



DEMOCRATIC REPUBLIC OF CONGO

Stage in Supply Chain	Lacey Act Component	Applicable Laws	Documents to Check	Notes to Remember
Forest	Legal Right to Harvest	Forest manager / harvesting company	The company must possess: <ul style="list-style-type: none"> • A registration certificate and form delivered by Judiciary authorities • Registration with RNC & publication in the Official Journal • Registration number with DGI or DGEN • INSS affiliation certificate • Registration document for workers with INSS and INPP • A licence to operate in the logging sector. 	All forest management companies require registration with the economic, social and forest authorities.
Forest	Legal Right to Harvest	Forest manager / harvesting company	The company should be able to demonstrate that: <ul style="list-style-type: none"> • There was a public inquiry • The auction results. 	The company must have followed all the steps required to obtain a licence to operate within the set time limits required by legislation. Note: in DRC, allocation of logging rights is subject to a public inquiry where information is provided by relevant parties. As a general rule, the allocation in itself should be done through a bidding process. Allocation by mutual agreement is exceptional.
Forest	Payment of Taxes & Royalties	Forest manager / harvesting company	Seek proof of payment of a deposit into a financial institution established in DRC and designated by the forestry administration.	The company should have made all payments pertaining to each step of the licensing process.
Forest	Legality of Harvest	Forest manager / harvesting company	Seek evidence that all logs harvested (and stumps left) are marked according to requirements.	Stumps of harvested trees are hammer marked or painted according to regulatory requirements
Forest	Legality of Harvest	Forest manager / harvesting company	The company must hold a licence for annual harvesting issued by the forestry administration and other permits from the local economic authorities. The following documents are required: <ul style="list-style-type: none"> • Logging permit • Specific logging permit • Simple logging permit • Special logging permit. 	The legislation on the allocation of forest concessions is changing rapidly. Auditors are advised to enquire about the latest legal documents in force and verify that the company has the correct approvals.



Stage in Supply Chain	Lacey Act Component	Applicable Laws	Documents to Check	Notes to Remember
Forest	Legality of Harvest	Forest manager / harvesting company	Seek confirmation that the forest management plan was approved by the forestry administration .	The forest management plan must be prepared in accordance with the rules and standards prescribed by the forest administration.
Forest	Payment of Taxes & Royalties	Forest manager / harvesting company	Seek proof of payment of a deposit into a financial institution established in DRC and designated by the forestry administration .	The company should have made all payments pertaining to each step of the licensing process.
Forest	Payment of Taxes & Royalties	Forest manager / harvesting company	Confirm that the main forest taxes that have to be paid by a company managing a concession in DRC are paid. These are: <ul style="list-style-type: none"> • Concession surface tax • Felling tax • Reforestation tax • Deforestation tax • Tax on operating licence. 	Tax returns on timber production are in compliance with rules and regulations. Note: timber harvesting companies are required to declare, every quarter, to the forestry administration the harvested timber volume of the previous quarter. The tax return includes data on the production and processing of forest products and is the basis on which fees payable by a logging company are calculated.
Transport	Legality of Possession and Transport	Transporters	Confirm that documentation accompanying logs in transit to processing or exportation facilities included: <ul style="list-style-type: none"> • Circulation permit • Log deposit slip • Documentation for river, road or rail transport • Marine bill of lading. 	Transported logs and timber must be accompanied by relevant documentations. Log transportation documents are completed prior to removal from the harvesting site and are retained by carriers during transportation.
Transport	Legality of Possession and Transport	Transporters	Markings required on logs and billets of timber are: <ul style="list-style-type: none"> • The tree number • The log or billet number • The company stamp or hammer • The number of the felling permit • Record of the harvesting site of the tree. 	Billets of timber and logs in forest yards must be marked according to the rules in force so that they can be easily traced.
Processing	Legality of Processing	Processor	Confirm the existence of operating and establishment permits for processing units.	Licences related to timber processing plants should be available for inspection from the company. Note: in DRC, the legislation in force regarding timber processing is very limited. Detailed draft decrees exist but remain to be ratified by the political authorities.
Processing	Legality of Processing	Processor	Confirm that the establishment tax for the processing facilities has been paid .	All taxes linked to timber processing operations must be paid on time

Stage in Supply Chain	Lacey Act Component	Applicable Laws	Documents to Check	Notes to Remember
Export	Legality of Sale and Export	Exporters	Confirm that a valid import/export licence is held by the company.	The company must hold an export / import licence. Note: any company involved in the export of timber products should hold an export licence, renewable annually, from the Ministry in Charge of Commerce .
Export	Payment of Fees and Royalties	Exporters	Confirm that regulations are respected by review of an approved forest products export specification sheet .	The company must possess all the required documents for the export / import of timber products according to official regulations. Note: timber product exporting companies should complete a specification sheet detailing all timber products to be exported by species, quality and quantity. The specification sheet should be submitted to the appropriate forestry authority for approval. The approval of a submitted specification sheet is conditional on the presentation of proof of payment of all taxes.
Export	Legality of Sale and Export	Exporters	Confirm that exported species comply with the requirements of: <ul style="list-style-type: none"> • The CITES declaration • The list of authorised species in the forest management plan. 	All exported timber species are authorised by the appropriate agency and existing regulations. Note: there seems to be no special list of protected timber species at the national level apart from those listed by the CITES convention (DRC is a signatory country). There are limitations given within each specific forest management plan.
Export	Payment of Fees & Royalties	Exporters	Confirm that the company correctly declares timber exports to the Customs as required and that prior to import or export, the company holds a valid licence .	The company must hold an export / import licence. Note: any company involved in the export of timber products should hold an export licence, renewable annually, from the Ministry in Charge of Commerce.
Export	Payment of Fees & Royalties	Exporters	Confirm that the exporting company paid any required export taxes .	All taxes linked to export and import of forest products are paid on time

This document is for educational and informational purposes only and is not intended and should not be construed as legal advice. Persons seeking legal advice on compliance with the Lacey Act or any other law, regulation, or requirement should consult with a qualified legal professional.

