

**DECISION No. 186/2006/QĐ-TTg OF AUGUST 14, 2006, PROMULGATING THE REGULATION ON FOREST MANAGEMENT**

THE PRIME MINISTER

*Pursuant to the December 25, 2001 Law on Organization of the Government;*

*Pursuant to the 2004 Law on Forest Protection and Development;*

*Pursuant to the Government's Decree No. 23/2006/ND-CP of March 3, 2006, on the implementation of the Law on Forest Protection and Development;*

*Pursuant to the Government's Decree No. 32/2006/ND-CP of March 30, 2006, on management of endangered, precious and rare forest plants and animals;*

*At the proposal of the Minister of Agriculture and Rural Development,*

DECIDES:

**Article 1.-** To promulgate together with this Decision the Regulation on forest management.

**Article 2.-** This Decision shall take effect 15 days after its publication in "CONG BAO."

To annul the Prime Minister's Decision No. 08/2001/QĐ-TTg of January 11, 2001, promulgating the Regulation on management of special-use forests, protection forests and natural production forests.

**Article 3.-** Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial/municipal People's Committees shall have to implement this Decision.

Prime Minister

*NGUYEN TAN DUNG*

**REGULATION ON FOREST MANAGEMENT**

*(Promulgated together with the Prime Minister's Decision No. 186/2006/QĐ-TTg of August 14, 2006)*

Chapter I

**GENERAL PROVISIONS**

**Article 1.-** Governing scope

This Regulation provides for the organization of management, protection, development and use of special-use forests, protection forests and production forests, including land areas with or without forests, which have been assigned, leased or planned by the State for forestry.

**Article 2.-** Subjects of application

This Regulation applies to state agencies, organizations, population communities in rural or mountain hamlets and villages or equivalent units (hereinafter called village

population communities), domestic households and individuals; overseas Vietnamese, foreign organizations and individuals involved in the organization of management, protection, development and use of forests in Vietnam.

**Article 3.-** Interpretation of terms

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

1. Regeneration of natural forests means the re-plantation of poor natural forests of low productivity or quality so as to replace them with planted forests of higher productivity, quality, economic efficiency and environmental protection capacity.
2. Subsidiary plants mean plants grown together with major ones, which, within a certain period, will help boost the latter's growth and development.
3. Intercropped plants mean plants grown in combination with major ones, aiming to make full use of land and the nutritious space so as to increase outputs on forest areas without adversely affecting the growth and development of major plants.
4. Non-purpose plants mean plants which fail to meet business purposes of production forests or environmental protection purposes of protection forests.
5. Full exploitation of timber means the logging of standing timber trees other than principal exploitation objects.
6. Extraction of timber means the gathering of lying timber trees, dead wood, heartwood, burnt wood, branches, tops, foots and roots of trees of all sizes and kinds.
7. Poor natural forests mean natural forests with very low reserves, poor quality, low growth capacity and productivity, which, if restored naturally, will not meet economic and protection requirements.

**Article 4.-** Principles for forest management organization

1. Special-use forests, protection forests and production forests shall be managed, protected, developed and used in a sustainable manner, in line with the forest protection and development plannings and plans.
2. Special-use forests, protection forests and production forests shall have owners to manage, protect and use them.
3. The management of forests shall comply with the major use purposes of each kind of forest; and concurrently ensure the rational use of comprehensive values of forests, contributing to socio-economic development, environmental protection, biodiversity protection as well as defense and security maintenance.
4. The determination of management objectives and methods must be compatible with particularities of forest ecosystems in order to ensure the sustainable development of forests and forest ecosystems.
5. Every forest owner may be assigned or leased forests of different kinds provided that such owner manages forests of each kind strictly according to the regulation applicable to that kind.

**Article 5.-** Organization of forest management

The organization of forest management shall comply with the following provisions:

1. For forests which have been assigned or leased, the provisions of Articles 15, 16, 26, 27 and 36 of this Regulation must be complied with.
2. For forests which have not yet been assigned or leased, the People's Committees of communes, wards or townships (hereinafter called commune-level People's Committees) shall have to organize the management thereof.

**Article 6.-** Degrees of importance for protection of forests and forestry land

1. Forests and land areas without forests already planned for forestry shall be graded by three degrees of importance for protection: very important, important and less important. Such gradation is aimed to determine kinds of forest and propose measures to exert impacts on forests of each kind.
2. The determination of the three kinds of forests being special-use forests protection forests and production forests shall be based on the criteria set for each kind of forest and comply with the regulations on the degrees of importance for protection of forests and forestry land.
3. The Ministry of Agriculture and Rural Development shall provide guidance on criteria for determination of degrees of importance for protection of forests and forestry land.

**Article 7.-** Delimitation of forest boundaries

1. Forest and forestry land shall be divided into management units: sub-zones, plots and lots according to the provisions of Article 42 of the Government's Decree No. 23/2006/ND-CP of March 3, 2006, on the implementation of the Law on Forest Protection and Development (hereinafter called Decree No. 23/2006/ND-CP for short).
2. The Ministry of Agriculture and Rural Development shall guide in detail the division and delimitation of management units in service of the organization of forest management.

**Article 8.-** Change of forest use purposes

1. Change of use purposes between three kinds of forest
  - a/ The change of use purposes between three kinds of forest (special-use, protection and production forests) shall comply with the provisions of land law, ensuring that such forests satisfy the criteria and indexes specified in Articles 13, 25 and 34 of this Regulation.
  - b/ The order of, and procedures for, the change of use purposes between three kinds of forest shall comply with the provisions of Article 28 of Decree No. 23/2006/ND-CP.
2. The change of forest use purposes into non-forestry purposes must be compatible with the approved socio-economic plannings and plans, be permitted by competent state agencies and comply with the provisions of Article 29 of Decree No. 23/2006/ND-CP.

**Article 9.-** Forest protection and development plannings and plans; statistics, inventory and monitoring of changes in forest resources, compilation of forest management dossiers

1. The compilation and management of forest protection and development plans and plans shall comply with the provisions of Articles 10, 11, 12, 13, 14 and 18 of Decree No. 23/2006/ND-CP.

2. The compilation of forest management dossiers, the statistics, inventory and monitoring of changes in forest resources shall comply with the provisions of Articles 38, 39, 40 and 41 of Decree No. 23/2006/ND-CP.

**Article 10.-** Regeneration of natural forests

1. Forests to be regenerated include:

a/ Poor natural production forests which have been assigned or leased by the State, have no purpose trees or have purpose trees but the number of such trees fails to meet the forest business requirements.

b/ Poor natural protection forests which have been assigned or leased by the State, have no purpose trees or have purpose trees but the number of trees fails to meet the forest protection requirements.

c/ Poor natural special-use forests, which are allowed for regeneration in the following cases:

- Forests for scientific research or experimentation, which are unsuitable with or fail to meet the scientific research or experimentation requirements; landscape protection zones which are unsuitable with or fail to meet the landscape protection requirements.

- Forests in the service-administrative sub-zones of national parks and nature conservation zones.

2. Competence to permit the regeneration of natural forests

a/ The Ministry of Agriculture and Rural Development shall permit the forest regeneration by forest owners being organizations under its management.

b/ Provincial-level People's Committees shall permit the regeneration of forests by forest owners being provincially-run organizations and forests managed by other ministries or branches whose forest areas and forestry land lie within the provincial territory.

c/ People's Committees of rural districts, urban districts, towns or provincial cities (hereinafter called district-level People's Committees) shall permit the forest regeneration by forest owners being households, individuals or village population communities.

3. The regeneration of natural forests must be conducted under projects, for subjects defined at Points a and b, Clause 2 of this Article, and under plans, for subjects defined at Point c, Clause 2 of this Article, be accompanied with detailed technical designs and approved by competent authorities.

4. The order of, and procedures for, regeneration of forests: The Ministry of Agriculture and Rural Development shall guide criteria on poor forests and kinds of poor forests to be regenerated; guide forest regeneration methods, order and procedures.

**Article 11.-** Liquidation of planted forests invested with state budget capital

1. Planted forests invested with state budget capital but unable to develop into forests and those which cannot develop into forests due to *force majeure* circumstances or other causes, which are testified by written records made at the time such circumstances occur, shall be liquidated for re-forestation.
2. The liquidation of planted forests shall comply with the Government's regulations on management of state property.
3. Competence to permit the liquidation of planted forests: Agencies competent to permit the liquidation of planted forests are the agencies competent to decide on investment in the plantation of those forests.
4. The Ministry of Agriculture and Rural Development shall guide in detail criteria on planted forests, which cannot develop into forests.
5. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Agriculture and Rural Development in, specifying kinds of planted forest for liquidation as well as the forest liquidation order and procedures and proceeds from such liquidation.

**Article 12.-** Hunting, trapping and catching of forest animals

1. All acts of hunting, trapping or catching wild animals in special-use forests being national parks or nature conservation zones are prohibited; where those acts are necessary, they must comply with the Government's Decree No. 32/2006/ND-CP of March 30, 2006, on management of endangered, precious and rare forest plants and animals.
2. For protection and production forests

All acts of hunting, trapping or catching forest animals on the list of endangered, precious and rare forest animals provided for in the Government's Decree No. 32/2006/ND-CP of March 30, 2006, or useful animals being natural enemies of pests, birds or rats harmful to crops are prohibited; where those acts are necessary, they must comply with the provisions of the Government's Decree No. 32/2006/ND-CP of March 30, 2006.

Chapter II

MANAGEMENT OF SPECIAL-USE FORESTS

Section 1. ORGANIZATION OF MANAGEMENT OF SPECIAL-USE FORESTS

**Article 13.-** Classification of special-use forests

Based on their nature, management and use purposes, special-use forests are classified into the following kinds:

1. National parks

a/ A national park means a natural area on mainland or in a submerged land area or island, which is large enough for its establishment to conserve one or more typical or representative ecosystems which cannot be affected or can only be slightly affected by outside elements; and to conserve the endangered or particular species of organisms.

b/ National parks shall be managed and used mainly for the conservation of forests and forest ecosystems, for scientific research, environmental education and eco-tourism.

c/ A national park shall be established on the basis of criteria and indexes on typical ecosystems; particular flora and fauna species; on natural land area of the park and the proportion of agricultural and residential land area against the natural area of the park.

## 2. Nature conservation zones, including nature reserves and species-habitat conservation zones

a/ Nature reserves mean areas where exist natural forests and ecosystems on mainland or in submerged land or island areas, which are established for sustainable preservation of ecosystems not yet been changed or having changed a little; and where exist endangered or particular, precious or rare species of organisms.

Species-habitat conservation zones mean areas where exist natural forests and ecosystems on mainland or submerged land areas, which are established for preservation of species or habitats, aimed at maintaining such habitants and long existence of endangered or particular, precious and rare species of organisms.

b/ Nature conservation zones shall be managed and used mainly for the protection of ecosystems and organism species subject to preservation; for scientific research, environmental monitoring, education and raising of public awareness about environment and eco-tourism.

c/ Nature conservation zones shall be established on the basis of criteria and indexes on particular, precious, rare and endangered plant and animal species as well as the natural habitat and living environment of such species; on natural land area of the zones and the proportion of agricultural and residential land against natural land of the zones.

## 3. Landscape protection zones

a/ Landscape protection zones mean areas with forests and natural habitats on mainland or in submerged land or island areas, which are formulated from interaction between human and nature, thus making such forests and habitats more and more valuable in terms of aesthetics, ecology, culture and history.

b/ Landscape protection zones shall be established to protect, maintain and develop traditional relations between nature and human in service of belief, recreational, entertainment, sightseeing, study and eco-tourist activities.

c/ Landscape protection zones shall be established on the basis of criteria and indexes on history, traditional culture and habitat; on natural area of the zones and proportion of agricultural and residential land area against natural area of the zones.

## 4. Forests for scientific research or experimentation

a/ Forests for scientific research or experimentation mean forests and forestland established in service of scientific research or experimentation, forestry training and vocational training.

b/ Forests for scientific research or experimentation shall be established on the basis of requirements of scientific research and technology development institutions or forestry

training and vocational training establishments according to their functions and tasks approved by state agencies which have established them.

5. The Ministry of Fisheries shall assume the prime responsibility for, and coordinate with the Ministry of Agriculture and Rural Development and the Ministry of Natural Resources and Environment in, guiding the management of the integral parts of marine creature conservation and submerged land resource in special-use forests.

**Article 14.-** Functional zones in national parks and nature conservation zones

1. A national park or nature conservation zone shall be divided into the following functional sub-zones:

a/ Strictly-protected sub-zones:

- They are the zones large enough for intact protection of natural ecosystems such as the national standard ecological samples, which shall be strictly protected and protected to oversee the natural developments of forests and ecosystems.

- With regard to special-use forests in submerged land areas, the scope and size of strictly-protected sub-zones shall be determined according to the conservation objectives, subjects and criteria and hydrological conditions.

b/ Ecological restoration sub-zones

They are the strictly-managed and -protected zones for restoration of forest ecosystems through the performance of some necessary bio-forestrial activities.

c/ Service-administrative sub-zones mean the areas for construction of working offices and facilities for routine activities of management boards, research and experimentation institutions, and for tourist, recreational and entertainment activities.

2. The functional sub-zones in national parks or nature conservation zones shall have their boundaries adjusted on the basis of the forests' characteristics, actual developments as well as management and use purposes; the adjustment of boundaries of the sub-zones shall be conducted after every planning period or after the review of forest acreage of each kind at the Prime Minister's request.

**Article 15.-** Decentralization of the management of special-use forests

1. The Ministry of Agriculture and Rural Development shall organize the management of national parks with special positions for nature conservation (which are typically characterized by high biodiversity, representing areas and regions in terms of habitats and gene sources); national parks and nature conservation zones lying in the inter-provincial areas.

2. Provincial-level People's Committees shall organize the management of national parks and nature conservation zones lying within a province and landscape protection zones.

3. Organizations and village population communities, which are assigned special-use forests by the State without the establishment of forest management boards by ministries or provincial-level People's Committees, shall be responsible for organizing the management of the assigned forests.

4. The Ministry of Agriculture and Rural Development and the provincial-level People's Committees shall define the functions, tasks and powers of forest management boards according to their respective functions and the provisions of law.

**Article 16.-** Organizational apparatus of special-use forest management boards

1. For special-use forests established by the Ministry of Agriculture and Rural Development or provincial-level People's Committees, the organizational apparatus of forest management boards shall be decided by the agencies setting up those boards. The Ministry of Agriculture and Rural Development shall uniformly specify the organizational structure of special-use forest management boards nationwide.

2. Payrolls of forest management boards

a/ The initial payrolls of special-use forest management boards shall each comprise a minimum staff suitable with their organizational structure defined by the Ministry of Agriculture and Rural Development. In the course of operation, based on the management requirements and the State's regulations, special-use forest management boards may adjust their payrolls according to their competence or elaborate annual payroll plans to be submitted to competent state agencies for decision.

b/ Forest protection-specialized forces of forest management boards shall operate in compliance with the provisions of Point a, Clause 4, Article 18 of this Regulation.

3. Management boards of special-use forests which have capability and conditions for development of eco-tourist activities may each set up a dependent section to perform this task, which shall initially operate as a revenue-generating non-business unit, entitled to borrow capital for tourist development investment under investment projects approved by competent authorities. The authority managing the special-use forests shall decide on the establishment of this section under the State's regulations.

4. The Ministry of Agriculture and Rural Development shall specify criteria for directors and deputy directors of special-use forests in suitability with each kind of special-use forest, which shall serve as a basis for appointment, training and planning of personnel, aimed at raising the efficiency of the management of special-use forests.

**Section 2. PROTECTION, DEVELOPMENT AND USE OF SPECIAL-USE FORESTS**

**Article 17.-** Investment and fund for maintaining the protection and development of special-use forests

The investment in protection and development of special-use forests shall comply with the Government's regulations on investment and construction management and the following provisions:

1. The determination of investment objectives and contents must be compatible with particularities of each kind of special-use forest as specified in Clause 1, Article 13 of this Decision.

With regard to special-use forests in submerged land areas being typical eco-systems, the determination of investment objectives and contents for submerged land areas shall



comply with the provisions of the Government's Decree No. 109/2003/ND-CP of September 23, 2003 on preservation and sustainable development of submerged land.

2. Major investment contents for special-use forests shall cover:

a/ Regular expenditures, which mean expenditures on salaries, assurance of operations of the forest management and protection apparatus; on monitoring and supervision of ecosystems and biodiversity; scientific research and experimentation; human resource training; and community education about the protection of special-use forests and nature conservation.

b/ Investment expenditures, which mean expenditures on infrastructure construction, creation of forest capital and enrichment of forests, regeneration of forests and equipment for scientific research, experimentation and management.

3. State budget investment for items specified in Clause 2 of this Article

a/ The central budget investment in special-use forests shall be managed by the Ministry of Agriculture and Rural Development; the targeted central budget supports for provincial budgets for investment in special-use forest protection and development shall be locally managed.

b/ The local budget investment in special-use forests shall be managed by the provincial-level People's Committees.

4. The State shall provide investment supports for protection and development of forests for scientific research or experimentation and landscape protection zones, for which management boards are not set up by ministries or provincial-level People's Committees (these forests are established after the model of centers).

5. Special-use forest owners and management boards may use revenues from service activities and financial supports provided by organizations, individuals or projects for investment in protection and development of forests assigned by the State after fulfilling financial obligations and other obligations under the provisions of law.

6. For items of investment in special-use forests from different capital sources, the authorities managing special-use forests shall integrate such capital sources and, on the basis of the State's regulations on management of capital sources, guide special-use forest management boards to formulate investment projects and submit them to competent authorities for approval according to the State's regulations.

Special-use forest management boards shall draw up 10-year investment planning reports and submit them to competent authorities for approval according to regulations, and at the same time, based on the approved investment planning reports, formulate investment projects, and submit them to competent authorities for approval and execution according to regulations.

7. The State encourages organizations and individuals to invest in protection and development of special-use forests.

**Article 18.-** Protection of special-use forests

The protection of special-use forests shall comply with the provisions of Decree No. 23/2006/ND-CP and the following provisions:

1. In strictly-protected sub-zones of national parks and nature conservation zones, the following activities are strictly prohibited:

a/ Activities which change the natural landscapes of forests, except those conducted according to the provisions of Point b, Clause 2, Article 22 of this Regulation.

b/ Activities which affect the natural life of the wildlife or species under conservation.

c/ Releasing and raising or planting animal or plant species introduced from other places, which had earlier not existed in special-use forests. In special cases, such must be decided by the Minister of Agriculture and Rural Development or reported to the Prime Minister for decision.

d/ Exploiting organism resources and other natural resources.

e/ Causing environmental pollution.

f/ Bringing toxic chemicals, explosives or inflammables into forests, set fire in forests or at forest edges.

g/ Grazing cattle or poultry.

2. In ecological restoration sub-zones of national parks and nature conservation zones, activities defined in Clause 1 of this Article are strictly prohibited.

3. Protection of forest fauna in special-use forests

a/ All animal species in special-use forests must be protected; the hunting, catching and trapping of forest animals shall comply with the provisions of Article 12 of this Regulation.

b/ To protect the living environment and feed sources of forest animals and when necessary, to create more feed and water sources for them.

c/ The release of forest animals into special-use forests shall comply with the following provisions:

To release only those species which need the addition to meet the conservation demand; animals released into forests must be healthy and disease-free indigenous ones; the number of animals of each species released into forests must be suitable with their living environment and feed sources, and ensure the forests' ecological balance as well.

The Ministry of Agriculture and Rural Development shall guide the release of wild animals into forests.

d/ With regard to special-use forests in submerged land areas or areas with integral parts being submerged land, the special-use forest management boards shall have to elaborate regulations on management and monitoring of the submergence in line with the ecological characteristics of forest fauna and flora, adopt separate fire prevention and fighting plans for cajeput forests, on submerged alum land and peat land, formulate investment projects for management of exotic plants which may cause harms to or penetrate into special-use forests through dissemination in water.

The Ministry of Agriculture and Rural Development shall coordinate with the Ministry of Fisheries in guiding the management of aquatic resources in special-use forests.

#### 4. Protection of special-use forests

a/ Forest owners may organize forest protection forces as follows:

- Organizing forest protection-specialized forces, each person of which shall be arranged to protect 500 ha of forest on average.
- The management boards may use salary funds of forest protection- specialized forces or forest protection remuneration set by the State in approved projects for package contracting of forest protection to households, individuals and village population communities.
- Hiring professional protection forces to protect forests.

Forest owners shall define functions, powers and tasks of the above-mentioned forest protection forces according to their powers and the provisions of law.

b/ Forest ranger forces shall be organized for national parks and nature conservation zones as follows:

- A national park must have a land area of 7,000 ha or more; a nature conservation zone must have a land area of 15,000 ha or more and is exposed to the high risk of encroachment.
- The Ministry of Agriculture and Rural Development shall organize ranger forces to protect national parks and nature conservation zones under its management.
- Provincial-level People's Committees shall organize ranger forces to protect national parks and nature conservation zones under the provincial management.

**Article 19.-** Planting, restoration and regeneration of special-use forests

1. For national parks and nature conservation zones

a/ In strictly-protected sub-zones, it is allowed to maintain the natural development of forests, not to plant forests or exert other bio-forestral technical impacts.

b/ In ecological restoration sub-zones, it is required to respect the natural development of forests; to restore forest ecosystems mainly through zoning off forests for tending, natural regeneration and enrichment; where it is necessary to plant forests, priority shall be given to the planting of indigenous plants of such forests.

c/ In service-administrative sub-zones, it is allowed to plant or regenerate forests and carry out bio-forestral methods in order to raise the quality of forests.

2. With regard to landscape protection zones, forests for scientific research or experimentation, it is allowed to plant and regenerate forests and apply other bio-forestral methods in order to raise the aesthetic values of forests in service of scientific research.

**Article 20.-** Rational use of natural resources in special-use forests

1. Special-use forests where impacts or adjustments are allowed:

a/ For national parks and nature conservation zones:

- In ecological restoration sub-zones, it is allowed to use comprehensively bio-forestry techniques to adjust the density and structure, raise the quality and speed up the process of restoration of forests and ecosystems.

- With regard to special-use forests in submerged land areas, it is allowed to rationally use natural resources of submerged land, except for particular, precious and rare species on the Lists of endangered, precious and rare forest plant and animal species specified in the Government's Decree No. 32/2006/ND-CP of March 30, 2006, provided that it shall not adversely affect the functions and values of submerged land.

- In service-administrative sub-zones, it is allowed to extract and make full use of dead and fallen timber trees as well as trees in the areas subject to ground clearance for construction of works under plans; to exploit forest products other than timber, except for endangered, precious and rare plant and animal species defined in the Government's Decree No. 32/2006/ND-CP of March 30, 2006.

- Where it is necessary to exploit gene sources in service of forest research and development, the provisions of Clause 2, Article 21 of this Regulation must be complied with.

b/ With regard to landscape protection forests, it is allowed to exert impacts, make adjustments or log trees to create a rational density for nurturing the forests and apply other technical measures in order to raise the aesthetic values of those forests.

c/ With regard to forests for scientific research or experimentation, it is allowed to exploit forest products according to the research and training requirements of scientific research and technological development institutions or forestry training and vocational training establishments.

## 2. Competence to permit the rational use of natural resources in special-use forests

- The Ministry of Agriculture and Rural Development shall approve designs of, and permit the rational use of natural resources in, special-use forests whose owners are under its management.

- Provincial-level People's Committees shall approve designs of, and permit or authorize provincial/municipal Agriculture and Rural Development Services to approve designs of, and permit the rational use of natural resources in, special-use forests whose owners are under their management or the management by ministries or branches (except the Ministry of Agriculture and Rural Development) in localities.

3. The Ministry of Agriculture and Rural Development shall provide technical guidance, order and procedures for rational use of natural resources in special-use forests.

### **Article 21.-** Scientific research, teaching and practicing activities in special-use forests

1. Scientific research, teaching and practicing activities in special-use forests shall comply with the provisions of Article 52 of the Law on Forest Protection and Development and Article 54 of Decree No. 23/2006/ND-CP.

2. The collection of specimens and gene sources of forest organisms in special-use forests shall comply with the following provisions:

a/ Relevant species, the number of collected specimens and gene sources and the collection duration shall be identified.

b/ The collection of specimens and gene sources shall be conducted under the forest owners' guidance, management and supervision.

3. The Ministry of Agriculture and Rural Development shall guide the preservation and collection of specimens and gene sources of forest organisms in special-use forests.

**Article 22.-** Eco-tourist activities in special-use forests

1. Eco-tourist activities in special-use forests shall comply with the provisions of Article 53 of the Law on Forest Protection and Development and the Government's Decree No. 23/2006/ND-CP.

2. Forest owners may organize eco-tourist business activities, lease forest environments or use the land use rights and economic values of biodiversity resources and forest landscapes for joint venture or association with other investors, organizations or individuals for investment in eco-tourist business in special-use forests.

The organization of eco-tourism in special-use forests must be formulated into investment projects to be submitted to competent state agencies for approval.

Eco-tourism development projects in special-use forests must meet the following requirements:

a/ Not to adversely affect the objectives of preservation of biodiversity and environmental landscapes as well as the protection utility of the forests.

b/ The construction of works in service of tourism must comply with forest plans approved by competent authorities:

- In strictly-protected sub-zones, it is allowed to build footpaths, makeshifts or plant signboards for patrol and in service of eco-tourism as well. Tourist footpaths must ensure safety for tourists and subject to guidance and inspection by forest owners.

- In ecological restoration sub-zones, it is allowed to open main routes, build works for forest protection and development and organization of service and tourist activities.

- In service-administrative sub-zones, landscape protection zones and forests for scientific research or experimentation, it is allowed to build architectural works in service of management, scientific research and organization of tourist and service activities.

- The order of, and procedures for, the construction of works shall comply with legal provisions on construction.

- The Ministry of Agriculture and Rural Development shall provide guidance on proportions of land area allowed for construction of works in service of eco-tourism or convalescence in special-use forests; provide for evaluation of economic values, biodiversity resources and landscapes of special-use forests and coordinate with the Vietnam National Administration of Tourism in guiding the management of eco-tourist activities in special-use forests.

c/ To create conditions for households and individuals living in special-use forests to participate in the provision of tourist services.

**Article 23.-** Stabilization of the life of residents in special-use forests

1. The stabilization of the life of residents in special-use forests shall comply with the provisions of Article 54 of the Law on Forest Protection and Development.
2. The area of production forests intermingling with special-use forests shall be protected, developed and used in accordance with the provisions of Chapter IV of this Regulation.
3. The stable acreage of residential land, fields, gardens and milpa of residents in special-use forests shall not be counted into the acreage of such forests but must be shown on maps and identified explicitly with land markers on field and managed in accordance with the provisions of land law.

**Article 24.-** Buffer zones of national parks and nature conservation zones

1. National parks and nature conservation zones must have their buffer zones.
2. A buffer zone is a forest area, land area or water-surface area contiguous to a national park or nature conservation zone, encompassing all or a part of communes, wards and townships bordering on such national park or nature conservation zone.
3. Buffer zones shall be established to prevent or reduce the human's encroachment upon national parks and nature conservation zones.

Management boards of special-use forests shall make arrangement for buffer zone residents to participate in the protection, conservation and rational use of forest products and natural resources as well as eco-tourist services so as to contribute to raising their incomes and associating their ways of earning living with activities in the special-use forests.

The state agencies in buffer zones shall formulate investment projects on production and rural infrastructure development in order to stabilize the life of population communities and concurrently elaborate regulations on responsibilities of population communities and households for the protection and preservation of special-use forests.

4. The acreage of buffer zones shall not be counted into the acreage of special-use forests.

a/ The acreage of protection or production forests in buffer zones shall be assigned or leased by competent People's Committees to organizations, households, individuals or village population communities according to the provisions of forest protection and development law.

b/ Protection forests and production forests in buffer zones shall be managed in accordance with the provisions of Chapters III and IV of this Regulation.

5. Responsibilities of People's Committees at all levels and of forest owners towards buffer zones

a/ District-level People's Committees shall have to formulate projects on socio-economic development, forestry or agricultural production, fisheries and sedentarization

and submit them to provincial-level People's Committees for approval and organization of execution in order to stabilize and improve the living conditions of buffer zone residents within the district administrative boundaries.

b/ Commune-level People's Committees shall have to organize the execution of approved projects defined at Point a, Clause 5 of this Article; propagate and encourage people in communes to actively participate in the protection and development of national parks and nature conservation zones; adopt and apply measures to prevent the encroachment by buffer zone residents upon national parks and nature conservation zones.

c/ District- and commune-level People's Committees as well as forest owners in buffer zones shall have to coordinate with the management boards of national parks and nature conservation zones in forest management, protection and development.

### Chapter III

## MANAGEMENT OF PROTECTION FORESTS

### Section 1. ORGANIZATION OF MANAGEMENT OF PROTECTION FORESTS

#### **Article 25.-** Classification of protection forests

Based on their nature and protection requirements, protection forests are classified into three following kinds:

#### 1. Headwater protection forests

a/ Headwater protection forests mean forests established to enhance water source-regulation capability of water flows and reservoirs, thereby restricting floods, reducing erosion, protecting land and restricting the extension with deposits of riverbed and lakebed.

b/ Headwater protection forests shall be established on the basis of criteria and indexes on the acreage, rainfall, ascent, eminence, mechanical components and thickness of soil layers.

c/ The size of headwater protection forests shall be compatible with the size of river basins and the management of headwater protection forests shall be associated with the comprehensive management of river basins.

#### 2. Wind- and sand-shielding protection forests

a/ Wind- and sand-shielding protection forests shall be established to cope with harmful wind and moving sand, protect agricultural production, residential quarters, urban centers, production areas and other works.

b/ Wind- and sand-shielding protection forests shall be established on the basis of criteria and indexes on the acreage, coastal sand bench, climate and current socio-economic conditions of the concerned regions.

#### 3. Breakwater and sea encroachment protection forests

a/ Breakwater and sea encroachment protection forests shall be established against waves and landslide and for protection of production and coastal and riverside works.

b/ Breakwater and sea encroachment protection forests shall be established on the basis of criteria and indexes on the acreage, position, hydrological conditions, state of erosion and existing protection works.

c/ Protection forest belts beyond sea dikes shall have the functions of breaking waves, fixing alluvial grounds, preventing landslides, protecting sea dikes and maintaining natural development of ecosystems of submerged saline forests. These forest belts shall constitute part of the sea dike system to be designed and invested under the sea dike construction project.

d/ Protection forest belts inside sea dikes shall serve the protection of aquaculture, agricultural production, tourist development, environmental protection and the restriction of harms caused by stormy wind and sea waves to the life and property of people in the coastal regions.

#### 4. Protection forests for environmental protection

a/ Protection forests for environmental protection shall be established to regulate climate, combat environmental pollution in residential quarters, urban centers and industrial parks, in combination with tourism and convalescence; maintenance of national security and borders.

b/ Protection forests for environmental protection shall be established on the basis of criteria and indexes on the acreage, environmental factors, pollution, hazards caused by economic and social activities in the regions or national security and defense requirements.

#### **Article 26.-** Decentralization of the management of protection forests

1. Provincial-level People's Committees shall have to organize the management of protection forests assigned by the State to forest management boards they have set up.

2. The Ministry of Defense and the Ministry of Public Security shall have to organize the management of protection forests assigned by the State to military and public security forces.

3. Forest owners being organizations (other than forest management boards set up by provincial-level People's Committees, the Ministry of Defense or the Ministry of Public Security), households, individuals or village population communities shall themselves organize the management of protection forest acreages assigned or leased to them by the State.

4. The Ministry of Defense, the Ministry of Public Security, the other ministries and branches and provincial-level People's Committees shall define the functions, tasks and powers of forest management boards in accordance with their competence and provisions of law.

#### **Article 27.-** Organizational apparatus of protection forest management boards

1. Provincial-level People's Committees shall decide on organizational apparatus and payroll of provincial/municipal protection forest management boards; the Ministry of Defense and the Ministry of Public Security shall decide on organizational apparatus of protection forest management boards under their management.



## 2. Payroll of protection forest management boards

a/ The initial payroll of protection forest management boards shall each comprise between 7 and 9 persons. In the course of their operation, depending on management requirements and based on the State's regulations, the protection forest management boards may decide on their payrolls according to their competence or elaborate annual payroll plans to be submitted to competent state agencies for decision.

b/ Forest protection-specialized forces of forest management boards shall abide by the provisions of Point a, Clause 2, Article 30 of this Regulation.

## Section 2. PROTECTION, DEVELOPMENT AND USE OF PROTECTION FORESTS

### **Article 28.-** Determinative criteria of protection forests

Protection forests meeting the determinative criteria on protection are prescribed as follows:

1. For headwater protection forests, the forest canopy cover must be 0.6 or more so that the forests are capable of maintaining and regulating water sources, protecting soil and reducing erosion.

2. For wind- and sand-shielding protection forests, the forest trees must have both horizontal and vertical crown contact, the forests must have helped prevent or alleviate harms caused by wind or sand to production areas or population quarters, raise or stabilize agricultural productivity.

3. For breakwater and sea encroachment protection forests, the forest trees must have a crown contact and a developed root system, the forests must have helped break waves, stabilize land, increase coastal alluvium, prevent or reduce landslides and protect coastal and riverside works.

4. For protection forests for environmental protection, the forests must have helped prevent or reduce air pollution, regulate climate, create landscapes and a clean environment for industrial parks, urban centers, tourist or convalescence resorts.

5. The Ministry of Agriculture and Rural Development shall specify the criteria for standard protection forests.

### **Article 29.-** Investment and fund for maintaining the protection and development of protection forests

The investment and regular fund for the protection and development of protection forests shall comply with the investment and construction management regulations and the following provisions:

1. Investment to guarantee regular fund for the protection and development of protection forests is stipulated as follows:

a/ The State shall allocate regular fund to maintain forest protection activities; arrange budget for investment projects on protection and development of protection forests which have been assigned to protection forest management boards set up by ministries or provincial-level People's Committees.

b/ The State shall provide investment supports and adopt benefit policies for protection forests it has assigned to village population communities or leased to economic organizations, households or individuals.

c/ Forest owners may use revenues from service activities and financial supports provided by organizations, individuals or investment projects for investment in forest protection and development after fulfilling financial obligations and other obligations in accordance with the provisions of law.

2. Forest owners and project owners using state budget capital for investment in the protection and development of protection forests shall have to formulate projects to be submitted to competent state agencies for approval and organize the execution thereof; the order of, procedures and competence for, approving such investment projects shall comply with the Government's regulations on investment and construction management.

**Article 30.-** Protection of protection forests

1. The protection of protection forests shall comply with the provisions of Decree No. 23/2006/ND-CP.

2. Organization of protection of protection forests

a/ Forest owners may organize forest protection forces as follows:

- Organizing forest protection-specialized forces, every person of which shall be arranged to protect 1,000 ha on average.
- The management boards may use salary funds of forest protection-specialized forests or forest protection remuneration set by the State in approved projects for package contracting of forest protection to local households, individuals and village population communities.
- Cooperating or associating with households, individuals and village population communities in forest protection.
- Hiring professional protection forces to protect forests.
- Defining the functions, powers and tasks of the above-said forces in accordance with their competence and provisions of law.

b/ Protection forests having forest protection-specialized forces are defined as follows:

- They are headwater protection forests, which have the acreage of 20,000 ha or more each and are exposed to the high risk of encroachment.
- Provincial-level People's Committees shall organize forest ranger forces to protect protection forests under their management.

**Article 31.-** Plantation, restoration and regeneration of protection forests

1. With regard to headwater protection forests, they must be built into concentrated and uninterrupted ones; gradually turned into forests with mixed species, of different ages and with different layers; forest trees must be those with deep and adhesive root systems.

2. With regard to wind- and sand-shielding protection forests, each must have at least one major forest belt with a minimum width of 20 m, combined with other forest belts to create a closed umbrella; protection forests in service of agricultural production and economic works shall be planted in bands or belts; each band or belt shall consist of different rows of trees; forest trees must be those with tough stems, deep and adhesive root systems.

3. With regard to breakwater and sea encroachment protection forests, each must have at least one forest belt with a minimum width of 30 m or have different forest belts with alternate gates toward the main wave direction; forest trees must be water-enduring trees, with deep and adhesive root systems.

4. With regard to protection forests for environmental protection, there must be forest belts, forest ranges, forest areas and greeneries intermingled with population quarters, industrial parks and tourist resorts to fight air pollution, create a clean environment, combined with recreation, entertainment, expedition and tourism; forest trees must be large-crown evergreens which are multiflorous and nicely shaped.

5. Apart from the plants for plantation of headwater protection forests, wind- and sand-shielding protection forests and breakwater and sea encroachment protection forests defined in Clauses 1, 2 and 3 of this Article, priority should also be given to those species which have many utilities and can be harvested annually (for resin, flowers, fruits, leaves or shoots, etc.)

6. The regeneration of natural protection forests shall comply with the provisions of Article 10 of this Regulation.

7. The Ministry of Agriculture and Rural Development shall guide in detail the plantation of protection forests.

**Article 32.-** Exploitation of timber and forest products other than timber in protection forests

1. Principles for exploitation of forest products in protection forests

a/ Not reducing the protection capacity of the forests.

b/ The exploitation volume must not be bigger than the growth volume of the forests.

2. Exploitation of forest products in protection forests

a/ With regard to natural headwater protection forests:

- It is allowed to fully exploit and make full use of timber and exploit forest products other than timber.

- When the forests are up to protection standards, it is allowed to exploit timber by mode of selective logging, provided that the forest canopy cover after exploitation must be bigger than 0.6.

- It is prohibited to exploit precious and rare trees specified in the Government's Decree No. 32/2006/ND-CP of March 30, 2006 on management of endangered, precious and rare forest plants and animals.

b/ With regard to planted headwater protection forests; wind- and sand-shielding protection forests; breakwater and sea encroachment protection forests and protection forests for environmental protection:

- It is allowed to exploit intermingled and subsidiary trees; trim, extract or make full use of timber; and exploit forest products other than timber.

- When the forests are up to protection standards and the major plants are up to exploitation standards, it is allowed to selectively log major plants, provided that the forest canopy cover after exploitation must be bigger than 0.6.

### 3. Competence to permit timber exploitation in protection forests

a/ To exploit timber in natural protection forests or protection forests planted with state budget investment capital, forest owners must have exploitation designs approved by competent state agencies:

- Provincial/municipal Services of Agriculture and Rural Development shall approve the designs and issue exploitation permits to forest owners being economic organizations.

- District-level People's Committees shall approve designs and issue exploitation permits to forest owners being households, individuals and village population communities.

b/ The exploitation of protection forests being forests planted with forest owners' own capital shall be decided by forest owners themselves but the exploitation must comply with the provisions of Clause 2 of this Article.

4. The order of, and procedures for, the exploitation as well as technical exploitation regulations and processes shall comply with the guidance of the Ministry of Agriculture and Rural Development.

### **Article 33.-** Other activities in protection forests

1. Tourist, scientific research, teaching and practicing activities in protection forests:

a/ Forest owners may themselves organize or coordinate with other organizations, households or individuals in landscape, convalescence, eco-tourist and scientific research activities in protection forests.

b/ Activities specified at Point a of this Clause must strictly comply with the provisions of law on tourism and scientific research.

c/ The Ministry of Agriculture and Rural Development shall provide guidance on land area percentage allowed for the construction of eco-tourism and convalescence in protection forests.

2. Combined agro-fishery production in protection forests

a/ It is allowed to intercrop industrial trees and pharmaceutical trees in headwater protection forests, wind- and sand-shielding protection forests; breakwater and sea encroachment protection forests, which, however, must not affect the forests' protection capacity.

b/ It is allowed to use land without forests in protection forests for combined agro-forestry production:

- Forest owners may organize land areas without forests for combined agro-forestry production under plannings already approved by competent authorities.

- Forest owners being households or individuals may use not more than 40% of submerged land areas without forests or not more than 30% of land areas without forests, for headwater protection, wind- or sand-shielding areas for combined agro-forestry production.

c/ The Ministry of Agriculture and Rural Development shall specify the combined agro-forestry and fishery production in protection forests.

### 3. Management of other kinds of forests and land in protection forests

a/ Production forest areas intermingling with protection forests shall be protected, developed and used according to the provisions of Chapter Iv of this regulation.

b/ With regard to stable residential land, fields, gardens and milpa intermingling with protection forests, they shall not be planned for inclusion into production forests and shall be managed according to the provisions of land law.

4. When carried out, activities defined in Clauses 1, 2 and 3 of this Article must not adversely affect the protection capacity of forests.

## Chapter IV

### MANAGEMENT OF PRODUCTION FORESTS

#### Section 1. ORGANIZATION OF MANAGEMENT OF PRODUCTION FORESTS

##### **Article 34.-** Classification of production forests

Based on their origin of formation, production forests are classified into the following kinds:

1. Natural production forests, including natural forests and forests restored by zoning off for tending and natural regeneration; based on the average forest reserves per hectare, natural forests are classified into rich, average and poor forests.

2. Planted production forests, including forests planted with state budget capital and forests planted with forest owners' investment capital (their own capital, loan capital, joint-venture or association capital not originating from the state budget) with state supports and other sources.

3. Seedling forests, including seedling forests converted from natural or planted forests; seedling forests being planted forests and seedling gardens.

##### **Article 35.-** Organization of management of production forests

Forest owners assigned or leased production forests by the State may organize the management and use of such forests according to this Regulation and the provisions of law on forest protection and development.

#### Section 2. PROTECTION, DEVELOPMENT AND USE OF PRODUCTION FORESTS

**Article 36.-** Protection of production forests

1. Production forests shall be protected according to the provisions of Articles 46, 47 and 48 of Decree No. 23/2006/ND-CP.

2. Organization of protection of production forests

a/ Forest owners may organize the following forest protection forces:

- Their own forest protection-specialized forces.
- Forest protection by households, individuals and village population communities under contracts.
- Households, individuals and village population communities in cooperation or association.
- Hired professional protection forces.
- Forest owners shall define the functions, powers and tasks of the above forces according to their competence and provisions of law.

Forest owners shall be supported by People's Committees at all levels in protection of forests.

b/ With regard to forest and forestland areas not yet assigned or leased, commune-level People's Committees shall have to organize the management thereof.

**Article 37.-** Development of production forests

1. The development of production forests must strictly comply with forest protection and development plannings and plans.

2. Bio-forestrial methods applicable to development of production forests include:

- a/ Zoning off for tending and natural regeneration or additional plantation of forests.
- b/ Afforestation (including forest plantation, tending and nurturing, etc.)
- c/ Regeneration of natural poor forests.
- d/ Nurturing of forests.
- e/ Enrichment of forests.

3. Competence to approve designs and cost estimates for application of bio-forestrial methods to develop production forests

a/ For investment in development of production forests with state budget capital, forest owners or project owners must draw up designs and cost estimates; the competent to approve such designs and cost estimates shall comply with legal provisions of investment and construction management.

b/ For investment in development of production forests with non-state budget capital, forest owners may decide on designs and cost estimates themselves.

c/ The regeneration of poor natural forests shall comply with the provisions of Article 10 of this Regulation.

4. The Ministry of Agriculture and Rural Development shall provide econo-technical norms and guide the application of bio-forestrial methods for development of production forests.

**Article 38.-** Investment in protection and development of production forests

The investment in the protection and development of production forests shall comply with the regulations on investment and construction management and the following provisions:

1. Forest owners shall base themselves on land use as well as forest protection and development plannings and plans and production and business tasks to formulate investment projects on the protection and development of production forests and organize the execution thereof.

2. The State encourages organizations, households and individuals to invest in the protection and development of production forests in the following cases:

a/ Protection of poor natural forests.

b/ Plantation of precious and rare trees.

c/ Plantation of forests in areas meeting with socio-economic difficulties or extreme difficulties.

3. The State shall adopt investment support policies for the protection and development of production forests in the following cases:

a/ Protection of poor natural forests.

b/ Plantation of precious and rare trees.

c/ Plantation of trees with a commercial circle of 15 years or more

d/ Plantation of forests in the areas meeting with socio-economic difficulties or extreme difficulties.

e/ Provision of supports for construction of infrastructure in the areas for concentrated plantation of raw material forests and in other necessary cases.

**Article 39.-** Exploitation of forest products in natural production forests

1. The exploitation of forest products must ensure the principles on sustainable forest management.

a/ The forests must reach standards for major exploitation.

b/ The to be-exploited forest trees must reach standards on diameters, for timber trees and tree ages, for bamboos and rattans.

c/ The exploitation volume must be smaller than the growth volume of the forests.

d/ The exploitation process must not adversely affect the environment and protection capacity of the forests.

2. Forest products for exploitation: It is allowed to exploit forest products of all kinds; the exploitation of precious and rare plant species shall comply with the provisions of

the Government's decree No. 32/2006/ND-CP of March 30, 2006, on management of endangered, precious and rare forest plants and animals.

### 3. Major exploitation of natural forest timber

#### a/ Conditions:

- Forest owners being economic organizations must have forest-regulation schemes and exploitation designs approved by competent authorities: The Ministry of Agriculture and Rural Development shall approve forest-regulation schemes of forest owners under ministries or centrally-run branches; provincial/municipal Agriculture and Rural Development Services shall approve forest-regulation schemes of forest owners being provincial organizations and approve exploitation designs of forest owners being organizations within their respective provinces.

- Forest owners being households, individuals or village population communities must have forest-regulation schemes; district-level People's Committees shall approve or authorize district-level functional divisions to approve such schemes.

#### b/ Competence to permit exploitation:

- The Prime Minister shall decide on the annual total exploitation limit.

- The Ministry of Agriculture and Rural Development shall announce the annual exploitation output and guide localities in managing specifically the exploitation outputs.

- Provincial-level People's Committees shall open forests for exploitation and assign exploitation plans to forest owners being organizations and to district-level People's Committees under the plans assigned to localities by the Ministry of Agriculture and Rural Development.

- District-level People's Committees shall assign exploitation plans to forest owners being households, individuals and village population communities.

### 4. Full exploitation and extraction of timber

a/ Provincial/municipal Agriculture and Rural development Services shall approve designs and issue exploitation permits to forest owners being organizations.

b/ District-level People's Committees shall approve, issue exploitation permits or authorize their functional divisions to approve and issue exploitation permits to forest owners being households, individuals and village population communities.

### 5. Exploitation of natural forest timber for domestic use by households, individuals and village population communities

Households, individuals and village population communities that wish to exploit natural forest timber for domestic use shall only need to notify such to commune-level People's Committees for certification and management.

6. The Ministry of Agriculture and Rural Development shall promulgate regulations and procedures for exploitation of timber and forest products other than timber; guide the order of, procedures and dossiers for the exploitation of natural forests.

**Article 40.-** Exploitation of forest products in planted production forests



1. Forest products for exploitation: it is allowed to exploit all forest products in planted forests.

2. Competence to permit exploitation of planted forests

a/ Where planted forests are invested with the state budget capital:

- With regard to forests whose owners are organizations: If such organizations are the provincial ones, the forest exploitation shall be permitted by the provincial-level People's Committees; if such organizations are ministerial ones, the forest exploitation shall be permitted by their respective managing ministries.

- With regard to forests whose owners are households, individuals or hamlet population communities, the forest exploitation shall be permitted by district-level People's Committees.

b/ Where planted forests are invested by forest owners themselves or with the State's supports:

- Forest owners shall decide on the exploitation time and be free to circulate and consume planted forest products. Ten working days before exploiting planted forests, forest owners must send advance notices to commune-level People's Committees of the localities where exist the to be-exploited forests.

- Within 10 working days after receiving forest owners' written notices on the exploitation of planted forest timber, commune-level People's Committees of the localities where exist the to be-exploited forests shall take measures to monitor and assist forest owners, ensuring that the latter can exploit and consume planted forest products in a convenient manner. All acts of causing difficulties to or obstructing forest owners in the exploitation, circulation or consumption of timber and planted forest products shall strictly be handled according to law.

3. The Ministry of Agriculture and Rural Development shall guide the exploitation of planted forest products according to the degree of importance for protection of production forests.

**Article 41.-** Management and use of seedling forests

1. The selection and recognition of seedling forests shall comply with the provisions of Article 19 of the Ordinance on Plant Varieties.

2. The management of protection, development, full exploitation and extraction of seedling forest products shall comply with the provisions of Articles 36, 37, 38, 39 and 40 of this Regulation but must not contravene business purposes of seedling forests.

3. The State encourages and assists organizations and individuals in forestry extension, transfer of techniques for production and use of high-yield and quality forestry plant varieties to meet the market demand.

4. The Ministry of Agriculture and Rural Development shall promulgate criteria for recognition of seedling forests and procedures for the harvest of their products.

**Article 42.-** Other activities in production forests

1. Combined agro-forestry production

a/ Forest owners being organizations may conduct combined agro-forestry production on the assigned or leased forest and forestland areas under forest protection and development plannings already approved by competent state agencies.

b/ Forest owners being households, individuals or village population communities may use not more than 40% of submerged saline forestland areas without forests or not more than 30% of production forestland area without forests, other than submerged saline land, for combined agro-forestry production; may plant intermingledly agricultural trees under the forest crown, which, however, must not affect the forests' major use purposes.

## 2. Tourist activities

a/ Forest owners may themselves organize or cooperate with other organizations and individuals in the provision of tourist services in forests assigned or leased by the State.

b/ The organization of eco-tourist activities in production forests must not alter the forest use purposes; tourist activities must comply with the relevant provisions of law; where it is necessary to build works in service of tourism, the provisions of land law and construction law must be complied with.

c/ The Ministry of Agriculture and Rural Development shall guide the land area proportion for construction of works in service of eco-tourism and convalescence in production forests.

## 3. Scientific research, technical and technological application activities

a/ Forest owners may let organizations, individuals or coordinate with the latter in conducting scientific research, technical or technological application in assigned or leased production forests according to the provisions of law on scientific research.

b/ With regard to scientific research activities, 10 working days before starting scientific research activities, forest owners being economic organizations must notify such to provincial/municipal Agriculture and Rural Development Services; forest owners being households, individuals or village population communities shall have to notify such to district-level People's Committees for monitoring and assistance.

## 4. Management of other kinds of forest and land in production forests

a/ Special-use or protection forest areas intermingled in production forests shall be managed according to the provisions of Chapters II and III of this Regulation.

b/ Stable residential land, fields, gardens and milpa in production forests shall not be planned for inclusion in production forests and shall be managed in accordance with the provisions of land law.

## Chapter V

### IMPLEMENTATION RESPONSIBILITIES

#### **Article 43.-** Supervision and assessment of forest management

1. The Ministry of Agriculture and Rural Development shall have to organize the management of the unified database system on forests and forestland, kinds of forests and their current status as well as forest plannings nationwide.

2. People's Committees at all levels shall have to supervise and assess the forest management situation in their respective localities.
3. Forest owners shall have to organize the supervision and assess the management and use of forests on forest areas assigned or leased by the State.
4. The contents of supervision and assessment of forest management shall be provided by the Ministry of Agriculture and Rural Development.

Prime Minister  
*NGUYEN TAN DUNG*