

8 November 2017

## Customer Update

### Illegal Logging Legislation

Dear Valued Customer

#### Re: The Illegal Logging Prohibition Amendment that came into effect on 30 Nov. 2014

The Illegal Logging Prohibition Amendment Regulation 2013 is law and its requirements came into effect on 30 November 2014. From that date, importers of certain timber or timber products have needed to assess and manage the risk that the timber has not been illegally logged. This is known as carrying out “due diligence”.

The regulated timber products are identified using customs tariff codes. The regulated products fit within **Chapters 44, 47, 48 and 94** of the tariff codes and relate to **specific wood products, pulp, paper and furniture products**.

#### End of the "soft-start" compliance period

The Department of Agriculture and Water Resources (**DAWR**) is now moving to end the existing 'soft-start' compliance period. During this period, they have not been issuing penalties for any failures to comply with the 'due diligence' requirements.



**From 1 January 2018**, businesses and individuals who import regulated timber products into Australia, may face penalties for breaches of the due diligence requirements.

**Breaches of the Act and Regulations will be taken seriously** – if an importer knowingly or recklessly imports illegally logged timber or products, up to five years jail and/or heavy fines apply.

Essentially **compliance with the regulation is the responsibility of importers** of regulated timber and products.

**Import declaration** – from 30 November 2014, importers (via their Customs Broker) have been required to answer a declaration at the time of import of each shipment about their compliance with the due diligence requirements of the Regulation.

On the following pages is the '**Illegal Logging Importer Declaration**' statement that **Transtar require from you** in order to answer **YES** to the question:

*HAS THE IMPORTER COMPLIED WITH THE DUE DILIGENCE REQUIREMENTS OF THE ILLEGAL LOGGING PROHIBITION ACT 2012 AND ASSOCIATED REGULATIONS?*

- » (A word version of this form can also be found on our web page at: <https://www.transtar.net/customer-resources/downloads/australia/illegal-logging-resources>)

**If you are an importer of regulated products can you please fill in this form (if you have not previously done so) and return to Transtar by the end of the soft start period on 31 December 2017.**

(If an importer declares 'NO' to "Have they complied with the Due Diligence requirements" when their goods enter Australia, the goods will not be held up at the border as a result of no due diligence but this information will be gathered by the department for compliance and education).

**Transtar International Freight**

MELBOURNE | SYDNEY | BRISBANE | AUCKLAND | HONG KONG | SHANGHAI | SHENZHEN | QINGDAO | NINGBO | XINGANG | WUHAN | GUANGZHOU | XIAMEN | SINGAPORE | BANGKOK | KUALA LUMPUR

[www.transtar.net](http://www.transtar.net)

## Resources

**Transtar** is providing some resources in order to help clients comply with the requirements of the Act and Regulations.

- » They can be found on our web page at <https://www.transtar.net/customer-resources/downloads/australia/illegal-logging-resources>

The department (**DAWR**) has also prepared a range of education and guidance materials to help importers better understand their responsibilities under the illegal logging laws.

- » These can be found on the Information for importers webpage at: <http://www.agriculture.gov.au/forestry/policies/illegal-logging/information-resources>
- » You may also find their 'Frequently asked questions' web page helpful at: <http://www.agriculture.gov.au/forestry/policies/illegal-logging/faqs>

**Helpful hint** – One way of identifying timber or timber products that are at low risk of being sourced illegally is **certification under an approved timber legality framework** such as Forest Stewardship Council (**FSC**) or Programme for Endorsement of Forest Certification (**PEFC**). Sourcing from suppliers with such certification should greatly aid and simplify your due diligence process.

- » Further information can be found at the department's webpage at: <http://www.agriculture.gov.au/forestry/policies/illegal-logging/information-importers/guidance-for-importers#establish-and-maintain-a-due-diligence-system>

## What to do now?

If you have not carried out **Due Diligence** on the timber products you import, do it now before it is too late.

Fill in and return (if you have not already done so) the "**Illegal Logging Importer Declaration**" statement that **Transtar require from you** in order to answer **YES** to the question:

*HAS THE IMPORTER COMPLIED WITH THE DUE DILIGENCE REQUIREMENTS OF THE ILLEGAL LOGGING PROHIBITION ACT 2012 AND ASSOCIATED REGULATIONS?*

- » (A word version of this form can also be found on our web page at <http://www.transtar.net/customer-resources/downloads/australia> )

As always if you have any further questions please do not hesitate to contact us at Transtar.

Kind regards

**Transtar Customs Team**

# Importer authority for customs broker to answer Illegal Logging Prohibition CPQ

**With reference to the Illegal Logging Prohibition Act 2012 and the Illegal Logging Prohibition Regulation Amendment 2013 (Illegal Logging Prohibition legislation)**

I / we:	
---------	--

{insert importer name and ABN} hereby authorise **TRANSTAR INTERNATIONAL FREIGHT PTY LTD ABN 85113186280** to answer **YES** to the following Community Protection Question

(# 510): *HAS THE IMPORTER COMPLIED WITH THE DUE DILIGENCE REQUIREMENTS OF THE ILLEGAL LOGGING PROHIBITION ACT 2012 AND ASSOCIATED REGULATIONS? (IF PRODUCT IS EXEMPT OR DOES NOT CONTAIN TIMBER, ANSWER YES.)*

***I/we declare I/we have met the due diligence requirements of the Illegal Logging Prohibition legislation for the regulated timber products that are the subject of this declaration.***

**The timber products covered are as listed overleaf**

This declaration operates for a period from 30/11/2014 to {insert finish date}	
--	--

I / we absolve **TRANSTAR INTERNATIONAL FREIGHT PTY LTD ABN 85113186280** from any liability in relation to this declaration.

--	--	--

*Name of importer representative      Signature of importer representative      Date of declaration*

-----  
For further information contact:

.....  
*{insert contact name and telephone number of regulated timber product importing person/company in relation to this declaration}*

<b>Contact name:</b>	
<b>Tel number:</b>	

**Regulated timber products covered by this declaration:**

<b>Products tariff code (4 digit or greater)</b>	<b>Supplier name</b>	<b>Supplier address</b>

.....  
*Signature of importer representative*