



International Conference
OWNERSHIP RIGHTS IN PRIVATE FORESTS



Results of the questionnaire of forest owners rights

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October 4, 2018, Hotel Panorama, Zagreb, Croatia

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Questionnaire

CROUPFOA & UPFOSI
PFO from National organisations
13 Countrys
1 Region



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Questions

**Legislative
Management & Nature protection
Timber harvesting
Non Wood Forest Products
Hunting
Ecosystem services
Taxation and recreational use**



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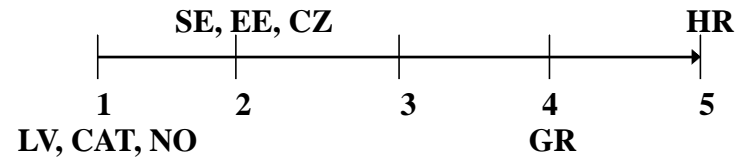
Legislative

Is there any unknown / unsolved type of ownership in land-registry or cadastre ?

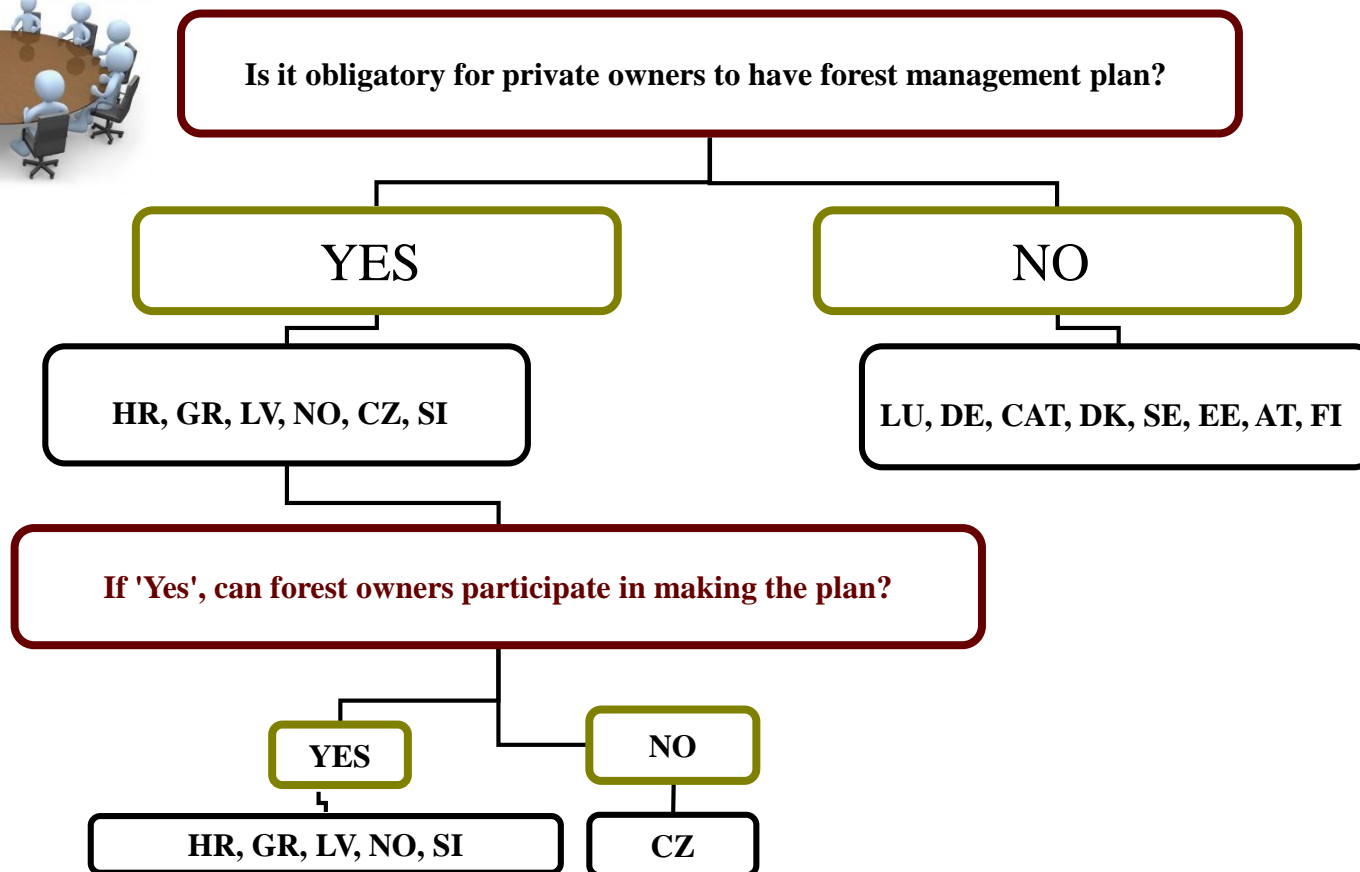
YES ➔ HR, GR, LV, CAT, SE, EE, NO, CZ

NO ➔ LU, DE, DK, FI, AT, SI

Evaluation importance of this problem :



Management & Nature protection



Are there limitations to forest management in nature protection areas ?

YES → HR, GR, LU, DE, LV, CAT, DK, SE, EE, FI, NO, AT, CZ, SI

NO → -

If 'Yes', can forest owners get compensation for these limitations ?

Yes (FI, CZ, DK)

GR Little in theory and nothing in practice.

DE In principle yes, but it depends on the situation in the Länder.

LU Only by actively taking active measures for additional nature protection. Restrictions on e.g. conifers are not compensated.

CAT It hadn't been any case by the way.

SI / HR Yes, but no in praxis.

AT It depends if obligatory by a management plan.

EE Currently only in the case of Natura 2000 areas.

SE Yes in most cases but not all.

NO Yes for some restrictions but not all.

LV Yes, it depends on amount of limitation and holding location. Compensations are available in Natura 2000 and micro reserve territories for EU habitat and birds' directive.

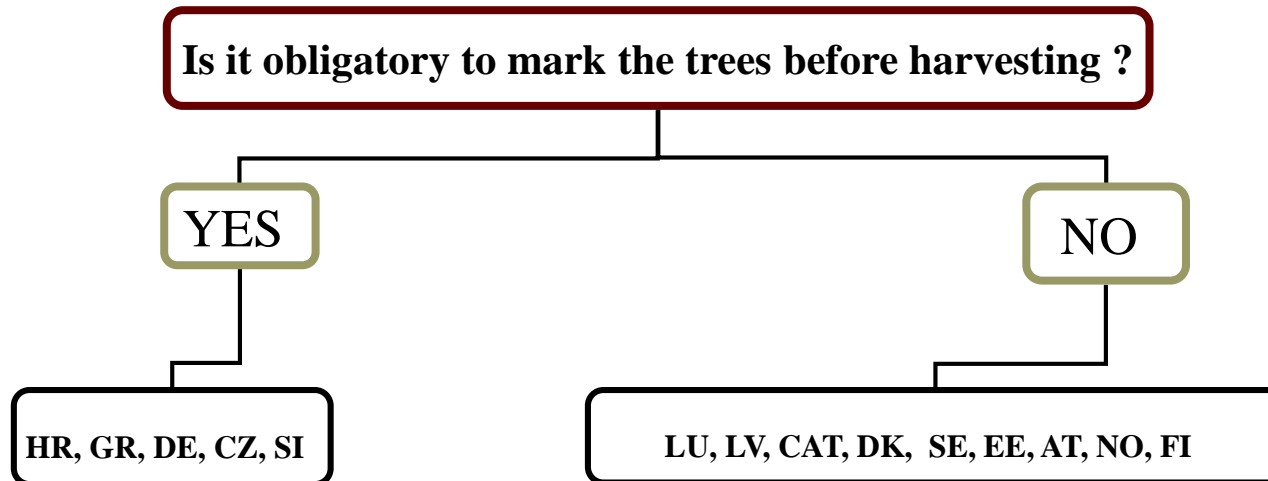


Timber harvesting

Is it obligatory to obtain permission for timber harvesting ?

YES ➔ HR, GR, LV, CAT, EE, FI, AT, SI

NO ➔ LU, DE, DK, SE, NO, CZ



Timber harvesting

??

Can the owner decide which trees will be harvested ?

YES → LU, DE, LV, DK, SE, EE, FI, NO, AT, SI, CZ

NO → HR, GR, CAT

Is it obligatory to have transport documents for wood material ?

YES → HR, GR, DE, LV, EE, NO, CZ, SI

NO → LU, CAT, DK, SE, FI, AT

If 'Yes', can the owner issue this document ?

YES → GR, DE, CZ

NO → HR, LV, EE, NO

YES/NO → SI

Non Wood Forest Products

Is it possible that other people enter the private forest ?

YES → HR, GR, LU, DE, LV, CAT, DK, SE, EE, FI, NO, AT, CZ, SI

NO → -



If 'Yes', can they harvest non wood forest products ?

YES → HR, GR, LU, DE, LV, CAT, DK, SE, EE, NO, AT, CZ, SI

NO →



Is it allowed to pick mushrooms in private forest ?

YES → HR, GR, DE, LV, CAT, DK, SE, EE, FI, NO, AT, CZ, SI

NO → LU



Is there any limit concerne quantity of harvested mushrooms ?

YES ➡ HR, LU, DE, LV, DK, AT, CZ, SI

NO ➡ GR, CAT, SE, EE, FI, NO

If 'Yes', please describe.

HR	According nature protecion low collecting is limited.
LU	Legally 1kg/person/day, in reality this is unknown and not respected.
DE	But the quantity is limited for private use.
LV	Non wood products harvest (including mushrooms) is allowed in private forest if the owner has not restricted this.
DK	You can only pick for your own use - which is defined as the amount you can have in a plastic bag. And since you are only allowed on roads and path you can only pick form there.
AT	2 kg per person and day.
SI	In kg.

Is it allowed to harvest other non-wood forest products in private forest ?

YES ➡ HR, GR, LU, DE, CAT, DK, SE, EE, NO, CZ, SI

NO ➡ LV, AT

Is there any limit concerne quantity of harvested non-wood forest products ?

YES ➡ HR, GR, SI, DK, FI, DE, LV

NO ➡ LU, CAT, SE, EE, NO, CZ

If 'Yes', please describe :

HR	Harvesting is limited by forest management plan.
GR	Yes in theory, not in practice.
DE	But the quantity is limited for private use.
LV	According Forest law private forest owner has opportunity to prohibit entrance and use of all non-wood goods in his or hers forest. To do that owner must put visible signs on the forest borders.
DK	You are allowed to pick up cones, branches, moss etc. You can only pick for your own use - which is defined as the amount you can have in a plastic bag. And since you are only allowed on roads and path you can only pick form there.
SI	Not to destroy forest.

Is it allowed to collect forest seed in private forest ?

YES ➡ HR, LU, DE, CAT, DK, SE, NO, CZ, SI

NO ➡ GR, LV, EE, FI, AT

Is there any limit concerne quantity of collected seed ?

YES ➡ HR, DE, LV, DK, SI

NO ➡ LU, CAT, SE, EE, NO, CZ

If 'Yes', please describe.

HR	Collecting is limited by forest management plan.
DE	The permission of the private forest owner is required.
LV	According Forest law private forest owner has opportunity to prohibit entrance and use of all non-wood goods in his or hers forest. To do that owner must put visible signs on the forest borders.
DK	Only for private use.
SI	2 kg.

Is it obligatory to have transport documents for non wood forest products ?

YES

HR

If 'Yes', can the owner issue this document ?

HR No.

If 'No', who can issue this document, who pay for the job and what is the price in EUR ?

NO

GR, LU, DE, LV, CAT, DK, SE, EE, FI, NO, AT, CZ, SI

**HR Authorized company,
owner pay, unknown price.**

Hunting

Who own the game in private forest ?

HR, GR, LV, CZ, SI	State.
DE, DK, SE, FI, NO	The forest owner.
LU, EE	No one. It's a "res nullius".
CAT	Res nullius (public ownership that may be retained by the owner).
AT	As long as they live "public" is the owner; as soon as shot the person with the hunting licence is the owner.

Can owner hunt in his forest ?

YES ➔ DE, CAT, DK, EE, CZ , LU, NO, AT, LV, SE,

NO ➔ HR, GR, FI, SI

Can owner establish private hunting area in his forest ?

YES ➔ HR, GR, DE, LV, CAT, DK, SE, FI, NO, AT, CZ

NO ➔ LU, EE, SI

If 'Yes', is there any restrictions concerning the size ?

HR	Hunting area must be at least 1 000 ha.
GR	Over 500 ha.
DE	75 ha in plain areas and 250 ha in alpine areas.
LV	Owner must have hunters licence and yes, for limited game Hunting law restrict amount of area according species. For non-limited game no restrictions.
CAT	250 ha for small game and 500 ha for big game hunting estates.
DK	No.
SE	If your forest is too small for hunting one moose you have to combine with other owners.
FI	Yes.
NO	There is a minimum size for big game hunting set by the municipality.
AT	Only if his property is bigger than 115 ha.
CZ	500 ha.

Can owner get refund if the game damage his forest ?

YES

LU, DE, LV, EE, FI, AT, CZ, SI

If 'Yes', who pay this ?

LU The person/people who rent the hunting rights.

EE Yes, put partially. Then it is payed by the hunting club managing the district where the property belongs to.

DE The person who has the hunting rights (be it the owner or a third person).

LV Refund if the game damage his forest for forest owner is subject of agreement between him and a hunting club. In case when forest owner has no any agreement no one compensate for damage.

AT The person who is allowed to hunt there.

SI Country or hunt organization.

CZ Hunters.

NO

HR, GR, CAT, DK, SE, NO

Ecosystem services

Is there any type of payments for ecosystem services in Your country ?

YES ➔ HR, LU, LV, DK, CZ

NO ➔ GR, DE, CAT, SE, EE, NO, AT, SI

If 'Yes', who pay this, how much and how does the system work ?

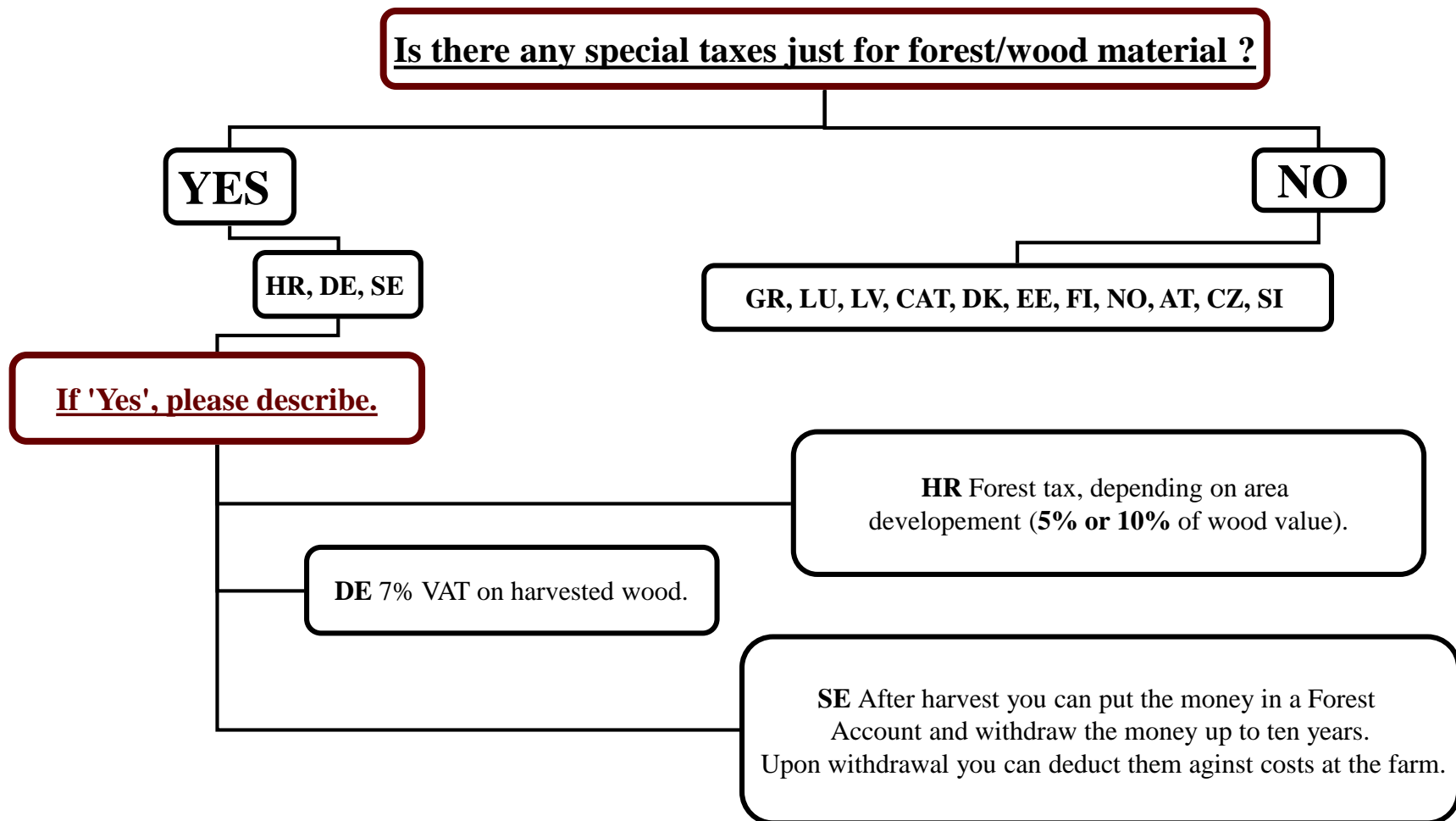
LU	Only active biodiversity measures can receive funding, e.g. old - stand islands, cavity-trees etc. Compensations are beneath the actually financial loss and not linked to inflation, and can be paid every 5 years over a 30-year period.
LV	Compensations for income forgone in nature protected areas (Natura 2000 and micro reserve) is kind of payment for ecosystem services and it's payed from state budget or EU funding.
DK	We have examples with water protection. The forest owner are paid for a specific management by the municipality or the water works. The amount depend on the requirements.
CZ	State for example if they have some buildings in your forrest.
HR	All companies according to annual income.

Can owner use this founds for measures related to the management of his forest ?

YES ➔ LU, DE, DK, CZ, HR

NO ➔ GR, LV, NO, SI

Taxation and recreational use



Is there any tax just for owning the forest ?

YES

NO

LU, DE, LV, CAT, DK, SE, NO, AT

HR, GR, EE, FI, CZ, SI

If 'Yes', please describe.

LU Property tax.

AT Land tax.

DE Property tax, social insurance.

LV Every property owner pay. Property tax.

CAT A theoretic % of the potential incomes (now it has an especial reduction of 100%), and a tax for inherit (which is reduced by the 95% if you have a management plan or you are in Nature 2000).

SE General Estate tax.

DK In Denmark you pay property tax depending on the value of the forest.

NO A property tax depending on the annual increment.

Is it allowed to enter in private forest for recreational use ?

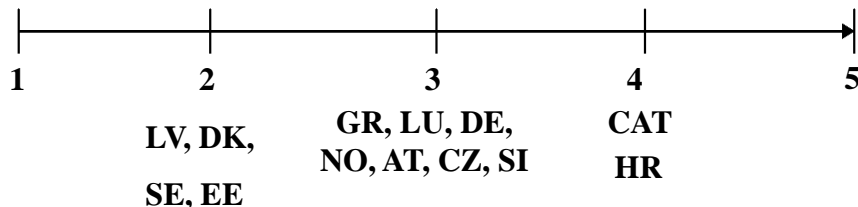
YES ➔ HR, GR, DE, LV, CAT, DK, SE, EE, FI, NO, AT, CZ, SI

NO ➔ LU

If 'Yes', who is responsible for potential injuries of users/visitors ?

HR, SE, FI, NO, SI	User.
DE	The forest owner is only responsible for potential injuries that could be foreseen.
LV	According Forest law private forest owner has opportunity to prohibit entrance in his or hers forest. To do that owner must put visible signs on the forest borders. No regulation to putt obligation for a forest owner to guaranty safety for people in ordinary forest.
CAT	According to the judge decision. Not established by law.
DK	For the legal use: the visitor. But the forest owner has a fault-based responsibility if there has been created special facilities for the public.
EE	Don't know exactly but I would say that the one who accesses it.
AT	Forest owner.
CZ	Depending of the lawyer.

From Your opinion, are the ownership rights in private forest derogated and to what extend ?



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www.hsups.hr

Thank You



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