

## **Forest Decree**

(1200/1996, amendments up to 987/2001 included)

### Section 1 - *Regional target programme for forestry*

- (1) A regional target programme for forestry referred to in section 4 of the Forest Act must contain:
  - 1) overall description of the state of forests and forestry and the development needs and objectives;
  - 2) description of the biological diversity of the forests, taking into account the protected areas created under the Nature Conservation Act (1096/1996) and areas subject to restricted utilisation;
  - 3) wood production and the development needs and objectives in this;
  - 4) needs and objectives as regards preserving the biological diversity of forests as referred to in section 10(1-3) of the Forest Act;
  - 5) objectives for action based on the Act on the Financing of Sustainable Forestry (1094/1996);
  - 6) utilisation of wood, its current status and the development needs and objectives for the utilisation of wood;
  - 7) description of forest-related business activity and recommendations for promoting especially small enterprises;
  - 8) employment effects of forestry, possibilities for developing these and proposals for promoting employment;
  - 9) assessment of the economic impacts of the implementation of the target programme; and
  - 10) assessment of the ecological impacts of the implementation of the target programme.
- (2) In drawing up the programme the Forestry Centre must cooperate with the key parties representing the forest sector in the area, with the nature conservation authorities and other parties relevant for compiling the programme. Metsähallitus must take part in drawing up the programme as regards the lands it governs.
- (3) The target programme must be reviewed at least every five years.

### Section 2 - *Measures associated with the establishment of a new tree stand*

- (1) Measures associated with the establishment of a new tree stand referred to in section 8(2) of the Forest Act refer to the clearing of trees and bushes which obstruct the establishment of a seedling stand and treatment of the topsoil. If the water economy of peatland has changed due to regeneration felling to such an extent that it endangers the establishment of a seedling stand referred to in section 8(1) of the Forest Act, the action also includes the restoration of the water economy.
- (2) In artificial forest regeneration, measures associated with the establishment of a new tree stand also include planting and seeding. The regeneration should be carried out using an adequate amount of forest regeneration material suitable for the circumstances prevailing on the site as to their origin and other properties.
- (3) In natural forest regeneration the measures maintaining the prerequisites for the development of the seedling material referred to in section 3(8) of the Forest Act refer to the treatment of the topsoil, removing of trees and bushes which obstruct the development of the seedling stand, and herb, grass and thicket control.

- (4) When forest is regenerated by natural means, there should be an adequate amount of seedling material which has developed on the regeneration site, supplemented by cultivated seedlings if necessary, which are capable of developing into a seedling stand referred to in section 8(1) of the Forest Act within following periods of time:
  - 1) in the territory of the Forestry Centre of Lapland, excluding the timberline forests, within seven years after the measures referred to in section 8(2) of the Forest Act have been completed;
  - 2) in the territories of the Forestry Centres of Kainuu and Northern Ostrobothnia, within five years after the measures referred to in section 8(2) of the Forest Act have been completed; and
  - 3) in the other parts of the country, within two years after the measures referred to in section 8(2) of the Forest Act have been completed.

#### *Section 3 - Reasonable period of time for establishing a seedling stand and completion of regeneration felling*

- (1) In estimating the reasonable period of time for establishing a seedling stand whose development is not directly threatened by the other vegetation referred to in section 8(1) of the Forest Act, the climatic conditions at the regeneration site, the principal tree species in the seedling stand and the fertility and undergrowth on the site must be taken into account.
- (2) A regeneration felling is regarded as completed when a clearing which requires forest regeneration has been created on the site or when there are no longer any trees of satisfactory growth potential referred to in section 5(2) of the Forest Act on the felling site.

#### *Section 4 - Criteria for assessing a seedling stand*

- (1) A stand has the economic growth potential referred to in section 8(1) of the Forest Act when the seedlings of the principal tree species in the stand have the potential for developing into economically valuable trees in terms of quality and size and when there are an adequate number of evenly distributed seedlings on the regeneration site.

#### *Section 5 - Conditions under which the obligation to establish a new tree stand lapses*

- (1) Matters to be taken into account when considering a decision to allow the obligation to establish a new tree stand referred to in section 8(4) of the Forest Act to lapse are whether the measures considered reasonable referred to in section 2 have been implemented at the right time in terms of forest management, whether appropriate care has been taken in their implementation and whether the failure of the regeneration has been caused by a natural disaster against which no precautions could reasonably have been taken.

#### *Section 6 - Further provisions concerning the establishment of a new tree stand*

- (1) The ministry competent in forestry matters may issue further provisions on the measures referred to in section 8(5) of the Forest Act, the period of time within which they are to be implemented, the time considered reasonable for establishing a seedling stand and the criteria for assessing the seedling stand.

#### *Section 7 - Habitats of special importance*

- (1) Section 10(2) of the Forest Act means the following:
  - 1) the immediate surroundings mentioned in paragraph 1 refer to a zone in which the trees, bushes and the vicinity of a permanent water create growth conditions and a microclimate differing from the surrounding area;
  - 2) the hardwood-spruce swamps mentioned in paragraph 2 refer to such herb-rich hardwood-spruce swamps which have demanding and luxuriant vegetation as a result of long, undisturbed development;

- 3) the fertile patches of herb-rich forest mentioned in paragraph 3 refer only to such herb-rich forest patches which are clearly distinguishable from their surroundings because of their demanding vegetation;
- 4) the undrained peatlands mentioned in paragraph 4 also refer to peatland where ditches have been dug when these are separate from each other and have not caused the peatland to dry;
- 5) the habitats mentioned in paragraph 5 refer to gorges and ravines cut into bedrock or mineral soil with steep slopes which in general are at least ten metres deep, if they are characterised by vegetation differing from the surroundings;
- 6) the habitats mentioned in paragraph 6 refer to bluffs which in general are at least ten metres high and to underlying forests overshadowed by these, if they have demanding vegetation differing from the other forest environment due to soil eroded from the bluff; and
- 7) the habitats mentioned in paragraph 7 refer to sandy soils, exposed bedrock, boulder fields, peatlands and flood meadows with sparse stand if their characteristics include exceptional moisture conditions, nutrient situation and a tree stand preserved in an almost natural state, including old overstorey trees or dead and decaying trees.

#### Section 8 - *Natural state of habitats of special importance*

- (1) Habitats of special importance referred to in section 10(2) of the Forest Act are considered to be in a natural state or to resemble a natural state if their essential characteristics in terms of biological diversity have been preserved in spite of past human interference or if the habitat has been treated in accordance with regulations issued by the ministry competent in forestry matters by virtue of section 10(4) of the Forest Act. The immediate surroundings of small waters referred to in section 10(2)(1) of the Forest Act may be considered to resemble a natural state even when the water quality has deteriorated or the flow has changed due to human activity.

#### Section 9 - *Forest use declaration*

- (1) A forest use declaration referred to in section 14 of the Forest Act must provide the following information:
  - 1) the name and contact information of the landowner, holder of the right of possession or other special right;
  - 2) the name and contact information of the holder of the forest felling right if the felling right has been conveyed before making the declaration;
  - 3) the name and registration number of the real estate or real estate unit identification number and the municipality and village where the real estate is situated;
  - 4) the location of the area where the measures are to be undertaken given on the map or as coordinates with sufficient accuracy and the surface area of each stand;
  - 5) the purpose of the felling referred to in section 5(1) or section 6(1) of the Forest Act, and when felling referred to in section 6(1) is concerned, an account of the special nature of the site and the manner of felling required by it;
  - 6) in regeneration felling for each stand: the quality of the site, the average diameter of the trees, the age or stage of development, an account of whether the regeneration will be carried out by natural means, by sowing or by planting, the principal tree species of the new stand and the method used in treating the topsoil; (1225/1998)
  - 7) if forestry land is taken for other purposes referred to in section 3 of the Forest Act, a notification of the new purpose and whether a permission by an authority has been granted for the change in the use;
  - 8) whether the site concerned is a timberline forest referred to in section 12 or a protection zone referred to in section 13 of the Forest Act; (1225/1998)
  - 9) if the treatment of forest concerns habitats referred to in section 10(2, 3) of the Forest Act, what kind of habitats are concerned, a list of the envisaged management

measures, such as fellings, drainage, construction of a forest road, treatment of the topsoil and fertilisation, and an account of how the preservation of the characteristics of the habitats concerned will be taken into account in carrying out the planned measures; and (1225/1998)

- 10) name and contact information of the person who drew up the forest use declaration. (1225/1998)
- (2) In addition to information referred to in subsection 1, a forest use declaration may contain information on how the overall conditions for preserving habitats characteristic to forest biodiversity are to be ensured in the envisaged measures also in areas other than those referred to in section 10(2, 3) of the Forest Act.
- (3) If information required in subsection 1 is included in a forest plan or other plan which is at the disposal of the Forestry Centre, reference to the said plan can be made in the forest use declaration.

#### Section 10 - *Executive assistance by the police*

- (1) Where necessary, the police are obligated to yield executive assistance in matters concerning the implementation of the Forest Act and control of the compliance with the Act.

#### Section 11 - *Declarations to the Forestry Centre*

- (1) A forest use declaration may be given in writing or electronically. A declaration is considered to have been delivered to the Forestry Centre when it has arrived at the office of the Forestry Centre or when the declaration or corresponding information has been delivered to an official of the Forestry Centre.

#### (1) Section 12 - *Certain fixed dates*

- (2) The obligation laid down in section 2(2) of the Act on Private Forests (412/1967) to regenerate forest after felling expires if the Forestry Centre has not drawn up an agreement concerning the remedial measures referred to in section 20(2, 3) of the Forest Act or issued a decision on remedial measures referred to in section 20(2) of the Forest Act or taken the measures referred to in section 20(3) by 31 December 2001. (987/2001)
- (3) Forest use declaration is not required for felling which has been initiated before the entry into force of the Forest Act and which is completed no later than 31 December 1997, if a felling notification referred to in section 7 of the Act on Private Forests has been given or if the felling concerned is in accordance with a felling and regeneration plan approved for a fixed period of time by the Forestry Board or Forestry Centre. Forest use declaration is also not required regarding felling which has been completed no later than 31 December 1997, if a felling notification or felling and regeneration plan under the Act on Private Forests would not have been required.

#### Section 13 - *Further provisions*

- (1) Where necessary, the ministry competent in forestry matters issues further regulations and instructions on the implementation of this decree.

#### Section 14 - *Entry into force*

- (1) This Decree enters into force on 1 January 1997.
- (2) Measures necessary for the implementation of this Decree may be undertaken before Decree's entry into force.
- (3) The provisions of the Decree on Private Forests (300/1991) continue to apply to cases where the provisions of the Act on Private Forests repealed by the Forest Act apply.
- (4) Until the Government Decision concerning the timberline forests referred to in section 12 of the Forest Act (1093/1996) is issued, the timberline forests referred to in the said section are the present timberline forests in the Province of Lapland in the municipalities of

Enontekiö, Inari, Kittilä, Kolari, Muonio, Salla, Savukoski, Sodankylä and Utsjoki, whose boundaries have been established and marked in legal cadastral survey no. 823 entered to the Real Estate Register on 13 December 1979.