

FORESTRY LAW

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly promulgates the Law on Forestry.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Law provides for the management, protection, development and use of forests; processing and trading of forest products.

Article 2. Interpretation of terms

In this Law, the following terms are construed as follows:

1. *Forestry* is an economic - technical branch covering the management, protection, development and use of forests; processing and trading of forest products.
2. *Forestry activities* include one or more activities of forest management, protection, development and use; processing and trading of forest products.
3. *Forest* is an ecosystem consisting of forest plants, animals, fungi, microorganisms, forest soil and other environmental factors, in which the main component is one or several species of woody plants. , bamboo, cork, areca tree whose height is determined according to the flora on the soil mountain, rocky mountain, wetland, sandy soil or other typical flora; inter-regional area of 0.3 ha or more; shade from 0.1 or more.
4. *Canopy coverage* is the degree of vertical canopy coverage of forest trees per unit area of forest, expressed in tenths.
5. *Forest cover rate* is the percentage of forest area to total natural land area over a certain geographical area.
6. *Natural forest* means a forest available in nature or restored by natural regeneration or regeneration with additional planting.
7. *Planted forest* means a forest that has been newly planted by humans on land that has not yet been forested; reclamation of natural forests; replanting or regeneration after exploitation of planted forests.
8. *Belief forest* means a forest associated with the beliefs, customs and practices of the community living on the forest.
9. *Forest owner* means an organization, household, individual or community that has been allocated or leased out by the State; land allocation, land lease for afforestation; forest self-recovery and development; receive, transfer, donate or inherit forests in accordance with law.
10. *Ownership of planted production forests* includes the right to possess, use and dispose of trees, livestock and other properties attached to the forest invested by the forest owner for a period of time. assigned or hired to plant forests.
11. *Forest use right* means the right of a forest owner to exploit the forest for its uses and enjoy the fruits and profits from the forest.

12. *Forest value* is the total value of elements constituting a forest ecosystem and forest environmental values at a given time, on a defined forest area.
13. *Value of forest use rights* is the total monetary value of forest use rights at a given time, on a defined forest area.
14. *Endangered, precious and rare species of forest flora and fauna* are species of forest plants and animals of special economic, scientific, medical, ecological, landscape and environmental value. There are few in the wild or in danger of extinction.
15. *Specimens of forest plant and animal species* are living or dead forest plants and animals, their eggs, larvae, parts and derivatives.
16. *Forest products* are products extracted from forests, including forest plants, animals and other forest creatures, including processed timber, non-timber forest products, wood products, rattan, bamboo and other processed products.
17. *Forest product dossier* means a document on forest products kept at a forest product production and trading establishment and circulated together with forest products during the process of exploitation, purchase, sale, export, import, transportation, etc. processing and storage.
18. *Legal timber* means timber or wood products that are harvested, traded, and manufactured in accordance with the provisions of Vietnamese law.
19. *Sustainable forest management* is a method of forest governance that ensures the achievement of forest protection and development goals, does not degrade and enhance forest values, improves livelihoods, and protects the environment. contribute to maintaining national defense and security.
20. A *certificate of sustainable forest management* is a document recognizing that a certain forest area meets the criteria for sustainable forest management.
21. *Forest leasing by the State* means the State's decision to grant forest use rights to organizations, households and individuals that have a need to use forests through forest lease contracts.
22. *Forest environment lease* means an agreement by an organization or individual with a forest owner to use the forest environment for a certain period of time through a forest environment lease contract in accordance with law.
23. *Forest environment service* is an activity that provides use values of the forest environment.
24. *Residential community* includes the Vietnamese community living in the same village, village, hamlet, hamlet, village, village, bon, phum, squirrel, residential group, residential area, similar residential area and having the same customs, custom.
25. *Buffer zone* is an area of forest, land and water surface adjacent to the boundary of a special-use forest that has the effect of preventing and mitigating negative impacts on the special-use forest.
26. *Strictly protected zone of special-use forest* is an intact area of national park, nature reserve, species - habitat conservation area.
27. *Ecological restoration subdivision of special-use forest* is an area that is strictly managed and protected so that the forest can restore the natural ecosystem of a national park, nature reserve, or species-habitat conservation area. .
28. *The service and administrative subdivision of a special-use forest* is an area of regular operation of the special-use forest management board, research and experimental facilities, tourism, resort and entertainment services combined with construction. construction of service management works of national parks, nature reserves, species and habitat conservation areas .
29. *Natural forest closure* means stopping logging of natural forests for a certain period of time by decision of a competent state agency.
30. *Opening of natural forests* means allowing logging of natural forests to resume by decision of a competent state agency.
31. *Forest degradation* is the deterioration of forest ecosystems, reducing the function of forests.

Article 3. Principles of forestry activities

1. Forests are managed sustainably in terms of area and quality, ensuring harmony with the objectives of socio-economic development, national defense and security, biodiversity conservation, and improvement of forest cover rate, value of forest environmental services and response to climate change.
2. Socialization of forestry activities; ensure the harmony between the interests of the State and the interests of forest owners, organizations and individuals engaged in forestry activities.
3. Ensure the organization of chain linkages from forest protection, forest development, forest use to forest product processing and trade to enhance forest values.
4. Ensure publicity, transparency and participation of related organizations, households, individuals and communities in forestry activities.
5. Comply with international treaties related to forestry to which the Socialist Republic of Vietnam is a contracting party; In case an international treaty to which the Socialist Republic of Vietnam is a signatory contains provisions different from those of this Law or a Vietnamese legal document has no provisions, the provisions of this Article shall apply. that international treaty.

Article 4. State policies on forestry

1. The State shall adopt a policy of investment and mobilization of social resources for forestry activities in association with and in sync with the policies of socio-economic development, national defense and security .
2. The State ensures resources for the management, protection and development of special-use forests and protection forests.
3. The State protects the lawful rights and interests of organizations, households, individuals and communities engaged in forestry activities.
4. The State organizes and supports the management, protection and development of production forests; forestry plant varieties, forest restoration, new afforestation; researching and applying science, high technology, advanced technology and new technology; human resource training; performing forest environmental services; planting large timber forests, converting small timber plantations into large timber plantations; infrastructure; sustainable forest management; processing and trading forest products; international cooperation in forestry.
5. The State encourages the combined production of forestry, agriculture and fishery; organic forestry production; production forest insurance is planted forest.
6. The State ensures that ethnic minorities and forest-dependent communities are allocated forests in association with land allocation for combined forestry, agriculture and fishery production; to cooperate and associate in forest protection and development with forest owners, and to share benefits from forests; to practice the culture and beliefs associated with the forest according to the Government's regulations.

Article 5. Forest classification

1. Based on the main use purposes, natural forests and planted forests are classified into 03 types as follows:
 - a) Special-use forests;
 - b) Protection forest;
 - c) Production forest.
2. Special-use forests are mainly used for conservation of natural forest ecosystems, genetic resources of forest organisms, scientific research, conservation of historical - cultural relics, beliefs, and combined scenic spots. Ecotourism; convalescence and entertainment, except for strictly protected subdivisions of special-use forests; provision of forest environmental services, including:
 - a) National parks;
 - b) Nature reserve area;
 - c) Species - habitat conservation zones;

d) Landscape protection zones include forests preserving historical - cultural relics and scenic spots; faith forest; environmental protection forests in urban areas, industrial parks, export processing zones, economic zones and high-tech zones;

dd) Scientific research and experimental forest; national botanical garden; national seed forest.

3. Protection forests are mainly used to protect water sources, protect soil, prevent erosion, landslides, flash floods, pipe floods, combat desertification, limit natural disasters, regulate climate, and contribute to climate change. environmental protection, national defense and security, combining eco-tourism, convalescence and entertainment; provision of forest environmental services; classified according to the degree of weakness include:

a) Watershed protection forest; forests to protect water sources of residential communities; border protection forests;

b) Protective forests to block wind and fly sand; protection forest to break waves and encroach on the sea.

4. Production forests are mainly used to supply forest products; combined production and business in forestry, agriculture and fishery; eco-tourism, convalescence and entertainment; provision of forest environmental services.

5. The Government shall detail the criteria for forest identification, forest classification and the Regulation on forest management.

6. The Minister of Agriculture and Rural Development shall detail the criteria for determining the critical level of protection forests.

Article 6. Forest boundary delimitation

1. Forests are demarcated with specific boundaries on the field, on a map, and forest management records are made. The system of demarcation of forest boundaries is uniform across the country according to forest sub-zones, plots and plots.

2. The Minister of Agriculture and Rural Development shall detail this Article.

Article 7. Forest ownership

1. The State is the representative owner of forests under the ownership of the entire people, including:

a) Natural forests;

b) Plantation forests are fully invested by the State;

c) Planted forests recovered by the State, donated or other cases of transfer of ownership rights of planted forests as prescribed by law.

2. Organizations, households, individuals and communities that own planted production forests include:

a) Forests invested by organizations, households, individuals and communities;

b) Forests may be transferred, donated or inherited from other forest owners in accordance with law.

Article 8. Forest owners

1. Special-use forest management board and protection forest management board.

2. Economic organizations include enterprises, cooperatives, unions of cooperatives and other economic organizations established and operating in accordance with law, except for the case specified in Clause 7 of this Article.

3. Units of the people's armed forces that are assigned forests (hereinafter referred to as armed units).

4. Scientific and technological organization, training and vocational education in forestry.

5. Households e ì nh individuals in the country.

6. Residential community.

7. Foreign-invested enterprises are leased land by the State to plant production forests.

Article 9. Prohibited acts in forestry activities

1. Cutting, destroying, exploiting, encroaching and occupying forests against the provisions of law.
2. Bringing wastes, toxic chemicals, explosives, inflammables, combustibles, tools and means into the forest against the law; herding, leading and releasing livestock and livestock into strictly protected subdivisions of special-use forests and newly planted forests.
3. Hunting, capturing, raising, confining, killing, storing, transporting and trading in wild animals, collecting specimens of forest plants and animals against the law.
4. Destruction of forest resources, forest ecosystems, forest protection and development works.
5. Violations against regulations on forest fire prevention and fighting; preventing and eliminating organisms harmful to forests; management of invasive alien species; forest environmental services.
6. Storing, trading, transporting, processing, advertising, displaying, exporting, importing, temporarily importing, re-exporting, temporarily exporting, re-importing or transiting forest products in contravention of Vietnamese laws and international treaties to which the Socialist Republic of Vietnam is a signatory.
7. Exploiting natural resources, mineral resources and forest environment in contravention of law; construction, digging, digging, embankment, blocking of natural flows and other activities contrary to the law, which change the natural landscape structure of the forest ecosystem.
8. Forest allocation, forest lease, forest recovery, forest type change, forest use purpose change in contravention of law; permitting the exploitation and transportation of forest products in contravention of the law; forest area conversion, transfer, inheritance, donation, mortgage or capital contribution equal to the value of forest use rights or ownership rights over planted production forests in contravention of law; Discrimination on religion, belief and gender in forest allocation and lease.
9. Using raw materials in processing forest products in contravention of the law.

chapter II

FORESTRY PLANNING

Article 10. Principles and grounds for forestry planning

1. Forestry planning must comply with the law on planning and the following principles:
 - a) Conform to the national master plan, the national land use master plan, the national forestry development strategy, and the national strategy on biodiversity;
 - b) Ensure sustainable forest management; exploiting and using forests in association with the conservation of natural resources, raising the economic value of forests and cultural and historical values; protect the environment, respond to climate change and improve people's livelihoods;
 - c) Natural forests must be included in the planning of special-use forests, protection forests and production forests;
 - d) Ensure the participation of agencies, organizations, households, individuals and communities; ensuring publicity, transparency and gender equality;
 - dd) The content of forestry in the provincial planning must be consistent with the content of the national forestry planning.
2. Forestry planning must comply with the law on planning and the following grounds:
 - a) The national forestry planning must be based on the national master plan, the national land use planning, and the national forestry development strategy;
 - b) The forestry content in the provincial planning must be based on the national forestry planning;
 - c) Natural, socio-economic conditions and resources of the whole country or locality.

Article 11. Period and content of forestry planning

1. The national forestry planning period is 10 years; vision from 30 years to 50 years.

2. Forestry planning contents must be consistent with regulations of law on planning and include the following contents:

- a) Collect, analyze and evaluate data on natural, socio-economic conditions and current status of forest resources; relevant guidelines, development orientations and plans; assess development resources and issues to be solved;
- b) Evaluation of the implementation of the previous period's forestry planning on forest management, protection and development; processing and trading forest products; investment, science and technology, labor;
- c) Forecast of demand and market for forest products, forest environmental services, impacts of climate change, scientific and technical progress, technological progress applied in forestry;
- d) Research context, industry linkages; determine the socio-economic development requirements for the industry;
- d) Determining the viewpoints and goals of forestry development;
- e) Orientation for sustainable development of special-use forests, protection forests and production forests;
- g) Orientation for development of forestry infrastructure;
- h) Orientation to develop markets, raw materials and processing forest products;
- i) Solutions and resources to organize the implementation of the planning.

Article 12. Formulation, consultation, appraisal, approval and adjustment of national forestry master plans

1. Responsibilities for organizing the formulation of national forestry planning are prescribed as follows:

- a) The Ministry of Agriculture and Rural Development is responsible for organizing the formulation of national forestry planning;
- b) Ministries, ministerial-level agencies, and provincial-level People's Committees shall coordinate with the Ministry of Agriculture and Rural Development in formulating national forestry planning.

2. The collection of comments on the national forestry master plan is done as follows:

- a) The Ministry of Agriculture and Rural Development organizes consultations with relevant state agencies, organizations, households, individuals and communities; synthesize, receive and explain comments on national forestry planning;
- b) The collection of comments on the national forestry master plan is done through the public form on the electronic portal and mass media; send comments in writing; organizing conferences and seminars;
- c) The time limit for opinion collection is 60 days from the date the competent state agency decides to organize the opinion collection.

3. The appraisal of national forestry master plans is prescribed as follows:

- a) The Prime Minister establishes the National Forestry Planning Appraisal Council;
- b) The Ministry of Agriculture and Rural Development is the standing body of the National Forestry Planning Appraisal Council;
- c) The National Forestry Planning Appraisal Council shall organize the appraisal and send the appraisal results to the Ministry of Agriculture and Rural Development. The Ministry of Agriculture and Rural Development is responsible for receiving and explaining the contents of appraisal;
- d) Contents of planning appraisal include conformity with national master plan, national forestry development strategy, national land use planning; practice, resources, needs and the ability to use forests to meet the requirements of sustainable development; economic, social and environmental efficiency; feasibility of the plan.

4. The Prime Minister approves the national forestry planning submitted by the Minister of Agriculture and Rural Development.

5. The adjustment of the national forestry master plan is prescribed as follows:

a) The national forestry master plan is adjusted when there is a change in the national master plan, the national land use planning, the national forestry development strategy, resulting in major changes to the content of the forestry planning, prescribed in Clause 2, Article 11 of this Law;

b) The appraisal and approval of adjustments to the national forestry planning shall comply with the provisions of Clauses 3 and 4 of this Article.

6. The formulation, consultation, appraisal, approval and adjustment of the national forestry planning shall comply with the provisions of this Law and the law on planning.

Article 13. Forest planning consulting organizations

1. Forest planning agencies must select forestry planning consulting organizations in accordance with the law on bidding.

2. Forestry planning consultancy organizations must have legal status and satisfy requirements on professional capacity in accordance with the work they undertake in accordance with the Government's regulations.

Chapter III

FOREST MANAGEMENT

Section 1. FOREST LEASE, FOREST LEASE, FOREST TYPE TRANSFER, FOREST USE PURPOSE FOR OTHER PURPOSE, FOREST RECOVERY

Article 14. Principles of forest allocation, forest leasing, conversion of forest use purposes to other purposes, and forest recovery

1. Conform to national forestry planning and land use planning; existing forest area in the locality.

2. Do not change the purpose of using natural forests to other purposes, except for projects of national importance; projects serving national defense and security; other urgent projects approved by the Government.

3. Do not assign or lease the disputed forest area.

4. Forest owners may not lease areas of natural forests or planted forests to other organizations, households or individuals to other organizations, households or individuals.

5. Unify and synchronize with land allocation, land lease, change of land use purpose, and land recovery.

6. The time limit and quota for forest allocation or forest lease is consistent with the time limit and limit for land allocation or land lease.

7. Ensuring publicity, transparency and participation of local people; non-discrimination on religion, belief and gender in forest allocation and lease.

8. Respect the survival space, customs and habits of the residential community; giving priority to forest allocation to ethnic minorities, households, individuals and communities with customs, practices, culture, beliefs and traditions associated with forests, with appropriate conventions and conventions in accordance with the provisions of the law.

Article 15. Basis for forest allocation, forest lease, change of forest use purpose to another purpose

1. The district-level People's Committee's plan for forest allocation, lease, and change of forest use purpose to another purpose, approved by the provincial-level People's Committee; annual land use plans of the district approved by competent state agencies.

2. Forest area and land planned for afforestation.

3. Demand for forest use expressed in investment projects for organizations; to propose forest allocation, forest lease, or change of forest use purpose to another purpose for households, individuals and communities.

4. Sustainable forest management capacity of organizations, households, individuals and communities.

Article 16. Forest allocation

1. The State allocates special-use forests without collection of forest use fees to the following subjects:

- a) Special-use forest management board for national parks; nature reserve; species - habitat conservation area; landscape protection zones include forests conserving historical - cultural relics, scenic spots, urban environmental protection forests, industrial parks, export processing zones, economic zones, and high-tech zones; national seed forest; national botanical garden;
- b) Organizing science and technology, training and vocational education in forestry for scientific research and experimental forests and national botanical gardens;
- c) Protection forest management boards, economic organizations, armed forces units for landscape protection zones including forests conserving historical - cultural relics and scenic spots; environmental protection forests in urban areas, industrial parks, export processing zones, economic zones and high-tech zones interspersed in the allocated forest areas;
- d) Communities with respect to the forest of beliefs that they are managing and using traditionally;
- d) Economic organizations, science and technology organizations, domestic forestry training and education organizations, for national seed forests interspersed within the allocated forest area.

2. The State allocates protective forests without collection of forest use fees to the following subjects:

- a) Protection forest management boards, armed forces units for watershed protection forests and border protection forests; protective forests to block wind and fly sand; protection forests to break waves and encroach on the sea;
- b) Economic organization for protection forests interspersed in the area of production forests of that organization;
- c) Households and individuals lawfully residing in commune-level areas where protection forests are located, for watershed protection forests; protective forests to block wind and fly sand; protection forests to break waves and encroach on the sea;
- d) The residential community lawfully residing in the commune-level area where the protection forest is located, for watershed protection forests; protective forests to block wind and fly sand; protection forests to break waves and encroach on the sea; forests protect the water source of that population community.

3. The State allocates production forests without collection of forest use fees to the following subjects:

- a) Households, individuals and communities lawfully residing in the commune-level area where the forest area is located; armed units;
- b) The special-use forest management board, the protection forest management board, for the area of production forest interspersed with the area of special-use forest or protection forest, shall be assigned to such forest management board.

Article 17. Leasing production forests

The State leases natural production forests to economic organizations, households and individuals, or planted production forests with one-time or annual rental payment for forestry production; combined forestry, agriculture and fishery production; business eco-tourism, convalescence and entertainment.

Article 18. Forest type change

1. The conversion from one type of forest to another must satisfy the following conditions:

- a) Conformity with forestry planning;
- b) Meet the criteria for forest classification;
- c) There is a plan to change the forest type.

2. Competence to decide on forest type change is prescribed as follows:

- a) The Prime Minister shall decide to change the forest type, for forests established by the Prime Minister at the request of the Minister of Agriculture and Rural Development;
- b) The chairperson of the People's Committee of the province shall decide to change the forest type that is not specified at Point a of this Clause, after receiving the decision on the policy of changing the forest type from the People's Council of the same level.

Article 19. Conditions for changing the forest use purpose to another purpose

1. Conform to the national forestry planning; planning and land use plan.
2. To be decided by a competent state agency on the policy of changing the forest use purpose to another purpose.
3. Having an investment project decided by a competent state agency.
4. Having a plan for afforestation as approved by a competent state agency or after fulfilling the responsibility to pay the replacement afforestation fee.

Article 20. Competence to decide on the policy of changing forest use purposes to other purposes

1. The National Assembly shall decide on the policy of changing the use purpose of special-use forests, watershed protection forests, and border protection forests of 50 hectares or more; protective forests against wind, flying sand and protection forests against waves and sea encroachment of 500 ha or more; production forests of 1,000 hectares or more.
2. The Prime Minister shall decide on the policy of changing the use purpose of special-use forests of less than 50 hectares; watershed protection forest, border protection forest from 20 ha to less than 50 ha; protective forests against wind, flying sand and protection forests against waves and sea encroachment from 20 ha to less than 500 ha; production forests from 50 ha to less than 1,000 ha.
3. Provincial-level People's Councils shall decide on the policy of changing the use purpose of watershed protection forests, border protection forests, windbreak and flying sand protection forests, and less than 20 hectares of protection forests for breaking waves and encroaching on the sea. ; production forest under 50 ha; forests protect the water source of the community.

Article 21. Planting of replacement forests when changing the forest use purpose to another purpose

1. Project owners that are allocated or leased land with the forest use purpose changed to another purpose must afforest and replace it with an area of forest converted to use purpose for planted forests, equal to three times the converted forest area. intended use for natural forests.
2. The project owner specified in Clause 1 of this Article planting the replacement forest by himself/herself must develop a plan on afforestation of the replacement forest and submit it to the People's Committee of the province for approval. In case the project owner does not plant the replacement forest himself, he/she shall pay money to the forest protection and development fund at the provincial level.
3. The amount to be paid to the forest protection and development fund at the provincial level is equal to the area of forest to be planted as replacement specified in Clause 1 of this Article multiplied by the unit price for 1 hectare of planted forest decided by the provincial People's Committee; Provincial-level People's Committees decide to use the money already paid into the forest protection and development fund at the provincial level to organize the planting of replacement forests in the province.
4. In case the People's Committee of the province fails to allocate or allocate enough land for planting replacement forests within 12 months from the time the project owner fulfills the responsibility to pay money to the protection and development fund, For forest development at the provincial level, the money for planting replacement forests must be transferred to the Vietnam Forest Protection and Development Fund to organize the planting of replacement forests in other localities.
5. The Minister of Agriculture and Rural Development shall stipulate the contents, order, procedures and time limit for planting replacement forests specified in this Article.

Article 22. Forest recovery

1. The State recovers forests in the following cases:
 - a) Forest owners use forests for improper purposes, intentionally fail to fulfill their obligations to the State or seriously violate regulations of the law on forestry;
 - b) The forest owner fails to carry out forest protection and development activities after 12 consecutive months from the date of being assigned or leased forest, except for force majeure cases certified by a competent state agency;
 - c) The forest owner voluntarily returns the forest;

- d) Forests are allocated or leased out by the State upon expiration without extension;
- dd) Forests are allocated or leased without authority or to the wrong subjects;
- e) The forest owner being an individual dies without an heir as prescribed by law;
- g) Other cases of recovery of forested land according to the provisions of the Land Law.

2. Forest owners are entitled to compensation and support as prescribed by law when the State recovers forests for defense and security purposes; socio-economic development for national and public interests; forest allocation or forest lease without authority or to the wrong target audience.

Article 23. Competence to allocate forests, lease forests, change forest use purposes to other purposes, and recover forests

1. The competence of the People's Committee of the province is prescribed as follows:

- a) Allocate forests, lease forests, change forest use purposes to other purposes, and recover forests for organizations;
- b) Lease land to foreign-invested enterprises in Vietnam to plant production forests.

2. The authority of the district-level People's Committee is prescribed as follows:

- a) Allocate forests, lease forests, change forest use purposes to other purposes, and recover forests for households and individuals;
- b) Allocate forests, change forest use purposes to other purposes, and recover forests for residential communities.

3. If there are both subjects specified at Point a, Clause 1 and Clause 2 of this Article in the forest recovery area, the provincial-level People's Committees shall decide on forest recovery or authorize the district-level People's Committees to decide. forest recovery.

4. The Government shall detail the allocation and lease of forests, change of forest types, change of forest use purposes to other purposes, and recovery of forests.

Section 2. FOREST MANAGEMENT ORGANIZATION

Article 24. Principles of forest management organization

- 1. The State allocates or leases forests, organizes the management and protection of forests, and ensures that forest areas are owned by owners.
- 2. Forest owners must implement sustainable forest management; be responsible for the management, protection, development and use of forests according to the Regulations on forest management.

Article 25. Authority to establish special-use forests and protection forests

- 1. The Prime Minister shall decide on the establishment of special-use forests or protection forests of national importance or located in many provinces.
- 2. Provincial-level People's Committee presidents shall decide to establish special-use forests and protection forests in their localities that do not fall into the cases specified in Clause 1 of this Article.
- 3. The establishment of special-use forests and protection forests must comply with the Regulation on forest management.

Article 26. Organization of management of special-use forests and protection forests

1. Organizations managing special-use forests are prescribed as follows:

- a) Establish a special-use forest management board for the national park; nature reserves, species and habitat conservation areas, and landscape protection zones with a concentrated area of 3,000 ha or more.

In case there is one or more nature reserves, species-habitat conservation zones or landscape protection zones in a province with an area of less than 3,000 hectares each, a special-use forest management board shall be established in the province. table;

b) Organizations assigned forests for scientific research and experimentation, national botanical gardens, and national seed forests shall organize and manage the forests themselves.

2. Organization of protection forest management is prescribed as follows:

a) Establish a protection forest management board for watershed protection forests, border protection forests with a concentrated area of 5,000 ha or more, or wind and sand protection forests; wave break and sea encroachment protection forest with an area of 3,000 ha or more;

b) Protection forests that do not fall into the cases specified at Point a of this Clause shall be assigned to economic organizations, households, individuals, communities and armed forces units in the locality for management.

3. The organization and management of special-use forests and protection forests shall comply with the Regulation on forest management.

Section 3. SUSTAINABLE FOREST MANAGEMENT

Article 27. Plan for sustainable forest management

1. Responsibilities for formulating and implementing plans for sustainable forest management are prescribed as follows:

a) The forest owner being an organization must develop and implement a plan for sustainable forest management;

b) Encourage forest owners who are households, individuals, residential communities or households and individuals to cooperate in formulating and implementing sustainable forest management plans.

2. Basic contents of a sustainable forest management plan for special-use forests include:

a) Assessment of natural, socio-economic, national defense and security conditions; current status of forest ecosystems, biodiversity, biological genetic resources, historical - cultural relics, landscapes;

b) Determining the goals and scope of sustainable forest management;

c) Determine the forest area in the degraded functional zones to be restored and preserved;

d) Identify activities of forest management, protection, conservation, development and use;

d) Solutions and implementation organization.

3. Basic contents of a sustainable forest management plan for protection forests include:

a) Assessment of natural, socio-economic, national defense and security conditions; current status of forest resources;

b) Determining the goals and scope of sustainable forest management;

c) Determine the protection function of the forest;

d) Determine activities of forest management, protection, development and use;

d) Solutions and implementation organization.

4. Basic contents of a sustainable forest management plan for production forests include:

a) Assessment of natural, socio-economic conditions; current status of forest resources; production and business results; assessment of the market that has an impact on the activities of forest owners;

b) Determining the goals and scope of sustainable forest management;

c) Determine activities of forest management, protection, development and use and trade in forest products;

d) Solutions and implementation organization.

5. The Minister of Agriculture and Rural Development shall detail the contents of the plan for sustainable forest management; prescribe the order and procedures for formulating and approving sustainable forest management plans.

Article 28. Certificate of sustainable forest management

1. The certificate of sustainable forest management is granted to forest owners on a voluntary basis.
2. Forest owners are granted a certificate of sustainable forest management in the country or internationally when a sustainable forest management plan is available and the criteria for sustainable forest management are met.
3. The organization of assessment and certification of sustainable forest management in Vietnam must comply with the provisions of Vietnamese law.
4. The Minister of Agriculture and Rural Development shall prescribe criteria for sustainable forest management.

Section 4. CLOSE AND OPENING OF NATURAL FORESTS

Article 29. Principles of opening and closing natural forests

1. Ensure sustainable forest management, conserve forest resources and biodiversity.
2. Ensuring publicity and transparency.
3. Ensure the legitimate rights and interests of related parties when closing and opening natural forests.

Article 30. Case of opening and closing of natural forests

1. Natural forest closures shall be implemented in the following cases:
 - a) The situation of deforestation and forest exploitation in contravention of the law is complicated, threatening to seriously degrade forest resources;
 - b) poor c Natural forests à n is restored; Biodiversity and protection function of forests have been seriously degraded.
2. Opening of natural forests shall be carried out when the situation specified in Clause 1 of this Article can be remedied.
3. The closing and opening of natural forests must comply with the Regulations on forest management.

Article 31. Competence, order and procedures for publicizing decisions on closing and opening natural forests

1. The Prime Minister shall decide on the closure and opening of natural forests nationwide or across many provinces and centrally-run cities.
2. Presidents of provincial-level People's Committees shall decide to close and open natural forests for their local natural forest areas after they are approved by the People's Councils of the same level after the project on closing and opening natural forests is approved by the People's Councils of the same level.
3. The decision to close or open the natural forest must be announced and posted publicly.
4. The order and procedures for announcing the decision to close or open the natural forests shall comply with the Regulation on forest management.

Article 32. Responsibilities of the State when closing natural forests

1. The State shall provide funds for the protection and development of natural production forests during the period of closure of natural forests.
2. The Ministry of Agriculture and Rural Development shall assume the prime responsibility for, and coordinate with the Ministry of Finance in, submitting to the Prime Minister for consideration and decision support for forest owners when implementing the Prime Minister's decision to close natural forests.
3. The People's Committee of the province shall submit it to the People's Council of the same level for consideration and decision to support forest owners when implementing the decision to close the natural forest of the President of the provincial People's Committee.

Section 5. FOREST INSPECTION, INSPECTION, MONITORING, FOREST DATABASE

Article 33. Forest survey

1. Forest survey contents include:
 - a) Forest survey and classification; decentralization of critical levels of protection forests;
 - b) Investigate and evaluate forest quality and potential for forest development;

- c) Investigate and assess deforestation and forest degradation;
- d) Investigate and evaluate biodiversity in forests;
- dd) Build and maintain a forest monitoring system;
- e) Assessment of the reduction of greenhouse gas emissions due to the implementation of solutions to limit deforestation and forest degradation, sustainable forest management, conservation and enhancement of forest carbon stocks.

2. Forest survey organization is prescribed as follows:

- a) The Ministry of Agriculture and Rural Development shall organize the implementation and announcement of the results of the national forest survey every 5 years and by subject; directing the implementation of forest inventory at the provincial level;
- b) Provincial-level People's Committees shall organize the forest survey in their localities and announce the results.

3. The Minister of Agriculture and Rural Development shall detail the contents of forest survey; regulations on methods and procedures for forest investigation.

Article 34. Forest inventory

1. Forest inventory shall be carried out at the administrative level in association with specific managers nationwide to determine the current status of forest areas, reserves, and unforested land planned for forestry; adjust and supplement the database of forests and non-forested land.

2. Basic contents of forest inventory include:

- a) Gather and process information on forest resources;
- b) To inventory the forest area and reserve of the forest plot;
- c) Inventory of forest areas and reserves of forest owners;
- d) To inventory the total forest area and reserves by administrative level;
- d) Make forest management records of plots, plots, sub-zones, forest owners and administrative units.
- e) Announcement of forest inventory results.

3. The forest inventory is carried out every 10 years in accordance with the time of land inventory.

4. Forest owners shall carry out forest inventory and submit to the inspection by specialized forestry agencies at provincial level, for forest owners being organizations; or district-level specialized forestry agency, for forest owners who are households, individuals or communities; declare forest inventory data according to the prescribed form and take responsibility for the declared content.

5. The specialized forestry agency shall have to provide guidance and technical support, and inspect and supervise the implementation of forest inventory; financial support for forest inventory for forest owners who are households, individuals and communities.

6. The Minister of Agriculture and Rural Development shall detail the contents of forest inventory; regulations on methods and procedures for forest inventory.

Article 35. Monitoring of forest developments

1. Monitoring of forest changes is carried out annually in order to grasp the current status of forest areas and non-forested land; changes in the area of forests of different types in service of forest management, protection and development.

2. Forest plot is the basic unit for monitoring forest developments. It is gathered in parcels and sub-forests for each forest owner and aggregated at commune, district, provincial and national levels.

3. The Minister of Agriculture and Rural Development shall detail this Article.

Article 36. Forest database

1. Forest database is a collection of information and data about forests that is established, updated and maintained to meet the requirements of using information for forest management, protection and development and management requirements. other reasons; part of the forestry information system.

2. Forest database includes:

a) Database of legal documents related to forests;

b) Database on forest management, protection, development and use; conservation of nature, endangered, precious and rare species, scientific research related to forests;

c) Database on forest inventory, forest inventory, forest evolution, forest-related greenhouse gas emission reduction results;

d) Other databases related to forests.

3. The Ministry of Agriculture and Rural Development shall organize the establishment and management of a unified forest database nationwide.

Chapter IV

FOREST PROTECTION

Article 37. Protection of forest ecosystems

State agencies, organizations, households, individuals and communities that have activities that directly affect the forest ecosystem, and the growth and development of forest species must comply with the provisions of this Law. this law, the law on environmental protection, biodiversity, plant protection and quarantine, veterinary medicine and other relevant laws.

Article 38. Protection of forest plants and animals

1. Endangered, precious and rare species of forest plants and animals must be listed for management and protection.

2. The Government shall prescribe the list and regime for management and protection of endangered, precious and rare forest plants and animals; order and procedures for exploiting endangered, precious and rare species of wild flora and fauna and wild flora and fauna in the Appendix to the Convention on International Trade in Endangered Species of Animals. endangered wild animals and plants.

3. The Minister of Agriculture and Rural Development shall prescribe the order and procedures for harvesting timber, non-timber forest products and forest animals, except for the case specified in Clause 2 of this Article.

Article 39. Forest fire prevention and fighting

1. Forest owners must make and implement plans for forest fire prevention and fighting; comply with the instructions and inspection of competent state agencies.

2. In all cases of using fire in the forest or near the forest to clear the fields, clear fields, prepare land for afforestation, burn before the dry season or use fire for other purposes, the fire user must take measures forest fire prevention and fighting.

3. Organizations, households and individuals conducting activities in forests or building works in forests or along forests must comply with regulations on fire prevention and fighting; implement measures to prevent and fight forest fires by forest owners.

4. When a forest fire occurs, the forest owner must promptly fight the forest fire and immediately notify the relevant agencies, organizations and individuals; remediate consequences after forest fires and report them to competent state agencies. State agencies, organizations and individuals concerned are responsible for timely coordination in fighting forest fires.

5. In case a forest fire occurs on a large area with the risk of causing a disaster leading to a state of emergency, the forest fire fighting must comply with the provisions of law on the state of emergency.

6. Forest rangers assume the prime responsibility for, and coordinate with police forces in, fire prevention and fighting, rescue and rescue in guiding forest owners in formulating plans for forest fire prevention and fighting.

7. The Government shall detail this Article.

Article 40. Prevention and elimination of organisms harmful to the forest

1. The prevention and elimination of organisms harmful to the forest; raising, grazing or releasing animals into the forest must comply with the provisions of this Law, the law on biodiversity, plant protection and quarantine, and veterinary medicine.
2. Forest owners must take measures to prevent and eliminate organisms harmful to the forest; When detecting organisms harmful to the forest on the allocated or leased forest area, they must immediately notify the nearest plant protection and quarantine agency or veterinary specialized management agency for guidance and support. preventive measures, except; increase the application of silvicultural and biological measures in the prevention and elimination of harmful organisms.
3. The Ministry of Agriculture and Rural Development shall have to organize the forecasting of the epidemic situation; directing measures to prevent and eliminate organisms harmful to forests.
4. The People's Committees at all levels organize and direct the prevention and elimination of organisms harmful to forests in their localities, preventing the spread of harmful organisms to other localities.

Article 41. Forest owners' specialized forces for forest protection

1. Management boards of special-use forests and management boards of protective forests where Forest Rangers are not established; State enterprises, organizations not belonging to the armed forces that are allocated or leased forests by the State, and forest land may organize a specialized force to protect forests.
2. The forest protection force has the following duties and powers:
 - a) Patrol and inspect the protection of forests and forest land planned for forestry;
 - b) Take measures to prevent and fight forest fires;
 - c) Take measures to prevent and stop violations of regulations on forest management, protection and development; to use support tools as prescribed by law .
3. Forest owners have the responsibility to directly manage and direct the activities of specialized forces for forest protection; ensure regimes for specialized forces to protect forests according to the provisions of law.
4. The Government shall detail this Article.

Article 42. Checking the origin of forest products

1. Checking the origin of forest products includes checking forest product dossiers, inspecting forest products during the process of exploitation, transportation, processing, trading, export, import, breeding, and human culture. create and store forest products according to the provisions of law.
2. The inspection of the origin of forest products is carried out according to plan or irregularly when detecting signs of law violation.
3. Forest rangers at all levels, within the ambit of their tasks and powers, assume the prime responsibility for, and coordinate with the People's Police, People's Army, militia and self-defense forces in, market management, customs and agencies, organizations involved in the fight, prevention, inspection, detection and handling of violations according to the provisions of law.
4. Within the ambit of their tasks and powers, the People's Public Security Forces, the People's Army, the militia and self-defense forces, market management, customs, judicial authorities, and related agencies and organizations coordinate with forest rangers in performing their functions, tasks and powers as prescribed by law.
5. The Minister of Agriculture and Rural Development shall prescribe legal forest product dossiers, order and procedures for managing the origin of forest products.

Article 43. Responsibility for forest protection of the whole people

1. State agencies, organizations, households, individuals and communities are responsible for forest protection in accordance with this Law, the law on fire prevention and fighting, environmental protection, and diversity. biological, plant protection and quarantine, veterinary and other provisions of relevant laws.

2. Organizations, households, individuals and communities have a duty to promptly c Matt competent State or forest owners on forest fires, forest pests and violations of rules regulations on forest management and protection; comply with the mobilization of human resources and means by competent state agencies when a forest fire occurs.

Chapter V

FOREST DEVELOPMENT

Article 44. Development of forestry plant varieties

1. Establish a national seed forest system to store genetic resources and supply high-quality, sustainable seed sources.
2. Building and upgrading seed forests, seed gardens, and leading orchards; for main plants, only recognized varieties, seed sources and materials shall be put into production and trading.
3. Improve genetic quality, select and create new varieties with high yield, high quality, good tolerance, meet the requirements of forest product business and adapt to climate change.
4. Researching and applying scientific and technical advances in selecting, creating and propagating forestry plants for high yield and quality; strengthening capacity for management and administration of seed production and supply; raising awareness about forest tree varieties for people, agencies and organizations.
5. The Minister of Agriculture and Rural Development shall prescribe the list of major plant varieties; order and procedures for recognition of varieties, seed sources and materials.

Article 45. Silvicultural measures

1. Silvicultural measures include:
 - a) Zoning and promoting natural regeneration or with additional planting;
 - b) Nurturing and enriching forests;
 - c) Rehabilitation of natural forests;
 - d) Planting new forests, replanting forests, tending and nurturing planted forests.
2. The Minister of Agriculture and Rural Development shall detail this Article.

Article 46. Development of special-use forests

1. With regard to national parks, nature reserves, species and habitat conservation areas, the following activities shall be performed:
 - a) Maintaining the structure of natural forests, ensuring the natural development of forests in strictly protected sub-zones of special-use forests;
 - b) Restoration of natural forest structure; apply measures to combine natural regeneration with forest enrichment, plant native species in ecological restoration sub-zones of special-use forests and service and administrative sub-zones of special-use forests;
 - c) Rescue, conservation and development of living species.
2. For landscape protection zones, perform the following activities:
 - a) Maintain the existing forest area;
 - b) Apply technical measures of afforestation, zoning and promotion of natural regeneration and forest enrichment to improve forest quality.
3. For forests for scientific research and experimentation, to carry out forest protection and development activities according to scientific research tasks decided by forest owners or competent state agencies.
4. For national seed forests, to carry out activities to maintain and develop forests according to plans approved by competent state agencies.

5. For national botanical gardens, collect, select, store and cultivate native plant species in association with scientific research, training, environmental education, and tourism.

Article 47. Development of protection forests

1. For watershed protection forests and border protection forests, they must be built into concentrated and inter-regional forests, maintained and formed into a forest structure to ensure protection functions.

2. For watershed protection forests, border protection forests and water source protection forests of residential communities, perform the following activities:

a) Protect and combine zoning, promoting natural regeneration with forest enrichment;

b) Planting forests on bare land where natural regeneration is not possible; mixed planting of many native tree species, multi-use trees, and non-timber forest products.

3. For wind- and sand-blocking protection forests; protection forests to break waves and encroach on the sea, carry out the following activities:

a) Establish forest belts suitable to natural conditions in each region;

b) Apply the method of afforestation with trees with deep roots firmly rooted, with priority given to native trees, which can grow in harsh conditions and have good tolerance; additionally planted in areas that do not meet the criteria for becoming a forest.

Article 48. Development of production forests

1. To maintain the existing natural production forest area; restore natural forests in previously exploited areas that have not yet met the criteria for becoming forests; Only natural forests can be rehabilitated in areas that are not capable of self-regeneration.

2. To form concentrated plantation forests, apply modern biotechnology and forest intensive farming techniques to raise the productivity of planted forests, and provide raw materials for the forest product processing industry.

3. To encourage the planting of mixed-species forests and non-timber forest products; combine fast growing small trees and long-term large trees; convert small timber plantations to large timber plantations where conditions are suitable.

Article 49. Cultivation of forest plants, breeding and development of forest animals

1. Organizations and individuals artificially cultivate and breed endangered, precious and rare species of forest plants and animals; forest plants and animals listed in the Appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora; Common wild animals must meet the conditions of a lawful breed source, raising facilities that are safe for humans and domestic animals, environmental sanitation, disease prevention, and not negatively affect population conservation. species in the natural environment.

2. The Government shall detail the conditions, order, procedures and competence to grant permits for artificial cultivation and rearing of endangered, precious and rare species of forest plants and animals; forest plants and animals listed in the Appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora; common wild animals.

Article 50. Planting of scattered trees

1. Scattered tree planting means planting trees outside the forest area to increase the area of trees, create landscapes, protect the environment, and combine with the supply of wood, firewood and tourism services.

2. Central and local agencies and organizations shall have to propagate and mobilize the whole people to implement the movement of scattered tree planting; organize the planting, management and protection of scattered trees in urban areas, rural areas and industrial parks.

3. The State shall adopt policies to support varieties and provide technical guidance on planting scattered trees.

Article 51. Infrastructure in service of forest protection and development

1. The forestry road system includes the road for transporting and transporting forest products, and the road for patrolling and protecting forests; warehouses and yards for gathering forest products.

2. Works for the prevention and elimination of harmful organisms in the forest, for the rescue, protection and development of forest animals and plants.
3. Forest fire prevention and fighting works include fire barriers, forest fire watchtowers, forest fire observation and forecasting stations; canals, ditches, water tanks, dams, reservoirs for forest fire prevention and fighting.
4. Forest protection station; signs, warning signs, boundary markers of forests, sub-zones, plots and forest lots.
5. Other necessary infrastructure works in service of forest protection and development.

Chapter VI

FOREST USE

Section 1. USE OF SPECIAL FORESTS

Article 52. Exploitation of forest products in special-use forests

1. For national parks, nature reserves, and species-habitat conservation zones, the regulations are as follows:
 - a) Do not exploit forest products in strictly protected zones of special-use forests; failing to fully exploit dead and broken trees in the ecological restoration subdivision of special-use forests;
 - b) To fully exploit dead, fallen trees and mushrooms in the service subdivision; administration of special-use forests;
 - c) To exploit and make full use of timber, firewood, non-timber forest plants and fungi within the site clearance area for the construction of works approved by competent state agencies;
 - d) Collect specimens of forest plants, animals, fungi, biological genetic resources according to scientific and technological tasks after being approved by competent state agencies.
2. Landscape protection forests are regulated as follows:
 - a) To exploit and make full use of timber, firewood, non-timber forest plants, fungi during the implementation of silvicultural measures to conserve, embellish and restore ecosystems, landscapes, culture, history and in the scope of ground clearance for construction of works after being approved by competent state agencies;
 - b) To collect specimens of forest plants, animals, fungi, biological genetic resources according to scientific and technological tasks after being approved by competent state agencies;
 - c) For the forest of belief, it is allowed to fully exploit dead and fallen trees, forest plants, fungi and non-timber forest products; logging for common purposes of the community approved by competent state agencies.
3. Forests for scientific research and experimentation are regulated as follows:
 - a) To exploit forest products according to scientific and technological tasks after being approved by competent state agencies;
 - b) To exploit and make full use of wood, firewood, non-timber forest plants and fungi during the process of adjusting nests into forests, nurturing forests and applying other silvicultural measures; fully exploit timber, firewood and forest plants within the site clearance area for the construction of works approved by competent state agencies;
 - c) To exploit and collect forest plant species, forest animals, fungi, microorganisms, specimens of forest plant and animal species, genetic resources for scientific research and technological development.
4. For national botanical gardens and national seed forests, the regulations are as follows:
 - a) To exploit seed materials;
 - b) To exploit and make full use of wood, firewood, non-timber forest plants and fungi during the process of adjusting nests into forests, nurturing forests and applying other silvicultural measures; fully exploiting timber, firewood, forest plants and fungi within the site clearance area for construction of works approved by competent state agencies; fully exploit dead and broken trees.
5. The exploitation of forest products in special-use forests shall comply with the provisions of this Law and the Regulation on forest management.

Article 53. Scientific research, teaching, internship, eco-tourism, convalescence and entertainment activities in special-use forests

1. Scientific research, teaching, internship, eco-tourism, convalescence and entertainment activities in special-use forests shall comply with the Forest Management Regulations and other relevant laws. Recreational and recreational activities are not allowed in strictly protected subdivisions of special-use forests.

2. Forest owners shall develop projects on eco-tourism, convalescence and entertainment in special-use forests and submit them to competent state agencies for approval.

3. Organizations and individuals investing in ecotourism, convalescence and entertainment activities must formulate a project in accordance with relevant laws and regulations and in accordance with the project on ecotourism, convalescence and entertainment. .

4. Forest owners self-organize, cooperate, associate or lease the forest environment to organizations or individuals for eco-tourism business, convalescence and entertainment in special-use forests, ensuring that it does not affect the protection of forests. conservation of natural ecosystems, biodiversity, environmental landscapes and other functions of the forest.

5. Order and procedures for formulation, appraisal and approval of ecotourism, resort and entertainment projects and construction management of works serving ecotourism, convalescence and entertainment in special-use forests comply with the Forest Management Regulations and other relevant laws.

Article 54. Stabilization of people's lives living in special-use forests and buffer zones of special-use forests

1. Do not migrate from other places to special-use forests.

2. The special-use forest management board contracts for forest protection and development with households, individuals and local communities to protect and develop forests. Based on specific conditions, the special-use forest management board shall coordinate with local authorities in formulating migration and resettlement projects and submitting them to competent state agencies for approval to move migrants out of the strictly protected zone. of special-use forests.

3. For the ecological restoration subdivision of special-use forests, the special-use forest management board shall contract to protect and develop the forest or cooperate and associate with households, individuals and local communities to protect it. forest protection and development.

4. Residential and production land of households, individuals, and residential communities interspersed in special-use forests that are not part of the planning for special-use forests, households, individuals and communities may continue to use them. according to the land use planning approved by the competent state agency and consistent with the sustainable forest management plan of the forest owner.

5. The special-use forest management board is responsible for formulating investment programs and projects for the development of buffer zones; organize the implementation of investment programs and projects in the buffer zone with the participation of local communities; coordinate with local authorities in reviewing and formulating management plans for residential land and production land interspersed in special-use forests and submit them to competent state agencies for approval.

6. Organizations, households, individuals, local communities or organizations operating in the buffer zone have the right to supervise, participate in the implementation, and coordinate in the management of investment programs and projects in the buffer zone. according to regulations of the Law.

7. The implementation of stabilizing the lives of people living in special-use forests and buffer zones of special-use forests according to the Forest Management Regulations.

Section 2. USE OF PROTECTION FORESTS

Article 55. Exploitation of forest products in protection forests

1. For protection forests which are natural forests, they are allowed to exploit dead timber trees, fallen trees, diseased trees, standing trees at places where the density is higher than the prescribed density.

2. For protection forests being natural forests, the exploitation of non-timber forest products is regulated as follows:

a) To exploit bamboo shoots, bamboo and mushrooms in protection forests when the protection requirements are met;

b) To exploit other non-timber forest products without affecting the protection capacity of the forest.

3. For protection forests being planted forests, the regulations are as follows:

a) Exploiting auxiliary trees and thinning them when the density of planted forests is higher than the prescribed density;

b) To harvest the main crops when meeting the standards of exploitation according to the method of selective harvesting or cutting white according to ice and forest mass;

c) After harvesting, forest owners must regenerate or replant forests in the next planting season and continue to manage and protect them.

4. The exploitation of forest products in protection forests shall comply with the provisions of this Law and the Regulation on forest management.

Article 56. Scientific research, teaching, internship, ecotourism, convalescence and entertainment activities in protection forests

1. Scientific research, teaching and practice activities in protection forests must comply with the Forest Management Regulations and other relevant laws.

2. The forest owner shall develop a project for eco-tourism, convalescence and entertainment in the protection forest and submit it to competent state agencies for approval.

3. Organizations and individuals investing in ecotourism, convalescence and entertainment activities must formulate a project in accordance with relevant laws and regulations and in accordance with the project on ecotourism, convalescence and entertainment. .

4. Forest owners self-organize, cooperate, associate or lease the forest environment to organizations or individuals for eco-tourism business, convalescence and entertainment in the forest, ensuring that it does not affect ecosystem conservation. natural ecology, biodiversity, environmental landscape and other functions of the forest.

5. Order and procedures for developing, appraising and approving eco-tourism, resort and entertainment projects and forest land area used for construction of works in service of eco-tourism, convalescence, Recreation in protection forests shall comply with the Forest Management Regulations and other relevant laws.

Article 57. Combined forestry, agricultural and fishery production in protection forests

1. To be intercropped with agricultural crops and non-timber forest products; livestock and aquaculture under the forest canopy, without affecting the protection capacity of the forest.

2. To use the unforested land area for combined agricultural and fishery production, without affecting the protection capacity of the forest.

3. The combined forestry, agricultural and fishery production in protection forests must comply with the Forest Management Regulations and other relevant laws.

Section 3. USE OF PRODUCTION FOREST

Article 58. Exploitation of forest products in natural production forests

1. Conditions for exploitation of forest products in natural production forests are prescribed as follows:

a) The forest owner being an organization must have a sustainable forest management plan approved by a competent state agency;

b) The forest owner is a household, individual, or community that harvests timber at the request and approved by the district-level People's Committee.

2. The exploitation of forest products in natural production forests shall comply with the provisions of this Law and the Regulation on forest management.

Article 59. Exploitation of forest products in planted production forests

1. Forest owners decide to exploit planted forests under their ownership.

2. In case the forest is planted with the state budget capital, the forest owner must compile a dossier of forest product exploitation and submit it to the competent state agency for approval of the capital source for decision.
3. The exploitation of forest products in planted production forests shall comply with the provisions of this Law and the Regulation on forest management.

Article 60. Combined forestry, agricultural and fishery production, scientific research, teaching, internship, ecotourism business, convalescence and entertainment in production forests

1. To be intercropped with agricultural crops and non-timber forest products; livestock and aquaculture under the forest canopy, without degrading forest quality.
2. To use unforested land for combined agricultural and fishery production without degrading or polluting the land; not change the use purpose of forest land.
3. To be allowed to combine ecotourism business, convalescence, entertainment, scientific research, teaching and internship.
4. To self-organize, cooperate, joint venture, associate or lease forest or forest environment to organizations or individuals in accordance with the rights of forest owners for eco-tourism, convalescence and entertainment business.
5. To build works in service of eco-tourism, convalescence and entertainment.
6. The activities specified in this Article shall comply with the Forest Management Regulations and other relevant laws.

Section 4. FOREST ENVIRONMENTAL SERVICES

Article 61. Types of forest environmental services

1. Protect the soil, limit erosion and sedimentation in lake, river and stream beds.
2. Regulating and maintaining water sources for production and social life.
3. Forest carbon sequestration and storage; reduce greenhouse gas emissions from limiting deforestation and forest degradation, sustainable forest management, green growth.
4. Protect and maintain the beauty of the natural landscape, conserve the biodiversity of the forest ecosystem for tourism service business.
5. Supply of spawning grounds, food sources, natural breeders, water sources from the forest and elements from the environment and forest ecosystems for aquaculture.

Article 62. Principles of payment for forest environmental services

1. Forests are entitled to payment for forest environment services when meeting the criteria specified in Clause 3, Article 2 of this Law and providing one or several forest environment services specified in Article 61 of this Law.
2. The forest environment service user must pay the forest environment service fee to the forest environment service provider.
3. Make payment for forest environment services in cash through direct payment or indirect payment .
4. Payment for forest environment services is a factor in the cost of products, goods and services of the user of forest environment services.
5. To ensure publicity, democracy, objectivity and fairness; accordance with Vietnamese law and international treaties to which the Socialist Republic of Vietnam is a contracting party.

Article 63. Objects, forms of payment and management and use of forest environment service charges

1. Entities eligible for payment for forest environment services include:
 - a) Forest owners specified in Article 8 of this Law;
 - b) Organizations, households, individuals and communities that have contracted forest protection and development contracts with forest owners being organizations established by the State;

c) Commune-level People's Committees and other organizations assigned by the State to manage forests in accordance with law.

2. Payers for forest environment services are specified as follows:

a) Hydroelectricity production establishments must pay for services for soil protection, limit erosion and sedimentation of lake beds, river beds, stream beds, regulation and maintenance of water sources for hydroelectricity production;

b) Clean water production and supply establishments must pay for services of regulating and maintaining water sources for clean water production;

c) Industrial production establishments must pay service charges for regulating and maintaining water sources for industrial production;

d) Organizations and individuals providing eco-tourism, convalescence and entertainment services must pay for the protection and maintenance of natural landscape beauty and biodiversity conservation of forest ecosystems. ;

dd) Organizations and individuals engaged in production and business activities that cause large greenhouse gas emissions must pay for services of carbon sequestration and storage in forests;

e) Aquaculture establishments must pay for the service of providing spawning grounds, food sources, natural breeders, water sources and factors from the environment and forest ecosystems for aquaculture;

g) Other subjects as prescribed by law.

3. Forms of payment for forest environment services are prescribed as follows:

a) The user of forest environment services shall pay directly to the supplier of forest environment services;

b) The user of forest environment services shall pay the entrusting forest environmental service provider through the forest protection and development fund;

c) The State encourages the application of direct payment to all cases if the supplier and user of forest environment services reach an agreement on the basis of the service payment level prescribed by the Government.

4. The management and use of forest environment service fees is implemented as follows:

a) Determine the total amount of money collected from forest environment services;

b) Determining the level of payment for forest environment services;

c) Identification of beneficiaries of payment for forest environment services;

d) Determine the form of payment for forest environment services;

d) Making plans on revenue and expenditure of forest environment services;

e) Determining the cases eligible for exemption or reduction of payment for forest environment services;

g) Organization of payment for forest environment services;

h) Inspect and supervise the management and use of money for forest environment services.

5. The Government shall detail the subjects, forms of payment, the level of payment for forest environment services and adjust, exempt and reduce the level of payment for forest environment services; management and use of money for forest environmental services.

Article 64. Rights and obligations of users of forest environment services

1. Users of forest environment services have the following rights:

a) To be informed of the implementation and results of forest protection and development within the forest where forest environmental services are provided; inform about the area, quality and status of forests in the area where forest environmental services are provided;

b) Have the forest protection and development fund notify the results of entrustment payment for forest environment services to the forest environment service provider;

- c) Participating in the process of planning, organizing the implementation, inspection, supervision and acceptance of results of forest protection and development within the forest where forest environmental services are provided;
- d) Request the competent state agency to consider adjusting the payment for forest environment services in case the forest environment service provider fails to ensure the correct forest area or degrades the quality and condition of the forest. forest status for which the service user has paid the corresponding amount.

2. The user of forest environment services has the following obligations:

- a) Sign a contract, declare the amount of forest environment services to be paid for entrustment into the forest protection and development fund;
- b) Paying for forest environment services in full and on time according to the contract to the forest owner in the case of direct payment or to the forest protection and development fund in the case of indirect payment.

Article 65. Rights and obligations of forest environment service providers

1. Forest environment service providers have the following rights:

- a) Request payment for use of forest environment services as prescribed in Clause 3, Article 63 of this Law;
- b) To be provided with information on the value of forest environmental services;
- c) Participate in the formulation of plans, make payment documents, and inspect the payment process for forest environment services by state management agencies and the forest protection and development fund.

2. Forest environment service providers have the following obligations:

- a) To ensure that the area providing forest environment services is protected and developed according to the master plan and management plan for each type of forest approved by a competent state agency;
- b) Organizations, households, individuals and communities contracted for forest protection and development must ensure that the area providing forest environment services is protected and developed under the contract signed with the owner. Forest;
- c) The provider of forest environment services is an organization established by the State that must manage and use the paid money according to the provisions of law.

Chapter VII

FOREST PROCESSING AND TRADE

Section 1. FOREST PROCESSING

Article 66. Policy on development of forest product processing

1. Policy on development of forest product processing is prescribed as follows:

- a) Support enterprises to cooperate, enter into joint ventures with forest owners to create material areas, manage forests sustainably, consume products, and apply science, high technology, advanced technology, and technology. new and green growth solutions, enhancing added value;
- b) Prioritize the development of supporting industries in forest product processing;
- c) Support in training human resources in forest product processing.

2. The forest product processing development policy specified in Clause 1 of this Article shall comply with the Government's regulations.

Article 67. Processing of specimens of forest plants and animals

1. Processing establishments and processing specimens of forest plants and animals must comply with the provisions of this Law, the laws on investment, enterprises, environmental protection, protection and quarantine. plants, veterinary medicine, product and commodity quality, food safety and in accordance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

2. Processing of specimens of endangered, precious and rare species of forest plants and animals and specimens of wild plants and wild animals included in the Appendix to the Convention on International Trade in Endangered species of wild fauna and flora must satisfy the following conditions:

- a) Specimens are of lawful origin from artificial cultivation or rearing establishments;
- b) Specimens are legally exploited from the wild;
- c) The specimens shall be confiscated after handling according to the provisions of law.

3. Processing specimens of common forest plants and animals must be of lawful origin.

Article 68. Rights and obligations of forest product processing establishments

1. Forest product processing establishments have the following rights:

- a) Producing forest products not banned by the State;
- b) Having legal rights and interests guaranteed by the State; support linkage of production and processing chains; apply the policies specified in Article 66 of this Law and the law on investment and enterprises in rural areas, especially in remote and isolated areas.

2. Forest product processing establishments have the following obligations:

- a) Comply with regulations of law on investment, enterprises, environmental protection, labor and finance; regulations on legal forest product dossiers and inspection of forest product origin;
- b) Processing specimens of forest plants and animals must comply with the provisions of Article 67 of this Law;
- c) Comply with the management, examination and inspection of competent state agencies during the production process.

Article 69. Vietnam's legal timber assurance system

1. The State builds and operates the Vietnam Legal Timber Assurance System; promulgate criteria, competence, processes and procedures for classifying enterprises exploiting, transporting, consuming, processing and exporting wood and wood products.

2. The Government shall detail this Article.

Section 2. FOREST PRODUCTS TRADE

Article 70. Forest product market development policy

1. The forest product market development policy is prescribed as follows:

- a) Organizations and individuals that cooperate, associate, purchase and sell forest products are entitled to preferential credits in accordance with law;
- b) The State supports activities of branding, trade promotion, market development, and provision of domestic and international market information for forest products.

2. The forest product market development policy specified in Clause 1 of this Article shall comply with the Government's regulations.

Article 71. Rights and obligations of forest product traders

1. Forest product trading establishments have the following rights:

- a) Trading in forest products not banned by the State;
- b) Having legal rights and interests guaranteed by the State; support cooperation and linkage in the forest product business chain; apply the policies specified in Article 70 of this Law and the law on investment and enterprises in rural areas, especially in remote and isolated areas.

2. Forest product trading establishments have the following obligations:

- a) Comply with regulations of law on investment, enterprises, environmental protection, labor and finance; regulations on legal forest product dossiers and inspection of forest product origin;

b) Comply with the management, examination and inspection in the course of business by competent state agencies.

Article 72. Management of trade in forest products and trading in specimens of forest plants and animals

1. Forest product trade management is regulated as follows:

a) Market forecast and development orientation of forest product processing in each period;

b) Negotiating international treaties on trade, opening the forest product market, mutual recognition of legal timber and criteria for sustainable forest management;

c) Issue permits and certificates for imported and exported forest products in accordance with international treaties to which the Socialist Republic of Vietnam is a signatory;

d) The export, import, temporary import, re-export, temporary export, re-import and transit of specimens of forest plant and animal species for commercial purposes must comply with the provisions of Vietnamese law and Convention on International Trade in Endangered Species of Wild Fauna and Flora;

dd) Inland trade in forest products must comply with regulations on legal forest product dossiers and check the origin of forest products;

e) The Government shall detail this clause.

2. Trading in specimens of forest plants and animals is regulated as follows:

a) Trading in specimens of endangered, precious and rare forest plants and animals; wild plant and animal species included in the Appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora must ensure traceability and chain management from exploitation. , cultivation, rearing to processing and consumption;

b) Specimens of the species specified at Point a of this Clause must be marked to determine the lawful origin in accordance with the nature and types of each type of specimen, ensuring resistance to counterfeiting or erasure;

c) The Minister of Agriculture and Rural Development shall prescribe the order, procedures, application for traceability and marking of specimens of the species specified at Points a and b of this Clause.

Chapter VIII

RIGHTS AND OBLIGATIONS OF FOREST OWNERS

Section 1. GENERAL RIGHTS AND OBLIGATIONS OF FOREST OWNERS

Article 73. General rights of forest owners

1. To be recognized by a competent state agency with the right to use forests or to own the right to own planted production forests in accordance with law.

2. To enjoy additional forest products from forests by self-investing in natural forests, special-use forests and protection forests.

3. Use forests in accordance with the time limit for forest allocation or forest lease and the time limit for land allocation or lease for afforestation in accordance with this Law and the law on land.

4. To be provided with forest environmental services and to benefit from forest environmental services.

5. To receive technical guidance and other support as prescribed to protect and develop forests, conserve forest biodiversity; benefit from infrastructure works for forest protection and development invested by the State.

6. To be compensated by the State for the value of forests and properties legally invested and built by forest owners at the time of forest recovery decisions.

7. To receive financial support from the State for forest owners to develop production forests when damaged by natural disasters.

8. Cooperate and associate with domestic and foreign organizations and individuals to protect and develop forests.

9. To be guaranteed other lawful rights and interests.

Article 74. General obligations of forest owners

1. Manage, protect, develop and use forests sustainably in accordance with the Regulation on forest management, this Law and other relevant laws.
2. Implement regulations on monitoring forest changes.
3. To return forests when the State recovers forests according to the provisions of this Law.
4. Conservation of forest biodiversity, forest plants and animals.
5. Forest fire prevention and fighting; preventing and eliminating harmful organisms in the forest.
6. Comply with the management, inspection, examination and handling of violations by competent state agencies.
7. Fulfill financial obligations and other obligations as prescribed by law

Section 2. RIGHTS AND OBLIGATIONS OF FOREST OWNERS AS SPECIAL-USE FOREST MANAGEMENT BOARD, PROTECTION FOREST MANAGEMENT BOARD

Article 75. Rights and obligations of special-use forest management boards

1. Special-use forest management boards have the following rights:

- a) The rights specified in Article 73 of this Law;
- b) To enjoy investment policies on protection and development of special-use forests as prescribed in Article 94 of this Law;
- c) Exploiting forest products in special-use forests as prescribed in Article 52, production forests being natural forests as prescribed in Article 58, production forests being planted forests as prescribed in Article 59 of this Law;
- d) To lease the forest environment; ecotourism business cooperation and association; convalescence and entertainment, except for strictly protected subdivisions of special-use forests according to the sustainable forest management plan approved by a competent state agency;
- d) Conducting scientific and technological activities, teaching, practicing and international cooperation.

2. Special-use forest management boards have the following obligations:

- a) The obligations specified in Article 74 of this Law;
- b) Formulate and submit to competent state agencies for approval a plan for sustainable forest management and implement the approved plan;
- c) Support the population in the buffer zone to stabilize their lives and develop socio-economically according to the provisions of Article 54 of this Law;
- d) Contracting for forest protection and development for households, individuals and local communities in accordance with the Government's regulations.

Article 76. Rights and obligations of protection forest management boards

1. Protection forest management boards have the following rights:

- a) The rights specified in Article 73 and Point dd Clause 1 Article 75 of this Law;
- b) Leasing forest environment; cooperate and associate in eco-tourism, resort and entertainment business according to the sustainable forest management plan approved by the competent state agency;
- c) To enjoy investment policies on protection and development of protection forests and special-use forests as prescribed in Article 94 of this Law;
- d) Exploiting forest products in special-use forests that are landscape protection zones as prescribed in Article 52, protection forests as prescribed in Article 55, production forests as natural forests as prescribed in Article 58, production forests are planted forests as prescribed in Article 59 of this Law.

2. Protection forest management boards have the following obligations:

- a) The obligations specified in Article 74 of this Law;

- b) Formulate and submit to competent state agencies for approval a plan for sustainable forest management and implement the approved plan;
- c) Contracting for forest protection and development for households, individuals and local communities in accordance with the Government's regulations.

Section 3. RIGHTS AND OBLIGATIONS OF FOREST OWNERS AS ECONOMIC ORGANIZATIONS

Article 77. Rights and obligations of economic organizations that are allocated national seed forests by the State interspersed within the allocated forest area

1. Economic organizations that are allocated national seed forests by the State interspersed within the allocated forest area have the following rights:

- a) The rights specified in Article 73 of this Law;
- b) Having investment funds guaranteed by the State to maintain and develop seed forests according to plans approved by competent state agencies;
- c) Exploiting forest products in the national seed forest according to the provisions of Article 52 of this Law;
- d) Sell products to generate revenue and manage and use revenue sources according to the provisions of law on finance.

2. Economic organizations that are allocated national seed forests by the State interspersed within the allocated forest area have the following obligations:

- a) The obligations specified in Article 74 of this Law;
- b) Formulate and organize the implementation of the plan on maintenance and development of seed forests approved by competent state agencies.

Article 78. Rights and obligations of economic organizations assigned protection forests and special-use forests as landscape protection zones by the State

1. Economic organizations that are assigned protection forests or special-use forests as landscape protection zones by the State have the following rights:

- a) The rights specified in Article 73 of this Law;
- b) Enjoy investment policies on protection and development of special-use forests and protection forests as prescribed in Article 94 of this Law;
- c) Exploiting forest products in special-use forests that are landscape protection zones according to the provisions of Article 52, protection forests according to the provisions of Article 55 of this Law;
- d) Leasing forest environment; cooperation and investment in development of eco-tourism, convalescence and entertainment; combine forestry, agriculture and fishery production according to the sustainable forest management plan approved by the competent state agency.

2. Economic organizations that are assigned protection forests or special-use forests as landscape protection zones by the State have the following obligations:

- a) The obligations specified in Article 74 of this Law;
- b) Formulate and submit to competent state agencies for approval a plan for sustainable forest management and implement the approved plan;
- c) Sign contracts for forest protection and development for households; individuals and local communities in accordance with the Government's regulations.

Article 79. Rights and obligations of economic organizations that are leased production forests by the State

1. Economic organizations that are leased production forests by the State have the following rights:

- a) The rights specified in Article 73 of this Law;
- b) To share benefits from the forest according to the forest lease contract;

- c) To own plants, livestock and other properties associated with forests invested by forest owners;
- d) Exploiting forest products in natural production forests as prescribed in Article 58, planted production forests in accordance with Article 59 of this Law.

2. Economic organizations that are leased production forests by the State have the following obligations:

- a) The obligations specified in Article 74 of this Law;
- b) Formulate and submit to competent state agencies a plan for sustainable forest management and implement the approved plan.

Article 80. Rights and obligations of economic organizations that are allocated or leased land by the State for afforestation

1. Economic organizations that are allocated land by the State to plant protective forests with state budget capital have the following rights and obligations:

- a) The rights and obligations specified in Articles 73 and 74 of this Law;
- b) To organize afforestation according to the design estimate approved by the agency in charge of the capital source;
- c) Exploiting forest products in protection forests according to the provisions of Article 55 of this Law and sharing benefits from forests according to the State's policies.

2. Economic organizations that are allocated land by the State to plant protective forests with self-invested capital have the following rights and obligations:

- a) The rights and obligations specified in Articles 73 and 74 of this Law;
- b) To own intercropping trees, livestock and other properties on the land planted with protection forests;
- c) Exploiting forest products in protection forests as prescribed in Article 55 of this Law.

3. Economic organizations that are leased land by the State to plant production forests with self-invested capital have the following rights and obligations:

- a) The rights and obligations specified in Articles 73 and 74 of this Law;
- b) To own plants, livestock and other properties on afforestation land;
- c) Exploiting forest products in planted production forests as prescribed in Article 59 of this Law;
- d) To transfer or lease planted production forests; mortgage or contribute capital with the value of planted production forests.

Section 4. RIGHTS AND OBLIGATIONS OF FOREST OWNERS BEING HOUSEHODS, PERSONS AND COMMUNITY

Article 81. Rights and obligations of households and individuals assigned protection forests by the State

1. Households and individuals that are assigned protective forests by the State have the following rights:

- a) The rights specified in Article 73 of this Law;
- b) Funding for forest protection and development is guaranteed by the State;
- c) Exploiting forest products in protection forests according to the provisions of Article 55 of this Law and sharing benefits from forests according to the State's policies;
- d) To convert the forest area allocated to households and individuals in the same commune, ward or township; Individuals may leave forest use rights to their heirs according to the provisions of law.

2. Households and individuals that are assigned protection forests by the State have the obligations specified in Article 74 of this Law.

Article 82. Rights and obligations of households and individuals assigned production forests by the State

1. Households and individuals assigned production forests by the State have the following rights:

- a) The rights specified in Article 73 of this Law;
 - b) With regard to natural production forests, they may exploit forest products according to the provisions of Article 58 of this Law and benefit from forests according to the State's policies;
 - c) For planted production forests, forest products may be exploited according to the provisions of Article 59 of this Law; to share benefits from forests according to the State's policies; to own plants, livestock and other properties attached to planted forests invested by forest owners;
 - d) To convert the forest area allocated to households and individuals in the same commune, ward or township; Individuals may leave forest use rights to their heirs according to the provisions of law.
2. Households and individuals that are assigned production forests by the State have the obligations specified in Article 74 of this Law.

Article 83. Rights and obligations of households and individuals that are leased production forests by the State

1. Households and individuals that are leased production forests by the State have the following rights:
- a) The rights specified in Article 73 of this Law;
 - b) To share benefits from the forest according to the forest lease contract; to own plants, livestock and other properties attached to planted forests invested by forest owners;
 - c) Exploiting forest products in natural production forests as prescribed in Article 58, planted production forests in accordance with Article 59 of this Law;
 - d) Individuals may leave forest use rights to their heirs according to the provisions of law.
2. Households and individuals that are leased production forests by the State have the obligations specified in Article 74 of this Law.

Article 84. Rights and obligations of households and individuals allocated land by the State for planting production and protection forests

1. Households and individuals that are allocated land by the State to plant production and protection forests have the following rights:
- a) The rights specified in Article 73 of this Law;
 - b) To own plants, livestock and other properties on production forest land invested by forest owners;
 - c) To own intercropping trees, livestock and other properties on the land planted with protective forests invested by forest owners;
 - d) Exploiting forest products in protection forests as prescribed in Article 55, production forests being planted forests as prescribed in Article 59 of this Law;
 - dd) To be entitled to share in benefits from forests in case of afforestation with state budget capital;
 - e) To transfer, donate or lease planted production forests; mortgage or contribute capital with the value of planted production forests;
 - g) Individuals may leave ownership rights over planted production forests and forest use rights to their heirs in accordance with law.
2. Households and individuals that are allocated land by the State to plant production and protection forests have the obligations specified in Article 74 of this Law.

Article 85. Rights and obligations of households and individuals that are leased land by the State for planting production forests

1. Households and individuals that are leased land by the State for planting production forests have the following rights:
- a) The rights specified in Article 73 of this Law;

b) To own plants, livestock and other properties on afforestation land; exploit forest products in planted production forests according to the provisions of Article 59 of this Law;

c) To transfer, donate or lease planted production forests; mortgage or contribute capital with the value of planted production forests during the land lease period; Individuals may leave forest ownership rights to their heirs according to the provisions of law .

2. Households and individuals that are leased land by the State to plant production forests have the obligations specified in Article 74 of this Law.

Article 86. Rights and obligations of residential communities assigned by the State to belief forests, protection forests and production forests

1. Communities assigned belief forests, protection forests and production forests have the following rights:

a) The rights specified in Article 73 of this Law;

b) Funds for protection and development of special-use forests and protection forests are allocated to residential communities by the State guaranteed by the State;

c) To be guided in combined forestry, agricultural and fishery production, cultivation under the forest canopy, and livestock grazing according to the Forest Management Regulations; be supported to develop forest economy, support forest restoration with native forest trees;

d) Exploiting forest products in special-use forests which are belief forests as prescribed in Article 52, protection forests as prescribed in Article 55, production forests as natural forests as prescribed in Article 58, production forests as forests. planted according to the provisions of Article 59 of this Law; to share benefits from forests according to the State's policies; may own plants, livestock and other properties on afforestation land invested by forest owners.

2. Population communities assigned belief forests, protection forests and production forests have the following obligations:

a) The obligations specified in Article 74 of this Law;

b) Finalize and implement forest protection and development conventions and conventions in accordance with this Law and other relevant laws;

c) Ensure the maintenance of the allocated forest area;

d) Forests must not be divided among members of the population community;

dd) Not to transfer, lease or donate forest use rights; mortgage or contribute capital with the value of forest use rights.

Section 5. RIGHTS AND OBLIGATIONS OF FOREST OWNER IS A ARMED UNIT; ORGANIZATION OF SCIENCE AND TECHNOLOGY, TRAINING, VOCATIONAL EDUCATION; ENTERPRISE WITH FOREIGN INVESTMENT

Article 87. Rights and obligations of armed units assigned by the State special-use forests as landscape protection zones, protection forests and production forests

1. An armed unit that is assigned a special-use forest by the State as a landscape protection area, protection forest or production forest has the following rights:

a) The rights specified in Article 73 of this Law;

b) Funds are guaranteed by the State for the protection and development of special-use forests and protection forests;

c) Exploiting forest products in special-use forests that are landscape protection zones as prescribed in Article 52, protection forests as prescribed in Article 55, production forests as natural forests as prescribed in Article 58, production forests are planted forests as prescribed in Article 59 of this Law.

2. Armed units that are assigned special-use forests by the State as landscape protection zones, protection forests or production forests have the following obligations:

a) The obligations specified in Article 74 of this Law;

- b) To ensure the maintenance of the allocated forest area;
- c) Not to transfer, donate or lease forest use rights; mortgage or contribute capital with the value of forest use rights.

Article 88. Rights and obligations of science and technology, vocational training and education organizations in forestry that are assigned forests for scientific research and experimentation by the State; national botanical garden; national seed forest

1. Organizations of science and technology, vocational training and education in forestry that are assigned forests for scientific research and experimentation by the State; national botanical garden; National seed forests have the following rights:

- a) The rights specified in Article 73 of this Law;
- b) Exploiting forest products in scientific research and experimental forests; national botanical garden; national seed forests as prescribed in Article 52 of this Law;
- c) Cooperate and associate with domestic and foreign organizations and individuals to perform scientific and technological tasks;
- d) To sell planted forest products, forest seedlings and other forest products according to the Forest Management Regulations.

2. Organizations of science and technology, training and vocational education in forestry, which are assigned forests for scientific research and experimentation by the State; national botanical garden; National seed forests have the following obligations:

- a) The obligations specified in Article 74 of this Law;
- b) Not to transfer, donate or lease forest use rights; mortgage, contribute capital with the value of forest use rights;
- c) Performing science and technology tasks, training and vocational education in forestry.

Article 89. Rights and obligations of foreign-invested enterprises that are leased land by the State to plant production forests

1. Foreign-invested enterprises that are leased land by the State for planting production forests have the following rights:

- a) The rights specified in Article 73 of this Law;
- b) To own plants, livestock and other assets invested by enterprises on leased land in accordance with law;
- c) Exploiting forest products in planted production forests as prescribed in Article 59 of this Law.

2. Foreign-invested enterprises that are leased land by the State to plant production forests have the obligations specified in Article 74 of this Law.

Chapter IX

FOREST VALUATION, INVESTMENT, FINANCE IN FORESTRY

Section 1. ASSESSMENT OF FORESTS IN FORESTRY

Article 90. Forest valuation

- 1. Forest valuation includes activities aimed at determining the total economic value of forests.
- 2. The principles of forest valuation are prescribed as follows:
 - a) Consistent with the value of forest products and the value of forest environmental services being traded on the market at the time of valuation;
 - b) Be suitable for each type of forest associated with regulations on forest use rights, profitability and income from forests;
 - c) Ensuring publicity, transparency, objectivity and science.

3. The Minister of Agriculture and Rural Development shall prescribe the method of forest valuation; price brackets for production forests, protection forests and special-use forests under the ownership of the entire people.

4. Provincial-level People's Committees shall decide on forest price brackets in their management areas.

Article 91. Case of forest valuation

1. In case the State allocates forests, organize auctions of forest use rights or lease forests; calculate the value of forests when making payments for forest environmental services.

2. In case the State recovers or liquidates forests; determine the value of contributed capital; equitization of state-owned enterprises, divestment of state capital.

3. In case of determining the value to be compensated when there is a violation of the law causing damage to the forest; damage caused by natural disasters, forest fires and other damage to forests; determining the value of forests to serve the settlement of forest-related disputes.

4. Case of determination of forest-related taxes, fees and charges.

5. Other cases at the request of competent state agencies.

Section 2. INVESTMENT AND FINANCE IN FORESTRY

Article 92. Financial sources in forestry

1. State budget.

2. Investment, contribution, support and sponsorship from domestic and foreign organizations and individuals.

3. Revenue from exploitation of forest products; forest and forest land for rent.

4. Revenue from performing the obligation to pay for afforestation for replacement due to change of forest use purpose to another purpose.

5. Revenue from forest environment services and forest environment rental.

6. Credit capital from domestic and foreign financial institutions.

7. Other financial sources as prescribed by law.

Article 93. State budget-funded forestry activities

1. Based on the requirements of forestry management and development and the state budget's capacity in each period, the Government shall prescribe activities using the state budget.

2. The formulation, implementation, audit, settlement and supervision of the state budget for forestry shall comply with the law on state budget.

Article 94. Policy on investment in forest protection and development

1. The State has investment policies for the following activities:

a) Protect and develop special-use forests and protection forests;

b) Protect and rescue endangered, precious and rare forest plants and animals;

c) Research and apply results of scientific research, develop technology and train human resources to serve the state management of forestry;

d) Building research and development zones, high-tech zones;

dd) Invest in means, equipment and equipment for forest protection; monitoring and warning of forest fire risks; construction of forest fire prevention and fighting works; preventing and eliminating organisms harmful to forests;

e) Building, upgrading and renovating infrastructure in service of protection and development of special-use forests and protection forests.

2. The State has policies to support investment for the following activities:

- a) Transfer of high technology, advanced technology, new technology, forestry extension and certification of sustainable forest management;
- b) Develop infrastructure in association with development investment and business in production forests along the value chain;
- c) Cooperation and association in forest protection and development of ethnic minorities and residential communities in association with socio-economic development programs and new rural construction;
- d) Training, fostering and developing human resources for forest owners;
- dd) Investment promotion, market development and trade in forestry activities; expand and strengthen international cooperation in forestry.

3. The State has investment incentives for the following activities:

- a) To develop production forests in bare lands and bare hills;
- b) Transforming large timber forests and timber plantations into small to large timber forests; development of non-timber forest products;
- c) Restoration of natural forests;
- d) Development of high-tech forestry plant varieties.

4. The Government shall detail this Article.

Article 95. Forest protection and development fund

1. Forest protection and development fund is an off-budget state financial fund; organized and operated in the form of public non-business units, established under decisions of competent state agencies.

2. The operating principles of the forest protection and development fund are prescribed as follows:

- a) Non-profit operation;
- b) Only support programs, projects or non-project activities related to forest protection and development that the state budget has not yet invested in or has not yet met the investment requirements;
- c) Ensuring publicity, transparency and efficiency; managed and used for the right purposes and in accordance with the provisions of law.

3. Organization of the forest protection and development fund is regulated as follows:

- a) The Vietnam Forest Protection and Development Fund established at the central level by the Minister of Agriculture and Rural Development;
- b) The provincial-level forest protection and development fund is established under the decision of the chairperson of the provincial-level People's Committee.

4. Financial sources for the formation of the forest protection and development fund include:

- a) Sponsorship, voluntary contributions, trust capital of domestic and foreign organizations and individuals;
- b) Payment for forest environment services;
- c) Money for replacement of forests due to change of forest use purpose to another purpose;
- d) Lawful financial sources other than the state budget.

5. Annually, the Minister of Agriculture and Rural Development shall report to the Prime Minister on the management and use of the Vietnam Forest Protection and Development Fund; Provincial-level People's Committee chairpersons shall report to the Minister of Agriculture and Rural Development on the management and use of forest protection and development funds at the provincial level.

6. The Government shall detail the tasks, organizational structure, financial sources, management mechanism and financial use of the forest protection and development fund.

Chapter X

SCIENCE AND TECHNOLOGY, INTERNATIONAL COOPERATION ON FORESTRY

Article 96. Scientific and technological activities in forestry

1. Applying high technology, advanced technology and new technology in the following activities:
 - a) Investigate, inventory and monitor forest developments;
 - b) Forest fire prevention and fighting; preventing and eliminating organisms harmful to forests;
 - c) Select, create and propagate woody plants and non-timber forest products;
 - d) Intensification of plantation forests to provide large timber, native trees, and mixed-species afforestation; modernize the process of planting, tending, protecting and exploiting forests;
 - dd) Rehabilitation of forests, improving the quality of poor natural forests;
 - e) Exploiting, transporting, processing and preserving forest products;
 - g) Supporting industry in processing forest products.
2. Research on forest ecosystems and forest environmental service values.
3. Research solutions to conserve forest biodiversity and respond to climate change.
4. Research and innovate the model of forestry production organization according to the value chain, associated with sustainable forest development; model of sustainable combination of forestry, agriculture and fishery.
5. Transfer of technology and research results in the field of forestry into forestry production, business and management.
6. Develop and perfect a system of national standards and technical regulations on forestry.

Article 97. Science and technology policy on forestry

1. The State shall adopt mechanisms and policies to prioritize scientific research and technological development in conformity with the growth and development cycle of forests and the application of scientific and technological advances in forestry.
2. The State gives priority to investment in science and technology activities specified at Points a, b, c and dd, Clause 1, Clauses 2, 3 and 6, Article 96 of this Law.
3. The State encourages and creates conditions for the implementation of scientific and technological activities specified at Points d, e and g, Clauses 1, 4 and 5, Article 96 of this Law.

Article 98. International cooperation in forestry

1. The State of the Socialist Republic of Vietnam implements international cooperation in forestry with other countries, territories and international organizations on the basis of equality, mutual benefit, respect for independence and sovereignty. rights, the laws of each party and international law.
2. The Ministry of Agriculture and Rural Development shall assume the prime responsibility for, and coordinate with relevant ministries and ministerial-level agencies in, proposing the conclusion of international treaties or agreements on forestry; acting as the focal point, representing the country to exercise the rights and obligations of a member of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention against Desertification and other international treaties. , other international agreements related to forestry.

Article 99. Policy on international cooperation in forestry

1. Encourage the expansion of cooperation in forestry with foreign countries, territories, organizations and individuals in support of the implementation of sustainable development goals, commitments on environmental protection, and response to environmental pollution. climate change and other international commitments to which the Socialist Republic of Vietnam is a member.
2. Vietnamese organizations and individuals are encouraged to cooperate with foreign organizations and individuals in forest protection and development, forest product processing and trade, and capacity building and efficiency in state management of forest products. forestry in accordance with Vietnamese law and international law.

3. Create favorable conditions for foreign organizations and individuals and overseas Vietnamese to invest, support human resource training, scientific research, technology transfer in protection and development forests, nature conservation, processing and trade in forest products in Vietnam; develop and use rationally and effectively international cooperation resources for the forestry sector and respond to climate change.
4. Promote cooperation with bordering countries to effectively solve the problem of forest fires, cross-border haze, and prevent and combat illegal trade in timber and specimens of wild plant species. wildlife, wildlife, nature conservation.
5. The Government shall promulgate policies on international cooperation in forestry suitable to specific conditions in each period.

Chapter XI

STATE MANAGEMENT OF FORESTRY AND FORESTRY FORESTRY

Section 1. STATE MANAGEMENT OF FORESTRY

Article 100. Principles of organizing the system of state management agencies in charge of forestry

1. The system of state management agencies in charge of forestry shall be uniformly organized and suitable to the requirements of state management tasks in forestry.
2. Forestry-related agencies and managers are organized at central and provincial levels; Forestry specialized management tasks at district level are organized according to the Government's regulations.
3. Clearly define tasks and powers, not overlapping management functions; transparency.

Article 101. State management responsibilities in forestry of the Government, ministries and ministerial-level agencies

1. The Government performs the unified state management of forestry nationwide.
2. The Ministry of Agriculture and Rural Development, which is the focal agency to assist the Government in performing the state management of forestry, has the following responsibilities:
 - a) To promulgate according to its competence or submit to competent state agencies for promulgation and organize the implementation of strategies, master plans, plans, policies and legal documents on forestry;
 - b) Formulating national standards, promulgating national technical regulations, economic - technical norms on forestry;
 - c) Direct, guide and inspect the implementation of the Regulation on forest management, the regime of management and protection of endangered, precious and rare species of forest flora and fauna;
 - d) Submitting to the Prime Minister to establish protection forests and special-use forests of national importance or located in many provinces;
 - d) Directing uniformly on professional skills of forest rangers;
 - e) To assume the prime responsibility for, and coordinate with relevant ministries and ministerial-level agencies in, managing and protecting forests; to protect forest ecosystems and biodiversity in all kinds of forests;
 - g) Guide and inspect the forest survey, forest inventory, monitor forest changes and make forest management documents; setting up and managing forest database;
 - h) Organize forest fire prevention and fighting; preventing and eliminating organisms harmful to forests;
 - i) Building a system of national seed forests and national botanical gardens;
 - k) Manage and organize payment for forest environment services;
 - l) Managing activities of granting certificates of sustainable forest management and forest valuation;
 - m) Manage the processing and trade of forest products in accordance with the law;
 - n) Organize scientific research and application of hi-tech, advanced technology and new technology in forestry; training and fostering human resources in forestry;

o) Organize information, communication and education to raise community awareness about forestry; propagating, disseminating and educating the law on forestry;

p) The focal point for international cooperation in forestry;

q) Inspect, examine, handle violations of the law, settle complaints and denunciations about forestry in accordance with law.

3. The Ministry of National Defense, the Ministry of Public Security, the Ministry of Natural Resources and Environment, the ministries and ministerial-level agencies shall, within the scope of their tasks and powers, have to coordinate with the Ministry of Agriculture and Rural Development in implementing the implementation. State management of forestry.

Article 102. Responsibilities for state management of forestry by People's Committees at all levels

1. Provincial-level People's Committees have the following responsibilities:

a) Promulgate according to its competence or submit to competent state agencies for promulgation legal documents on forestry, decide on programs and projects for sustainable forestry development in the locality;

b) Organize the implementation of legal documents on forestry, forestry development strategy, national forestry planning, forestry development programs, projects and plans in the locality;

c) Organize the implementation of forest classification and demarcation of forest types according to their competence;

d) Allocate forests, lease forests, change forest use purposes to other purposes, and recover forests for organizations; organization of afforestation instead;

dd) Organize forest survey, inventory, monitor forest changes in the locality;

e) Update forest database, prepare local forest management records;

g) Forest protection organization; conservation of forest biodiversity; forest fire prevention and fighting; preventing and eliminating organisms harmful to forests; forest development; forest use; processing and marketing forest products locally;

h) Decide the forest price bracket in the province;

i) Organize research and application of advanced science and technology in forestry in the locality;

k) Propagating, disseminating and educating the law on forestry in the locality;

l) Mobilize forces, supplies, means and equipment of organizations, households and individuals in the locality to respond to forest fires emergency response according to their competence;

m) Inspect, examine and handle violations of the law; settle disputes, complaints and denunciations in the forestry sector in accordance with law.

2. District-level People's Committees have the following responsibilities:

a) Promulgate according to its competence or submit to competent state agencies for promulgation legal documents on forestry, decide on programs and projects for sustainable forestry development in the locality;

b) Organize the implementation of legal documents on forestry, programs and projects for sustainable forestry development in the locality;

c) Organize the implementation of forest classification, demarcation of forest types in the locality according to the provisions of law;

d) Allocate forests, lease forests, change forest use purposes to other purposes, recover forests from households, individuals and communities; make forest management dossiers; organization of afforestation instead;

dd) Organize forest survey, inventory, monitor forest changes in the locality;

e) Organize forest management and protection, forest biodiversity conservation, forest fire prevention and fighting;

g) Propagating, disseminating and educating the law on forestry in the locality;

h) Direct the commune-level People's Committees to formulate projects on land and forest allocation for forest areas that have not been allocated or leased in accordance with law;

i) Inspect, examine and handle violations of the law; settle disputes, complaints and denunciations in the forestry sector locally in accordance with law.

3. Commune-level People's Committees have the following responsibilities:

a) Promulgate according to its competence or submit to competent state agencies for promulgation legal documents on forestry, decide on programs and projects on sustainable forestry development, forestry, agricultural and fishery production. combined farming, shifting cultivation and implementation in the locality;

b) Management of forest area and boundaries; certify the dossier of request for forest allocation or forest lease for organizations, households, individuals and communities in accordance with law;

c) Organize the management and protection of forest areas that have not been allocated or leased by the State;

d) Organize the inventory of forests in the locality;

dd) Guiding residential communities in formulating and implementing forest protection and development conventions and conventions in the area in accordance with law;

e) Organizing forest fire prevention and fighting activities; preventing and combating violations of the law on forestry in the locality; handle violations of the law, settle disputes, complaints and denunciations in the forestry sector in the locality according to the provisions of law.

4. Presidents of People's Committees at all levels are responsible for forest fires, deforestation or forest loss caused by violations of the law in the field of forest management and protection within the scope of their management areas and areas. .

Section 2. FORESTRY FOREST

Article 103. Functions of Forest Rangers

Forest ranger is an organization with the function of managing and protecting forests, ensuring the observance of the law on forestry; is a force specialized in forest fire prevention and fighting.

Article 104. Tasks and powers of Forest Rangers

1. Tasks of forest rangers are prescribed as follows:

a) Formulate forest protection programs and plans, and plans to prevent and combat violations of the law on forestry, and prevent and fight forest fires;

b) Protection of special-use forests and protection forests; coordinate with relevant agencies in organizing the protection of forests under the ownership of the entire people which have not been allocated or leased;

c) Organize warning and forecast of forest fire risks; organize a force specialized in forest fire prevention and fighting, monitor annual forest developments;

d) Organize the fight to prevent, inspect, control and handle violations of the law in forest protection, forest exploitation, forest use, transportation, trading, storage and processing of forest products according to regulations under the law;

dd) Guide forest owners in formulating and implementing forest fire prevention and fighting plans; foster and provide professional training in forest protection, fire prevention and fighting for forest owners;

e) Propagating and mobilizing people to protect and develop forests; organize mass forces to protect forests at grassroots level;

g) Perform other tasks assigned by competent state agencies in accordance with law.

2. The powers of forest rangers are prescribed as follows:

a) Request relevant agencies, organizations and individuals to provide information and documents in the performance of their official duties as prescribed by law;

- b) Sanction administrative violations and apply measures to prevent administrative violations; prosecute and investigate violations of the forestry law in accordance with law;
 - c) Using specialized means, equipment, weapons, supporting tools and costumes according to the provisions of law.
3. The Government shall detail this Article.

Article 105. Forest Ranger Organization

1. Forest rangers are organized at the central level and at the provincial level.
2. Forest rangers are organized at the district level on the basis of requirements and tasks of forest management and protection, ensuring the observance of the law on forestry, forest fire prevention and fighting, forest development, forest use, and forest protection. processing and trading in local forest products.
3. Rangers in the national park; nature reserves, species - habitat conservation areas, watershed protection forests, wind and sand protection forests, wave break and sea encroachment protection forests are organized by the Forest Protection Department at the central level or at the provincial level. organized on the basis of requirements and tasks of forest management and protection.
4. The Government shall detail this Article.

Article 106. Equipment to ensure operation and regimes and policies for forest rangers

1. Equipment to ensure operation of forest rangers is prescribed as follows:
 - a) Be equipped with weapons, supporting tools, professional technical means and specialized means and equipment for forest patrol and protection, fire prevention and fighting activities;
 - b) To be uniformly equipped with uniforms, badges, insignia, pennants, and forest ranger certificates.
2. Regimes and policies for forest rangers are prescribed as follows:
 - a) Forest rangers are entitled to salary according to ranks and grades; seniority allowance, vocational incentive allowance and other allowances according to the provisions of law;
 - b) Rangers who are injured or sacrificed while on duty are recognized and enjoy the same regimes and policies as war invalids and martyrs according to the provisions of the law on incentives for people with meritorious services to the revolution.
3. The Government shall detail this Article.

Chapter XII

TERMS ENFORCEMENT

Article 107. Effect

1. This Law takes effect from January 1, 2019.
2. The Law on Forest Protection and Development No. 29/2004/QH11 ceases to be effective from the effective date of this Law.

Article 108. Transition provisions

1. Forest owners who have been allocated or leased forests by the State before the effective date of this Law may continue to do so until the end of the allocated or leased term; exercise rights and perform obligations as prescribed in this Law, except for the case specified in Clause 2 of this Article.
2. Forest owners being economic organizations that are allocated production forests by the State before the effective date of this Law may continue to perform until the end of the assigned time limit; rights and obligations shall be performed according to the provisions of Points a, c and d, Clause 1 and 2, Article 79 of this Law.
3. For projects that change the forest use purpose to another that have been approved but have not yet been cleared before this Law takes effect, they must plant a replacement forest as prescribed in Clause 1 of this Article. Article 21 of this Law.

4. Provincial-level People's Committees are responsible for reviewing existing natural forests for inclusion in the planning of special-use forests, protection forests and production forests within 12 months from the effective date of this Law. onion.

This Law was approved by the 14th National Assembly of the Socialist Republic of Vietnam at its 4th session on November 15, 2017.

Chairwoman of the National Assembly

Nguyen Thi Kim Ngan