**Assignment 1: Identifying information obligations and administrative activities**

**LAW, of April 16, 2004, about nature protection**

**Article 83**

1. Removal of trees or shrubs from the property may take place subject to paragraph 2, after obtaining the permit issued by the commune head, mayor or city ​​president at the request of the property owner. If the holder is not movable property is not the owner - the application is accompanied by the consent of its owner.

2. Permission to remove trees or shrubs from the real estate area entered to the register of monuments, is issued by the voivodeship conservator.

3. The issuance of the permit referred to in paragraph 1 and 2, may be dependent on replanting trees or shrubs to the place indicated in the permit or replacing them with other trees or shrubs, no number smaller than the number of removed trees or shrubs.

4. The application for the permit should contain:

1) the name, surname and address or name and registered office of the holder and owner of the real estate;

2) legal title to own real estate;

3) the name of the species of tree or bush;

4) perimeter of the tree trunk measured at a height of 130 cm;

5) the destination of the area on which the tree or bush grows;

6) the reason and date of the deliberate removal of a tree or bush;

7) the size of the area from which the shrubs will be removed.

5. Issuing a permit to remove trees or shrubs in the protected landscape areas within the boundaries of the national park or nature reserve, obtaining the consent of the director of the national park or the authority recognizing the area as a nature reserve, respectively.

6. The provisions of para. 1 and 2 shall not apply to trees or shrubs:

1) in forests;

2) fruit, with the exception trees or shrubs growing in the property entered to the register of monuments and within the borders of a national park or reserve nature - in areas not covered by landscape protection;

3) on plantations of trees and shrubs;

4) whose age does not exceed 5 years;

5) removed in connection with the functioning of botanical or zoological gardens;

6) destroying the surface and road infrastructure, limiting the visibility on curves and intersections, excluding those growing in property entered in the register of monuments;

7) removed based on the decision of the competent authority from embarkments for flood protection and areas less than 3 meters from the embankment foot;

8) which hinder the visibility of signalling devices for trains, hinder the operation of railway equipment or cause the formation of snowdrifts on railway tracks, removed based on the decision of the competent authority;

9) constituting air obstacles removed based on a decision of the competent authority.

**Art. 84**

1. The property owner bears the fees for removing trees or shrubs.

2. Fees shall be charged and collected by the authority competent to issue the removal permit trees or shrubs.

3. Fees for removal of trees or shrubs are determined in the issued permit.

4. The competent authority issues a permit to remove trees or shrubs for a period of 3 years from the day of issuing the permit, the deadline for payment of their fee removal of the permit provides for replanting or replacing trees or shrubs.

5. If replanted or newly planted trees or shrubs have survived after 3 years from the date of replanting or planting or not survived for reasons beyond the owner's control, the amount due for the agreed fee for the removal of trees or shrubs is subject to cancellation by the authority competent to charge and collect fees.

6. Fees for removal of trees or bushes, related to the construction of public roads, is reduced by the costs incurred to create new plantings instead of the removed trees or bushes, within the boundaries of the road lane.

**Art. 85**

1. The fee for removal of trees is determined on the basis of a rate depending on the circumference trunk and the type and species of the tree.

2. Rates for fees for tree removal may not exceed one centimetre of circumference trunk measured at a height of 130 cm:

1) 270 PLN - with a circumference of up to 25 cm;

2) 410 PLN - with a circumference of 26 to 50 cm;

3) 640 PLN - with a circumference of 51 to 100 cm;

4) 1000 PLN - with a circumference of 101 to 200 cm;

5) 1500 PLN - at the circumference from 201 to 300 cm;

6) 2,100 PLN - with a circumference of 301 to 500 cm;

7) 2,700 PLN - with a circumference of 501 to 700 cm;

8) 3500 PLN - with a circumference of over 700 cm.

3. If the tree is forked at an altitude below 130 cm, each trunk is treated as a separate tree.

4. The minister responsible for environmental matters shall specify, by way of a regulation:

1) rates for particular types and species of trees,

2) coefficients differentiating rates depending on the trunk circumference - guided by the varied production costs of individual types and tree species and increment sizes of tree trunks.

5. The rate for removing one square meter of the surface covered with shrubs are fixed at 200 zlotys.

6. Fees for removal of trees or shrubs from the area of ​​health resorts, the protection area for health resort, the area of ​​real estate entered in the register of monuments and greenery areas are 100% higher than fees set on the basis of rates for which paragraph 4 point 1 and paragraph 5.

7. The rates referred to in paragraph 2, par. 4 point 1 and paragraph 5 shall be subject to indexation on 1 January every year with the forecasted average annual price index ‘Total value of goods and services’, as adopted in the Budget Act.

8. Minister competent for the environment, by 31 October annually, announces, by way of a notice in the Official Gazette of Poland "Monitor Polski", the rates referred to in paragraph. 7 and art. 89 paragraph 8.

**Assignment 2: additional information on the information obligation**

The obligation to ask for permission before a tree of shrub is removed, doesn’t have any ground in International regulations. It is also an obligation that businesses would not do themselves if not required by law. In the table below the nine different types of IO’s are described.

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Type of OI** | **Description** | **Examples** |
| 1 | Ubieganie się o zezwolenie lub zwolnienie | Dotyczy wszystkich wniosków związanych z określonymi działaniami, w tym prowadzenie konkretnej działalności | - Pozwolenie środowiskowe - Pozwolenie na budowę - Licencja bankowa |  |  |
| 2 | Certyfikacja | Oznacza wnioski o certyfikację określonych osób, procesów lub produktów. Pociągają za sobą działania mające na celu uzyskanie, utrzymanie i zapewnienie certyfikatów. | - Certyfikaty CE  - ISO jeśli wymagane prawem |
| 3 | Rejestracja | Przechowywanie informacji w i/lub dostarczanie informacji do rejestru zgodnie z wymogami prawnymi. | - Wpis do Rejestru Centralnego - Konta nawożenia - Rejestry odwiedzających |
| 4 | Notyfikacja | Powiadomienie o określonych wydarzeniach lub działaniach | - Transport niebezpiecznych ładunków - Wypadki przemysłowe |
| 5 | Sprawozdawczość | Przekazywanie administracji informacji na temat prowadzonej firmy, zgodnie z wymogami prawnymi, z wyłączeniem statystyki (pkt 9). | - Roczne sprawozdania finansowe - Deklaracje podatkowe |
| 6 | Informowanie stron trzecich | Udostępnianie innym niż administracji informacji wymaganych przez prawo. Może to nastąpić poprzez trwałe oznaczenie lub w inny sposób. | - Etykiety lub tagi na produktach - Broszury finansowe - Powiadamianie pracowników o obowiązkach pracodawcy |
| 7 | Ubieganie się o pomoc publiczną | Dotyczy wszystkich wniosków o publiczną pomoc finansową w odniesieniu do określonych działań firm. | - Granty kulturalne - Subsydia rolne |
| 8 | Inspekcje | Dotyczy wszystkich działań związanych z inspekcjami, w tym współpraca z inspektorami i dostarczanie im informacji. | - Inspekcja pracy sprawdzająca warunki pracy |
| 9 | Obowiązkowe badania/ankiety | Dostarczanie informacji statystycznych w imieniu rządu lub instytucji wyznaczonej przez rząd. Nie uwzględnia kontroli zgodności z prawem. | - Dostarczenie statystyk dot. sprzedaży - Informacje dot. Inwentarzu |

**Assignment 3: using different Q’s**

The information for part 1 and 2 of this assignment is shown during the presentation.

Assignment 3.3 (fictional addition to the case)

Housing association often own many properties and often require permits for removing trees and shrubs. To reduce the burden for housing associations, they get the opportunity to apply for a permit for a period of five years without having to apply for a new permit for each new project.

The applicants need to send this information to apply for this 5-year-permit:

1) the name, surname and address or name and registered office of the holder and owner of the real estate;

2) legal title to own real estate;

3) the destination of the areas on which the tree or bush grows;

4) a general description of reasons they have for removing trees and shrubs.

Each year they need to report to the competent authority on the trees and shrubs they removed.:

1) The number of trees they removed that year per species of tree;

2) the average perimeter of the tree trunk measured at a height of 130 cm per species;

4) the size of the area from which the shrubs were removed per species of shrubs.

It is expected that about 250 large housing corporations will apply for this.

**Assignment 4: using non-standard activities**

In order to comply with the new yearly obligation, large housing associations need to keep track of the information on the trees and shrubs they remove. This is not a standard activity because the time required for this kind of activity varies greatly depending on the type and amount of information that needs to be collected.

Interviews with 4 large housing associations give the following information:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 1 | 2 | 3 | 4 |
| Function level | Office employees | Office employees | Office employees | Accountant |
| Time per year | 12 hours | 10 hours | 8 hours | 8 hours |
| External costs | 600 PLN | 1.000 PLN | 900 PLN | 1.500 PLN |

To complete the calculation of the AB it is necessary to add tariffs for all administrative activities. Standard activities do not have a standard tariff. For this exercise we assume that all activities can be done by:

* Office employees for large companies
* Qualified workers for medium companies
* Managers for small companies

**Assignment 5: Calculating reductions**

Use the AB Reduction Tree to find reduction proposals to reduce the AB for the examples we have used during the training. We discuss the possible reduction with the group and choose two for the calculation exercise.

To carry out the calculation:

* Copy the ‘PxQ-sheet’ with the information obligation.
* Change the copied PxQ-sheet according to the reduction proposals.
* Compare the results for the 2 PxQ-sheets to calculate the reduction.