

Federal Law of 28.12.2013 No 415-FZ

On Amendments to the Forest Code of the Russian Federation and the Code of Administrative Offenses of the Russian Federation

Effective from February 1, 2014*

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RUSSIAN FEDERATION

FEDERAL LAW

On Amendments to the Forest Code of the Russian Federation and the Code of
Administrative Offenses of the Russian Federation

Adopted by the State Duma on December 20, 2013

Approved by the Federation Council on December 25, 2013

(As amended by Federal Law of 21.07.2014 No 277-FZ)

Article 1

To amend the Forest Code of the Russian Federation (Collected Legislation 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) the following amendments:

1) in Part 2 of Article 3, the words "forest plots and forest plantations" shall be replaced by the words "forest plots, forest plantations, timber and other extracted forest resources";

2) in Article 26:

a) Part 2 shall be worded as follows:

"2. Annually, a forest declaration shall be submitted to state authorities, local self-government bodies within their powers determined in accordance with Articles 81-84 of this Code, directly or through multifunctional centers for the provision of state and municipal services in the form of a paper document or in the form of an electronic document signed with an electronic signature, using public information and telecommunication networks, including including the Unified Portal of State and Municipal Services, by persons to whom forest plots have been provided for permanent (indefinite) use or lease.";

b) part 3 after the words "and submission" shall be supplemented with the words "as well as the requirements for the format of the forest declaration in electronic form";

3) Part 5 of Article 29 shall be set forth in the following wording:

"5. The ages of felling, the procedure for calculating the allowable cutting area, the procedure for determining the species (species) and assortment composition of wood shall be established by the authorized federal executive body.";

4) Article 30 shall be supplemented with part 41 of the following content:

"41. Timber harvested by citizens for their own needs may not be alienated or transferred from one person to another by other means.";

5) in part 1 of Article 46, the word "timber" shall be replaced by the words "wood products";

6) in Article 49:

a) Part 1 shall be supplemented with the words "directly or through multifunctional centers for the provision of state and municipal services in the form of a paper document or in the form of an electronic document signed with an electronic signature, using public information and telecommunication networks, including the Internet, including the Unified Portal of State and Municipal Services";

b) part 2 after the word "submissions" shall be supplemented with the words "as well as the requirements for the format of the report on the use of forests in electronic form";

7) to be supplemented with Chapter 21 as follows:

"Chapter 21. Accounting and marking of wood

Article 501. Timber accounting

1. Timber obtained during the use of forests and during the implementation of measures for their protection, protection, and reproduction shall be subject to accounting before its removal from the forest.
2. Timber accounting shall be carried out by legal entities, citizens using forests, carrying out measures for the protection, protection and reproduction of forests, except for the case provided for by Part 3 of this Article.
3. Accounting of timber harvested by citizens for their own needs shall be carried out by state authorities, local self-government bodies authorized in accordance with Articles 81-84 of this Code to conclude contracts for the sale and purchase of forest plantations for citizens' own needs.
4. The procedure for accounting for timber shall be established by the Government of the Russian Federation.

Article 502. Wood labeling

1. Valuable forest species (oak, beech, ash) timber determined in accordance with Part 2 of Article 503 of this Code, the harvesting of which is allowed in accordance with the legislation of the Russian Federation, shall be subject to mandatory piece marking by legal entities, individual entrepreneurs exporting it from the Russian Federation.
 2. Information on the marking of timber specified in Part 1 of this Article shall be submitted by legal entities, individual entrepreneurs exporting such timber from the Russian Federation to the Unified State Automated Information System for Accounting of Timber and Transactions therewith in the form of an electronic document signed with an electronic signature, using public information and telecommunication networks, including the Internet, including the unified portal of state and municipal services, no later than one day before its export from the Russian Federation.
 3. Marking of wood specified in Part 1 of this Article shall provide for the possibility of applying and reading information about the marked wood using technical means.
 4. The procedure for labeling and requirements for the labeling of timber specified in Part 1 of this Article, the list of information on the labeling of the said timber submitted to the Unified State Automated Information System for Accounting of Timber and Transactions therewith in accordance with Part 2 of this Article shall be established by the Government of the Russian Federation.";
- 8) Chapter 22 shall be supplemented with the following content:

"Chapter 22. Transportation of timber and accounting of transactions with it

Article 503. General Provisions on Timber Transportation and Accounting for Timber Transactions

1. Transportation of timber and transactions with it shall be carried out in accordance with the procedure established by the civil legislation, taking into account the provisions of this Chapter.
2. The types of wood to which the requirements of this Chapter apply shall be determined by the Government of the Russian Federation in accordance with the All-Russian Classifier of Products, the Commodity Nomenclature of Foreign Economic Activity.
3. In case of alienation of timber, the relevant contracts concluded by the persons who harvested it shall contain information on the documents specified in Clause 3 of Part 2 of Article 505 of this Code.

Article 504. Timber transport

1. Transportation, including on the basis of a contract of transportation, of timber by any mode of transport shall be carried out in the presence of an accompanying document, which shall contain information about the owner, consignor, consignee, carrier of wood, its volume, species (species) and assortment composition, points of departure and destination, number of the declaration of transactions with timber (if transactions were made with the said wood), as well as the number of the state registration the sign of the vehicle on which the timber is transported (if it is transported by road).
2. The accompanying document shall be drawn up by legal entities, individual entrepreneurs who are the owners of wood.
3. The requirements provided for in Part 1 of this Article shall not apply to the transportation of timber harvested by citizens for their own needs.
4. The form of the accompanying document and the procedure for filling it out shall be determined by the Government of the Russian Federation.

Article 505. Declaration of Timber Transactions

1. Legal entities, individual entrepreneurs who have made transactions with timber, including for the purpose of importation into the Russian Federation, export from the Russian Federation, shall submit to the operator of the Unified State Automated

Information System for Accounting of Timber and Transactions therewith provided for by Article 506 of this Code a declaration on timber transactions in the form of an electronic document signed with an electronic signature, using information and telecommunication networks of the general including the Internet, including the Unified Portal of State and Municipal Services.

2. The declaration on timber transactions shall indicate:

1) information on the owners of wood, parties to timber transactions (name, legal form, location - for a legal entity; surname, name, patronymic, details of an identity document - for an individual entrepreneur);

2) information on the volume of wood, on its species (species) and assortment composition;

3) information on the documents on the basis of which the timber harvesting was carried out:

a) information on the lease agreement for a forest plot or other document on the provision of a forest plot (names of the parties to this agreement, organizational and legal form, location - for a legal entity; surname, name, patronymic, details of an identity document - for an individual entrepreneur; location of the forest plot; date of conclusion and number of this agreement or other document, term of this agreement, volume of timber harvesting in accordance with this agreement or other document);

b) information on the contract for the sale and purchase of forest plantations (names of the parties to this agreement, organizational and legal form, location - for a legal entity; surname, name, patronymic, data of an identity document - for an individual entrepreneur; location of forest plantations; date of conclusion and number of this agreement, its validity period, volume of timber harvesting in accordance with this agreement);

4) information on the contract under which the timber is purchased or alienated (names of the parties to this agreement, organizational and legal form, location - for a legal entity; surname, name, patronymic, details of the identity document - for an individual entrepreneur; date of conclusion and number of this agreement, its validity period, volume, species (species) and assortment composition of wood transferred under this agreement);

5) information on the place of timber storage (if any).

3. A declaration on timber transactions shall be submitted within five working days from the date of conclusion, amendment or termination of the contract for the alienation of timber, including for export from the Russian Federation, but not later than one day before the transportation of timber. The declaration on timber transactions shall be amended on the actual volume of timber transported during the validity of the

contract on the basis of which the said declaration was submitted, but at least once a month.

4. The form of the declaration on timber transactions and the procedure for its submission shall be established by the Government of the Russian Federation.";

9) to be supplemented with Chapter 23 as follows:

"Chapter 23. Unified State Automated Information System for Timber Accounting and Transactions

Article 506. Unified State Automated Information System for Timber Accounting and Transactions

1. The Unified State Automated Information System for Timber Accounting and Transactions therewith shall be a federal information system. The right holder of information is the Russian Federation, on behalf of which the powers of the right holder of information are exercised by the authorized federal executive body.

2. The customer and operator of the Unified State Automated Information System for Timber Accounting and Transactions therewith shall be the authorized federal executive body.

3. The Unified State Automated Information System for Accounting of Timber and Transactions therewith shall be created for the purpose of ensuring accounting of timber, information on transactions with it, as well as carrying out analysis, processing of information submitted to it and control over the reliability of such information.

4. The Government of the Russian Federation shall determine the list of information posted in public information and telecommunication networks, including the Internet, contained in the unified state automated information system for accounting of timber and transactions therewith, as well as information posted in the form of open data.

5. The information contained in the Unified State Automated Information System for Timber Accounting and Transactions shall be provided to state authorities, local self-government bodies, legal entities, citizens, including individual entrepreneurs, in electronic form free of charge.

6. Information to the Unified State Automated Information System for Accounting of Timber and Transactions therewith shall be submitted by state authorities, local self-government bodies exercising powers in accordance with Articles 81-84 of this Code to provide forest plots for permanent (indefinite) use, lease and conclusion of contracts for the purchase and sale of forest plantations, as well as by legal entities, individual entrepreneurs carrying out wood labeling, timber transactions.

7. The Unified State Automated Information System for Timber Accounting and Transactions shall interact with federal information systems that are part of the infrastructure that provides information and technological interaction of information systems used to provide state and municipal services in electronic form, as well as with other state and municipal information systems using the said infrastructure.

8. The procedure for the operation of the Unified State Automated Information System for Timber Accounting and Timber Transactions, the procedure for submitting information to this system, the forms for submitting information, the forms and procedure for sending requests for information also using public information and telecommunication networks, including the Internet, including the Unified Portal of State and Municipal Services, shall be established by the Government of the Russian Federation.

9. The Unified State Automated Information System for Timber Accounting and Transactions therewith shall contain documented information:

1) on legal entities (name, organizational and legal form, location, information on state registration of a legal entity, taxpayer identification number), on individual entrepreneurs (information on state registration of an individual as an individual entrepreneur, surname, name, patronymic, data of an identity document, taxpayer identification number) engaged in timber harvesting;

2) on forest lease agreements (names of the parties to the forest lease agreement, their organizational and legal form, location - for a legal entity; surname, name, patronymic, data of an identity document - for an individual entrepreneur; location of the leased forest plot, date of conclusion and number of this agreement, its validity period, volume of timber to be harvested in accordance with this agreement);

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

4) on the right of permanent (indefinite) use of forest plots (date and number of the document granting the right of permanent (indefinite) use of forest plots; in relation to the person granting this right, name and location; in relation to the person to whom such right is granted, name, organizational and legal form, location; location of the forest plot to be provided, volume of timber to be harvested);

5) on forest declarations (name of the person who submitted the forest declaration, its location - for a legal entity; surname, name, patronymic, details of the 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; location of forest plots);

6) on reports on the use of forests (name of the person who submitted the report on the use of forests, organizational and legal form, location - for a legal entity; surname, name, patronymic, details of the identity document - for an individual entrepreneur; number and date of the lease agreement, other document on the basis of which the report on the use of forests is submitted, volume, species (species) and assortment composition of wood, location of forest plots);

7) on legal entities (name, organizational and legal form, location), on individual entrepreneurs (surname, name, patronymic, data of an identity document) who have made transactions with wood;

8) on declarations on timber transactions (number and date of submission of the declaration on timber transactions, name of the person who submitted such declaration, organizational and legal form, location - for a legal entity; surname, name, patronymic, details of an identity document - for an individual entrepreneur; volume, species (species) and assortment composition of wood, as well as the name of the person into whose ownership the wood is alienated, organizational and legal form, location - for a legal entity; surname, first name, patronymic, details of an identity document - for an individual entrepreneur);

9) on the actual volume of timber received;

10) on marking of wood.

10. In the event that the information to be submitted for inclusion in the Unified State Automated Information System for Accounting of Timber and Transactions therewith is contained in other state information systems and is included in other state information systems on a mandatory basis, such information and information contained in remote sensing materials shall be included in the Unified State Automated Information System of Accounting timber and transactions with it from other state information systems. The procedure for interaction of the Unified State Automated Information System for Timber Accounting and Transactions therewith and other state information systems shall be established by the Government of the Russian Federation.

11. Operators of other state information systems referred to in Part 10 of this Article shall ensure access of the authorized federal executive body specified in Part 2 of this Article to the information contained in the said information systems, in compliance with the procedure for interaction of the Unified State Automated Information System for Timber Accounting and Transactions therewith and other state information systems.

12. State authorities, local self-government bodies authorized in accordance with Articles 81-84 of this Code to provide forest plots for permanent (indefinite) use or

lease, as well as to conclude contracts for the sale and purchase of forest plantations, accept forest declarations and reports on the use of forests, shall submit to the Unified State Automated Information System for Accounting of Timber and Transactions therewith within a period of no more than three working days from the date of:

1)

signing a lease agreement for a forest plot, signing a contract for the sale and purchase of forest plantations or making a decision on the provision of a forest plot on the right of permanent (indefinite) use - the information specified in paragraphs 1 - 4 of part 9 of this article;

2) acceptance of a forest declaration, a report on the use of forests - the information specified in paragraphs 5 and 6 of part 9 of this article.

13. Failure to submit or untimely submission by state authorities, local self-government bodies referred to in Part 12 of this Article, legal entities, individual entrepreneurs of the information specified in Part 9 of this Article, or submission of knowingly 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 Accounting of Timber and Transactions therewith shall be carried out in accordance with the legislation of the Russian Federation on information, information technologies and information protection and the legislation of the Russian Federation in the field of personal data.";

10) Article 81 shall be supplemented with paragraphs 415 and 416 as follows:

415) ensuring the operation of the unified state automated information system for accounting of timber and transactions with it;

416) accounting of timber harvested by citizens for their own needs in forests located on defense and security lands, lands of specially protected natural territories of federal significance.";

11) Article 82 shall be supplemented with paragraph 73 as follows:

"73) accounting of timber harvested by citizens for their own needs in forests located on forest plots owned by subjects of the Russian Federation, including on the lands of specially protected natural territories of regional significance;"

12) Part 1 of Article 83 shall be supplemented with paragraph 8 as follows:

"8) accounting of timber harvested by citizens for their own needs in forests located on the lands of the forest fund.";

13) Part 1 of Article 84 shall be supplemented with paragraphs 7 and 8 of the following content:

"7) accounting of timber harvested by citizens for their own needs in forests located on forest plots that are in municipal ownership;

8) submission of information to the unified state automated information system for accounting of timber and transactions with it.";

14) Article 991 shall be supplemented with the following content:

"Article 991. Seizure of illegally harvested timber and tools for illegal logging

1. Illegally harvested wood, vehicles and other tools of illegal logging shall be subject to gratuitous seizure and confiscation in accordance with the procedure established by the legislation of the Russian Federation.

2. The seized or confiscated wood referred to in Part 1 of this Article shall be subject to storage, sale or, in the event of loss of quality or other consumer properties, disposal in accordance with the procedure established by the Government of the Russian Federation."

Article 2

To amend the Code of Administrative Offences of the Russian Federation (Collected Legislation 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, Articles 762, 763; No 13, Art. 1075, 1077; No 19, art. 1752; No 27, Articles 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; No 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, Articles 6327, 6341, 6343) with the following amendments:

1) Article 8.281 shall be supplemented with the following content:

"Article 8.281. Violation of the requirements of forest legislation on accounting for timber and transactions with it

1. Failure to submit or late submission of a declaration on timber transactions, as well as submission of knowingly false information in the declaration on timber transactions

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entails the imposition of an administrative fine on officials in the amount of five thousand to twenty thousand rubles; for persons engaged in entrepreneurial activities without the formation of a legal entity - from seven thousand to twenty-five thousand rubles; on legal entities - from one hundred thousand to two hundred thousand rubles.

2. Failure to submit or untimely submission by officials of authorized bodies of state power, local self-government bodies of information to the unified state automated information system for accounting of wood and transactions with it, as well as submission of knowingly false information to the unified state automated information system for accounting of wood and transactions with it -

entails the imposition of an administrative fine in the amount of five thousand to twenty thousand rubles.

3. Violation of the procedure for accounting for timber -

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

4. Violation of the requirements of forest legislation in terms of mandatory labeling of wood -

entails the imposition of an administrative fine on officials in the amount of thirty thousand to forty thousand rubles with or without confiscation of wood; on legal entities - from three hundred thousand to five hundred thousand rubles with or without confiscation of wood.

5. Transportation of timber without an accompanying document issued in accordance with the procedure established by forest legislation -

entails the imposition of an administrative fine on officials in the amount of thirty thousand to fifty thousand rubles with or without confiscation of wood and (or) vehicles that are the instrument of committing an administrative offense; on legal entities - from five hundred thousand to seven hundred thousand rubles with or without confiscation of wood and (or) vehicles that are an instrument for committing an administrative offense.";

2) the first paragraph of Article 19.7 after the words "Article 6.16," shall be supplemented with the words "Parts 1, 2 and 4 of Article 8.281";

3) Part 1 of Article 23.1 after the words "Part 2 of Article 8.28," the words "Article 8.281" shall be supplemented;

4) in Part 2 of Article 28.3:

a) item 1 after the words "Article 8.28," shall be supplemented with the words "part 5 of Article 8.281"; (As amended by Federal Law of 21.07.2014 No 277-FZ)

b) item 12 after the words "part 1 of Article 7.12," shall be supplemented with the words "part 4 of Article 8.281";

c) item 32 after the words "part 2 of Article 8.28," shall be supplemented with the words "parts 3 and 5 of Article 8.281";

d) to be supplemented with paragraph 321 as follows:

"321) officials of the federal executive body that is the operator of the unified state automated information system for accounting of timber and transactions therewith, and its territorial bodies - on administrative offenses provided for by parts 1, 2 and part 4 (within their powers) of Article 8.281 of this Code;"

Article 3

1. This Federal Law shall enter into force on February 1, 2014, except for the provisions for which this Article establishes other terms for their entry into force.

2. Paragraphs seven to eleven of Clause 8 of Article 1 of this Federal Law shall enter into force on July 1, 2014.

3. Clauses 2, 6, 7, paragraphs twenty-one, twenty-two, twenty-five to twenty-seven of Clause 9, paragraph three of Clause 10, Clauses 11 to 13 of Article 1, paragraphs eleven and twelfth of Clause 1, Clause 3, subclauses "a" and "c" of Clause 4 of Article 2 of this Federal Law shall enter into force on January 1, 2015.

4. Paragraphs six, twelfth to twenty-three of Item 8, paragraphs nineteen and twenty of Item 9 of Article 1, paragraphs five to ten of Item 1, Item 2, Subitems "b" and "d" of Item 4 of Article 2 of this Federal Law shall enter into force on July 1, 2015.

5. Paragraphs three and four of Clause 1 of Article 2 of this Federal Law shall enter into force on January 1, 2016.

6. Until January 1, 2016, persons exporting timber from the Russian Federation, along with submitting a declaration on timber transactions in electronic form, shall submit it to the customs authorities in hard copy.

President of the Russian Federation Vladimir Putin

The Kremlin, Moscow

December 28, 2013

No 415-FZ
