

ANNEX 2

Act of 13 October 1995 - Hunting Law (cons. text: OJ of 2017, item 1295 as amended)

Chapter 3 **Hunting management rules**

Article 8

1. Hunting management is carried out in hunting districts by leaseholders or managers.
2. Hunting management shall be carried out in accordance with the rules laid down in this Act, on the basis of annual hunting plans and multiannual farm and hunting plans.
(...)

Article 8a

1. The annual hunting plan shall be drawn up for the period from 1 April to 31 March of the following year (hunting year) and shall be based in particular on the inventory of animals.
2. The inventory of animals shall be carried out by leaseholders or managers of hunting districts by 10 March each year and shall include an estimate of the numbers of wild game present, excluding migratory game birds, as at 10 March of the year in which the annual hunting plan is drawn up, by species, by large animal and by small animal and, in the case of large animals other than wild boar, by individual animal up to one year old and by sex.
3. The competent Forest District Managers of the State Forests and a representative of the competent chamber of agriculture may take part in the preparation of the inventory of animals. The lessee or the manager of the hunting area shall notify the competent Forest District Managers of the State Forests and the competent agricultural chamber of the place and date of the animal inventory. The failure of the representative of the competent chamber of agriculture to appear shall not suspend the drawing up of the inventory.
4. An inventory of the animals shall be made on a form.
5. The annual hunting plan shall be drawn up on a form.
6. The annual hunting plan shall include:
 - 1) general data:
 - a) the number of the hunting district, its area in hectares, including the area of forest land and the area after the exclusions referred to in Article 26,
 - b) the name of the region and poviat, the name and address of the forest inspectorate and the regional directorate of the State Forests in which the hunting district is situated, the name and address of the district board of the Polish Hunting Association in whose area the hunting district is situated and the name and address of the tenant or manager of the hunting district,
 - c) the date on which the annual hunting plan was drawn up and an indication of the hunting economic year for which it was drawn up,
 - d) the name and signature of the person authorised to represent the tenant or hunting region manager;
 - 2) data on the development of the hunting district and on hunting damage:

a) the number of persons employed under the employment contract, including the total number of posts, the number of persons employed otherwise than under the employment contract or designated for hunting related tasks,

b) the number of devices involved in hunting management, broken down by type (feeders, licks, pulpits, aviaries, pens and others),

c) the number and overall length of barrier webbing in kilometres,

d) the area sown or planted with standing crops (hunting grounds) and the area developed by the lessee or manager of the hunting district of the mid-forestry and forestry meadows, expressed in hectares,

e) the weight and type of feed (dry by volume, succulent by volume, concentrated) and the weight of salt fed to the animal, expressed in tonnes,

f) the scale of damage caused to crops and crops by wild boars, elks, deer, fallow deer and roe deer,

g) costs incurred in hunting activities, expressed in thousands of zlotys;

3) information on revenues from the sale of carcasses of cervid animals in the hunting region;

4) data on wild game in the hunting district, defined separately for each species of wild game:

a) the estimated number of wild game, excluding migratory game, present on 10 March of the year in which the annual hunting plan is drawn up, by species, by large animal and by small animal and, for large game excluding wild boar, by individual animal up to one year old and by sex,

b) the planned numbers of large animals on the day before the start of the period of hunting for that animal,

c) the number of wild game to be inhabited during the hunting marketing year for which the annual hunting plan is drawn up,

d) the number of wild game to be caught by shooting and harvesting during the hunting marketing year preceding the hunting marketing year for which the annual hunting plan is drawn up,

e) the number of wild game caught by hunting and trapping during the hunting marketing year preceding the hunting marketing year for which the annual hunting plan is drawn up,

f) the number of losses of game during the hunting marketing year preceding the hunting marketing year for which the annual hunting plan is drawn up, for reasons other than those referred to in point (e),

g) the number of wild game present in the hunting year preceding the hunting year for which the annual hunting plan is drawn up, as constituted on 10 March of the year in which the annual hunting plan is drawn up,

h) the number of wild game, excluding boars, to be hunted during the hunting year for which the annual hunting plan is drawn up, taking into account optimal management of the populations of wild game, broken down by individual animal up to one year of age and by sex in the case of large game, and by selection and by individual animal in the case of male wild game,

i) the minimum and maximum number of wild game, excluding boars, to be hunted during the hunting economic year for which the annual hunting plan is drawn up, taking into account that the hunting takes place within a range:

- between 90% and 110% of the figure referred to in point (h) in the case of large wild game,

- between 85% and 115% of the number referred to in point (h), in the case of small animals

- rounded off to the nearest whole number, assuming that the decimal places to 49 are rounded down and the decimal places to 50 are rounded up,

j) the minimum number of boars to be hunted during the economic year in question.

7. The data referred to in paragraph 6(2) and the information referred to in paragraph 6(3) shall be given under separate headings presenting the state:

1) planned for implementation in the hunting economic year preceding the hunting economic year for which the annual hunting plan is drawn up;

2) resulting from the implementation of the annual hunting plan in force during the hunting marketing year preceding the hunting marketing year for which the annual hunting plan is drawn up;

3) actual for the 10th of March of the year in which the annual hunting plan is drawn up;

4) planned for implementation in the hunting economic year for which the annual hunting plan is drawn up.

8. The number of losses of game referred to in paragraph 6(4)(f), with the exception of sanitary shooting under the provisions on the protection of animal health and the control of contagious animal diseases, shall be included in the number of wild game referred to in paragraph 6(4)(e).

9. The annual hunting plan shall be drawn up by the tenant of the hunting district, after consultation with the competent mayors and the relevant chamber of agriculture, and shall be subject to the endorsement of the competent Forest District Manager of the State Forests in consultation with the Polish Hunting Association. If a hunting district is located within the boundaries of more than one forest district, the annual hunting plan for that district shall be approved by the Forest District Manager responsible for the area in which the largest part of that district is situated.

10. The annual hunting plan of the non-leased hunting district shall be drawn up by the manager in consultation with the Polish Hunting Association and the relevant mayors, and shall be subject to endorsement by the Director of the Regional Directorate of the State Forests. Where the non-leased hunting district is situated within the boundaries of more than one regional Directorate of State Forests, the annual hunting plan for that district shall be approved by the Regional Director of the State Forests competent for the area in which the largest part of the district is situated.

11. Annual hunting plan for the hunting district:

- 1) adjacent to the national park is additionally consulted by the Director of the national park;
- 2) in which a fishing farm area is located, requires an additional opinion, regarding the hunting of muskrats and coots, issued by persons entitled to fish, referred to in Article 4(1) of the Act of 18 April 1985 on inland fishing (Journal of Laws of 2015, item 652, and of 2017, item 60 and 1566).

12. The annual hunting plan shall be submitted for endorsement no later than 21 March of the year concerned together with the opinions referred to in paragraphs 9-11.

13. The endorsement or refusal to endorse of the annual hunting plan shall take place within seven days of its submission.

14. The endorsement of the annual hunting plan may be refused, in whole or in part, if the plan:

- 1) does not meet the requirements laid down by law;
- 2) contains data which do not guarantee the achievement of the objectives laid down in the multiannual farm and hunting plan.

15. The refusal of the endorsement of the annual hunting plan, in whole or in part, may be appealed to:

- 1) the Regional Director of the State Forests - in the case referred to in paragraph 9;
- 2) the General Director of the State Forests - in the case referred to in paragraph 10.

16. The appeal is subject to consideration within 7 days from the date of its filing.

17. In case of the refusal to endorse a part of the annual hunting plan, the endorsed part of the plan shall be implemented; the non-endorsed part shall be revised. For the endorsed part of the plan, provisions of paragraphs 1 and 5-16 shall apply *mutatis mutandis*.

18. The annual hunting plan may be amended.

(...)

Article 8c

1. A multiannual farm and hunting plan shall be drawn up for neighbouring hunting districts of similar natural conditions (farm area) for a period of 10 consecutive hunting economic years.

2. The multiannual farm and hunting shall be drawn up on a form.

3. The multiannual farm and hunting shall consist of:

1) a general part, including:

a) general data:

- the date on which the multiannual plan was drawn up,
- name, surname and signature of the director of the Regional Directorate of the State Forests,

b) farm area data:

- name of voivodship, names of forest districts and numbers of hunting districts,
- area expressed in hectares, including the area of forest land,
- the names of the wild game species present in the area,
- a description of the sexual structure of the large animals present,
- a description of the age structure of the males of the cervid animals present,
- the name of the species and the estimated abundance of the predators present;

2) a detailed part, including

a) categories of hunting districts,

b) the number of elk, deer, fallow deer, mouflon and boar per 1000 ha and the number of plants, hares and partridges per 100 ha as at the date of the preparation of the multiannual plan, including elk and deer also in relation to forest land and hares and partridges also in relation to field land,

c) the development status of the farm area:

- the number and type of facilities involved in hunting activities, as referred to in Article 8a(6)

(2)(b),

- the area of the hunting grounds, expressed in hectares,

- area developed by lessees or managers of hunting districts of mid-forest and forest meadows, expressed in hectares,

- the number of barrier strips and their overall length in kilometres,

d) tasks concerning the management of hunting districts for the duration of the multiannual plan,

e) target number of elk, deer, fallow deer and mouflon per 1000 ha, maximum number of boars per 1000 ha and target number of deer per 100 ha, including elk and deer per 1000 ha of forest land.

4. The data referred to in paragraph 3(1)(b) the second, third, fifth and sixth indents and point 2 shall be provided separately for each of the hunting districts composing the farm area.

5. The multiannual farm and hunting plan shall be drawn up by the Regional Director of the State Forests in consultation with the competent Marshals of the Voivodships and the Polish Hunting Association, after consultation with the competent chambers of agriculture.

6. The multiannual farm and hunting plan shall be endorsed by the General Director of the State Forests.

7. The endorsement of the farm and multiannual hunting plan may be refused if the plan does not meet the requirements laid down by law or contains data which do not guarantee the achievement of the hunting objectives set out in Article 3.

8. The refusal of the endorsement of the annual hunting plan, may be appealed to the minister responsible for the environment.

9. The multiannual farm and hunting plan may be amended.

(...)

Article 8d

The provisions of the Act of 14 June 1960 - Code of Administrative Procedure (Journal of Laws of 2017, item 1257, and of 2018, items 149 and 650) shall not apply to the approval of annual hunting plans and multiannual farm and hunting plans.