



Laws to combat illegal logging – Information for customs brokers

FACTSHEET 1.3



Australia has laws in place to combat illegal logging and support the purchase and sale of legally harvested timber.

The trade in illegally logged timber disadvantages legitimate businesses, has negative social and environmental consequences, undercuts market prices and threatens local investment, profitability and jobs.

Australia's illegal logging laws prohibit the import of illegally logged timber and timber products, as well as the processing of Australian grown raw logs that have been illegally logged.

What are the new requirements?

From 30 November 2014, anyone importing a 'regulated timber product' into Australia will be required to have carried out due diligence prior to import.

Put simply, due diligence requires an importer to gather information, assess the risk that the timber product they are importing may have been illegally logged and, if the risk is not low, undertake reasonable steps to mitigate any risk.

These requirements have been designed to be as flexible as possible and not too onerous. Importers may be able to use existing commercial practices to meet their responsibilities.

What role do customs brokers play?

As a customs broker, you are not directly regulated under the laws. However, you may have importers seeking information from you about the new laws.

The department has prepared a range of education and guidance materials to help importers understand their responsibilities. You can let importers know they can access these materials on the department's website at daff.gov.au/illegallogging.

Importers will also need to make a declaration to Customs about their compliance with the due diligence requirements. This will be in the form of a community protection question as part of the import declaration process. The department recognises that where you are acting as an agent for an importer, you may make this declaration on their behalf as part of the normal formal imports declaration process.

What is a "regulated timber product"?

- Regulated timber products are listed in the *Illegal Logging Prohibition Amendment Regulation 2013*. They include a variety of products in the following tariff codes: Chapter 44, Chapter 47, Chapter 48 and Chapter 94.
- This includes most timber and wood based products, such as sawn timber, veneer, mouldings, wood panels, plywood, pulp, paper and wooden furniture.
- For more information see *Factsheet 2.4 – What timber products are regulated?*

Where do I go or where do I refer importers for more information?

- The department's illegal logging website is a source of up-to-date information and guidance materials, including answers to frequently asked questions.
- Please visit daff.gov.au/illegallogging
- To receive regular updates on this issue, please join our subscription list using the "Subscribe" link on the website.
- You can also email: illegallogging@agriculture.gov.au, or call 1800 657 313.

THE DUE DILIGENCE PROCESS



Keep a written record of your due diligence process

What is due diligence?

Before importing a regulated timber product into Australia, an importer must have a due diligence system and retain a written record of the due diligence process.

Due diligence is a four step process:

1. An importer must obtain information about the timber or timber product they intend to import;
2. Optional – An importer can identify and assess risk against a Timber Legality Framework or a Country Specific Guideline (if available);
3. Where an importer has not used Step 2, or where they have used the Step 2 process but they have identified a risk that the timber is illegally logged and the risk is other than low, an importer must undertake a risk assessment; and
4. Where an importer has, during Step 3, identified that there is a risk that the timber was illegally logged and the risk was not low, an importer must mitigate the risk in accordance with the Regulation.



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