

TIMBER LEGALITY DEFINITION 4: NATURAL TIMBER FROM VILLAGE USE FOREST AND LAND OF INDIVIDUALS, LEGAL ENTITIES OR ORGANIZATIONS

PRINCIPLE 4.1 LAND USE RIGHTS		
Criterion 4.1.1 Acquiring of land use rights		
Indicators	Verifiers	Legal references
4.1.1.1 The village administration, individual, legal entity or organization has received the land use rights according to the law.	4.1.1.1.1 Land title or land use certificate.	<ul style="list-style-type: none"> • Law 64/NA (2019), article 111, 114, 119 and 120 • Law 70/NA (2019), articles 44, 99 (revision is ongoing)
PRINCIPLE 4.2 THE MANAGEMENT OF NATURAL TREES		
Criterion 4.2.1 Village forest management planning		
Indicators	Verifiers	Legal references
4.2.1.1 Village Administration has collaborated with District of Agriculture and Forestry Office to formulate the village forest management plan and acknowledged by the District Governor.	4.2.1.1.1 Village Forest Management plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535/MAF (2001), article 5 (revision is planned)
	4.2.1.1.2 Letter of agreement of acknowledgement of village forest management plan.	<ul style="list-style-type: none"> • Regulation 0535/MAF (2001), article 5 (revision is planned)
Criterion 4.2.2 Management of natural trees on land of individuals, entities or organizations		
Indicators	Verifiers	Legal references
4.2.2.1 The village sub-agriculture and forestry unit has collected and listed the natural trees and the village administration has issued a certificate which is acknowledged by the District Agriculture and Forestry Office.	4.2.2.1.1 Natural trees list certificate	<ul style="list-style-type: none"> • Law 64/NA (2019), article 40 • Decree 247/GOL (2019), article 7 • Regulation 0535 (revision is planned)
PRINCIPLE 4.3 HARVESTING OF NATURAL TIMBER		
Criterion 4.3.1 Establishment and approval of harvesting plan in the village use forest (Option 1)		
Indicators	Verifiers	Legal references
4.3.1.1 The Village Administration has collaborated with District	4.3.1.1.1 Report of pre-harvest inventory	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)

Agriculture and Forestry Office to formulate the village annual harvesting plan based on results of pre-harvest inventory, integrated in the annual provincial harvesting plan.	4.3.1.1.2 Village annual harvesting plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
	4.3.1.1.3 Provincial annual harvesting plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
4.3.1.2 The government has approved the annual harvesting plan based on the notification of Prime Minister Office.	4.3.1.2.1 Notification of approved annual harvesting plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
4.3.1.3 Ministry of Agriculture and Forestry has issued notification of annual harvesting plan	4.3.1.3.1 Notification of approval of annual harvesting plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
4.3.1.4 Provincial Agriculture and Forestry Office has issued harvesting permit for village use forest	4.3.1.4.1 Annual harvesting permit	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
Criterion 4.3.1 Establishment and approval of harvesting plan in the village use forest (Option 2)		
Indicators	Verifiers	Legal references
4.3.1.1 The Village Administration has collaborated with District of Agriculture and Forestry Office to formulate the village annual harvesting plan based on results of pre-harvest inventory, certified by Provincial Office of Agriculture and Forestry.	4.3.1.1.1 Report of pre-harvest inventory	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
	4.3.1.1.2 Village annual harvesting plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
4.3.1.2 Provincial Agriculture and Forestry Office has issued harvesting permit for village use forest	4.3.1.2.1 Annual harvesting permit	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
Criterion 4.3.2 Tree cutting approval on the land of individuals, entities or organizations		
Indicators	Verifiers	Legal references
4.3.2.1 The agriculture and forestry sector has approved the trees cutting on the land of individual, entity or organization as follows: <ul style="list-style-type: none"> - Tree list I: Ministry of Agriculture and Forestry - Tree list II and III: Provincial Agriculture and Forestry Office. 	4.3.2.1.1 Tree cutting permit	<ul style="list-style-type: none"> • Law 64/NA (2019), article 63 • Regulation 0535 (revision is planned)

Criterion 4.3.3 Harvesting operation		
Indicators	Verifiers	Legal references
4.3.3.1 The village agriculture and forestry sub-unit is responsible for harvesting operation in village use forest, according to the plan.	4.3.3.1.1 Village annual harvesting plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 152 • Regulation 0535 (revision is planned)
	4.3.3.1.2 Chainsaw registration certificate	<ul style="list-style-type: none"> • Law 64/NA (2019), article 38 • Decision 0080/MAF (2012), article 8.
4.3.3.2 Individuals, entities or organizations have conducted trees cutting according to the approval.	4.3.3.2.1 Tree cutting permit	<ul style="list-style-type: none"> • Law 64/NA (2019), article 63
	4.3.3.2.2 Chainsaw registration certificate	<ul style="list-style-type: none"> • Law 64/NA (2019), article 38 • Decision 0080/MAF (2012), article 8.
4.3.3.3 Village agriculture and forestry sub-unit makes log list and grading for timber harvested in the village use forest	4.3.3.3.1 Log list	<ul style="list-style-type: none"> • Law 64/NA (2019), article 32
PRINCIPLE 4.4 TIMBER SALES		
Criterion 4.4.1 Conducting timber sales		
Indicators	Verifiers	Legal references
4.4.1.1 The sale of timber from village use forest has been conducted through the village timber sales committee, established by the village and certified by the District Governor.	4.4.1.1.1 Agreement on establishment of village timber sales committee	<ul style="list-style-type: none"> • Regulation 0535/ MAF (revision planned)
	4.4.1.1.2 Sales contract	<ul style="list-style-type: none"> • Regulation 0535/ MAF (revision planned)
4.4.1.2 The village administration has certified and recorded the sale of timber from land of individuals, legal entities or organizations	4.4.1.2.1 Copy of sales contract	<ul style="list-style-type: none"> • Regulation 0535/ MAF (revision planned)
	4.4.1.2.2 Natural trees list certificate	<ul style="list-style-type: none"> • Law 64/NA (2019), article 40 • Regulation 0535/ MAF (revision planned)
	4.4.1.2.3 Sales record book	<ul style="list-style-type: none"> • Regulation 0535/ MAF (revision planned)
Criterion 4.4.2 Management and use of revenues of village		
Indicators	Verifiers	Legal references
4.4.2.1 Village Administration has transferred 65% of revenues from timber sales to the Village Forest Protection Fund.	4.4.2.1.1 Invoices and receipts for transactions	<ul style="list-style-type: none"> • Law 64/NA (2019), article 130 • Decree 38/PM (2005) (under revision, to be extended to village use forest) • Regulation 0535/ MAF (revision planned)

4.4.2.2 Village Administration has transferred 35% of revenues from timber sales to the Village Development Fund.	4.4.2.2.1 Invoices and receipts for transactions	<ul style="list-style-type: none"> • Regulation 0535/ MAF (revision planned)
Criterion 4.4.3 Fee payment obligation		
Indicators	Verifiers	Legal references
Option 1: 4.4.3.1 Village has paid fees based on the law and regulation.	4.4.3.1.1 Receipt	<ul style="list-style-type: none"> • Law 64/NA (2019), article 127 • Regulation 0535/ MAF (revision planned)
Option 2: Village has paid fees based on the law and regulation.		
PRINCIPLE 4.5 TIMBER MOVEMENT		
Criterion 4.5.1 Conducting movement of natural timber		
Indicators	Verifiers	Legal references
Option 1: 4.5.1 Before the movement of natural timber from village use forests and the land of individuals, legal entities or organizations <ul style="list-style-type: none"> - logs have been marked and stamped with forestry hammer - a transport permit from agriculture and forestry sector has been issued 	4.5.1.1.1 Timber transport permit	<ul style="list-style-type: none"> • Law 64/NA (2019), article 35 • Regulation 0535/ MAF (revision planned)
Option 2: 4.5.1 Before the movement of natural timber from village use forests and the land of individuals, legal entities or organizations, district agriculture and forestry sector has <ul style="list-style-type: none"> - marked the logs - issued a transport permit 	4.5.1.1.1 Timber transport permit	<ul style="list-style-type: none"> • Law 64/NA (2019), article 35 • Regulation 0535/ MAF (revision planned)