



Timber



Palm Oil



Beef



Soy

Hogyan használjuk a NEPCon dokumentumtárat a kellő gondossági eljárás során

Autumn 2017

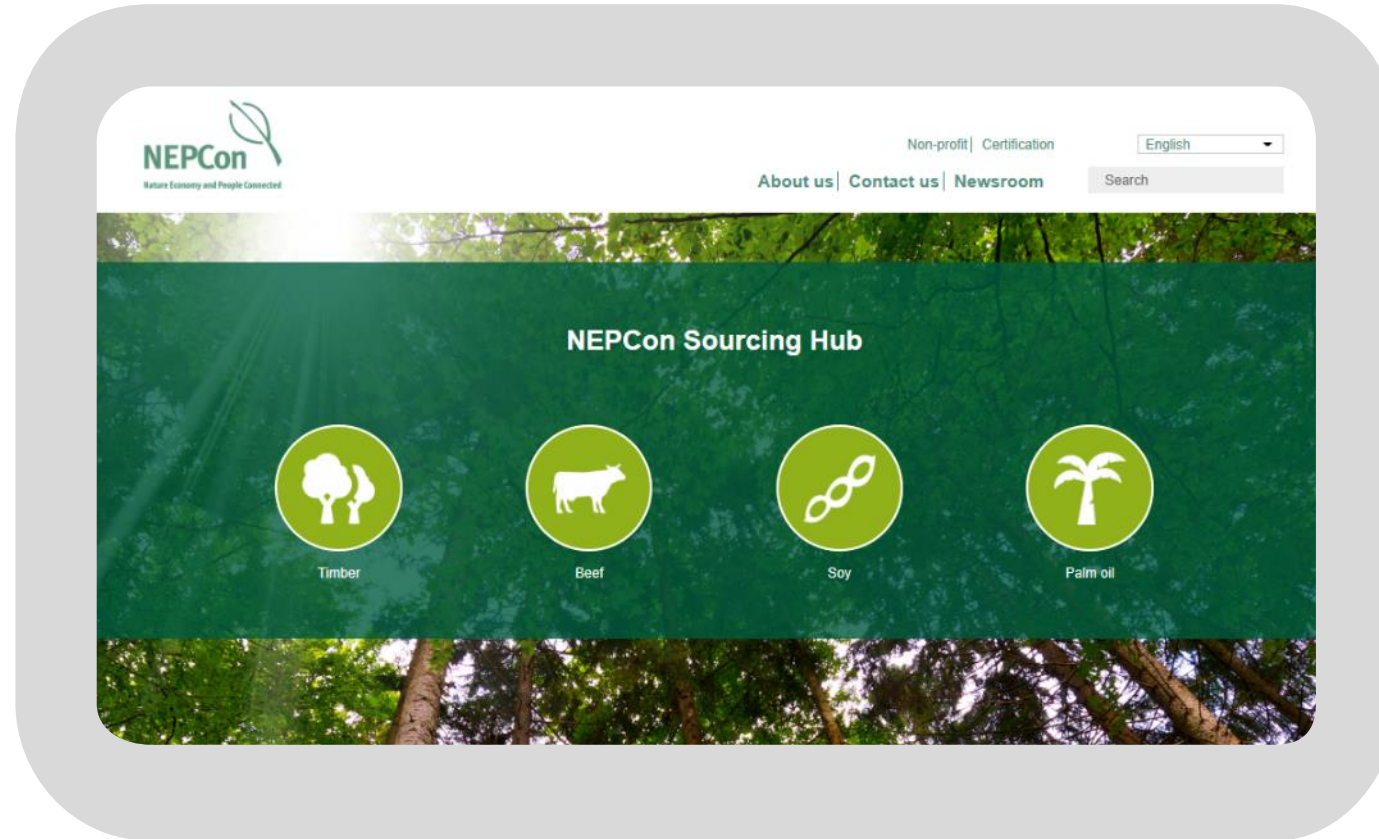


Funded by the LIFE programme of the European Union and UK Aid from the UK government. The European Commission support for the production of this publication does not constitute endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein. This material has been funded by UK aid from the UK government; however the views expressed do not necessarily reflect the UK government's official policies.



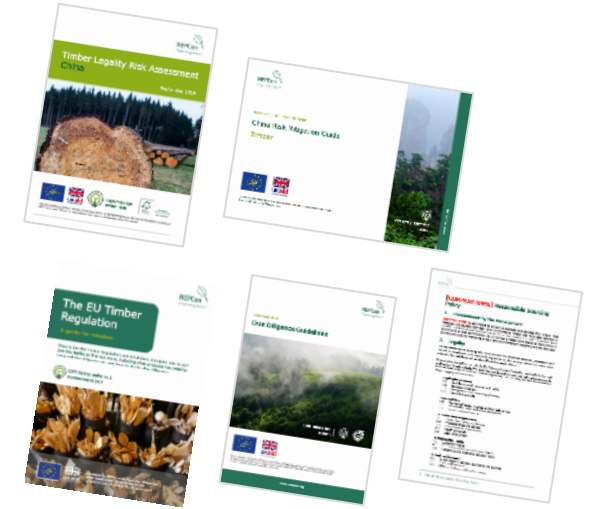
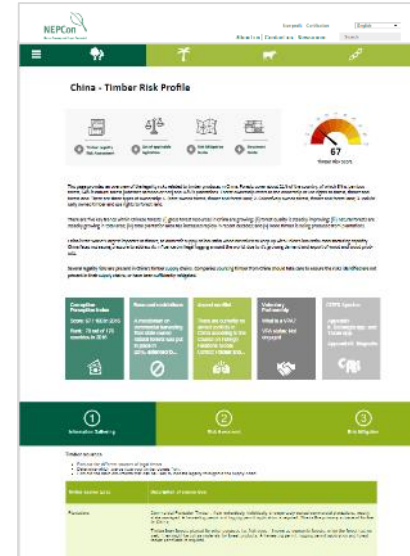
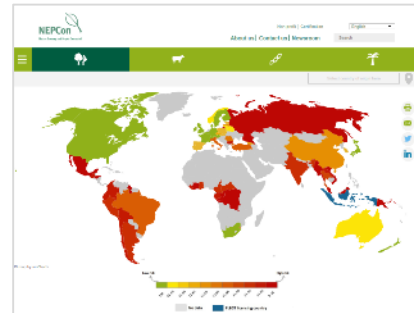
- Kockázatelemzés
- A kellő gondossági rendszer felépítése is részei
- Országspecifikus eszközök és információk
- Egyéb útmutatók

Működés 2017 augusztustól ... v1.0



www.nepcon.org/sourcinghub

Minden, amire a kellő gondossági rendszerhez szükséges, egy helyen elérhető



1

KIVÁLASZT
terméket

2

ELÉRHETŐ
egy áttekintő térkép
kockázatokról
+
KIVÁLASZT
megfelelő országot

3

MEGTEKINT
országra vonatkozó
kockázati adatok
(pl. az egyes
fatermékekkel kapcsolatos
kockázatok...)

4

FELFEDEZ
ország szintű
útmutató és
kockázat
csökkentő
eszközök

100+ ingyenes eszköz a beszerzés jogszerűségének biztosításához

Egyes országokra vonatkozó útmutatók



részletes faanyag beszerzési kockázatelemzés 62 ország esetében



az alkalmazandó jogszabályok listája bemutatja a vonatkozó jogszabályok körét az egyes országokban



a kockázatcsökkentési útmutató segítséget nyújt a beszerzési láncban felmerülő kockázatok feltárásában és csökkentésében



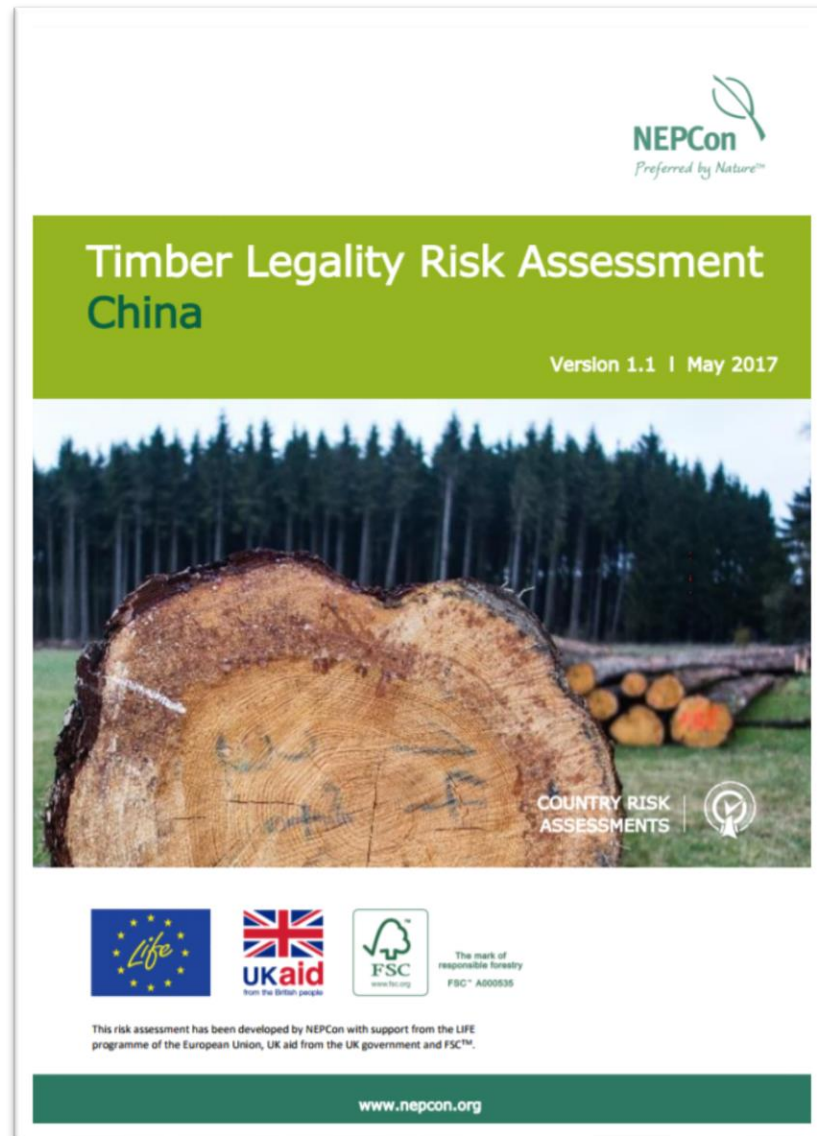
a dokumentumtár segíti annak eldöntését, hogy pontosan milyen dokumentumok szükségesek a beszállítóktól, azok hogy néznek ki és miként ellenőrizhető az eredetiségük

Kellő gondossági eszközök



- beszállítói levelek
- kellő gondossági útmutatók
- beszállító-kezelő formanyomtatványok
- kockázatellenőrző kérdéssor
- cégpolitikák
- beszállítói információk
- stb.

Kockázatelemzések...



A dokumentumtár **szíve**

Erdészeti szektor áttekintés

Információgyűjtés



Országra vonatkozó adatok amelyek segítenek meghatározni a jogszerű forrásokat



A kockázatos fajok bemutatása segíti a kockázat csökkentését



A kulcsfontosságú dokumentumok bemutatása, melyek bizonyítják a jogszerű beszerzést



Kockázatelemzés

az adott ország beszerzési láncával kapcsolatos kockázatok összefoglalója



fakitermelési jogok



adók és díjak



fakitermelési tevékenységek



harmadik személyek jogai



szállítás és kereskedelem



átláthatóság

Kockázatcsökkentés

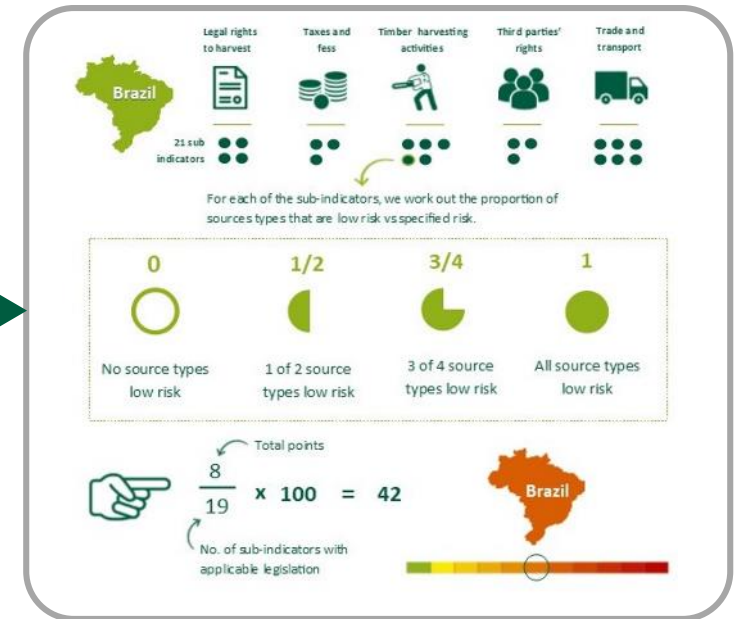
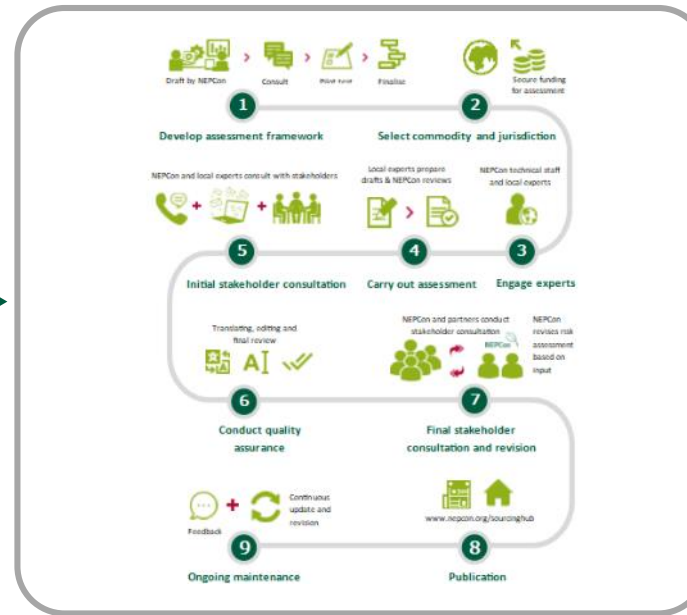
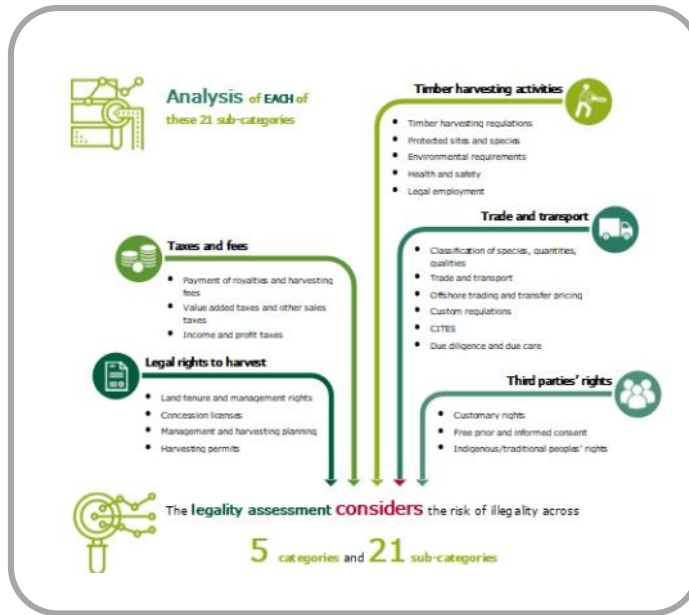


Egyértelmű instrukciók, hogy miként lehet csökkenteni a kockázatokat, melyek az adott országban felmerülnek



Átfogó kockázatcsökkentési útmutató és dokumentumtár

Kockázatelemzés – a kidolgozás lépései



KIFEJLESZTI
a kockázatelemzés
keretfeltételeit, az adott
termék esetében for the
commodity, pl. alkategóriák
definiálásával

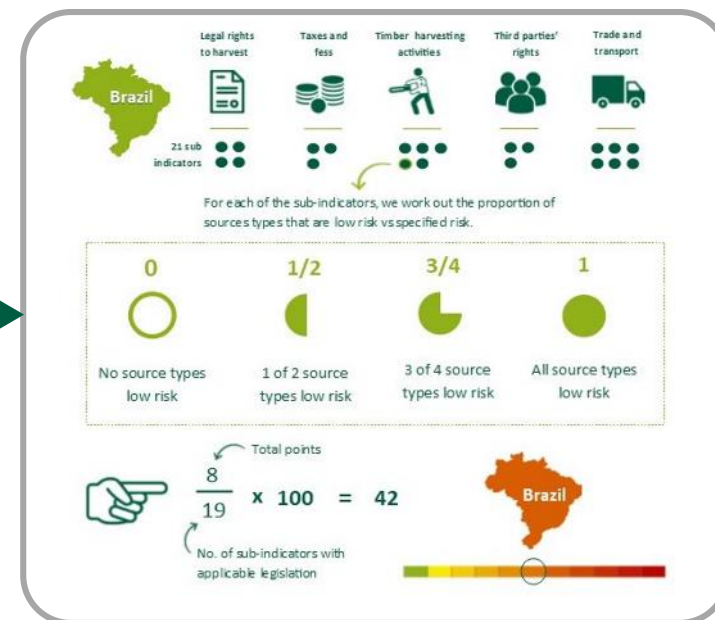
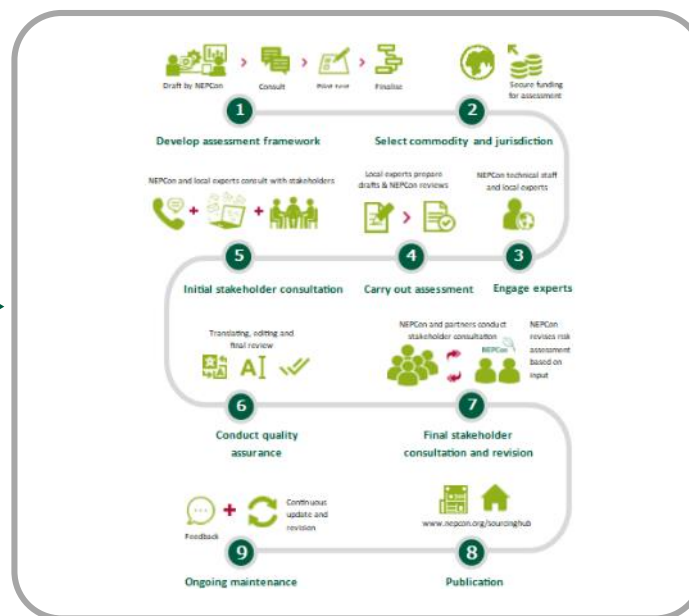
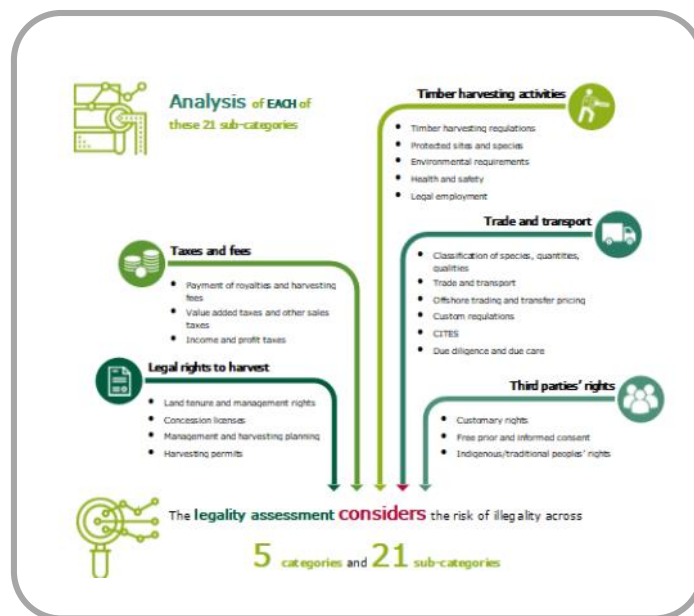
VÉGREHAJTJA
a kockázatelemzést
+
MEGÁLLAPÍTJA
a kockázatot az egyes alkategóriákban

KISZÁMÍTJA
az egyes országok
értékelését
+
SZÍNKÓDDAL
ÁBRÁZOLJA
a térképen

Részletes elemzés

	Legality category	Legality Sub-Category
	Jogszerű fakitermelés	- Földbérlet és gazdálkodó jogosultság - Koncessziós jogok - Erdőtervezés, vágásbesorolás - Fakitermelési engedély - Szállítás és kereskedelem
 - Melyek a jogilag előírt követelmények? - Ki az irányító/jogalkotó hatóság? - Milyen dokumentumok szükségesek? - Melyek a kockázata annak, hogy a jogi előírásokat nem tartják be? - Milyen kockázatcsökkentő intézkedéseket lehet alkalmazni? - Információforrások		- Adók, jogdíjak és fakitermelési járulékok megfizetése - Általános forgalmiadó és más forgalmi jellegű adók - Fakitermeléssel kapcsolatos tevékenységszabályozása
		- Fakitermelési korlátozások - Védett területek és fajok - Környezetvédelmi követelmények - Munkavédelem - Jogszerű foglalkoztatás
	Harmadik személyek jogai	- Szokásjogok - Szabad, előzetes és tájékoztatáson alapuló beleegyezés - Bennszulottek jogai
	Szállítás és kereskedelem	- Fajok, mennyiség és minőség ellenőrzése - Szállítás és kereskedelem - Offshore kereskedelem és ármegállapítás - Vámelőírások és CITES

Kockázatelemzés – a kidolgozás lépései

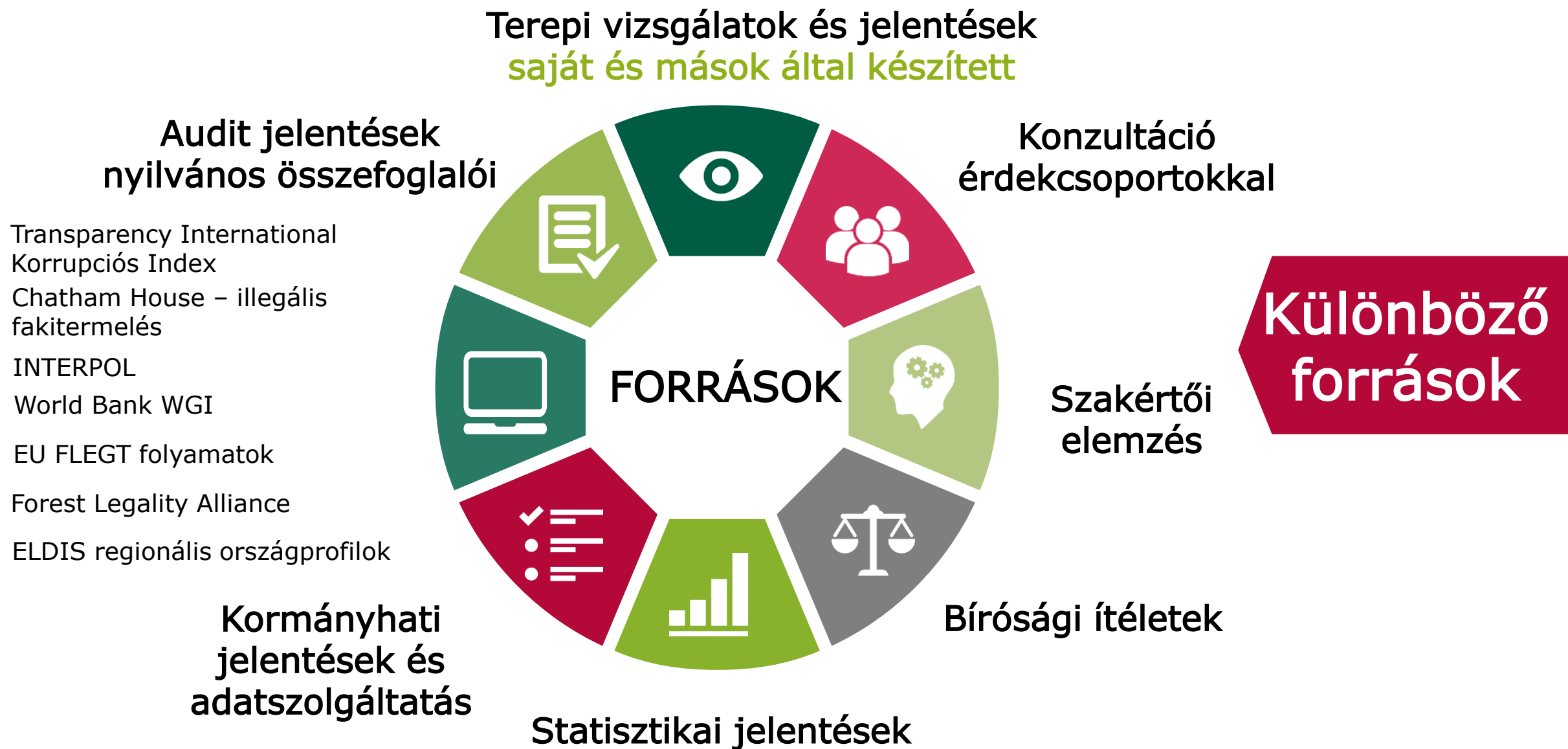


KIFEJLESZTI
a kockázatelemzés
keretfeltételeit, az adott
termék esetében for the
commodity, pl. alkategóriák
definiálásával

VÉGREHAJTJA
a kockázatelemzést
+
MEGÁLLAPÍTJA
a kockázatot az egyes alkategóriákban

KISZÁMÍTJA
az egyes országok
értékelését
+
SZÍNKÓDDAL
ÁBRÁZOLJA
a térképen

Részletes elemzés



Hogyan lehet meghatározni a kockázat szintjét?

alacsony kockázat

Problémák, amelyek:

- ideiglenesek
- nem szisztematikusak
- korlátozott hatásúak
- hatékonyan kontrollálhatók monitoring rendszeren keresztül és az hatóságok által

kifejezett kockázat

Problémák, melyek:

- jelentős területet érintenek és/vagy jelentős kárt okoznak és/vagy hosszú ideig fennmaradnak.
- a hatósági ellenőrzés hiányát vagy működésképtelenségét jelzik.
- javítása nem valósul meg határidőn belül.
- jelentős negatív hatással van a társadalomra, a fatermékek előállítására, az erdő egyéb szolgáltatásaira, az ökoszisztémára, vagy azokra a személyekre, amelyekre a fakitermelés közvetve vagy közvetlenül kihat.

A kellő gondossági rendszer

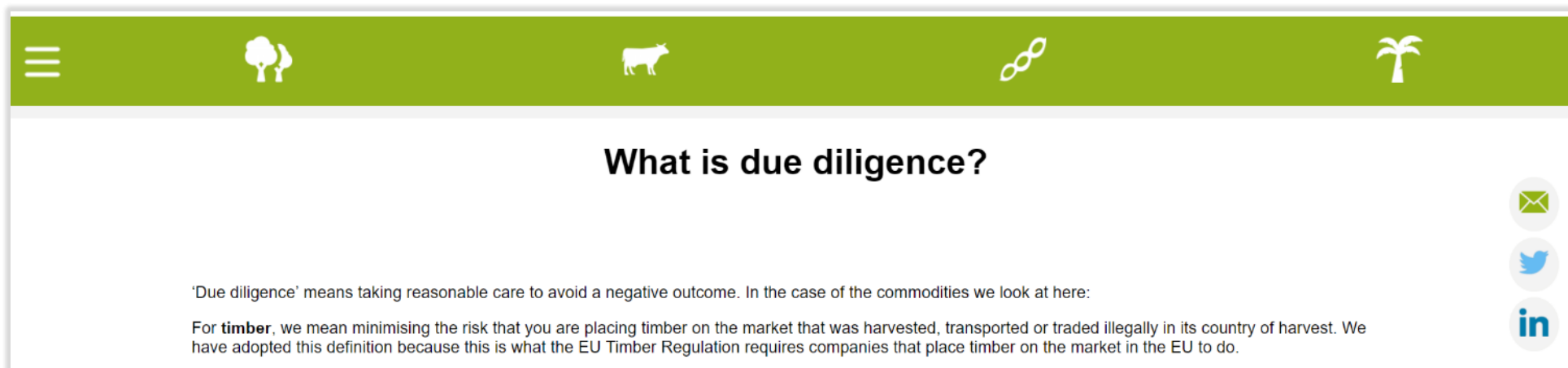
1. Minő ségbiztosítás

1. Minősegbiztosítás

A dokumentumtár széles körű információkat tartalmaz arról, hogy miként tudjuk felépíteni a saját kellő gondossági rendszerünket (DDS).

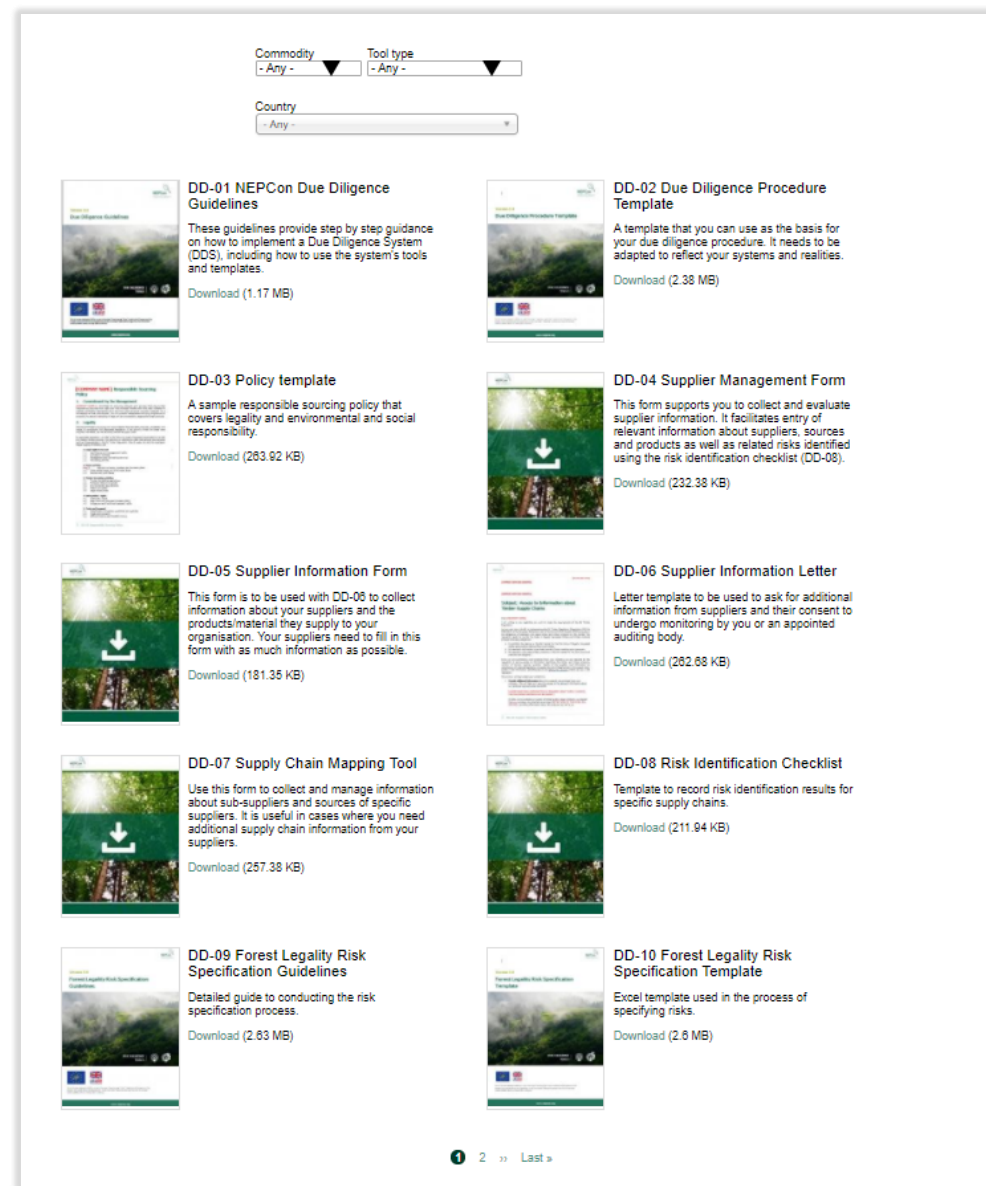
A NEPCon DDS számos **formanyomtatványt** tartalmaz, amelyek lehetővé teszik, hogy az eljárások kifejlesztése hatékony módon valósulhat meg.

Az egyes **eszközök** és **formanyomtatványok**, amelyek a kellő gondossági rendszer működtetéséhez szükségesek, letölthetők a Dokumentumtárból.



1. Minőségbiztosítás

- A teljes NEPCon kellő gondossági rendszer letöltése a dokumentumtárból
- <http://beta.nepcon.org/sourcinghub/info/what-due-diligence>

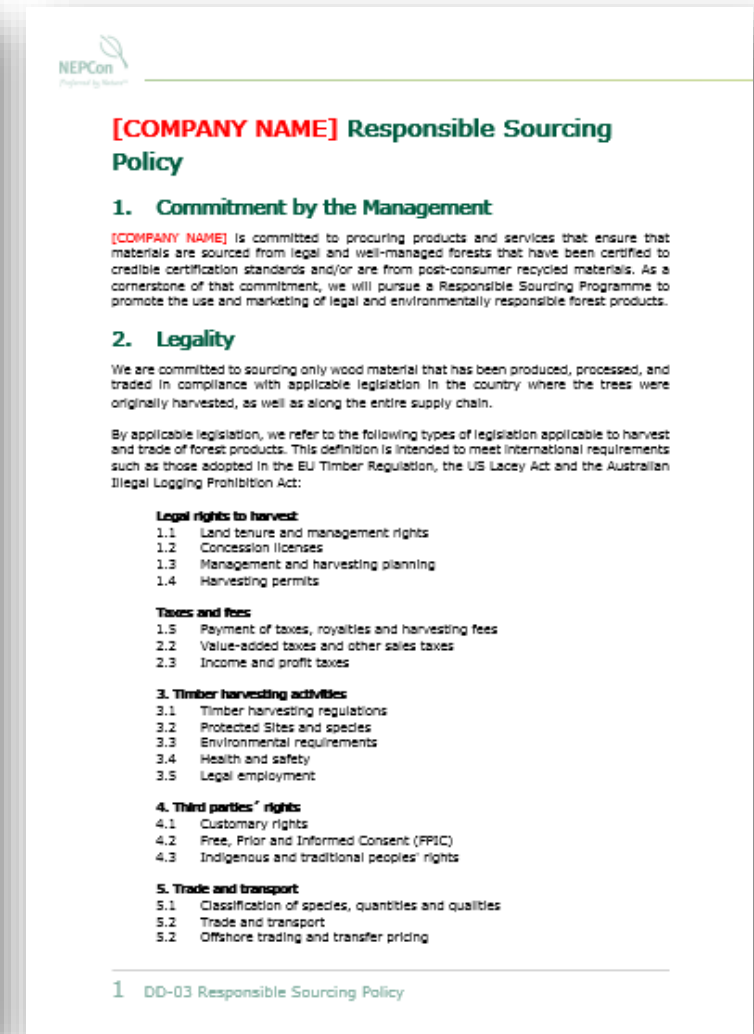


The screenshot displays the NEPCon Due Diligence Tools library interface. At the top, there are filters for 'Commodity' (set to '- Any -'), 'Tool type' (set to '- Any -'), and 'Country' (set to '- Any -'). Below the filters, ten tool cards are arranged in a 5x2 grid. Each card includes a thumbnail image, a title, a brief description, and a download link with the file size.

Tool ID	Tool Name	Description	Download Link
DD-01	NEPCon Due Diligence Guidelines	These guidelines provide step by step guidance on how to implement a Due Diligence System (DDS), including how to use the system's tools and templates.	Download (1.17 MB)
DD-02	Due Diligence Procedure Template	A template that you can use as the basis for your due diligence procedure. It needs to be adapted to reflect your systems and realities.	Download (2.38 MB)
DD-03	Policy template	A sample responsible sourcing policy that covers legality and environmental and social responsibility.	Download (263.92 KB)
DD-04	Supplier Management Form	This form supports you to collect and evaluate supplier information. It facilitates entry of relevant information about suppliers, sources and products as well as related risks identified using the risk identification checklist (DD-08).	Download (232.38 KB)
DD-05	Supplier Information Form	This form is to be used with DD-06 to collect information about your suppliers and the products/material they supply to your organisation. Your suppliers need to fill in this form with as much information as possible.	Download (181.35 KB)
DD-06	Supplier Information Letter	Letter template to be used to ask for additional information from suppliers and their consent to undergo monitoring by you or an appointed auditing body.	Download (262.68 KB)
DD-07	Supply Chain Mapping Tool	Use this form to collect and manage information about sub-suppliers and sources of specific suppliers. It is useful in cases where you need additional supply chain information from your suppliers.	Download (257.38 KB)
DD-08	Risk Identification Checklist	Template to record risk identification results for specific supply chains.	Download (211.94 KB)
DD-09	Forest Legality Risk Specification Guidelines	Detailed guide to conducting the risk specification process.	Download (2.63 MB)
DD-10	Forest Legality Risk Specification Template	Excel template used in the process of specifying risks.	Download (2.6 MB)

At the bottom right of the page, there is a pagination control showing '1 2 » Last »'.

1. Minőségbiztosítás



2. Információgyűjtés

2. Információgyűjtés

Tájékoztassuk a beszállítókat
a kellő gondossági
követelményekről & kérjük az
adatszolgáltatás teljesítését
(DD-06)



2. Információgyűjtés

- A beszállítók tájékoztatása a szükséges információkról
- Információ igénylése a beszállítói láncról
- Hozzájárulás kérése hozzáférés érdekében a szükséges bizonyítékokhoz, auditokhoz & minta szállítmányokhoz



[PLACE AND DATE]

[COMPANY NAME AND ADDRESS]

[SUPPLIER NAME AND ADDRESS]

Subject: Access to Information about Timber Supply Chains

Dear [RECIPIENT NAME],

I am writing to you regarding our work to meet the requirements of the EU Timber Regulation.

As you may know the EU is implementing the EU Timber Regulation (Regulation (EU) No 995/2010) of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market. The regulation seeks to counter the trade in illegally harvested timber and timber products through three key obligations:

1. It prohibits the placing on the EU market for the first time of illegally harvested timber and products derived from such timber;
2. EU operators and traders must keep records of their suppliers and customers.
3. EU operators who place timber products on the EU market for the first time must exercise 'due diligence'.

Since we are purchasing wood products from your company we are required by the regulation to secure access to information describing the timber and timber products, country of harvest, species, quantity, details of the supplier, and information on compliance with national legislation, to assess the risk of illegal timber in this supply chain, based on the information identified above and taking into account criteria set out in the regulation.

We are now writing to seek your consent to:

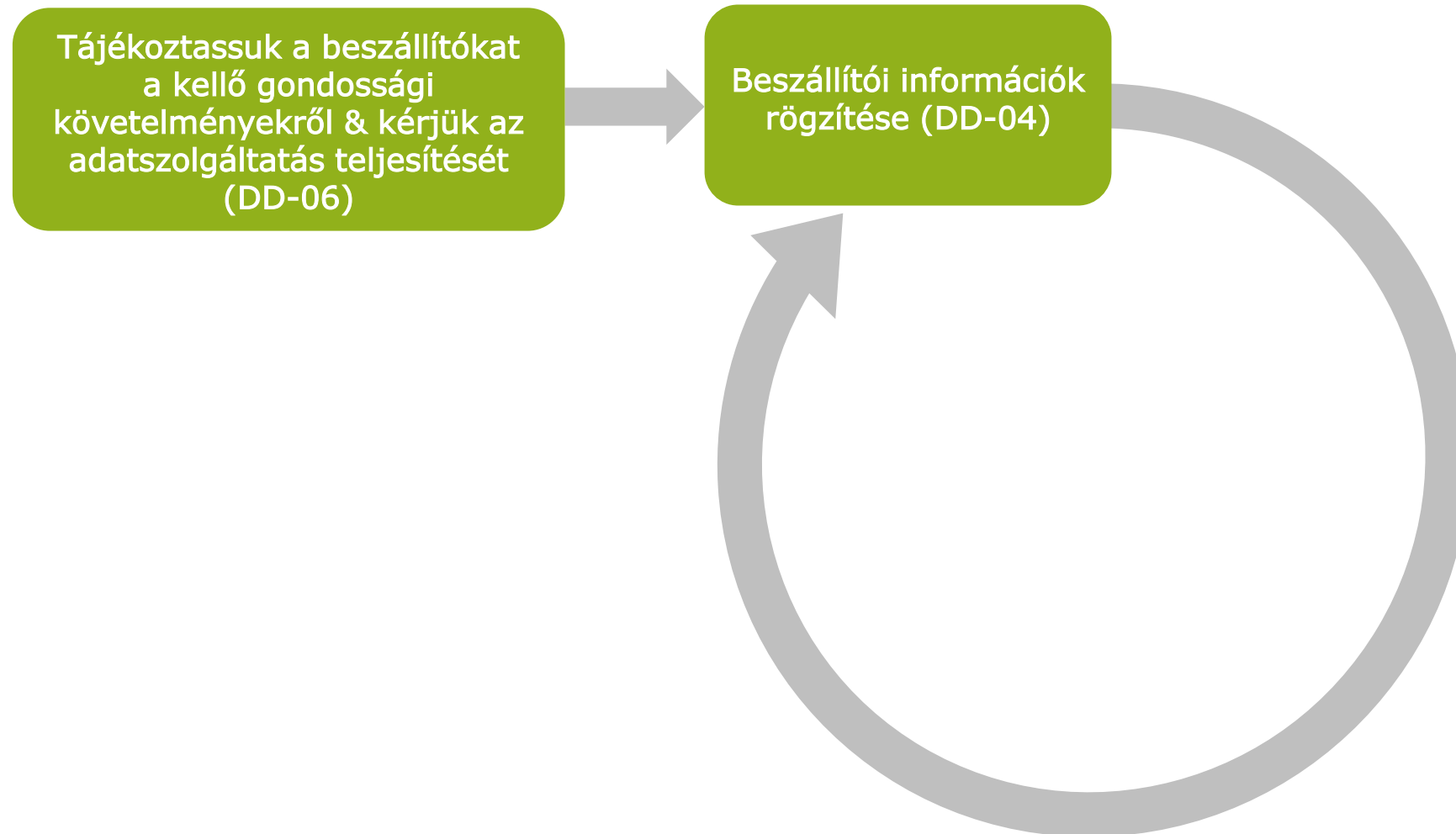
- **Provide additional information** about the material we purchase from your company. This will help us in securing access to the relevant information about our products required under the EUTR.

[WHERE ADDITIONAL INFORMATION IS REQUIRED ABOUT SUPPLY CHAIN(S), THE FOLLOWING SENTENCE CAN BE ADDED:]

To allow us to evaluate our supply of timber and/or paper products, we request that you complete the attached excel sheet [ENTER NAME OF THE EXCEL FILE (DD-05)], providing information about the products you sell to us.



2. Információgyűjtés



2. Információgyűjtés

- Excel ,mester' dokumentum
- minden beszállító & és beszállítói láncsal kapcsolatos információ szisztematikus rögzítéséhez
- segít az információs hézagok feltárásában
- dokumentálja a feltárt kockázatok

[ORGANISATION NAME] Supply Chain Overview

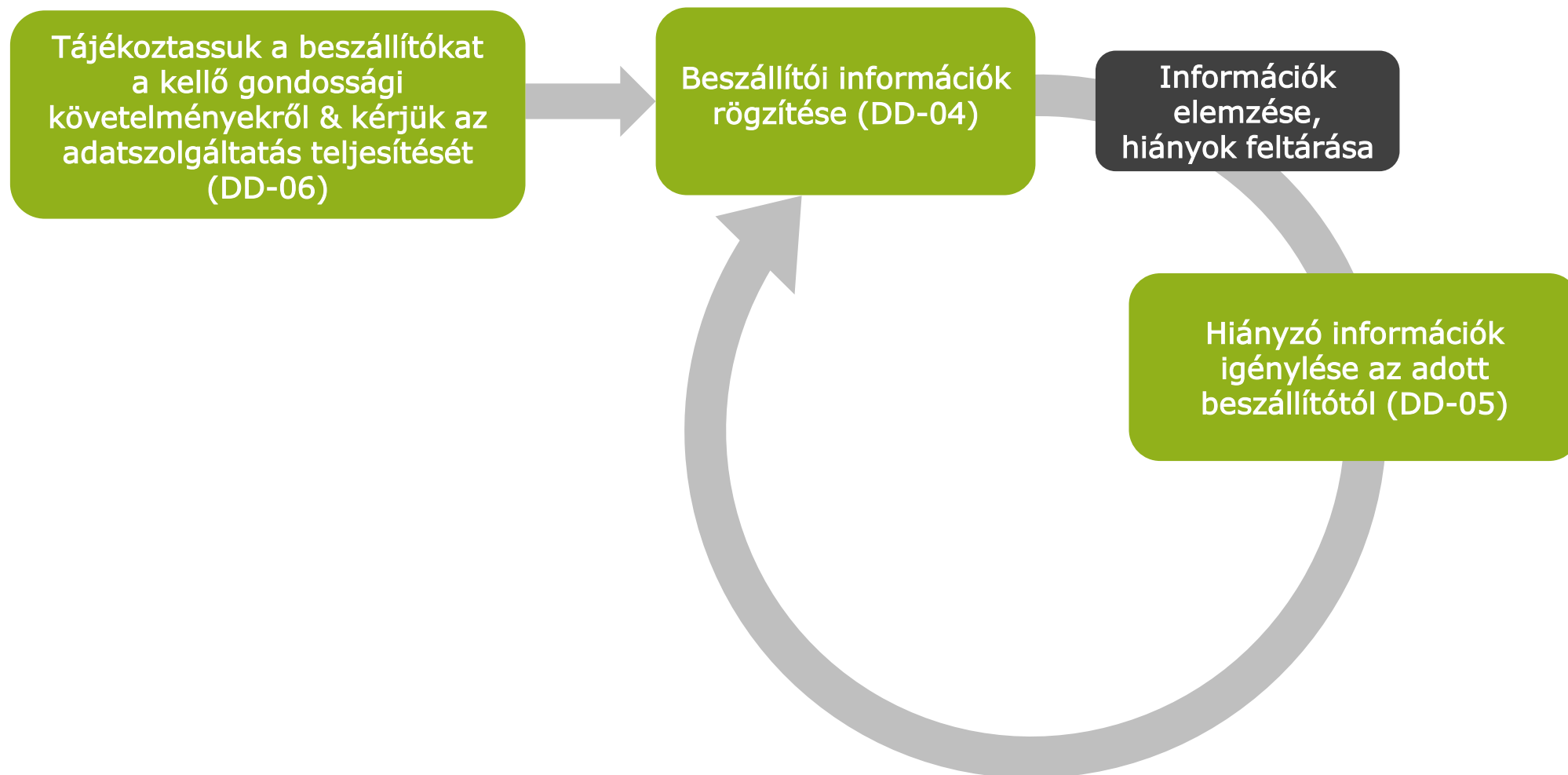
This document is the principal record for cataloguing supply chain information from all suppliers and recording risk assessment and mitigation actions as part of the [ORGANISATION NAME] due diligence system.

1. Supplier information					2. Product information									3. Material Origin			
Supplier ID	Supplier name	Supplier country	SUPPLIER verification/ certification	Certification code	Product ID	Product description	EU Product Group	PRODUCT verification / certification	Component or single material	Component description	Species (scientific name)	Species (trade name)	Volume	Country of harvest	Sub-national region of harvest (if known)	Harvest concession (if known)	Species (scientific name)
Enter the name or ID of the first tier supplier.	Enter the name of supplier	Enter the country in which the supplier is based	Select the type of certification/verification applicable to the SUPPLIER.	Enter the certification code of the supplier	Enter the product ID	Enter the description of the product or component. This should contain information that can identify the product.	Select the relevant EU customs product code, if applicable.	Select the type of certification/ verification applicable to the PRODUCT, if applicable.	If more than one component is used per product, please indicate this by selecting "component" and go to the "COMPONENT PRODUCTS" tab.	If a component product, note the type of component in each line.	Enter the scientific name of the species.	Enter the trade name of the species.	Enter the volume purchased during the last 12 months	Enter the country of HARVEST of the material.	Enter information about the region of harvest, if known.	Enter location of harvest, if known.	Do you accept information about chain products?

Page 1

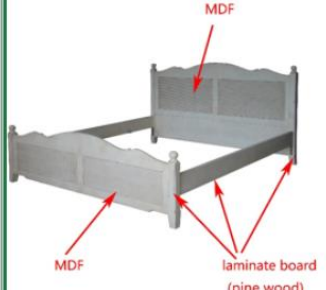


2. Információgyűjtés



2. Információgyűjtés

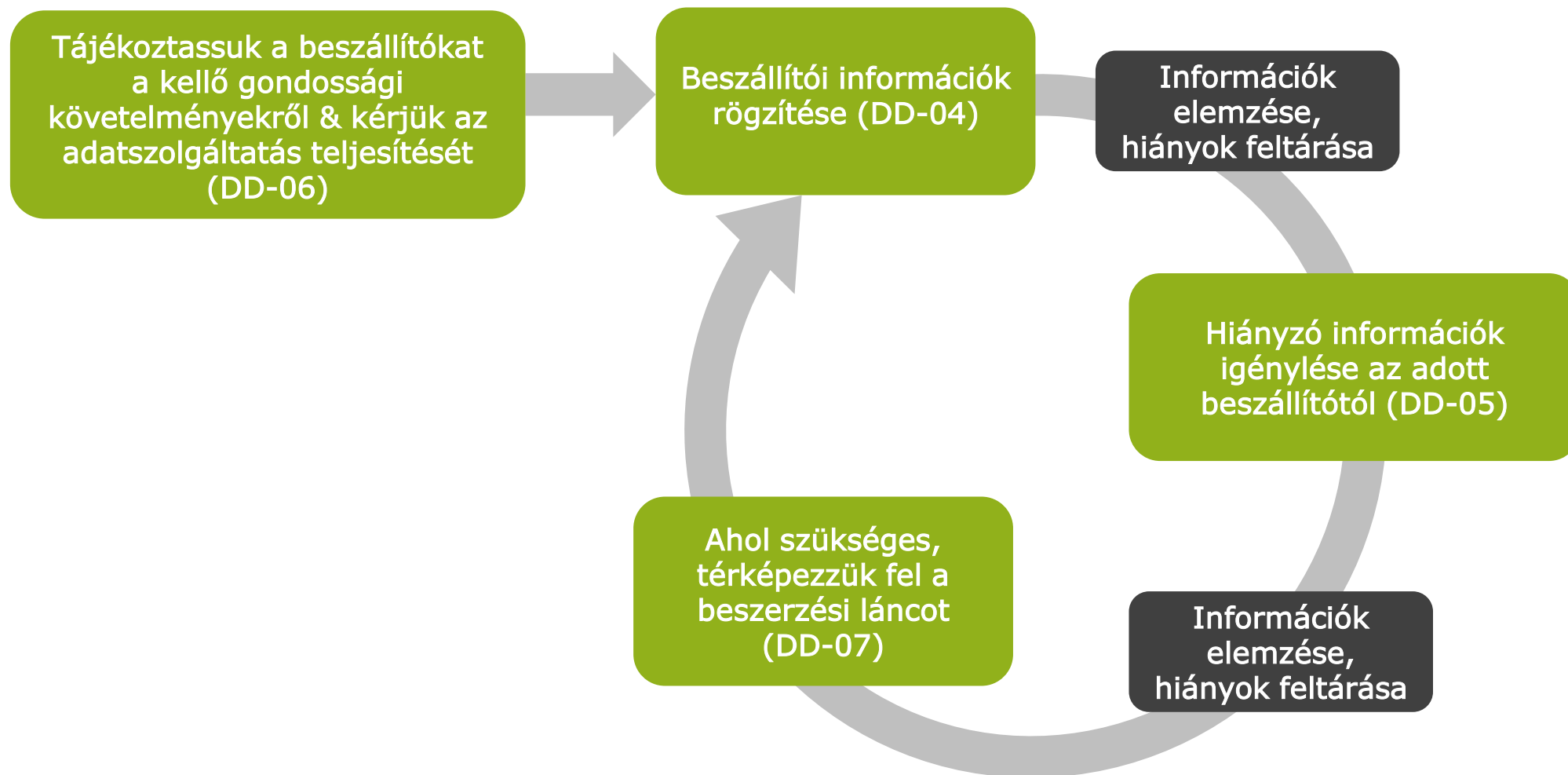
- A hiányzó információkat az adott beszállítótól be kell szerezni
- Mutassuk be a beszállítónak a meglévő információkat, hogy egyértelmű legyen, hol merülnek fel információs hézagok
- A beszállító kitölti a formanyomtatványt, visszaküldi a hiányzó információkat & támogató bizonyítékokat

1. Product Information						2. Information about origin			4. Agreement on materials included?	
Product type/description	EU Product Group	PRODUCT verification / certification	Component or single material	Species (scientific name)	Species (trade name)	Country of harvest (if known)	Sub-national region of harvest (if known)	Harvest concession (if known)	Image	NEPCon Comments
10194021	9403 30, 940...		Component	1. Cunninghamia lanceolata, 2. MDF(Eucalyptus, pinus, and other mixed woods), 3. Plywood(Populus spp., plywood with Pinus spp veneer)	1. China Fir 2. Eucalyptus species, Pine species, other unknown species 3. Pine specie(s) + Poplar specie(s)	China	1. FIR FROM GUIZHOU PROVINCE 2. MDF FROM FUJIAN PROVINCE 3. LAMINATE BOARD PLYWOOD FROM GUANGXI PROVINCE			1. No Cunninghamia lanceolata in the image.



Beszállítói lánc információs nyomtatvány (DD-05)

2. Információgyűjtés



2. Információgyűjtés

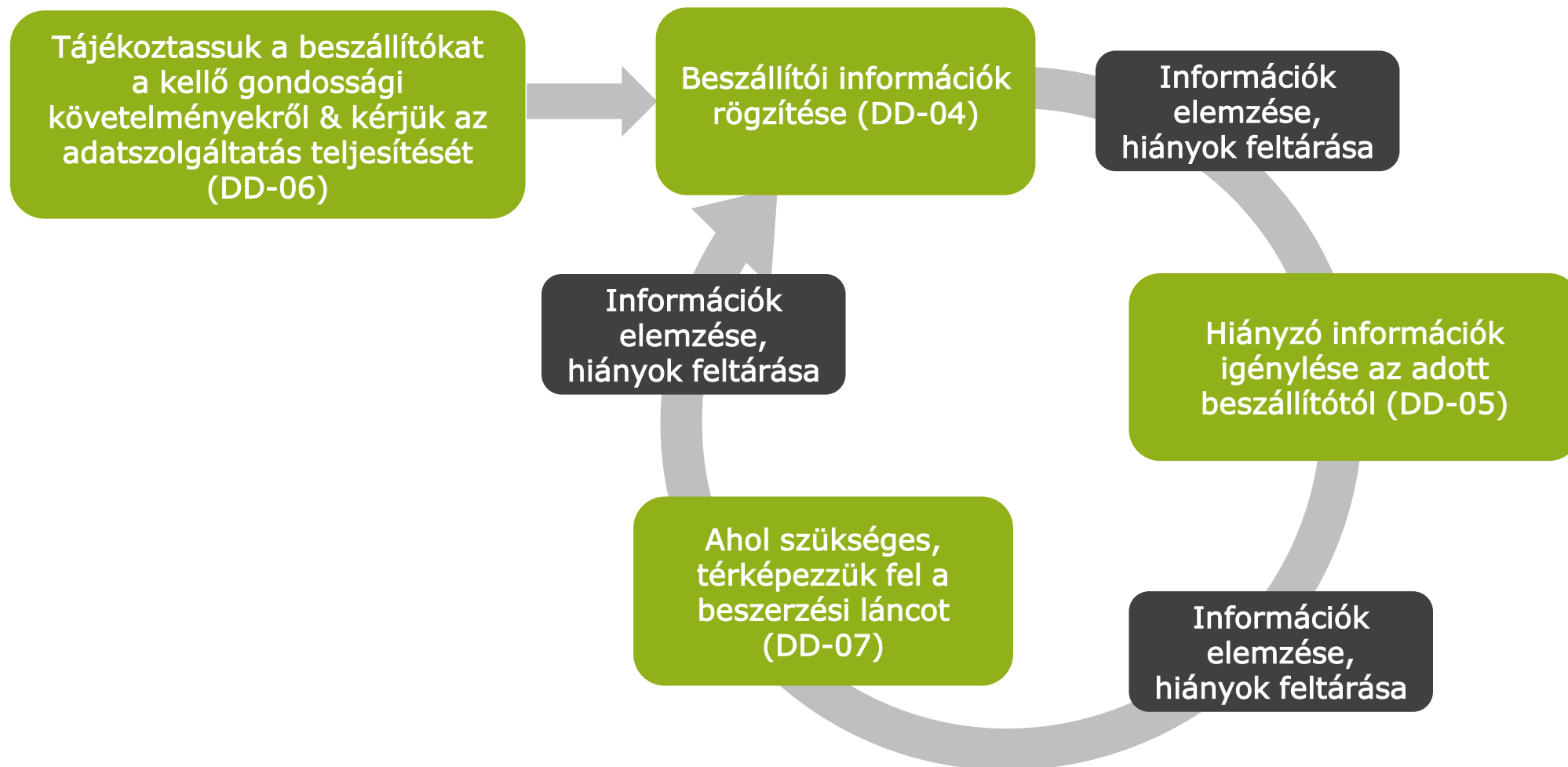
- Ahol szükséges, térképezzük fel a beszállítói láncot egészen a forrásig
- Minden egyes eleme a beszállítói láncnak rögzíthető
- Ideértve a cégnevet, címet, szervezeti formát és tanúsítás meglétét

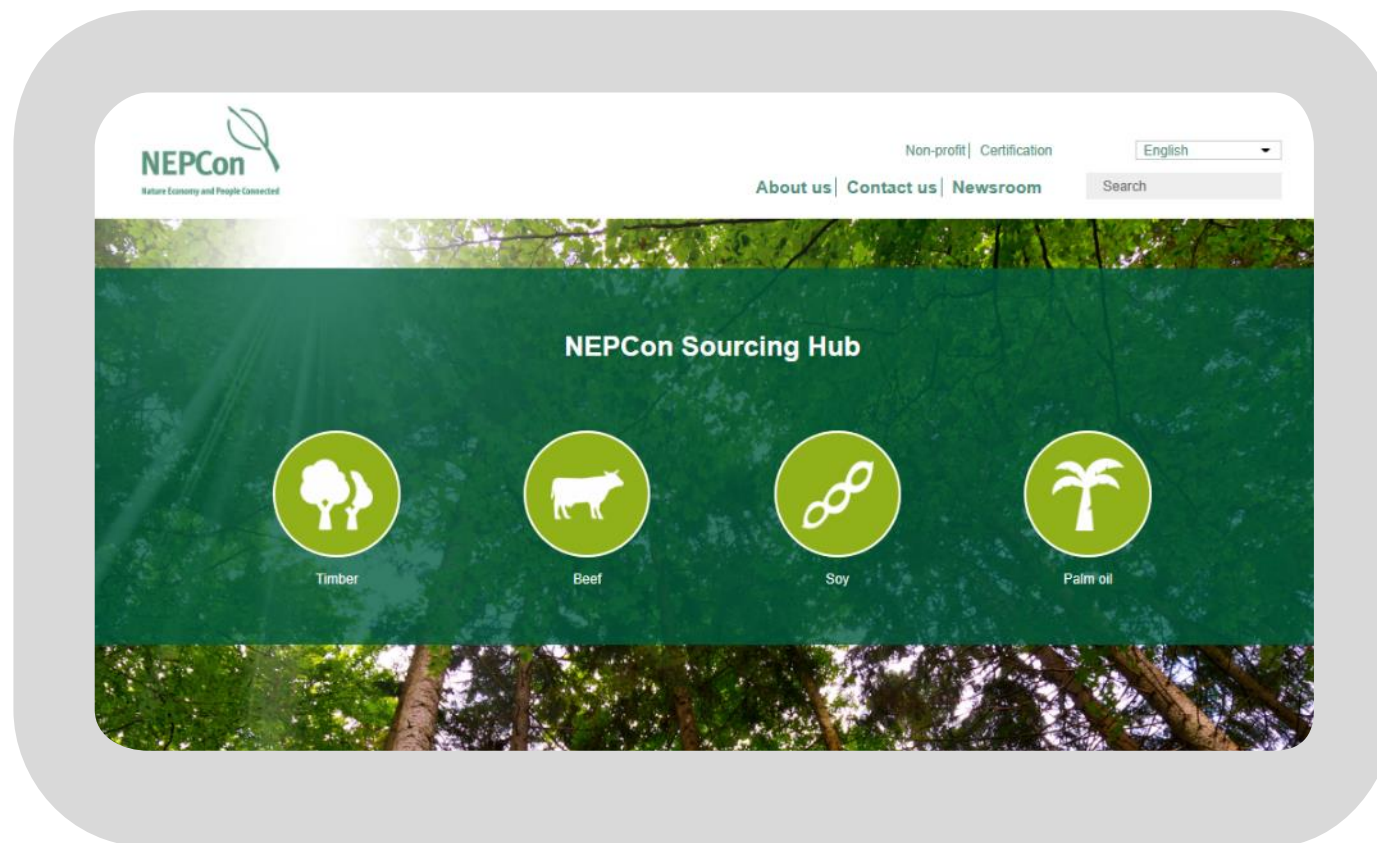
Material/Product:									
ID:									
Supply Chain Detail									
Tier	Supplier Name	Type of entity	Material Type	Species (scientific name)	Material certification (if applicable)	Certification code of supplier (if applicable)	Location	Contact information	Supporting Documentation
See GUIDE tab	Enter the name of the supplier.	Enter the type of entity for supplier. (primary manufacturer, secondary manufacturer, forest manager, trader, etc.)	Enter the material type. (logs, sawn timber, planed timber, veneer, plywood, MDF, chips, etc.)	Enter the names of the species in each product	Enter the type of certification/verification, if applicable.	Enter the certification code for the applicable certification.	Enter the location (country, region, address) of the supplier.	Enter relevant contact details for the supplier. (contact person, email, telephone)	List documentation (or other information) to support the information
Supply Chain Example									
1	Components Ltd	Secondary Manufacturing	Furniture parts	Quercus mongolica	No	N/A	Vietnam		#1 Supply contract with components factory (price information covered) #2 Invoices and delivery notes for supply of sawn timber
2	Sawmills Ltd	Sawmill	Sawn Timber	Quercus mongolica	No	N/A	China, Jilin		#1 Business registration of sawn mill #2 Supply contract with forest #3 Invoices and delivery notes for supply of sawn timber #4 Transport licences
3	Forestry Inc	Forest Enterprise	Logs	Quercus mongolica	No	N/A	Russia		#1 Invoices (price information covered) to Sawmill #2 Transport licences #3 Harvest licences #4 Approved Management Plan



Beszerzési lánc feltérképezési eszköz (DD-07)

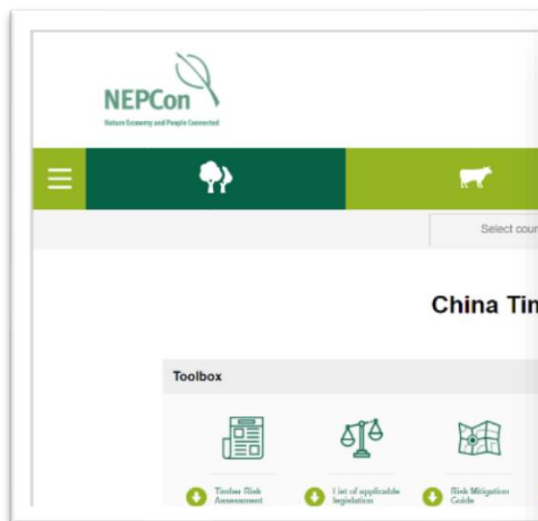
2. Információgyűjtés





www.nepcon.org/sourcinghub

...a letölthető Dokumentum Útmutató további példákat tartalmaz:



Example of forest tenure certificate

森林、林木、林地状况登记表 No 1

林地所有权 权利人 森林或林木 所有权权利人	林地使用权 权利人 森林或林木 使用权权利人		
坐落	Location	小班	
小地名	Area	主要树种	Main species
面积	Forest type	林种	
林地使用期	Valid period	终止日期	
四至	GPS location		
注 记:			
填证机关			
经办人:		负责人:	
年 月 日		年 月 日	

林证字()第 号

Name of the holder

根据《中华人民共和国森林法》规定,本证中森林、林木、林地所有权或者使用权,业经登记,合法权益受法律保护。

特发此证

Seal of issuing authority

发证机关(印)

年 月 日

Issuing time

3. Kockázatelemzés

2. Kockázatelemzés

- Az előző lépésben biztosítottuk a beszállítói láncból származó információk hozzáférhetőségét.
- Most a megszerzett információk értékelése a következő feladat, milyen kockázatok kapcsolódnak az egyes termékekhez.

1

Information Gathering

2

Risk Assessment

3

Risk Mitigation

2. Kockázatelemzés

A *Kockázat értékelés* lapon (2), megtalálható az országra vonatkozó információk és kockázatok összefoglalója. A kockázatok öt különböző jogterület szerint kerültek csoportosításra, összhangban az EUTR előírásokkal:



Risk assessment summary

Legal rights to harvest



- Risk of lack of registration and tenure certificates (applicable only to collective forest plantation only)
- Risk of conflicts in relation to land rent (applicable only to collective forest plantation only)
- Risk of lack of management plans and failure to meet the requirements for drafting management plans (applicable on to state-owned forest management enterprises)
- Risk of harvesting without permit and unlawful issuing of harvesting permit

Taxes and fees



- Risk that value-added taxes (VAT) are not paid appropriately

Timber harvesting activities



- Risk of lack of use of safety equipment
- Risk of lack of employment contracts
- Risk of lack of social security payments

Trade and transport



- Mis-/under reporting on customs declarations

Tracability



- Risk of false declaration of origin
- Risk of timber mixing in production and trade

B. Overview of timber legality risks in China

Timber Risk Score: 73 / 100 in 2017

This report contains an evaluation of the risk of illegality in China for five categories and 21 sub-categories of law. We found:

- Specified risk for 5 sub-categories.
- Low risk for 13 sub-categories.
- No legal requirements for 3 sub-categories.

The Timber Risk Score for China is 73 out of 100. The key legality risks identified in this report concern legal rights to harvest, taxes and fees, timber harvesting activities and trade and transport.

For **Legal Rights to Harvest**, there is a risk of:

- A lack of registration and tenure certificates (applicable only to collective forest plantation only) (Sub-category 1.1)
- Conflicts in relation to land rent (applicable only to collective forest plantation only) (1.1.)
- A lack management plans and failure to meet the requirements for drafting management plans (applicable on to state-owned forest management enterprises) (1.3)
- Harvesting without permit and unlawful issuing of harvesting permit and the (1.4)

For **Taxes and Fees**, there is a risk that that value-added taxes (VAT) are not paid according to law (1.6).

For **Timber Harvesting Activities**, there is risk that:

- Safety equipment is not used in harvesting activities (1.11)
- Employment contracts are not in place for all employees (1.12)
- Social security payments are not up to date for all employees

For **Trade and Transport**, there is a risk of miss-/under reporting on customs declarations, exacerbated by the issues related to corruption and poor governance (1.19).

Timber source types and risks

There are three timber source types found in China. Knowing the "source type" that timber originates from is useful because different source types can be subject to different applicable legislation and have attributes that affect the risk of non-compliance with the legislation. We have analysed the risks for all source types and found the risks differ between them.

Plantation Forest Commercial Plantation Timber – from collectively, individually or corporately owned commercial plantations, mostly state managed. A harvesting permit and logging permit application is required. **The is the primary source of timber in China.**

This matrix summarises the findings of the timber legality risk assessment set out in this report.

Legal Category	Sub-Category	Source Type		
		Natural forest	Plantation forest	Bamboo forest
Legal rights to harvest	1.1 Land tenure and management rights	Low	Specified	Low
	1.2 Concession licenses	N/A	N/A	N/A
	1.3 Management and harvesting planning	Specified	Specified	Specified
	1.4 Harvesting permits	Specified	Specified	Specified
Taxes and fees	1.5 Payment of royalties and harvesting fees	Low	Low	Low
	1.6 Value added taxes and other sales taxes	Low	Low	Low
	1.7 Income and profit taxes	Low	Low	Low
Timber harvesting activities	1.8 Timber harvesting regulations	Low	Low	Low
	1.9 Protected sites and species	Low	Low	Low
	1.10 Environmental requirements	Low	Low	Low
	1.11 Health and safety	Specified	Specified	Specified
Third parties' rights	1.12 Legal employment	Specified	Specified	Specified
	1.13 Customary rights	Low	Low	Low
	1.14 Free prior and informed consent	N/A	N/A	N/A
Trade and transport	1.15 Indigenous/traditional peoples rights	Low	Low	Low
	1.16 Classification of species, quantities, qualities	Low	Low	Low
	1.17 Trade and transport	Low	Low	Low
	1.18 Offshore trading and transfer pricing	Low	Low	Low
	1.19 Custom regulations			
Diligence/due care procedures	1.20 CITES	Low	Low	Low
	1.21 Legislation requiring due diligence/due care procedures	N/A	N/A	N/A

D. Legality Risk Assessment

LEGAL RIGHTS TO HARVEST

1.1. Land tenure and management rights

Legislation covering land tenure rights, including customary rights as well as management rights that includes the use of legal methods to obtain tenure rights and management rights. It also covers legal business registration and tax registration, including relevant legal required licenses. Risk may be encountered where land rights have not been issued according to prevailing regulations and where corruption has been involved in the process of issuing land tenure and management rights. The intent of this indicator is to ensure that any land tenure and management rights have been issued according to the legislation.

1.1.1. Applicable laws and regulations

- 1) Constitution of the People's Republic of China dated 4th of December 1982 - Article 5-23 & 26. Available at: http://www.npc.gov.cn/npc/xinwen/node_505.htm
- 2) General Principle of Civil Law of the People's Republic of China dated 12th of April 1986 - Article 80-83. Available at: http://www.npc.gov.cn/wxzl/wxzl/2000-12/06/content_4470.htm
- 3) Law of the People's Republic of China on the Contracting of Rural Land ("Rural Land Contracting Law") dated 29th of August 2002 - Article 2 & 23. Available at: <http://en.pkulaw.cn/display.aspx?cgid=41762&lib=law>
- 4) Property Law of the People's Republic of China ("Property Law") dated 16th of March 2007 - Article 124, 125 & 127. Available at: <http://en.pkulaw.cn/display.aspx?cgid=89386&lib=law>
- 5) Forest Law of the People's Republic of China ("Forest Law") dated 20th September 1984, 1998 Amendment. Revised 27th of August 2009 - Article 3. Available at: <http://en.pkulaw.cn/display.aspx?cgid=20095&lib=law>
- 6) Regulation on the Implementation of the Forestry Law of the People's Republic of China [Revised], dated 29th January 2000 - Article 15, 34. Available at: <http://www.forestry.gov.cn/main/3950/content-459869.html>
- 7) Processing Measures for the Disputes of Forest Trees and Forest Land Tenure and Ownership dated 14th October 1996 - Article 2. Available at: <http://www.forestry.gov.cn/main/3951/content-204759.html>
- 8) Administration Measures for Forest and Forestland Tenure Registration dated 31st December 2000 - Article 3-9. Available at: <http://www.forestry.gov.cn/main/3951/content-204744.html>
- 9) Law of the People's Republic of China on the Mediation and Arbitration of Rural Land Contract Disputes dated 1st January 2010 - Article 2-6. Available at: <http://www.forestry.gov.cn/main/24/content-204668.html>
- 10) Company Law of the People's Republic of China (2005 Revision) dated 1st January 2006 - Article 6-9. Available at:

<http://wenku.baidu.com/link?url=rkIYkWRxwQBLXhGrPRie6g73Ns0fxTfa8Ed6YpN3uJSiDO5pRXKD3WAqNe3nHCtykx-V4rMQ95qpywBanHwewDrrFSs67bAffZWpGPh17>

- 11) Taxation Registration Administration Measure dated 1st February 2004 - Chapter 1 & 2. Available at: http://www.gov.cn/qongbao/content/2004/content_62924.htm
- 12) Regulations Governing Examination and Approval of Occupation and Requisition of Forest Land dated 4th January 2001. Available at: http://www.gov.cn/gongbao/content/2002/content_61894.htm
- 13) Land management law of P. R. China dated 25th of June 1986 and revised 28th of August 2004. Available at: <http://www.china.com.cn/chinese/law/647616.htm>

All the provinces shall apply the laws listed above but may still take different approaches to ensure the right of land tenure and management.

1.1.2. Legal authority

- State Forestry Administration and forest bureaus at different levels are responsible for the laws about forest, forest trees and forest land.
- State Administration of Taxation is responsible for Taxation, Registration, Administration and Measure.
- State Administration for Industry and Commerce is responsible for Company Law.

1.1.3. Legally required documents or records

Numbers below refers to the numbers in section 1.1.1.

- 8) Administration Measures for Forest and Forestland Tenure Registration dated 31st December 2000 - Article 3-9:
 - Forest Tree and Forest Land Tenure Certificate (Forest Tenure Certificate)
- 10) Company Law of the People's Republic of China (2005 Revision) dated 1st January 2006 - Article 6-9:
 - For companies leasing forest land for forest management: Forest land contract in addition to the above certificate.
 - Business Registration Certificate, only applicable for companies mentioned above
- 11) Taxation Registration Administration Measure dated 1st February 2004 - Chapter 1 and 2:
 - Tax Registration Certificate, applicable only for companies

1.1.4. Sources of Information

- 1) Chatham House. Available at: <http://www.illegal-logging.info/>;
- 2) ELDIS regional and country profiles. Available at: <http://www.eldis.org>;
- 3) Environmental Investigation Agency. Available at: <http://www.eia-international.org>;

- 2) Greenpeace (2005). *Investigation on APP's Hainan Project*. Greenpeace. Available at: <http://www.greenpeace.org/eastasia/Global/eastasia/publications/005/investigation-app-hainan-project.pdf> [Accessed 22 Sep. 2015]
- 3) Blog.sina.com.cn (N.Y.). *Report on Foreign Forest Companies*. [online]. Available at: http://blog.sina.com.cn/s/blog_436698a40100f0p6.html [Accessed 3 November 2015]
- 4) Ping, L. (2014). *Large-Scale Land Acquisition: Field Findings and Recommendations*. Washington, DC: Rights and Resources Initiative. Available at: <http://www.rightsandresources.org/publication/large-scale-land-acquisition-for-app-forest-plantations-field-findings-and-recommendations> [Accessed 3 November 2015]
- 5) Ping, L. and Xiaobei, W. (2014). *Forest Land Acquisition by State-Owned Enterprises in China: Status, Issues, and Recommendations*. Washington, DC: Rights and Resources Initiative, pp. 3-45. Available at: <http://www.rightsandresources.org/publication/forest-land-acquisition-in-south-china-status-issues-and-recommendations/> [Accessed 3 November 2015]
- 6) Kram, M., Bedford, C., Durnin, M., Luo, Y., Rokpelnis, K., Roth, B., Wang, Y., Yu, G., Yu, Q., and Zhao, X. (2012). *Protecting China's Forests: A Guide to Land Use, Land Tenure, and Land Protection Tools*. (N. S. China): Beijing: The Nature Conservancy. Available at: <http://www.nature.org/media/china/chinabook-wholebook-lowres.pdf>
- 7) zgxcfx.com. (2013). *Forest tenure disputes and its reasons during forest tenure reform*. [online]. Available at: www.zgxcfx.com/Article/534
- 8) forestry.gov.cn. (2012). *Forest tenure certificate issued for forest land in Sinan County, Guizhou*. [online]. Forestry website for China. Available at: <http://www.forestry.gov.cn/portal/main/s/102/content-567294.htm>
- 9) Transparency.org. (2014). *Corruption by Country/Territory: Corruption Index 2014 for China*. [online]. Transparency International. Available at: <http://www.transparency.org/country/#CHN>
- 10) The World Bank. (2014). *Worldwide Governance Indicators for China*. Report for China, 1996-2014. [online]. Available at: <http://info.worldbank.org/governance/wgi/index.aspx#countryRep>

1.1.5. Risk determination

Overview of legal requirements

The Constitution, General Principle of Civil Law, and the Forestry Law of the People's Republic of China stipulate that forest resources are owned by the State except for those owned by individuals or collectives according to laws. There are three forms of ownership to forest, timber and forest land:

- (i) State-owned forest, timber and forest land;
- (ii) Collectively owned forest, timber and forest land; as well as

További kiegészítő eszközök a kockázatértékelés folyamatához:

- A **DD-01** Kellő Gondossági Útmutató 2. melléklete bemutatja a kockázat meghatározásának folyamatát.
- **DD-08** Kockázat Azonosító Kérdéssor segítségével az egyes beszállítói láncban felmerülő kockázatok hatékonyan feltárhatók.
- **DD-04** Beszállítói Értékelési Nyomtatvány biztosítja az egyes beszállítói láncokban felmerült kockázatok áttekintését.
- **DD-07** Beszállítói lánc feltérképező eszköz alkalmazható a beszállítói lánc részletes kiértékeléséhez.
- A **DD-01** Kellő Gondossági Útmutató 3. melléklete segítséget nyújt az egyes kockázatok szintjének meghatározásához.
- **DD-13** Tanúsítási Rendszer Értékelő kérdéssor segítségével a tanúsítási rendszer értékelésének eredménye rögzíthető.

4. Kockázat csökkentése

4. Kockázat csökkentése



Version 1.0 | May 2017

China Risk Mitigation Guide

Timber



This tool has been developed by NEPCon with support from the LIFE programme of the European Union and UK aid from the UK government.



Customs Regulations

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions	How to verify legal compliance (verifier)
Mis-/ under reporting on customs declarations	All timber sources	Products shall be correctly classified (type, HS customs code, species, quantities, etc.).	Review and verify documents Check information on all import/ export documentation (including Customs Declaration Registration Approval Certificate and phytosanitary certificate (where applicable)) and verify that information corresponds to material received.	Find relevant key document examples in the China Document Guide - Customs Declaration Registration Approval Certificate - Phytosanitary certificate (where applicable)

4. Kockázat csökkentése



Example 14: Customs declaration registration approval certificate for customs declaration company

(Registration form of external trade proprietor)

Applicable to: Forest entities who export timber to other countries

Purpose and content of document: All entities that have import and export business should register at Ministry of Commerce of China to obtain the right to import and export. The registration form shows that the holder has the right to legally import and export. The contents of the registration certificate are: name of the entity (both English and Chinese names), address, organisation code, contact information, business registration code etc.

Holder of document: Forest entities exporting timber to other countries

Document issued by: Ministry of Commerce

Signature/Seal required by: Local branches of Ministry of Commerce

Key considerations when checking the document:

- ☐ Is the name the same as on the business registration certificate?
- ☐ Is the business registration code the same as that appearing on the business registration certificate?
- ☐ Is the information in the custom registration system:

Example of Customs declaration registration approval certificate for customs declaration company

Customs Declaration Registration Approval Certificate
对外贸易经营者备案登记表

备案登记表编号: 00841088 进出口企业代码: 1100100009512

经营者中文名称	Company name		
经营者英文名称	S		
组织机构代码	100009512	经营者类型 (由备案登记机关填写)	国有企业
住 所			
经营场所 (中文)			
经营场所 (英文)			
联系电话	59518667	联系传真	59518636
邮政编码	100861	电子邮箱	zhul@csenc.com
工商登记注册日期	1999-9-22	Business registration code 工商登记注册号	

依法办理工商登记的企业还应填写以下内容

企业法定代表人姓名	周文明	有效证件号	450403194408280919
注册资金	贰仟零肆拾玖万元	(折美元)	

依法办理工商登记的外国 (地区) 企业或个体工商户 (独资经营者) 还应填写以下内容

企业法定代表人 / 个体工商户负责人姓名		有效证件号	
企业资产 / 个人财产		(折美元)	

备注
英文名称变更, 旧证号: 00621165

填表前请认真阅读背面的条款, 并由企业法定代表人或个体工商户负责人签字、盖章。

Seal of issuing authority

备案登记机关
2010年12月21日



Ország
infók



Kockázat-
elemzés



Kockázat
csökkentési
útmutató



Dokumentum
kérdéssor



Jogszabályok

Kina, Honduras, Liberia

Elérhető

Elérhető

Elérhető

Elérhető

Elérhető

Gána and DRC

Elérhető

Elérhető

Elérhető

Elérhető

További 57 ország

Elérhető

Elérhető

Hamarosan

Hamarosan

[illegible]

Nyelvi változatok

[illegible]

Egyéb útmutatók

The EU Timber Regulation

A guide on managing good relations with your suppliers

Are you required to carry out due diligence on the timber and timber products you buy? Use this leaflet to find out how to get all the information you need from your suppliers while also maintaining good relations with them.



EUTR Guiding Leaflet no. 2
Published May 2017

The EU Timber Regulation

A guide for retailers

What is the EU Timber Regulation and what does it require? Use this leaflet to find out more, including what products you need to carry out due diligence on, and how to do the due diligence.



EUTR Guiding Leaflet no. 1
Published March 2017



Developed by NEPCon under the project "Supporting Legal Timber Trade" funded by the EU LIFE programme and UK Aid from the UK government.



Fake Documents

How to spot them and what to do about them



Thematic article series no. 2
Published July 2017



Developed by NEPCon under the project "Supporting Legal Timber Trade" funded by the LIFE programme of the European Union and UK Aid from the UK government.



NEPCon has adopted an "open source" policy to share what we develop to advance sustainability. This work is published under the Creative Commons Attribution-ShareAlike 3.0 licence. Permission is hereby granted, free of charge, to any person obtaining a copy of this document, to deal in the document without restriction, including without limitation the rights to use, copy, modify, merge, publish, and/or distribute copies of the document, subject to the following conditions: The above copyright notice and this permission notice shall be included in all copies or substantial portions of the document. We would appreciate receiving a copy of any modified version.

The European Commission support for the production of this publication does not constitute endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

This material has been funded by UK aid from the UK government; however the views expressed do not necessarily reflect the UK government's official policies.



Developed by NEPCon under the project "Supporting Legal Timber Trade" funded by the LIFE programme of the European Union and UK Aid from the UK government.



Developed by NEPCon under the project "Supporting Legal Timber Trade" funded by the EU LIFE programme and UK Aid from the UK government.

The European Commission support for the production of this publication does not constitute endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

This material has been funded by UK aid from the UK government; however the views expressed do not necessarily reflect the UK government's official policies.

The End

NEPCon Sourcing Hub was developed
in partnership with the **Forest Stewardship Council**

With support from

MINISTRY OF FOREIGN AFFAIRS OF DENMARK

DANIDA | INTERNATIONAL
DEVELOPMENT COOPERATION



NEPCon Sourcing Hub is funded by UK Aid from the UK government, the LIFE programme of the European Union and DANIDA, Ministry of Foreign Affairs of Denmark. Donors are not responsible for any claims or views presented in this material. The European Commission support for the production of this publication does not constitute endorsement of the contents which reflect the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein. The views expressed do not necessarily reflect the UK government's or DANIDA's official policies.