



BRIEFING NOTE: EU TIMBER REGULATION

- A **prohibition** on the “first placing” of illegally harvested timber and timber products onto the EU market.
- Operators placing timber and timber products onto the EU market for the first time must exercise due diligence to mitigate the risk that this timber has been illegally harvested. Essentially, they must implement a **due diligence system** which:
 1. **Provides information** about the supply of timber products, including description, species, country of harvest, quantity, name and address of supplier and trader and documents indicating compliance with the applicable legislation
 2. **Evaluates the risk** of placing illegally harvested timber and timber products on the market. Criteria which can be used to assess this risk include:
 - assurance of compliance with applicable legislation, including certification schemes, third party verification.
 - prevalence of illegal harvesting of specific tree species
 - prevalence of illegal logging in the country of harvest
 - UN or EU sanctions on timber imports or exports
 - complexity of the supply chain
 3. Unless the risk of illegality is negligible, takes steps to **mitigate this risk**; for example, additional information, third party verification.
- Those trading in timber and timber products within the EU must keep **records** of sale and purchase.
- The UK will put in place a robust and proportionate regime, including dissuasive penalties, to implement the Regulation. The **Competent Authority** will carry out checks on operators to ensure compliance, including examination of due diligence systems and on-site checks.
- Operators can either set up their own due diligence systems, or make use of one provided by a **Monitoring Organisation**. A Monitoring Organisation must also check that those using its due diligence system are doing so correctly, and should take appropriate action if an operator is failing to use its due diligence system properly.
- The Regulation will come into force on **3rd March 2013**.

For more information, please contact:

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