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## **Federal Law of the Russian Federation from December 28, 2013 No. 415- Φ3 “On amendments to the Forestry code of the Russian Federation and the Russian Federation Code of Administrative Infractions”<sup>1</sup>**

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Passed by the State Duma on December 20, 2013

Approved by the Council of the Federation on December 25, 2013

<http://www.rg.ru/printable/2013/12/30/drevesina-dok.html>

### **Article 1<sup>2</sup>**

To make the following amendments to the Forestry code of the Russian Federation (Legislation bulletin of the Russian Federation, 2006 No. 50, art. 5278; 2008, No. 20, art. 2251; No. 30, art. 3597, 3599, 3616; No. 52, art. 6236; 2009, No. 11, art. 1261; No. 29, art. 3601; No. 30, art. 3735; No. 52, art. 6441; 2010, No. 30, art. 3998; 2011, No. 1, art. 54; No. 25, art. 3530; No. 27, art. 3880; No. 29, art. 4291; No. 30, art. 4590; No. 48, art. 6732; No. 50, art. 7343; 2012, No. 26, art. 3446; No. 31, art. 4322):

1) in Part 2 of article 3 replace the words “forest areas and forest plantations” by the words “forest areas, forest plantations, timber, and other extracted forestry resources”;

2) in article 26:

a) rephrase Part 2 as follows:

"2. Forestry declaration is to be submitted annually to state authorities, local authorities within their powers, determined in accordance with articles 81 - 84 of this Code, directly or through multifunctional centers of public and municipal services in the form of a paper document or in the form of an electronic document, signed by electronic signature, by using public information and telecommunication networks, including the Internet, including the unified portal of public and municipal services, by individuals to whom forest areas are granted for permanent (perpetual) use or lease”;

b) Part 3 to be completed after words “and submission” by words “, and also requirements to the format of forestry declaration in electronic format”;

3) Part 5 of article 29 to be phrased as follows:

"5. Ages of logging, procedure for calculating the annual allowable cut, procedure for determining the species (tree species) and the assortment of wood are determined by the authorized federal executive body."

4) article 30 to be completed by Part 41 as follows:

"41. Timber harvested by individuals for their private needs cannot be alienated or transferred from one person to another in other ways.”;

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<sup>1</sup> This translation is not an official translation. It has not been reviewed and approved by the Russian government.

<sup>2</sup> Please note that the text presented here, including the numbering, does not represent the translated text of the complete law (Forest Code), but is a translation of the amendments to the existing law.

5) in Part 1 of article 46 replace the word “timber” by the words “wood products”;

6) in article 49:

a) complete Part 1 with the words, “directly or through multifunctional centers of public and municipal services in the form of a paper document or in the form of an electronic document, signed by electronic signature, by using public information and telecommunication networks, including the Internet, including the unified portal of public and municipal services”;

b) Part 2 after the word “providing” to be completed by the words “as well as requirements as to the format of the report on the use of forests in electronic form”;

7) complete by chapter 21 as follows::

"Chapter 21. Measurement and labeling of timber

### **Article 501. Measuring timber**

1. Timber obtained by using forests and the implementation of measures for their protection, preservation, reproduction to be inventoried before its removal from the forest.

2. Measuring timber is carried out by legal entities, individuals using the forests, conducting measures for protection, preservation, and reproduction of forests, with the exception of the case referred to in Part 3 of this article.

3. Measuring timber harvested by individuals for their own needs is carried out by state authorities, local authorities authorized in accordance with articles 81 - 84 of this Code to enter into contracts of sale of forest plantations for personal needs of individuals.

4. Timber measurement procedures are established by the government of the Russian Federation.

### **Article 502. Labeling of timber**

1. Valuable forest wood species, determined in accordance with Part 2 of article 503 of the present Code (oak, beech, ash), harvesting of which is allowed in accordance with the legislation of the Russian Federation, are subject to mandatory labeling of individual pieces by legal entities, individual entrepreneurs, implementing its export from the Russian Federation.

2. Information about the labeling of timber, specified in Part 1 of this Article, is to be submitted by legal entities, individual entrepreneurs, implementing export of such timber from the Russian Federation to the Unified State Automated Information System for recording timber and timber transactions in the form of an electronic document, signed by electronic signature, by using public information and telecommunication networks, including the Internet, including the unified portal of public and municipal services, no later than one day before its export from the Russian Federation.

3. Labeling of timber, specified in Part 1 of this Article, must provide for applying and reading information about timber to be labeled by the use of technical means.

4. Procedures for labeling and labeling requirements for timber, specified in Part 1 of this Article, list of information about the labeling of said timber, submitted into the Unified State Automated Information System for recording timber and timber transactions in accordance with Part 2 of this Article, are established by the Government of the Russian Federation.”;

8) to complete by Chapter 22 as follows:

“Chapter 22. Transporting of timber and accounting of timber transactions

### **Article 503. General Provisions on transporting of timber and accounting of timber transactions**

1. Transporting of timber and transaction with it are carried out in accordance with civil law, subject to the provisions of this Chapter.
2. Wood species, subject to the requirements of this Chapter, are determined by the government of the Russian Federation in accordance with the National classification of products, the Commodity nomenclature of foreign economic activity.
3. On alienation of timber, relevant treaties concluded by persons who carried out its procurement shall include information about the documents specified in Paragraph 3 of Part 2 of Article 505 of this Code.

### **Article 504. Transporting timber**

1. Transporting of timber, including in accordance with a contract of carriage, by any type of transport is carried out in the presence of an accompanying document, which contains information about the owner, consignor, consignee, timber carrier, its volume, species (tree species) and assortment composition, points of origin and destination, the number of the declaration on transactions in timber (in case transactions with the specified timber were conducted), and the number of the state registration plate of the vehicle, which carried the transported timber (in the case of transport by automotive transport).
2. The accompanying document is issued by legal entities and individual entrepreneurs who are the owners of the wood.
3. Requirements stipulated in Part 1 of this Article shall not apply to the transportation of timber harvested by individuals for their own needs.
4. The form of the accompanying document and the procedure for filling it out are determined by the government of the Russian Federation.

### **Article 505. Declaration on transactions with timber**

1. Legal entities, individual entrepreneurs, who conducted transactions with timber, including for import to the Russian Federation, export from the Russian Federation, submit to the operator of the Unified State Automated Information System for recording timber and timber transactions, as provided in Article 506 of this Code, a declaration of transactions with timber in the form of an electronic document, signed by electronic signature, using information and telecommunications networks, including the Internet, including the unified portal of public and municipal services.
2. In the declaration on transactions with timber the following information is specified:
  - 1) information about owners of wood, the parties to transactions with timber (name, legal status, location - for a legal entity; surname, first name, patronymic, data on the identity document, - for an individual entrepreneur);
  - 2) information on the volume of timber, its species (tree species) and assortment composition;

3) information about the documents, on the basis of which the logging was carried out:

a) information about the lease agreement for the forest area or other document about the granting of the forest area (names of the parties to this agreement, legal status, location - for a legal entity; surname, first name, patronymic, data on identity document - for an individual entrepreneur; location of the forest area; date and number of the this agreement or other document, its duration, the volume of timber in accordance with this agreement or other document);

b) information on the contract of sale of forest plantations (names of the parties to this contract, legal status, location - for a legal entity; surname, first name, patronymic, data on identity document, - for an individual entrepreneur; location of forest plantations; date and number of this contract, its duration, the volume of timber harvested in accordance with this contract);

4) information about the contract in accordance with which the timber is acquired or alienated (names of the parties to this contract, legal status, location - for a legal entity; surname, first name, patronymic, data on identity document - for an individual entrepreneur; date and number of the contract, its duration, volume, species (tree species) and assortment composition of the timber being transferred under the contract);

5) information on the storage location of the timber (if available).

3. Declaration on the transactions with timber shall be submitted within five working days from the date on which the contract for the alienation of timber, including export of the Russian Federation, is concluded, modified, or terminated, but not later than one day prior to transportation of timber. Amendments about the actual volume of timber to be transported shall be made to the declaration on the transactions with timber throughout the duration of the contract, on the basis of which the said declaration was submitted, but no less than once a month.

4. The form of the declaration on transactions with timber and the procedures for its submission are to be established by the government of the Russian Federation.";

9) to complete by Chapter 23 as follows:

"Chapter 23. Unified State Automated Information System for recording timber and timber transactions

## **Article 506. Unified State Automated Information System for recording timber and timber transactions**

1. Unified State Automated Information System for recording timber and timber transactions is a federal information system. The copyright to the information is held by the Russian Federation, in whose name the rights of the copyright holder are carried out by the authorized federal executive body.

2. The customer and operator of the Unified State Automated Information System for recording timber and timber transactions is an authorized federal executive body.

3. Unified State Automated Information System for recording timber and timber transactions is created in order to ensure recording of timber, information about timber transactions, as well as for conducting analysis, processing of information submitted to it, and control for the accuracy of such information.

4. The list of information placed in public information and telecommunications networks, including the Internet, the information contained in the Unified State Automated Information System for recording timber and timber transactions, as well as the information placed in the form of open data, is determined by the government of the Russian Federation.

5. Providing information contained in the Unified State Automated Information System for recording timber and timber transactions to state authorities, local authorities, legal entities, individuals, including individual entrepreneurs, is made in electronic format at no charge.

6. Information is provided to the Unified State Automated Information System for recording timber and timber transactions by state authorities, local authorities, which hold in accordance with articles 81 - 84 of this Code the rights to grant forest areas for permanent (perpetual) use or lease and to conduct contracts of sale of forest plantations, as well as by legal entities, individual entrepreneurs conducting labeling of timber, transactions with timber.

7. The Unified State Automated Information System for recording timber and timber transactions interacts with the federal information systems, which are part of the infrastructure that provides the informational and technological interaction of information systems used for the provision of public and municipal services in electronic format, as well as with other state and municipal information systems using the said infrastructure.

8. The operation of the Unified State Automated Information System for recording timber and timber transactions, procedures for submitting information to this System, the ways of presenting the information, the forms and procedures for submitting requests for information including by using public information and telecommunication networks, including the Internet, including the unified portal of public and municipal services, are established by the government of the Russian Federation.

9. The Unified State Automated Information System for recording timber and timber transactions contains documented information:

1) about legal entities (name, legal status, location, information on state registration of the legal entity, taxpayer identification number), individual entrepreneurs (information about state registration of a person as an individual entrepreneur, surname, first name, patronymic, data on identity document, taxpayer identification number) conducting timber harvesting;

2) about lease agreements for forest areas (names of the parties to the lease agreement, their legal status, location - for a legal entity; surname, first name, patronymic, data on identity document, - for an individual entrepreneur; location of the leased forest area, the date of conclusion and the number of the agreement, its duration, the volume of wood to be harvested in accordance with this agreement);

3) about contracts of sale for forest plantations (names of the parties to the contract of sale of forest plantations, their legal status, location - for a legal entity; surname, first name, patronymic, data on identity document - for an individual entrepreneur; location of forest plantations, the volume of timber to be harvested in accordance with the contract, the date of conclusion and number of the contract, its duration);

4) about the right to permanent (perpetual) use of forest areas (date and number of the document granting the right of permanent (perpetual) use of forest areas; for the person providing this right, the name and location; for the person to whom such right is granted, name, legal status, location; location of the forest area in question, the volume of timber to be harvested);

5) about the forest declarations (name of the entity that filed the forest declaration and its location - for a legal entity; surname, first name, patronymic, data on identity document - for an individual entrepreneur; number and date of the lease agreement or other document in accordance with which the forest declaration is submitted, the volume of timber to be harvested in accordance with the forest declaration; the location of forest areas);

6) about reports on the use of forests (name of the entity submitting the report on the use of forests, legal status, location - for a legal entity; surname, first name, patronymic, data on identity document, - for an individual entrepreneur; number and date of the lease, any other document on the basis of which the report

on the use of forests is submitted, volume, species (tree species) and assortment composition of timber, location of forest areas);

7) about legal entities (name, legal status, location), about individual entrepreneurs (surname, first name, patronymic, data on identity document) to make transactions with timber;

8) about declarations on transactions with timber (number and date of filing of declaration on transactions with timber, name of the entity that filed such a declaration, legal status, location - for a legal entity; surname, first name, patronymic, data on identity document - for an individual entrepreneur; volume, species (tree species) and assortment composition of the timber, as well as name of the entity to whom the timber is alienated, legal status, location - for a legal entity; surname, first name, patronymic, data on identity document - for an individual entrepreneur);

9) about the actual volume of timber received;

10) about the labeling of timber.

10. In case the information to be submitted for inclusion in the Unified State Automated Information System for recording timber and timber transactions is contained in other state information systems and is required to be included in other state information systems, such information and the information contained in the materials of remote sensing shall be included in the Unified State Automated Information System for recording timber and timber transactions from other government information systems. Interaction procedures of the Unified State Automated Information System for recording timber and timber transactions and other state information systems are established by the government of the Russian Federation.

11. Operators of other state information systems listed in Part 10 of this Article must ensure access for the authorized federal executive body, specified in Part 2 of this Article, to the information contained in the specified information systems, in compliance with the procedures for the interaction of the Unified State Automated Information System for recording timber and timber transactions and other government information systems.

12. State authorities, local authorities, authorized in accordance with Articles 81 - 84 of this Code to grant forest areas for permanent (perpetual) use or lease, as well as to enter into contracts of sale for forest plantations, to receive forest declarations and reports on the use of forests, submit to the Unified State Automated Information System for recording timber and timber transactions in no more than three days from the day of:

1) signing a lease agreement for a forest area, signing a contract of sale for forest plantations or adopting a decision to grant a forest area for permanent (perpetual) use - information, specified in Clauses 1-4 of Part 9 of this Article;

2) accepting a forest declaration or report on the use of forests - information, specified in Clauses 5 and 6 of Part 9 of this Article.

13. Failure to submit or late submission by state authorities, local authorities specified in Part 12 of this Article, legal entities, individual entrepreneurs the information specified in Part 9 of this Article, or submission of false information shall entail liability under the legislation of the Russian Federation.

14. Protection of information contained in the Unified State Automated Information System for recording timber and timber transactions shall be in accordance with the laws of the Russian Federation on Information, Information Technologies and Protection of Information and the legislation of the Russian Federation in the field of personal data";

10) Article 81 to be completed by Clauses 415 and 416 as follows:

"415) Ensuring the use of the Unified State Automated Information System for recording timber and timber transactions;

416) Recording timber harvested by individuals for private use in forests, located lands of defense and security, lands of specially protected natural areas of federal significance.”;

11) Article 82 to be completed by Clause 73 as follows:

73) recording of timber, harvested by individuals for private use in forests, located in forest areas owned by the subjects of the Russian Federation, including the lands of specially protected natural areas of regional significance;

12) Part 1 of Article 83 to be completed by Clause 8 as follows:

8) recording of timber, harvested by individuals for private use in forests, located on lands of the forest fund;

13) Part 1 of Article 84 to be completed by Clauses 7 and 8 as follows:

7) recording of timber, harvested by individuals for private use in forests, located in forest areas in municipal ownership;

8) submission of information to the Unified State Automated Information System for recording timber and timber transactions.

14) to complete by Article 991 as follows:

"Article 991. Impoundment of illegally harvested timber and instruments of illegal logging

1. Illegally harvested wood, vehicles and other instruments of illegal logging are subject to seizure without compensation, confiscation in accordance with the legislation of the Russian Federation.

2. The timber that has been seized without compensation, confiscated in accordance with Part 1 of this Article shall be stored, sold or in case of loss of quality or other consumer properties disposed of in accordance with the procedure established by the Government of the Russian Federation."

## **Article 2**

To make the following amendments to the Russian Federation Code of administrative infractions (Legislation bulletin of the Russian Federation, 2002, No. 1, art. 1; No. 30, art. 3029; No. 44, art. 4295; 2003, No. 27, art. 2700, 2708, 2717; No. 46, art. 4434; No. 50, art. 4847, 4855; 2004, No. 31, art. 3229; No. 34, art. 3529, 3533; 2005, No. 1, art. 9, 13, 45; No. 10, art. 762, 763; No. 13, art. 1075, 1077; No. 19, art. 1752; No. 27, art. 2719, 2721; No. 30, art. 3104, 3131; No. 50, art. 5247; No. 52, art. 5596; 2006, No. 1, art. 10; No. 10, art. 1067; No. 12, art. 1234; No. 17, art. 1776; No. 18, art. 1907; No. 19, art. 2066; No. 23, art. 2380; No. 31, art. 3420, 3438, 3452; No. 45, art. 4633, 4634, 4641; No. 50, art. 5279; No. 52, art. 5498; 2007, No. 1, art. 21, 29; No. 16, art. 1825; No. 26, art. 3089; No. 30, art. 3755; No. 31, art. 4007, 4008, 4015; No. 41, art. 4845; No. 43, art. 5084; No. 46, art. 5553; No. 50, art. 6246; 2008, No. 18, art. 1941; No. 20, art. 2251; No. 29, art. 3418; No. 30, art. 3601, 3604; No. 49, art. 5745, 5748; No. 52, art. 6235, 6236; 2009, No. 1, art. 17; No. 7, art. 777; No. 23, art. 2759; No. 26, art. 3120, 3122; No. 29, art. 3597, 3642; No. 30, art. 3735, 3739; No. 48, art. 5711, 5724; No. 52, art. 6412; 2010, No. 1, art. 1; No. 21, art. 2525; No. 23, art. 2790; No. 25, art. 3070; No. 27, art. 3416; No. 30, art. 4002, 4006, 4007; No. 31, art. 4155, 4158, 4164, 4193, 4195, 4206, 4207, 4208; No. 41, art. 5192; No. 49, art. 6409; 2011, No. 1, art. 10, 23, 47, 54; No. 7, art. 901; No. 15, art. 2039; No. 17, art. 2310; No. 19, art. 2715; No. 23, art. 3260; No. 27,

art. 3873; No. 29, art. 4290, 4298; No. 30, art. 4573, 4585, 4590, 4598, 4600, 4601, 4605; No. 46, art. 6406; No. 48, art. 6728, 6732; No. 49, art. 7025, 7061; No. 50, art. 7342, 7345, 7346, 7351, 7352, 7355, 7362, 7366; 2012, No. 6, art. 621; N 10, art. 1166; No. 19, art. 2278, 2281; No. 24, art. 3068, 3069, 3082; No. 29, art. 3996; No. 31, art. 4320, 4330; No. 41, art. 5523; No. 47, art. 6402, 6403; No. 49, art. 6757; No. 53, art. 7577, 7602, 7639, 7640; 2013, No. 14, art. 1651, 1666; No. 19, art. 2318, 2323, 2325; No. 26, art. 3207, 3208; No. 27, art. 3442, 3454, 3465, 3470; No. 30, art. 4025, 4029, 4030, 4031, 4032, 4034, 4036, 4040, 4044, 4059, 4078, 4082; No. 31, art. 4191; No. 43, art. 5443, 5444, 5445, 5452; No. 44, art. 5624, 5643; No. 48, art. 6161, 6165; No. 49, art. 6327, 6341, 6343):

1) to complete by Article 8.281 as follows:

"Article 8.281. Violation of the requirements of the forestry legislation on timber and timber transactions

1. Failure to submit or late submission of the declaration of transactions with timber, as well as submission of false information in the declaration of timber transactions -

is punishable by an administrative fine for officials in the amount of between five thousand and twenty thousand rubles; for persons engaged in entrepreneurial activities without forming a legal entity - from seven thousand to twenty five thousand rubles; for legal entities - from one hundred thousand to two hundred thousand rubles.

2. Failure to submit or late submission by officials of authorized state authorities, local authorities of information to the Unified State Automated Information System for recording timber and timber transactions, as well as submission of false information to the Unified State Automated Information System for recording timber and timber transactions -

is punishable by an administrative fine in the amount of from five thousand to twenty thousand rubles.

3. Violation of procedures for recording timber -

is punishable by an administrative fine for officials in the amount of from twenty five thousand to thirty five thousand rubles; on legal entities - from two hundred thousand to four hundred thousand rubles.

4. Violation of requirements of forestry legislation for mandatory labeling of timber -

is punishable by an administrative fine for officials in the amount of from thirty thousand to forty thousand rubles with the confiscation of timber or without such confiscation; for legal entities - from three hundred thousand to five hundred thousand rubles with the confiscation of timber or without such confiscation.

5. Transporting timber without an accompanying document in accordance with the procedures specified by the forestry legislation -

is punishable by an administrative fine for officials in the amount of from thirty thousand to fifty thousand rubles with the confiscation of timber and (or) vehicles which serve as the instrument of the administrative infraction, or without such confiscation; for legal entities - from five hundred thousand to seven hundred thousand rubles with the confiscation of timber and (or) vehicles which serve as the instrument of the administrative infraction, or without such confiscation.”;

2) Paragraph 1 of Article 19.7 after the words “Article 6.16,” to be completed by the words “with Parts 1, 2 and 4 of Article 8.281;”



3) Part 1 of Article 23.1 after the words "by Part 2 of Article 8.28," to be completed by the words "by Article 8.281;"

4) in Part 2 of Article 28.3:

a) in Clause 1 the words "Articles 8.28 - 8.32" to be replaced by the words "Article 8.28, Part 5 of Article 8.281, Articles 8.29 - 8.32";

b) Clause 12 after the words "Part 1 of Article 7.12," to complete with the words "Part 4 of Article 8.281;"

c) Clause 32 after the words "Part 2 of Article 8.28," to complete with the words "Parts 3 and 5 of Article 8.281;"

d) to complete with Clause 321 as follows:

"321) officials of the federal executive body which serves as an operator of the Unified State Automated Information System for recording timber and timber transactions, and its territorial organs - on administrative infractions specified in Parts 1, 2 and part 4 (within its powers) of Article 8.281 of this Code".

### **Article 3**

1. The present Federal Law shall be effective as of February 1, 2014, except for the provisions for which this Article establishes other effective dates.

2. Paragraph seven-eleven of Clause 8 of Article 1 of the present Federal Law shall be effective as of July 1, 2014.

3. Clauses 2, 6, 7, Paragraphs twenty one, twenty two, twenty five - twenty seven of Clause 9, Paragraph three of Clause 10, Clauses 11-13 of Article 1, Paragraph eleven and twelfth of Clause 1, Clause 3, subclauses "a" and "c" of Clause 4 of Article 2 of the present Federal Law shall be effective as of January 1, 2015.

4. Paragraph six, twelve - twenty three of Clause 8, Paragraph nineteen and twenty of Clause 9 of Article 1, Paragraph five - ten of Clause 1, Clause 2, subclauses "b" and "d" of Clause 4 of Article 2 of the present Federal Law shall be effective as of July 1, 2015.

5. Paragraph three and four of Clause 1 of Article 2 of the present Federal Law shall be effective as of January 1, 2016.

6. Prior to January 1, 2016, persons carrying out timber export from the Russian Federation, along with the submission of the declaration on the timber transactions in electronic format shall submit it to the customs authorities on paper.

President of the Russian Federation

V. Putin