and settlements shall be regulated by relevant laws.

CHAPTER SIX
USE OF FOREST

Article 32. Determining the amount of timber to be harvested

32.1. The maximum amount of timber to be harvested from a forest in a given year shall be determined by the State Central Administrative Body for each aimag and the capital city based on proposals of aimag and capital city governors, forest management documents and forest management plans.

Aimag and capital city Citizens' Representatives Khurals shall determine the amount of timber to be harvested from the forest in a given year for each soum and district within the limits specified in 32.1 of this law.

32.3. Soum and district Citizens' Representatives Khurals shall determine the types and quantities of timber to be harvested from forests in accordance with Articles 35.1 and 35.2 of this Law based on the forest management plans of forest user groups, economic entities and professional forestry organizations that possess certain parts of the forest fund. sets:

32.3.1. Production cuts for each business entity authorized to conduct production operations by each organization;

32.3.2. Forest maintenance and cleaning shall be carried out by the business entity authorized to carry out forest care and cleaning by each organization;

32.3.3. Aimags and soums with forest resources shall cut the cuttings for household and traditional products in each bagh.

/ This part was amended according to the law dated July 08, 2015 /

32.4. Measures to support natural regeneration shall be carried out by the logging organization at its own expense and by a professional forest rehabilitation and reproduction organization at the expense of the local budget before the change of forest environment conditions in the area affected by new logging and forest and steppe fires and pests.

~~32.5. The needs of households, economic entities and organizations in aimags without forest resources and forest resources shall be met in a centralized manner and the Government shall set the percentage of fuel wood discounts.~~

/ This part was annulled by the law in July 08, 2015 /

Article 33. Concluding a logging contract

33.1. Forest user groups, economic entities and professional forestry organizations that have contracted forest resources shall enter into logging agreements with forest units (in their absence, soum and district officials) based on decisions of soum and district Citizens' Representatives Khurals.

33.2 The following shall be included in the logging contract to be concluded in accordance with Article 33.1 of this Law:

33.2.1. Grounds for logging / decision of an authorized person to authorize logging /;

33.2.2. timing, purpose, type and size of timber to be harvested;

33.2.3. Logging site isolation materials, logging technology card and forest resource description;

33.2.4. A plan for forest rehabilitation, protection from forest and steppe fires, pests and diseases, and the amount of expenses for its implementation;

33.2.5. Conditions for handing over the harvested area;

33.2.6. To hand over the harvested area and evaluate the implementation of the contract.

Article 34. Issuance of logging license and certificate of origin

34.1. In accordance with Article 32.2 of this Law, within the limits set by the Citizens' Representatives Khurals of aimags and the capital city, forestry units (in their absence, soum and district officials) shall issue logging licenses and certificates of origin to citizens, forest user groups, economic entities and professional forestry organizations. issue a certificate.

34.2. The certificate specified in 34.1 of this Law shall indicate the name and address of the citizen, forest partnership, business entity, professional forest organization, type and size of timber to be harvested, time to complete harvesting and transportation, and name of the land.

It is prohibited to transfer the vouchers specified in 34.1 of this Law to others.

34.4. Certificate of origin of timber and timber shall be issued for transportation and sale of logs, poles, logs, sawn timber and firewood between other aimags, soums, cities and settlements in accordance with Article 34.1 of this Law.

34.5. The member of the Government in charge of nature and environment shall approve the certificate, certificate of origin and the procedure for issuing the certificate specified in 34.1 of this Law.

/ This part was amended according to the law dated July 09, 2013 /

Article 35 Logging

35.1. A professional organization in the field of forest use specified in Article 23 of this Law may harvest timber from the following types of felling to the extent determined by the Soum and District Citizens' Representatives Khurals: 35.1.

35.1.1.care aimed at creating a favorable environment for forest growth by cutting down trees and shrubs that adversely affect forest condition;

35.1.2. Clearing aimed at clearing the forest and rehabilitating the forest by cutting down forest trees affected by fires, pests and diseases, which have dried up and are no longer able to grow;

35.1.3. Industrial use aimed at preparing wood raw materials by cutting mature wood.

35.2 Citizens of aimags and soums with appropriate permits shall produce traditional products for forest purposes, as well as forest partnerships, economic entities and organizations that own forest resources under contract, by clearing forests specified in 3.1.15 of this law. The wood can be harvested for.

/ This part was amended according to the law dated July 08, 2015 /

35.3. It shall be prohibited for a citizen who has obtained a relevant permit, as well as a forest partnership, business entity or organization holding a forest fund under a contract, to harvest timber for purposes and methods other than those specified in Article 35.2 of this Law.

35.4. Illegal logging shall be considered in the following cases:

35.4.1. Logging in excess of the quantity specified in the contract or permit documents, in violation of the type, purpose, method and technology of harvesting;

35.4.2. Logging without proper contract or permission;

35.4.3. Logging from the forest under corrected, forged, invalid contracts and vouchers.

The Government member in charge of nature and environment shall approve the procedure for logging.

/ This section was added by the law in 7 July 2015 /

Article 36. Logging in other aimags and soums

36.1. In case of logging in other aimags and soums, the Governors of the relevant levels shall agree in advance and the Governor of the aimag or the capital city shall submit a proposal to the State Central Administrative Body for decision.

/ This part was amended according to the law dated August 17, 2012 /

36.2. If the aimag and capital city governors fail to reach an agreement on logging in accordance with Article 36.1 of this Law, the State Central Administrative Body shall decide.

Article 37. Processing and sale of harvested timber

Citizens and business entities engaged in timber production and services shall organize processing and sale of timber harvested in accordance with Articles 35.1 and 35.2 of this Law.

37.2. Citizens, business entities and lessees specified in Article 37.1 of this Law shall be prohibited from processing and selling timber without a certificate or certificate of origin, as well as illegally harvested timber.

37.3. Citizens and business entities organizing activities specified in Article 37.1 of this Law shall be obliged to monitor the activities of their lessees and take measures to prevent the processing and sale of timber without certificates and certificates of origin, as well as illegally harvested timber.

37.4. It shall be prohibited for citizens, business entities and organizations engaged in trade and service activities of timber and timber to enter the place of trade and services by vehicles prepared without permission or transporting timber and timber without a certificate of origin.

/ This section was added by the law in 7 July 2015 /

Article 38. Non-timber forest products and procedures for their use

Citizens, forest user groups, economic entities and organizations shall be issued a permit to use non-timber forest resources by the forest department (in their absence, the ranger of the respective territory).

/ This part was amended according to the law dated July 09, 2013 /

38.2. The certificate specified in 38.1 of this Law shall indicate the name and address of the citizen, forest partnership, business entity or organization, type, amount, time and place name of the non-timber resources to be harvested.

Citizens, forest user groups, economic entities and organizations shall use non-timber forest products for a fee.

38.4. When issuing certificates to citizens, forest user groups, economic entities and organizations specified in Article 38.1 of this Law, non-timber forest products, their distribution and annual harvest shall be taken into account.

38.5. It is allowed to use cedar nuts only for household purposes in the year of medium harvest and for any purpose in the year of high harvest.

The member of the Government in charge of nature and environment shall approve the regulations regulating the activities on protection and rational use of non-timber forest products.

It is prohibited to export unprocessed non-timber forest products.

38.8. Protection zones for cedar nuts, wild fruits, berries, mushrooms and medicinal plants growing on forest lands may be established and leased to local residents, forest user groups, economic entities and organizations on a contractual basis.

CHAPTER SEVEN
MISCELLANEOUS

Article 39. Economic incentives for forest protection

39.1. Citizens, forest user groups, business entities and organizations that have reduced harmful effects on forests, as well as introduced advanced methods and technologies shall be rewarded by the state and the procedure shall be approved by the Government.

Incentives shall be provided in accordance with Article 54.4 of the Law on Environmental Protection to citizens who have provided factual information on violations of forest legislation to authorized organizations and officials, as well as to citizens who have identified or provided practical assistance in detecting violations.

39.3. The following incentives shall be provided to an authorized official who detects illegal logging crimes and violations:

39.3.1. 15 percent of the proceeds from the sale of illegally harvested and confiscated logs, poles, logs, sawn timber, firewood, as well as non-timber forest products shall be paid in accordance with paragraph 5 of Article 54 of the Law on Environmental Protection. discovered rangers and state inspectors;

39.3.2. A partnership that detects a crime or violation in accordance with paragraph 9 of Article 54 of the Law on Environmental Protection shall receive a monetary reward equal to 70 percent of the proceeds from the sale of weapons, vehicles, vehicles, machinery and equipment used for committing crimes and violations. , non-governmental organizations, police and border guards.

/ This part was amended according to the law dated July 08, 2015 /

39.4. Citizens, forest user groups, economic entities and organizations shall purchase quality seedlings, saplings, planted trees, shrubs and planted forests grown with their own funds in accordance with relevant procedures or provide incentives in other forms.

39.5. The procedure for awarding bonuses specified in Articles 39.2-39.4 and 39.10 of this Law shall be jointly approved by the Government member in charge of finance and environment.

/ This part was amended according to the law dated July 09, 2013 /

39.6. Expenditures required by state and local self-governing bodies to implement forest protection, rehabilitation and reproduction measures and monitor the implementation of forest legislation shall be financed from the state and local budgets.

Expenditures on forest and steppe fire protection measures shall be reflected in the annual budget of aimags, the capital city, soums and districts.

39.8. The costs of eliminating the damage caused by forest and steppe fires shall be covered from the state budget and after the cause of the forest and steppe fire has been determined, it shall be reimbursed by the guilty person in accordance with relevant legislation.

39.9. In case of increased damage from forest and steppe fires, the Government may finance the costs of mobilization in accordance with the procedure set forth in Article 12.1.7 of this Law.

39.10. In case citizens, forest user groups, economic entities and organizations fight forest and steppe fires and pests with their own funds, bonuses shall be paid in accordance with relevant procedures.

/ This section was added by the law in 7 July 2013 /

Article 40. Payments and fees

40.1. Fees for the use of forest resources shall include fees for harvesting timber and firewood from the forest, and for the use of non-timber forest resources.

Citizens, forest user groups, business entities and organizations shall pay the following fees in accordance with the law: 40.2.

40.2.1. Authorization of a professional forestry organization;

40.2.2. Issuance of a license to use non-timber forest resources;

40.2.3. Issuance of a certificate of origin for timber and timber.

40.3. Payments and fees specified in Articles 40.1 and 40.2 of this Law, as well as income from the sale of illegally harvested and confiscated timber, timber and non-timber forest products, and compensation specified in 42.1 of this Law shall be included in the budget in accordance with the law.

40.4. The issue of determining, exempting and reducing the amount of fees and charges specified in Articles 40.1 and 40.2 of this Law shall be regulated by the relevant law.

40.5. A person who has obtained a license for the use of forest resources, a certificate of origin and a professional forestry organization shall pay the price of the certificate and certificate to the Environment and Climate Fund specified in Article 5.3.1 of the Law on Government Special Funds.

/ This part was amended according to the law dated February 09, 2017 /

/ This part was amended according to the law dated November 13, 2019 /

Article 41. Training and scientific support in forestry

41.1 The Government shall approve and organize the implementation of ecological education programs to provide citizens with knowledge, education, upbringing, forest protection methods and practices within the framework of formal and non-formal education systems.

The Government shall organize training and scientific provision on forests as follows:

41.2.1. To provide basic knowledge in the field of forest ecological education, tree planting and afforestation in preschool and general education schools;

41.2.2. To determine the demand for professional personnel to be trained in forestry at vocational training and production centers, colleges, universities and institutes, to provide professional education, to conduct regular retraining and to train professional personnel and employees;

41.2.3. Expand research and analysis in the forestry sector, introduce advanced research methods, technologies, innovations and research results, new ideas, advanced techniques and technologies into production;

41.2.4. To promote knowledge about forests, national traditions, customs and legislation on forest protection through mass media.

Article 42. Compensation for damage caused to the forest fund

42.1. Citizens, forest user groups, economic entities and organizations shall compensate the direct damage caused to the forest fund and its resources due to the following activities: 42.1.

42.1.1. Conducted prohibited activities;

42.1.2. Illegal logging;

42.1.3. Collection and preparation of non-timber forest products without permission;

42.1.4. Had a harmful impact on the forest fund;

42.1.5. Deforestation in the course of conducting production, services and mining activities;

42.1.6. conducted other illegal activities.

42.2. The state environmental inspector shall impose compensation for direct damage and expenses required for reforestation specified in 42.1 of this Law and monitor the payment.

/ This part was amended according to the law dated July 09, 2013 /

42.3. Reimbursement of direct damages specified in Article 42.1 of this Law shall not serve as a ground to release the guilty person from liability specified in the Criminal Code or the Law on Violations in accordance with the relevant legislation.

/ This part was amended according to the law dated December 04, 2015 /

42.4. The amount of compensation for non-timber forest resources specified in 42.1.3 of this Law shall be determined by the current market value, and the amount of other compensation shall be determined by the ecological and economic assessment.

Article 43. Determination of damage caused by forest and steppe fires

Damage caused by forest and steppe fires shall be determined by the working group established by the decision of the Governor of the appropriate level within 30 days after the fire is extinguished.

43.2. Damage caused by forest and steppe fires shall include ecological and material damage, direct and indirect costs incurred in combating forest and steppe fires.

43.3. In case of external fire damage caused to forests planted by citizens, forest user groups, economic entities and organizations and forests owned by them, the state shall be responsible for the amount of damage and reforestation shall be carried out with state funds.

Article 44. To organize mobilization to extinguish forest and steppe fires

44.1. Governors of all levels shall be obliged to mobilize manpower and equipment to promptly organize forest and steppe fire extinguishing activities in their territories, and citizens, forest user groups, business entities and organizations shall comply with the Governor's requirements.

44.2. A person under the age of 16, a pregnant woman, a man over 60 years old and a woman over 55 years old shall not be involved in forest and steppe fire mobilization.

44.3. The President of Mongolia shall decide on the involvement of persons sentenced to forced labor in combating forest and steppe fires that cannot be extinguished by local forces across the state border, aimags, the capital city, soums and districts.

44.4. The state organization or official organizing the mobilization shall be responsible for providing food, other supplies, vehicles, tools and fuel to the citizens mobilized for forest and steppe fire fighting.

Article 45. Guarantees for citizens and civil servants mobilized to extinguish forest and steppe fires

45.1. In case of loss of health or death of a citizen or civil servant mobilized for forest and steppe firefighting while performing firefighting and official duties, the following pensions, benefits and salary difference shall be paid to him / her family: 45.1.

45.1.1. In case of temporary disability, the difference between the allowance for the period of sick leave and the salary received;

45.1.2. The difference between the pension and the salary of the disabled person in case of becoming disabled;

45.1.3. The cost of a prosthesis;

45.1.4. In case of death, the difference between the survivor's pension and the victim's salary;

45.2 The state shall be responsible for the expenses related to the use of funeral and technical equipment of citizens and civil servants who died while fighting forest and steppe fires.

45.3. In case a citizen or civil servant mobilized in a forest or steppe fire dies while fighting a fire, a one-time grant aid shall be provided to his / her family.

The amount of assistance shall be determined by the Government.

Article 46. Financing

Aimags, the capital city, soums and districts shall reflect the costs of forest and steppe fire protection measures in their annual budgets.

46.2. Expenses for eliminating the damage of forest and steppe fires shall be covered from the state budget and after the cause of the fire has been determined, it shall be reimbursed by the guilty person in accordance with the relevant legislation.

Article 47. Liability for violators of the law

47.1. If the actions of an official violating this Law are not of a criminal nature, he / she shall be subject to liability specified in the Civil Service Law.

47.2. A person or legal entity that violates this Law shall be subject to liability specified in the Criminal Code or the Law on Violations.

/ This article was amended according to the law dated December 04, 2015 /

MONGOLIA CHAIRMAN OF THE PARLIAMENT D. DEMBEREL