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Forest Act

(1093/1996; amendments up to 552/2004 included)

Chapter 1 - General provisions

Section 1 - Purpose of the Act

- (1) The purpose of this Act is to promote economically, ecologically and socially sustainable management and utilisation of forests in order that the forests produce a good output in a sustainable way while their biological diversity is being maintained.

Section 2 - Scope of application

- (1) This Act applies to the management and utilisation of forests in areas classified as forestry land. The Act is not, however, applicable:
 - 1) in protected areas established under the Nature Conservation Act (1096/1996);
 - 2) in areas designated as protection areas under the Land Use and Building Act (132/1999); (137/1999)
 - 3) in areas referred to in the Act on Wilderness Reserves (62/91) other than those specified in section 12(1) of this Act;
 - 4) in areas covered by a local detailed plan except for areas designated for agriculture and forestry; (137/1999)
 - 5) *repealed*; (137/1999)
 - 6) in areas subject to action restriction for detailed planning purposes. (137/1999)
- (2) In areas covered by a master plan with legal effect, this Act applies to the management and utilisation of forests only in areas designated for agriculture and forestry and for recreational purposes. (137/1999)
- (3) In addition to the provisions concerning the management and utilisation of forests laid down in this Act, the provisions laid down in sections 9, 29-35, 39, 42, 47-49, 55 and 56 and in Chapter 10 of the Nature Conservation Act or in other law shall also apply. The provisions laid down in the Nature Conservation Act shall apply to the establishment of nature conservation areas, incorporation of areas to nature conservation areas and protection of natural monuments.

Section 3 - Changing the form of land use

- (1) This Act does not prevent forestry land from being adopted for other purposes.
- (2) When the adoption of forestry land for other forms of land use involves an action for which permission from the authorities is required, the provisions of this Act apply to the area until the decision concerning the granting of permission has gained legal force, or until the authorising body has within its competence given its consent for such action.
- (3) If forestry land which has been notified to be adopted for other purposes has not been adopted for this purpose within five years of the start of felling or other measures, the provisions of this Act apply to the area and to the felling or other measures carried out in the area.
- (4) If felling or other measure referred to in subsection 3 are found to have taken place in violation of the provisions of this Act, consideration must be given in connection with the consideration of prosecution and assessment of remedial measures whether there has been actual intent to use

the area for other purposes and whether cancellation has resulted from unforeseeable obstacles or reasons which could not be reasonably prepared for.

Section 4 - *Regional target programme for forestry*

- (1) Each Forestry Centre draws up a target programme for forestry for its territory and monitor its implementation. In drawing up the programme, the Forestry Centre shall cooperate with the parties representing forestry in the area and other relevant parties. The programme shall be revised as necessary.
- (2) The programme includes the general objectives to be set for promoting sustainable management and use of forests, the objectives to be set for the measures and their financing referred to in the Act on the Financing of Sustainable Forestry (1094/1996), and the overall objectives to be set for the development of forestry in the area. Detailed information concerning individual holdings is not included in the programme.
- (3) Further provisions on the content, compilation and revision of the programme are issued by decree. The ministry competent in forestry matters may issue general regulations concerning the compilation and monitoring of the programme.

Chapter 2 - **Felling and regeneration of forest**

Section 5 - *Felling of the tree stand*

- (1) Felling may be performed in a manner which promotes the growth of the tree stand left in the area (*intermediate felling*), or in a manner required for the establishment of a new tree stand (*regeneration felling*).
- (2) Intermediate felling must be made in such a way that a sufficient stand of satisfactory growth potential is left in the felling area. Regeneration felling may be carried out when the tree stand has reached a sufficient size or age, or if there are other special reasons for doing so. Regeneration felling may be carried out as natural regeneration if, according to an ex ante assessment on the basis of the tree stand, soil and ground vegetation, sufficient preconditions exist for the formation of a natural seedling stand.
- (3) Felling and the measures to be performed in connection with it must be implemented in such a way that the tree stand left to grow in the felling area is not damaged. Damage to the tree stand growing outside the felling area is also to be avoided when carrying out the felling operation and the measures associated with it. In addition, damage to the terrain which may weaken the growing conditions for the tree stand must also be avoided.
- (4) The ministry competent in forestry matters may issue further general regulations concerning the minimum quantity and quality of the tree stand to be left in intermediate felling and the preconditions for regeneration felling.

Section 6 - *Felling at special sites*

- (1) If the site where felling is to be carried out is of special importance in terms of the preservation of the diversity of the forest or in respect to the landscape or multiple use of forests, felling may be carried out in a manner required by the special nature of the site.
- (2) Forest used for research, teaching or other special purposes may be treated in a manner required by the form of use in question.

Section 7 - *Responsibilities of the party felling the forest*

- (1) When felling the tree stand and carrying out the associated measures the party carrying out the felling must ensure that the provisions of this Act are complied with in the felling operation and the measures associated with it.

- (2) In cases where the forest felling right has been transferred to another party, the holder of the forest felling right is considered to be the party felling the forest.

Section 8 - *Establishing a new tree stand*

- (1) After regeneration felling, a seedling stand which has economic growth potential and whose development is not directly threatened by the other vegetation must be established in the area within a reasonable period of time.
- (2) Measures associated with the establishment of a seedling stand must be completed within five years from the start of the regeneration felling or within three years from the completion of the regeneration felling. (1224/1998)
- (3) In addition to the measures to establish a seedling stand referred to in subsection 2 above, necessary measures must be undertaken concerning supplementary planting or sowing and, when regenerating the stand by natural means, maintaining the prerequisites for the development of the seedling material. Measures must also be undertaken to attend to the herb, grass and thicket control and other tending measures necessary for the survival and development of the established seedling stand.
- (4) Based on an application the Forestry Centre may decide that the obligation referred to in subsection 1 is no longer valid if, despite the implementation of measures considered to be reasonable, a seedling stand does not develop in the area.
- (5) Further provisions concerning the measures referred to in this section and the time within which they are to be implemented, the time considered reasonable to establish a seedling stand and the grounds for the assessment of the seedling stand may be issued by decree and by a decision of the ministry competent in forestry matters issued under it. This ministry may issue further general regulations concerning the use of non-indigenous tree species for artificial forest regeneration and use of vegetatively propagated forest regeneration material.

Section 9 - *Responsibility for establishing a new tree stand*

- (1) The landowner is responsible for ensuring the establishment of a new tree stand referred to in section 8 above. (1224/1998)
- (2) When the ownership of a real estate or other area is transferred to a new owner, the obligation referred to in section 8 is also transferred to the new owner.
- (3) In cases where right of possession, use or other special right concerning a real estate or other area which includes the right to carry out regeneration felling is held by a party other than the landowner, the holder of such right is responsible for ensuring the establishment of a new tree stand, unless otherwise agreed on or required, or unless there are special reasons considering the prevailing conditions which reasonably place the obligation on the landowner in lieu of the holder of such right. When the landowner has conveyed only the forest felling right, the obligation in question rests on the landowner.

Chapter 3 - **Safeguarding the diversity of forest nature**

Section 10 - *Preserving diversity and habitats of special importance*

- (1) Forests must be managed and utilised in such a manner that the overall prerequisites for the preservation of habitats characteristic to the biological diversity of the forests are ensured.
- (2) Habitats of special importance in terms of forest diversity are:
 - 1) the immediate surroundings of springs, brooks, rivulets constituting a permanent water flow channel, and small ponds;
 - 2) herb-rich and grassy hardwood-spruce swamps, ferny hardwood-spruce swamps, eutrophic paludal hardwood-spruce swamps, and eutrophic fens located to the south of the Province of Lapland;

- 3) fertile patches of herb-rich forest;
 - 4) heathland forest islets in undrained peatlands;
 - 5) gorges and ravines;
 - 6) steep bluffs and the underlying forest; and
 - 7) sandy soils, exposed bedrock, boulder fields, peatlands with sparse tree stand and flood meadows which are less productive than nutrient-poor heathland forests.
- (3) If the habitats referred to in subsection 2 are in a natural state or resemble a natural state and they are clearly distinguishable from their surroundings, the management and utilisation measures concerning these must be carried out in a manner which preserves the special features of the habitats.
- (4) Where necessary, further provisions concerning the habitats referred to in subsection 2 above are issued by decree. The ministry responsible for forestry matters may issue further general regulations concerning the grounds for treating the said habitats and the regional application of the obligation referred to in subsection 3, taking into consideration the need for preserving the habitats in question in the different parts of the country.

Section 11 - *Special permits*

- (1) If fulfilling the obligations referred to in section 10(3) cause a reduction in forest yield or other financial loss which is not insignificant to the landowner or holder of the right of possession or other special right, the Forestry Centre must, upon application by the landowner or holder of the special right, grant permission to carry out management or utilisation measures in a way that results in minimum losses to the party in question.
- (2) However, permission may not be granted if sufficient support from State funds under section 19 of the Act on the Financing of Sustainable Forestry or otherwise has been granted or will be granted for the measure in question.

Chapter 4 - **Timberline forests and protection zones**

Section 12 - *Forest management in timberline forests*

- (1) The Government may designate areas where preservation of the forest is necessary to prevent the retreat of the timberline as timberline forests. In timberline forests, special caution must be taken in the management and utilisation of forests in order that the measures do not cause retreat of the timberline. The Government may issue necessary general regulations concerning the forest management and use in timberline forest areas. Prior to the issue of a Government decision concerning a timberline forest, the landowners, relevant municipalities and other authorities are to be heard. In addition, negotiations shall be held with the Sami Parliament as specified in the Sami Parliament Act (974/95).
- (2) Felling a tree stand in a timberline forest area for purposes other than household use is permitted only in accordance with a felling and regeneration plan approved by the Forestry Centre. If the special local conditions so require, the ministry competent in forestry matters may also restrict the removal of wood for domestic use or prohibit it completely.
- (3) The landowner or holder of the right of possession or other special right is entitled to compensation for restrictions on the acquisition of wood for household use based on the felling value of the stand. Metsähallitus or other party governing the land property of the State is not entitled to such compensation. Compensation is granted by the Forestry Centre on the basis of an application. The Forestry Centre draws up a felling and regeneration plan required for a timberline forest area upon request of a private landowner referred to in section 2 of the Act on the Financing of Sustainable Forestry free of charge.

Section 13 - *Protection zones*

- (1) If the preservation of a forest for the protection of settlements or cultivated areas that are highly exposed to the wind on islands or shores along the coast or in inland waters or on high slopes or steep bluffs, or to prevent landslides calls more severe restrictions on forest use than laid down in sections 5, 6 and 8, of this Act, the ministry competent in forestry matters may decide on the designation of protection zones in small, most vulnerable areas in regard to preservation and shelter effect of forests and issue general regulations about the type of forest utilisation permitted in the protection zones. The parties referred to in section 12(1) must be heard before such a decision is taken.

Chapter 5 - **Supervision and legal consequences**

Section 14 - *Forest use declaration* (1224/1998)

- (1) The landowner or holder of the right of possession or other special right must make a declaration (*forest use declaration*) concerning the intention to carry out felling and, as regards regeneration felling, the method of regeneration and, as be provided by decree, other treatment of habitats referred to in section 10, to the forestry centre no less than 14 days and no more than two years before the start of felling operation or other measures.
- (2) However, forest use declaration need not be made on the following felling operations, unless they are directed to a habitat referred to in section 10(3) except for felling referred to in paragraph 2:
 - 1) felling for household use;
 - 2) felling according to an approved felling and regeneration plan referred to in section 12(2) in a timberline forest area;
 - 3) felling of small-sized tree stand as decided in more detail by the ministry competent in forestry matters; or
 - 4) felling for a road, ditch, water pipe, power line or similar purpose.
- (3) Further provisions on the forest use declaration are issued by decree.

Section 14 a - *Declaration of the establishment of a seedling stand* (1224/1998)

- (1) When the measures concerning the establishment of a seedling stand referred to in section 8(2) have been completed, these must be declared to the Forestry Centre without delay (*declaration of the establishment of a seedling stand*).
- (2) The obligation to make the declaration referred to in subsection 1 rests on the party who under section 9 is responsible for creating a new tree stand.
- (3) Further provisions on the declaration of the establishment of a seedling stand are issued by decree.

Section 14 b - *Procedure for declaration concerning flying squirrel* (552/2004)

- (1) If a forest use declaration received by the Forestry Centre concerns a breeding and resting site of flying squirrel referred to in the document delivered by the Regional Environment Centre to the Forestry Centre, the Forestry Centre must notify this immediately to the Regional Environment Centre, landowner and the known representative of the land owner and holder of the felling right.

Section 14 c - *Advance information concerning a habitat of special importance* (552/2004)

- (1) Prior to felling or other treatment of forest the landowner or holder of the felling right authorised by the landowner may apply to the Forestry Centre for advance ruling relating to the forest use declaration concerning a habitat of special importance referred to in section 10(2, 3).

In the advance ruling the Forestry Centre decides whether the site presented in the application is a habitat of special importance and whether the declared treatment of forest complies with the requirements laid down in section 10(3).

- (2) The Forestry Centre must comply with the advance ruling it has given in the legal supervision. The advance ruling must be complied with as long as the start of felling or other measure is possible under section 14 on the basis of forest use declaration referred to in subsection 1.
- (3) An application concerning advance ruling must be processed as urgent. If felling or other treatment of forest is started before the advance ruling is given, the processing of the matter lapses. Further provisions on the information to be given in the application may be issued by a decree of the Ministry of Agriculture and Forestry.

Section 15 - *Negotiation obligation and the security for establishing a new tree stand*

- (1) If there is reasonable reason to suspect that the planned or initiated felling or other measure is in conflict with this Act or the provisions or regulations issued under it, or that the method mentioned in the forest use declaration would not produce a seedling stand referred to in section 8, the Forestry Centre must try to negotiate with the landowner or the holder of the right of possession or other such special right and, when necessary, with the holder of the forest felling right in order to bring about the necessary changes.
- (2) A Forestry Centre may require that before starting the regeneration felling a sufficient security is lodged concerning the implementation of measures referred to in section 8(2, 3). Security may be required when the Forestry Centre has under 20(2) earlier obligated the party concerned to fulfil the regeneration obligation in compliance with section 8, or if the Forestry Centre has under 20(3) earlier taken measures referred to in section 8(2, 3) at the expense of the party concerned. The obligation to lodge a security rests on the party responsible for establishing a new tree stand referred to in section 9. Lodged security is not cancelled by change of ownership or other similar change.
- (3) If the obligation referred to in section 8(1) is not fulfilled, the Forestry Centre may have measures referred to in section 8(2, 3) be carried out and pay the expenses incurred from the security. When the measures have been completed, the Forestry Centre must give an account of the use of funds to the party concerned. The Forestry Centre must release the security after the obligation referred to in section 8(1) has been fulfilled. The security must be released to the party who lodged the security, unless otherwise agreed.
- (4) If necessary, further provisions on the security procedure are issued by decree.

Section 16 - *Prohibition of treatment*

- (1) If negotiations have not started for reasons beyond the control of the Forestry Centre or the negotiations fail and there is reasonable reason to suspect that the planned or initiated felling or other measure is in conflict with this Act or provisions or regulations issued under it, the Forestry Centre may prohibit the measure (*prohibition of treatment*) for an indefinite or specified period. Prohibition of treatment may also be issued if the forest use declaration has not been submitted within the time limit specified in section 14 or lodging of security referred to in section 15(2) is required. (520/2002)
- (2) Prohibition of treatment is issued to the extent deemed necessary. The decision concerning prohibition of treatment must be issued in writing and brought without delay to the attention of the landowner and holder of the forest felling right or other special right. The Forestry Centre may enforce its decision with a penalty of a fine, to which the Act on Conditional Imposition of a Fine apply (1113/90). The decision may order that the ruling must be observed irrespective of appeal, unless otherwise required by the appellate authority.
- (3) The Forestry Centre must cancel its decision concerning the prohibition of treatment in cases where grounds for the prohibition no longer exist.

Section 17 - *Inspection*

- (1) If there is reasonable reason to suspect that the planned or initiated felling or other measure is in conflict with this Act or the provisions or regulations issued under it or if the landowner or the holder of the right of possession or other such special right has failed to comply with the obligation referred to in section 8 after regeneration felling, as well as in cases where a prohibition of treatment referred to in section 16 has been issued, an inspection must be carried out without delay in the area on the initiative of the Forestry Centre or following an application to the Forestry Centre by the landowner or holder of special right.
- (2) The inspection is carried out by an inspection committee. The inspection must determine whether or not the law has been broken. The inspection committee must also express its opinion about the measures required to fulfil the obligations set by the law. If the case is pending in the [Provincial Administrative Court] due to appeal, the records of the inspection committee must be delivered to the [Provincial Administrative Court] without delay.
- (3) Provisions concerning the inspection committee and arrangement of the inspection are laid down in the Act on the Forestry Centres and Forestry Development Centre (1474/95).

Section 18 (520/2002) - *Forest offence and forest infringement* (552/2004)

- (1) The punishment for a forest offence is laid down in Chapter 48 a, section 3 of the Penal Code
- (2) A person who deliberately or through negligence
 - 1) neglects the forest use declaration laid down in section 14 or files the declaration after the set time limit of 14 days,
 - 2) violates the rules for the felling of the tree stand in section 5 or a provision or regulation issued under it,
 - 3) violates the provision concerning the establishment of a new tree stand in section 8 or a provision or regulation issued under it,
 - 4) carries out a management or use measure directed at a habitat which is of special importance in terms of forest diversity contrary to section 10 or a provision or regulation issued under it or without permission or contrary to the condition on permission,
 - 5) violates the provision concerning forestry in timberline forests in section 12(1 or 2) or regulation issued under them, or
 - 6) violates the provision concerning protection zones in section 13 or regulation issued under it,
 shall be sentenced to a fine for forest infringement, unless a more severe punishment is provided in other law.

Section 18 a - *Preventing forest felling* (552/2004)

- (1) A person is unlawfully present within the immediate surroundings of a felling site when the felling is under way with the intent of disturbing forest felling carried out in accordance with this Act so that the felling is prevented shall be sentenced to a fine for preventing forest felling, unless a more severe punishment is provided in other law.

Section 19 - *Forfeiture* (881/2001)

- (1) The provisions laid down in Chapter 2, section 16 of the Penal Code apply to forfeiture of the financial benefit arising from an offence referred to in section 18 above to the State. Costs of remedial measures referred to in section 20 are deducted from the financial benefit to be forfeited.
- (2) In addition, the provisions laid down in Chapter 10 of the Penal Code apply, as appropriate.

Section 20 - *Remedial measures*

- (1) A person or party who treats a forest in a way that violates the provisions laid down in section 5(1-3), section 10(3), or section 12(1 or 2), or the provisions or regulations issued under these, or the regulations issued under section 13, or fails to fulfil the obligation concerning the establishment of a new tree stand, is obligated to remove the effects of the illegal measure or to restore the original conditions to an extent that is possible at reasonable cost, or to fulfil the regeneration obligation in compliance with section 8.
- (2) If agreement concerning the remedial measures is not reached between the Forestry Centre and the party concerned, the Forestry Centre may obligate the party concerned to carry out the necessary measures. The Forestry Centre may enforce its decision with a penalty of a fine or the threat of performance at the defaulter's expense. The Act on Conditional Imposition of a Fine applies to the penalty of fine or the threat of performance at the defaulter's expense.
- (3) In cases where a party other than the party concerned owns the real estate or is authorised to make decisions concerning the matter on the basis of a special right, the consent of this party to the agreement concerning the remedial measures must be obtained. If the landowner or holder of a special right does not give its consent that the Forestry Centre may obligate the party which violated the law to carry out the necessary measures, the Forestry Centre may decide to carry them out or have them carried out at the expense of the party concerned. The costs incurred in carrying out the measures are paid in advance from State funds and they may be recovered from the party concerned through execution as laid down in the Act on the Recovery of Taxes and Charges through Execution (367/61). (1224/1998)
- (4) If the misdemeanour is a minor one, the proceedings may be dropped.

Section 21 - *Right of lien*

- (1) In cases where the costs of having the measures carried out referred to in section 20(2) relating to measures required to establish a new tree stand referred to in section 8 are paid from State funds, and when responsibility for ensuring the establishment of a new tree stand rests on the owner of the real estate for the benefit of whom the measures are performed, the real estate is lodged as a security for the repayment of the said costs to the State, as laid down in Chapter 20 of the Land Code (540/95).
- (2) The Forestry Centre may consent to a change or withdrawal of registration for the part of real estate formed by partitioning from the real estate lodged as security. Consent may only be given if the recovery of the claim to the State is not endangered owing to the termination of the right of lien.

Section 22 - *Notification of prosecution*

- (1) The Forestry Centre must notify an action or default referred to in section 18 it has detected to the prosecutor for the purpose of bringing charges. Notification is not required the action or default is to be considered a minor one considering the circumstances and prosecution is not deemed necessary in the public interest.
- (2) The Forestry Centre must be given the opportunity to be heard in the pre-trial investigation and in the court of first instance in a matter on which the Forestry Centre has filed notification of prosecution.

Chapter 6 - **Miscellaneous provisions**

Section 23 - *Appeal*

- (1) A decision of the Forestry Centre made in accordance with this Act may be appealed to the [Provincial Administrative Court]. The competent [Provincial Administrative Court] is determined according to the judicial district in which most of the forestry land is located.

- (2) The provisions concerning appeal to a decision by an administrative authority laid down in the Administrative Judicial Procedure Act (586/96) apply to the appeal procedure.
- (3) The Forestry Centre concerned may appeal a decision which the [Provincial Administrative Court] has issued concerning appeal against a decision of the Forestry Centre referred to in section 20.

Section 23 a - *Exemption of certain measures from charges* (1224/1998)

- (1) By way of derogation from the provisions laid down in section 12 of the Act on the Forestry Centres and Forestry Development Centre (1474/1995), the forest use declaration referred to in section 14(1) and declaration of the establishment of a seedling stand referred to in section 14a(1) are free of charge.

Section 24 - *Steering and supervision of implementation*

- (1) The ministry competent in forestry matters is responsible for the steering and supervision of the implementation of this Act.

Section 25 - *Tasks of the Forestry Centre*

- (1) The task of the Forestry Centre is to promote the implementation of the intent of this Act and control the compliance with this Act, in addition to complying with the provisions on the management of these tasks laid down in the Act on the Forestry Centres and Forestry Development Centre or elsewhere.
- (2) With respect to planned areas or areas that are to be planned, the Forestry Centres must engage in sufficient cooperation with the municipalities in order to reconcile the objectives of this Act and those of the Land Use and Building Act. (137/1999)

Section 26 - *Further provisions*

- (1) Further provisions on the implementation of this Act are issued by decree.

Chapter 7 - **Entry into force and transitional provisions**

Section 27 - *Entry into force*

- (1) This Act enters into force on 1 January 1997.
- (2) This Act repeals the following acts, with subsequent amendments:
 - (1) Act on Private Forests (412/67) of 15 September 1967; and
 - (2) Act on Timberline Forests (196/22) of 11 August 1922.
- (3) Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.

Section 28 - *Transitional provisions concerning the Act on Private Forests*

- (1) However, provisions laid down in the Act on Private Forests to be repealed apply to the fellings completed before the entry into force of this Act as follows:
 - 1) the obligation to regenerate forest after felling referred to in sections 1 and 2 of the Act on Private Forests continues as laid down in the provisions in force before the entry into force of this Act;
 - 2) the Forestry Centre may obligate a defaulter of the obligation referred to in subsection 1 or a person who otherwise violates the Act on Private Forests to start carrying out the remedial measures referred to in section 20 of this Act; in such a case the provisions laid down in the Act on Private Forests apply, as appropriate, to the inspection; however, in cases where the felling was completed in 1982 or earlier the Forestry Centre cannot obligate the party concerned to undertake the said measures but the obligation referred to

in the Act on Private Forests lapses; the obligation also lapses if an agreement has not been concluded about the remedial measures referred to in section 20(2, 3) of this Act by a date laid down by decree or if the Forestry Centre has not issued a decision on remedial measures referred to in section 20(2) of the Act or initiated measures referred to in section 20(3) by the said date;

- 3) the Act on Private Forests apply to obligations associated with protection orders and agreements referred to in the Act on Private Forests which concern measures involving the restoration of forests or creation and ensuring new growth; forest protection orders referred to in the regulations and agreements in question lapse when this Act enters into force;
- 4) matters concerning the destruction of forest pending upon the entry into force of this Act are settled in accordance with the Act on Private Forests if legal proceedings referred to in section 10(2) of the Act on Private Forests has been initiated in a District Court or if the Forestry Board or, from 1 March 1996, the Forestry Centre has issued a felling prohibition by the virtue of section 5 of the Act on Private Forests or temporarily placed a forest under a protection order before the entry into force of this Act; however, after the entry into force of this Act forest is not protected through a protection order or protection agreement; the provisions of the Act on Private Forests apply to actions which violate the felling prohibition; instead of forfeiture referred to in section 12(2) of the Act on Private Forests, forfeiture referred to in section 19 of this Act may, however, be imposed in cases where the application of the latter section has less severe consequences in respect of the party concerned;
- 5) in cases where the provisions of the Act on Private Forests Act are to be applied as laid down in subsections 1-4, the Forestry Centre must continue to maintain the registers referred to in section 11 of the Act on Private Forests Act, to which the provisions laid down in section 11(2) of the section also apply;
- 6) if felling carried out before the entry into force of this Act has not been notified as required in the Act on Private Forests, a punishment laid down in the Act on Private Forests is imposed;
- 7) forest use declaration is not required for felling which has been initiated before the entry into force of this Act and is completed by the date provided by decree, if a felling notification referred to in section 7(1) of the Act on Private Forests has been given, or if the felling operation is in accordance with a felling and regeneration plan referred to in the above-mentioned section of the Act; and
- 8) the provisions of this Act apply after the entry into force of this Act to felling and forest regeneration activities irrespective of a felling and regeneration plan approved or forest management plan inspected as referred to in section 2(3) of the Act on Private Forests.

Section 28 a - Right of lien relating to the transitional provisions concerning the Act on Private Forests (1224/1998)

- (1) When the Forestry Centre obligates a party which has violated against the Act on Private Forests to undertake remedial measures as referred to in section 28(2) and the costs incurred are paid from the State funds, the real estate constitutes the security for the repayment of the costs as referred to in section 21, if the obligation rests on the owner of the real estate to whose benefit the measures concerned are undertaken. The Forestry Centre may also give the consent to the change or removal or registration referred to in section 21.

Section 29 - Other transitional provisions

- (1) Before the entry into force of this Act, the provisions laid down in the Act on Timberline Forests to be repealed apply to the timberline forest area and protection zone referred to in the

Act on Timberline Forests, except for the penal provisions. Instead of the forfeiture referred to in section 10(3) of the said act the forfeiture referred to in section 19 of this Act may be imposed where the application of the latter section has less severe consequences in respect of the party concerned.