



Stage in Supply Chain	Lacey Act Component	Applicable Laws	Documents to Check	Notes to Remember
Forest	Legal Right to Harvest	<p>Forest managers and harvesting companies</p> <p>- Timber from Forest land</p>	<p>Company must hold a valid Forest Authority Certificate.</p> <p>The Forest Authority Certificate is issued by the Forestry Administration authority under the State Council.</p>	<p>State-owned forestry enterprises must have investigation and design documents for harvest areas and signed acceptance, by the relevant Forestry Administration, of certificate of forest regeneration for harvested areas in the previous year.</p> <p>Other harvesting entities must have documents that describe the objectives, place, species, forest situation, coverage, reserve, harvesting means and regeneration measures for the trees.</p>
Forest	Legal Right to Harvest	<p>Forest managers and harvesting companies</p> <p>- Timber from converted land</p>	<p>Company must hold a valid Forest Authority Certificate; AND the company must have an official approval document permitting conversion of land use issued by the relevant Forestry Administration</p>	<p>For conversion into deforested land (usually for construction) the companies should have an official approval document issued by relevant Forestry Administration as well as the Forest Authority Certificate</p>
Forest	Legal Right to Harvest	<p>Forest managers and harvesting companies</p> <p>- Timber from Farm land</p>	<p>Farmers can verify the legality of harvesting when they have certification documents approved by their village committees.</p>	<p>Individuals must have documents that describe the area, coverage, species, volume and regeneration period etc.</p>
Forest	Legality of Harvest	<p>Forest managers and harvesting companies</p> <p>- Timber from Forest land</p> <p>- Timber from converted land</p>	<p>The timber harvesting company should have a Timber Harvesting Licence ("Wood Harvesting Admission Certificate") issued by the relevant Forestry Administration</p>	<p>Companies are liable to pay taxes or fees to national or local government (or both) to authorize their management and harvesting.</p>
Forest	Legality of Harvest	<p>Forest managers and harvesting companies - Timber from Farm land</p>	<p>Farmers can verify the legality of harvesting when they have certification documents approved by their village committees.</p>	
Forest	Payment of Taxes and Royalties	<p>Forest managers and harvesting companies</p>	<p>The company should pay value-added tax where appropriate VAT is levied on almost all logs sold (subject to size). A reforestation fee is collected by the government. Receipts from the relevant agencies provide proof.</p>	<p>All forest related taxes such as Value Added Tax (VAT), reforestation fee, and fee for special agriculture are paid and on time</p>

Stage in Supply Chain	Lacey Act Component	Applicable Laws	Documents to Check	Notes to Remember
Transport	Legality of Possession and Transport	Private Transporter	Timber carriers / hauliers must have a valid “ timber transportation / conveyance certificate ” issued by a Forestry Administration at or above county level.	
Transport	Legal Right to Harvest	State owned Transporter	State owned carriers / hauliers must carry comprehensive Timber consignment documents , but do not require a “timber transportation certificate”	
Transport	Legal Right to Harvest	Transporter	Timber consignment documents are used during transportation and must be complete and correct.	The timber consignment documents should be issued by the correct authorities and should indicate any issuing conditions, such as volume, material type and origin.
Transport	Legality of Harvest	Transporter - traveling between Provinces	Each consignment must be accompanied by a Plant Quarantine Certificate .	The Plant Quarantine Certificate gives details of what is being transported, its origin and destination.
Processing	Legality of Processing	Processor	The timber processing company holds a business registration certificate issued by the industry and commerce administration authority .	The timber processing company is legally registered in accordance with the laws
Processing	Legality of Processing	Processor – in forest areas	The timber processing industry holds a timber processing certificate issued by the Forestry Administration above county level.	The timber processing Company must hold a valid Timber Processing Certificate .
Processing	Payment of Fees and Royalties	Processor	The company should pay value-added tax where appropriate. Receipts from the relevant agencies provide proof .	All taxes linked to timber processing operations are paid on time
Processing	Not applicable	Processor	Check that the company maintains or strengthens socioeconomic welfare of local communities/indigenous people in accordance with the laws and regulations. Seek confirmation that: <ul style="list-style-type: none"> The company should give equal opportunity of employment to labourers including non-discrimination to the employment of people from special groups 	These are additional requirements for compliance with the Draft EU “Due Diligence Regulation” Employment of labourers should not be discriminated against on the grounds of ethnic group, race, gender and religion. Special stipulations for employment of the disabled, people belonging to minority ethnic group and retired servicemen should be observed, if any. Companies are forbidden to employ juveniles and children below the age of 16 as labourers, except for people with special skills.

Stage in Supply Chain	Lacey Act Component	Applicable Laws	Documents to Check	Notes to Remember
Processing	Not Applicable	Processor	<p>Check that the company complies with the laws and regulations on its employees' and workers' rights and welfare. Seek confirmation that:</p> <ul style="list-style-type: none"> • The company ensures work time, rest and holiday for the employee • Remuneration for working hours on statutory holidays • The company pays its employee's salary and benefits commensurate to hours worked and related performance • The company has implemented clearly defined safety procedures, and ensures labour sanitation as prescribed by regulations • The company should offer special protection for women and minor (young) employees • The company should offer professional training as appropriate 	These are additional requirements for compliance with the Draft EU "Due Diligence Regulation" .
Export	Legality of Sale and Export	Exporter	<p>Validity and endorsement of the documents and certificates required by relevant authorities as appropriate, to include:</p> <ul style="list-style-type: none"> • Packing list • Invoice • Bill of lading • Customs declaration form • Appropriate tariffs are paid and receipted • Sales contract • Shipping order • Verification form of inward remittance (Exchange Control Administration) • Delivery order 	Related documents and certificates should be submitted by the import and export company as per pertinent laws and regulations.
Export	Legality of Sale and Export	Exporter	<p>Quarantine Certificate for both import and export forestry products issued by each port's Entry and Exit Inspection and Quarantine Agency.</p>	All Import and Export Quarantine Inspection documents and procedures are followed.
Export	Legality of Sale and Export	Exporter - CITES Species	<p>Import and export certificate from the local authority in charge of wild animals and plants of the government of province, autonomous region and municipality directly under the central government with the following documents:</p> <ul style="list-style-type: none"> • Import or export contract • Name of products, species, quantity and purpose for import or export of the endangered plant (and its product and/or derivative) 	Stated conditions on CITES-listed species and tree species under state protecting catalogue (and their products and/or derivatives) with special requirement are adhered to.
Export	Payment of Fees and Royalties	Exporter	<p>Official receipts should be available for audit. The import and export company should demonstrate payments of Export VAT and Consumption Tax for Wood</p>	All taxes linked to the exportation and importation of forest products are paid on time. Export tax is levied for solid wood flooring and disposable wooden chopsticks.

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.



EXAMPLES OF KEY DOCUMENTS

Timber Harvesting Licence (“Wood Harvesting Admission Certificate”)

(LOGO: Wood Harvesting Management Badge of Forestry Bureau)

(year) harvesting number					
After the auditing of the Investigation & Design Document in Cutting Area or Harvesting Application provided by () , the harvesting activity in					
district/county		forestry center/villages and towns/street			
to	compartment(village/road)	sub-compartment (land block/land location) (East to		South to	West
	North to				
) is approved.					
Harvesting forest origin		Forest species		Tree species(group)	
Nature of tenure		Certification No. of forest right			
Cutting type		Harvesting system	Cutting intensity	%	
Cutting area	Hectare(or cutting numbers in individual plant:)				
Cutting volume	Cubic meter				
of which	Commercial timber	Cubic meter (output volume: m3)			
	In -house timber	Cubic meter			
	Burn timber	Cubic meter			
Cutting period	from	Year month day	To	Year month day	
Regeneration period	Year month day		Regeneration system		
Regeneration tree species			Regeneration area	Hectare(or cutting numbers in individual plant:)	
Management department(stamp)		Department of issuing certificate (stamp)		Staff of issuing certificate	
Signature of certificate owner		Date of Issuing certificate	year	month	day

Notes:

- 1) This certificate is produced in triplicate. The first copy is retained by the Forestry Administration; the second is retained by the applicant, the third copy is used to accompany transported timber.
- 2) The certificate is valid only for the dates specified.

重点国有林区林木采伐许可证

№ 0425965

柴河 (20 07) 柴采字第 716 号

根据 2007-1-03 提报的伐区调查设计文件或采伐申请, 经审核, 批准
 在 三块石 林场 044 林班 002 作业区 003 小班采伐。

林分起源: 天然林 林种: 用材林 树种: 色木
 权 属: 国有 林权证号: 128
 采伐类型: 主伐 采伐方式: 择伐 采伐强度: 17.4 %
 采伐面积: 12.10 公顷(或采伐株数: 508 株)
 采伐蓄积: 276.0 立方米
 其中: 商品材: 276.0 立方米(出材量: 223.0 立方米)
 烧 材: 0.0 立方米
 采伐期限: 自 2007 年 2 月 6 日至 4 月 1 日 更新期限: 9 年 9 月 0 日
 更新树种: 更新面积: 0.00 公顷(或更新株数: 0 株)

二联 申请者存根



发证机关(章)



发证日期: 2007 年 2 月 6 日

发证人员(章)



- 注: 1、此证一式三联。一联为发证机关存根, 二联为申请者存根, 三联为林木采伐凭证。
 2、超过规定采伐期限, 此证无效。
 3、采伐凭证联套印国家林业局林木采伐管理专用章。



Plant Quarantine Certificate (Off Province)

Stamp of the State Forestry Administration

Forest () check word No. 000XXXX

Allocation and transportation organization(person), and address					
Name of Allocation and transportation organization(person)		ID No.		telephone	
Organization(person) of taking delivery, and address					
Plan/plant product origin				Conveyance	
Source and destination of conveyance	From	By	To		
Valid period	from	Year month day		to	Year month day
Plant/plant product name	Product name(timber species)	specification	organization	volume	remark
<p>Issuing remark: The plants/plant products listed above, through() The pests in forestry quarantine, complementary pests in local province(region/city) and entering province(region/city), and other dangerous pests in forestry that forestry quarantine organization puts forward in entering province are not found, so their allocation and transportation is approved.</p> <p>Entrusted organization (special stamp of forestry quarantine issuing organization) (special stamp of plant organization at provincial level)</p> <p style="text-align: center;">quarantine inspector(signature)</p> <p style="text-align: center;">issuing date: year month day</p>					

Notes:

- 1) All relevant stamps are required.
- 2) The certificate cannot be re-used, transferred or modified in any way.
- 3) One certificate must accompany one vehicle (or ship) for the whole journey specified.

Plant Quarantine Certificate



植物检疫证书 (省内)



(14)

林()检字 No. 02203596

调运单位(人)及地址		江苏省泗阳县 [江苏省泗阳县]			
调运(承办)人姓名	身份证号	联系电话			
收货单位(人)及地址	江苏省镇江市丹阳市 [江苏省镇江市丹阳市]				
植物或植物产品来源	江苏省泗阳县	运输工具	汽车		
运输起讫	自 江苏省宿迁市泗阳县	经	至	江苏省镇江市丹阳市	
有效期限	自 2008 年 02 月 02 日	至	2008 年 02 月 02 日		
植物或植物产品名称	品名(或材种)	规格	单位	数量	备注
柚子衫	原板	多规格	立方米	24	松木
(以下空白)					
签发意见: 上列调运的植物或植物产品, 经 (江苏省泗阳县) , 未发现林业检疫性有害生物和本省(区、市)补充林业检疫性有害生物, 同意调运。					
签发机关(植物检疫专用章) 		检疫员(签名) 			
检疫站: 8881		签证日期 2008 年 02 月 02 日			

第二联 随货同行

注: 1. 本证无调出地林业植物检疫机构检疫专用章和检疫员签名无效; 2. 本证转让、涂改和重复使用无效; 3. 一车(船)一证, 全程有效。

Timber Transportation / Conveyance Certificate

Stamp of Timber Conveyance Certificate of State Forestry Administration

No. 000XXXX

Province (Region/City)

Basis of issuing certificate					
Place of timber origin	Province(Region/City) County(City) Bureau(Center)				
Organization(person) of delivery					
Organization(person) of taking delivery					
Conveyance					
Source and destination of conveyance	From()to()Province/Region/City()County/City				
Valid period	From Year month day to Year month day				
Tree species	Product name	specification	amount		remark
			Numbers in unit	Volume(m3)	
Total(in capital)	ten thousand thousand hundred ten:		m3		
Department of issuing certificate(stamper) issuer(signature): Management department(special stamp) issuing date: year month day applicant(signature):					

Notes:

- 1) All relevant stamps are required.
- 2) The certificate cannot be re-used, transferred or modified in any way.
- 3) One certificate must accompany one vehicle (or ship) for the whole journey specified.
- 4) If the consignment has reached its destination and is then to be further transported, the timber conveyance certificate of off province must be renewed and approved by local forestry management department.
- 5) If the mode of transport is changed in the mid-course, the timber conveyance certificate should be remade in the forestry management
- 6) Department at the place of transfer.

Timber Transportation / Conveyance Certificate

----- 裁 ----- 切 ----- 线 -----

江苏省省内木材运输证



江苏省()市()县()区()

00633725

发证依据	育林证号: 0161027				
木材产地	江苏	省(区、市)	泗阳县(市、区)	镇(林场)	
发货单位(人)	江苏省泗阳县				
收货单位(人)	江苏省丹阳市				
运输方式	汽车				
运输起讫	自(泗阳)经()至(丹阳市)县(市、区)				
有效期限	从 贰零零捌 年 贰 月 壹 日至 贰零零捌 年 贰 月 肆 日 过期作废				
树(材)种	品 名	规 格	数 量		备 注
			件(根、张、块)数	材 积 (m³)	
榉子枋	榉枋	800*100		20.6	
(以下空白)					
(以下空白)					
(以下空白)					
合计(大写)		零 万 零 千 百 零 十 零 件(根、张、块): 零 千 零 百 零 十 点 肆 立方米			
 江苏省林业管理局 管理机关(专用章) 木材运输管理专用章		 宿豫县林业局 木材运输专用章		签发日期: 贰零零捌 年 贰 月 肆 日 申请人: <u>李凯</u>	签证人: <u>李凯</u>

第二联 随货同行

注: 1、本证由起运地县级以上林业主管部门盖章有效; 2、一车(船)一证, 证货相符, 全程有效; 3、不准涂改、买卖、转让或重复使用; 4、运达本证规定地点的木材, 需再次转运的, 应凭本证在当地林业主管部门重新办理出省(省内)木材运输证; 5、发证依据是指注销的林木采伐许可证(或者上市销售证明)和育林基金票据号码, 或者运入本县、市木材的原运输证号码。