Content

Title：	Regulations Governing the Establishment and Management of Forest Recreation Areas Ch
Date：	2005.07.08
Legislative：	1.Promulgated on January 21, 1989. 2.Amendment to Articles 4, 5, 16~18, 20, 22 promulgated on December 6, 2000. 3.Amendment to all Articles promulgated on July 8, 2005.
Content：	Article 1 These Regulations are enacted pursuant to the provisions of Paragraph 1, Article 17 of the Forestry Act. Article 2 For purposes of the Regulations, a forest recreation area refers to an educational and entertainment area in the forest approved by the competent authorities at central government to be established for protection of landscape, conservation of forest ecosystem, and provision of ecotourism, leisure, educational/recreational activities, environmental education and natural experiences to tourists. Educational/recreational facilities refer to the facilities and amenities approved by the competent authorities to be installed in a forest recreation area for provision of educational/recreational activities, food and accommodations and services to tourists. Article 3 A forest recreation area may be established in a forest in either of the following circumstances: 1.The forest environment is of great academic, historical and ecological importance for purposes of education; or 2.The area has unique forests, geography, geology, wildlife and climate. A forest recreation area in the preceding paragraph shall have an area of not less than fifty (50) hectares and have the potential for development. Article 4 To establish a forest recreation area, the owner(s) of the forest shall prepare a planning guideline, specifying the following information, to be submitted to the competent authorities at special municipality directly under the Executive Yuan or county/city government for preliminary review before being forwarded to the competent authorities at central government for approval and announcement of its location and area: 1.Summary of the educational/recreational resources in the forest; 2.Land area to be utilized and location map; 3.Ownership certification of the land or consent to land utilization; 4.Description of the current status of land zoning control in the urban

planning or
regional planning;
5.Objectives of the area and description of the planning of land utilization area
under Article 8; and
6.Description of major educational/recreational facilities.

Article 5
After announcement of the location and area of a forest recreation area to be established, the applicant shall within one (1) year after approval of an environmental impact evaluation review prepare a forest recreation area plan (as enclosed) and submit the plan to the competent authorities at special municipality directly under the Executive Yuan or county/city government for review before forwarding the approved plan to the competent authorities at central government for review before the plan can be implemented. The review procedure applies to any changes in the plan.
The plan of educational/recreational facility area shall incorporate a comprehensive and holistic design plan for major educational/recreational facilities, a plan for preservation of natural landscape/cultural heritage and water and soil conservation, and safety measures. The total area for the facilities shall not exceed 10% of a forest recreation area.
The forest recreation area plan shall be reviewed at least once every ten (10) years.

Article 6
If a forest recreation area is located in the state-owned forest land, application of the plans in the preceding two articles may directly be submitted to the competent authorities at central government for review. The competent authorities at special municipality directly under the Executive Yuan or county/city government where the area is located shall be notified upon approval of plans by central government.

Article 7
If the applicant fails to prepare the plan according to Article 5, and fails to submit the plan within the period specified by the competent authorities at central government, the announcement of the location and area of the forest recreation area will be revoked.
If the applicant fails to implement the plan according to the approved plan, and fails to rectify the failure within the period specified by the competent authorities at central government, the approval of the forest recreation area plan will be revoked by public announcement.
If establishment of a forest recreation area becomes unnecessary after announcement of the location and area thereof, the applicant shall describe the reason to the competent authorities at central government and the announcement of the location and area of the forest recreation area will be revoked.

Article 8
A forest recreation area may be divided into the following areas for utilization. If a forest is designated as conservation forest, the area

shall be operated in accordance with the provisions of the Regulations pertaining to conservation forests.
1.Plantation area;
2.Educational/recreational facility area;
3.Landscape protection area; and
4.Forest ecosystem conservation area.

Article 9
The plantation area is mainly for planting and maintenance of natural forest and plantation. Growing and replacement of trees in the area shall conform to the principles of forest aesthetics and ecology.
If replacement of trees in the plantation area becomes necessary due to deterioration of forest, clear cutting may be implemented for replacement. The total area for replacement in a year shall not exceed one-thirtieth (1/30) of the forest area, and the clear cutting area in each replacement area shall not exceed three (3) hectares. All cutting areas shall be separated if possible by using the screening method and the replacement shall be completed within the year following the cutting. If selection cutting is implemented, the cutting percent shall not exceed thirty percent (30%) of the conserved woods currently in the plantation area. However, if replacement is required due to disease and/or pest hazards, information of the damaged forest, emergency plan, area and cutting percent shall be reported to the competent authorities at central government for approval.
Trails, pavilions and facilities for sanitation, security, guidance/education, and conservation and maintenance of operation of forest and resources may be established in the plantation area if necessary.

Article 10
The educational/recreational facility area is mainly for provision of ecotourism, leisure, educational/recreational activities, environmental education and natural experiences to tourists.
The styles and colors of the buildings and facilities in the educational/recreational facility area shall be harmonious to the surroundings and the construction materials shall be bamboo, wood, stone or other green materials if possible.

Article 11
The landscape protection area is mainly for maintenance of natural landscape/cultural heritage and the natural landscape shall be completely preserved.
If replacement of trees in the landscape protection area becomes necessary due to deterioration of forest, selection cutting shall be implemented for replacement. The cutting percent shall not exceed ten percent (10%) of the conserved woods currently in the landscape protection area. However, if replacement is required due to disease and/or pest hazards, information of the damaged forest, emergency plan, area and cutting percent shall be reported to the competent authorities at central government for approval.
Trails, pavilions and facilities for sanitation, security, and guidance/education may be established in the landscape protection area if necessary.

Article 12
The forest ecosystem conservation area is for preservation of the ecosystem in the forest and propagation of rare flora and fauna. No tourist access shall be permitted without consent by competent authorities at central government. All activities that may change or destruct the original natural condition of the area are strictly prohibited.

Article 13
The rate of fees collected by the forest recreation area administration for environmental beautification, cleaning and maintenance, and utilization of educational/recreational facilities shall be published at conspicuous place.

Article 14
The applicant of a forest recreation area shall invest in construction of recreational facilities in accordance with the approved plan. Prior to commencement of operation of the forest recreation area, an application enclosed with documents such as photocopies of the occupancy permit of major recreational facilities shall be submitted to the competent authorities at central government for joint review with relevant government agencies before an application for business registration shall be filed.

Article 15
A report shall be submitted to the competent authorities at central government for recordation within one (1) month after commencement of operation of a forest recreation area. The same procedure shall apply to suspension, cancellation, resumption and assignment of business of the area.

Article 16
When there is an apprehension of danger in a forest recreation area due to natural disaster or other cause, the manager/operator shall immediately publish a sign of warning and closure of area at conspicuous place to prohibit tourists from entering the area. If there is an apprehension of danger of facilities to tourists, the manager/operator shall immediately close off the facilities and put a notice at conspicuous place.

Article 17
The competent authorities at central government, special municipality directly under the Executive Yuan or county/city government, joined by competent authorities with special purposes, shall jointly examine the facilities in the forest recreation area and the business activities thereof on a regular and/or random basis. If any violation of these Regulations or other applicable laws is found, the competent authorities shall demand rectification within specified period. Failure to rectify the violation within the specified period is subject to penalty in accordance with applicable law and the competent authorities at central government may nullify the approval.
If there is an apprehension of danger in the conditions described in the

	preceding paragraph, the authorities may demand closure of part or all of the facilities in the area. Article 18 The competent authorities at central government may give awards to operators of a forest recreation area or recreational facilities with outstanding performance. Article 19 These Regulations shall come into force on the day of promulgation.
Attachments：	Attachment：Forest Recreation Area Plan.doc

Data Source：MINISTRY OF AGRICULTURE Laws and Regulations Retrieving System