

APPENDIX A4: TIMBER LEGALITY DEFINITION AND COMPLIANCE VERIFICATION - 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		
Indicator	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 and 130 (revision is ongoing)
Regulatory Inspection	Verification	
Inspected and endorsed by: - PONRE	Verified by: - POFI	
	Verification means: - document review and consultation with PONRE (if no access to stored information on land use rights), DAFO and village administration - field observations (land use certificates of individuals, legal entities or organizations) and consultation with sampled tree owners	
Information stored by: - PONRE	Verification frequency, timing and intensity: - onetime check during VFMP validity - before commencement of harvesting operations - comprehensive (each district) and a sample of villages with VFMP (risk-based), village sampled during consultation of DAFO	
PRINCIPLE 4.2 THE MANAGEMENT OF NATURAL TREES		
Criterion 4.2.1 Village forest management planning		
Indicator	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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - District Governor	Verified by: - POFI	
	Verification means: - document review and consultation with district governor, DAFO and village administration	

	- field observations/measurements (delineation VUF, inventory)
Information stored by: - DAFO	Verification frequency, timing and intensity: - onetime check during VFMP validity - before commencement of harvesting operations - comprehensive (all districts) and a sample of villages with VFMP (risk-based), village sampled during consultation of DAFO

Criterion 4.2.2 Management of natural trees on land of individuals, entities or organizations

Indicator	Verifiers	Legal references
4.2.2.1 The Village agriculture and forestry sub-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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - DAFO	Verified by: - POFI	
	Verification means: - document review and consultation with DAFO and village authorities - field observations/measurements (location of a sample of registered trees) and consultation with tree owners	
Information stored by: - DAFO - Village agriculture and forestry sub-unit	Verification frequency, timing and intensity: - once per year - before commencement of harvesting operations - comprehensive (each district) and a sample of villages with VFMP (risk-based), village sampled during consultation of DAFO	

PRINCIPLE 4.3 HARVESTING OF NATURAL TIMBER

Criterion 4.3.1 Establishment and approval of harvesting plan in the village use forest (Option 1)

Indicator	Verifiers	Legal references
4.3.1.1 The Village Administration has collaborated with District 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.	4.3.1.1.1 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)
	4.3.1.1.3 Provincial annual harvesting plan	<ul style="list-style-type: none"> • Law 64/NA (2019), article 39 • Regulation 0535 (revision is planned)
Regulatory Inspection	Verification	

Inspected and endorsed by: - DAFO	Verified by: - POFI	Verification means: - document review and consultation with DAFO and village authorities - field observations/measurements (pre-harvest inventory, harvesting plans)
	Information stored by: - DAFO - village administration	
Indicator	Verifiers	Legal references
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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - PMO	Verified by: - DOFI	Verification means: - document review and consultation with DOF
	Information stored by: - DOF	
Indicator	Verifiers	Legal references
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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - MAF	Verified by: - POFI	Verification means: - document review and consultation with PAFO and DAFO
	Information stored by: - PAFO	
Indicator	Verifiers	Legal references

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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - PAFO	Verified by: - POFI	
	Verification means: - document review and consultation with PFS, DAFO and village agriculture and forestry sub-unit	
Information stored by: - PFS - DAFO - Village agriculture and forestry sub-unit	Verification frequency, timing and intensity - once per year - before commencement of harvesting operations - sample of villages with VFMP (risk-based), village sampled during consultation village agriculture and forestry sub-unit	
Criterion 4.3.1 Establishment and approval of harvesting plan in the village use forest (Option 2)		
Indicator	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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - PAFO	Verified by: - POFI	
	Verification means: - document review and consultation with PFS, DAFO and Village agriculture and forestry sub-unit - field observations/measurements (pre-harvest inventory, harvesting plans)	
Information stored by: - PFS - DAFO - Village agriculture and forestry sub-unit	Verification frequency, timing and intensity: - once per year - before commencement of harvesting operations - comprehensive (each district) and a sample of villages with VFMP (risk-based), village sampled during consultation of village agriculture and forestry sub-unit	
Indicator	Verifiers	Legal references
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)
Regulatory Inspection	Verification	

Inspected and endorsed by: - PAFO	Verified by: - POFI
	Verification means: - document review and consultation with PFS, DAFO, village agriculture and forestry sub-unit
Information stored by: - PFS - DAFO - Village agriculture and forestry sub-unit	Verification frequency, timing and intensity - once per year - before commencement of harvesting operations - comprehensive (each district) and a sample of villages with VFMP (risk-based), village sampled during consultation PFS, DAFO, village agriculture and forestry sub-unit

Criterion 4.3.2 Tree cutting approval on the land of individuals, entities or organizations

Indicator	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: - 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)

Regulatory Inspection

Verification

Inspected and endorsed by: - PAFO and MAF	Verified by: - POFI
	Verification means: - Document review and consultation with PAFO (if necessary) and DAFO - field observations/measurement, consultation with tree owners who sold logs
Information stored by: - PAFO - DAFO	Verification frequency, timing and intensity - once per year - after harvesting season - for a sample tree owners who sold logs in sampled of villages with VFMP (risk-based), village sampled during consultation PAFO and DAFO

Criterion 4.3.3 Harvesting operation

Indicator	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.
Regulatory Inspection	Verification	

Inspected and endorsed by: - DAFO	Verified by: - POFI	
	Verification means: - document review and consultation with DAFO - field observations/measurements (conformity of harvesting operations) and consultation with village administration and operators	
Information stored by: - DAFO	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive (each district) and a sample of villages with VFMP (risk-based), village sampled during consultation DAFO	
Indicator	Verifiers	Legal references
4.3.3.2 Individuals, entities or organizations have conducted trees cutting according to the approval.	4.3.3.2.1 Tree cutting permit	• Law 64/NA (2019), article 63
	4.3.3.2.2 Chainsaw registration certificate	• Law 64/NA (2019), article 38 • Decision 0080/MAF (2012), article 8.
Regulatory Inspection	Verification	
Inspected and endorsed by: - DAFO and PAFO (tree list II & III) or MAF (tree list I)	Verified by: - POFI	
	Verification means: - document review and consultation with PAFO and DAFO (tree cutting permits) - field observations/measurements (conformity of tree cutting) and consultation with village administration and tree owners (for verification of supply chain control, see Appendix B4)	
Information stored by: - PAFO - DAFO	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive (each district) and a sample of villages and tree owners), village sampled during consultation DFU	
Indicator	Verifiers	Legal references
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	• Law 64/NA (2019), article 32
Regulatory Inspection	Verification	
Inspected and endorsed by: - DAFO	Verified by: - POFI	
	Verification means: - document review and consultation with DAFO - field observations/measurements (conformity of harvesting operations) and consultation with village	

	administration and operators (for verification of supply chain control, see Appendix B4)	
Information stored by: - DAFO	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive (each district) and a sample of villages with VFMP (risk-based), village sampled during consultation DAFO	
PRINCIPLE 4.4 TIMBER SALES		
Criterion 4.4.1 Conducting timber sales		
Indicator	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	• Regulation 0535/ MAF (revision planned)
	4.4.1.1.2 Sales contract	• Regulation 0535/ MAF (revision planned)
Regulatory Inspection	Verification	
Inspected and endorsed by: - DAFO and District Governor	Verified by: - POFI	
	Verification means: - document review and consultation with DAFO and village administration (for verification of supply chain control, see Appendix B4)	
Information stored by: - DAFO and village administration	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive (each district) and a sample of villages with VFMP (risk-based), village sampled during consultation DAFO	
Indicator	Verifiers	Legal references
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	• Regulation 0535/ MAF (revision planned)
	4.4.1.2.2 Natural trees list certificate	• Law 64/NA (2019), article 40 • Regulation 0535/ MAF (revision planned)
	4.4.1.2.3 Sales record book	• Regulation 0535/ MAF (revision planned)
Regulatory Inspection	Verification	
Inspected and endorsed by: - village administration	Verified by: - POFI	
	Verification means: - document review and consultation with village administration and tree sellers (for verification of supply chain control, see Appendix B4)	

Information stored by: - village administration	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive	
Criterion 4.4.2 Management and use of revenues of village		
Indicator	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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - village administration	Verified by: - POFI	
	Verification means: - document review and consultation with village administration	
Information stored by: - village administration	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive	
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"> • Law 64/NA (2019), article 127 • Regulation 0535/ MAF (revision planned)
Regulatory Inspection	Verification	
Inspected and endorsed by: - village administration	Verified by: - POFI	
	Verification means: - document review and consultation with village administration	
Information stored by: - village administration	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive	
Criterion 4.4.3 Fee payment obligation		
Indicator	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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - village administration	Verified by: - POFI	

	Verification means: - document review and consultation with village administration	
Information stored by: - village administration	Verification frequency, timing and intensity - once per year - after harvesting season - comprehensive	
Indicator	Verifiers	Legal references
Option 2: Village has paid fees based on the law and regulation.		•
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PRINCIPLE 4.5 TIMBER MOVEMENT		
Criterion 4.5.1 Conducting movement of natural timber		
Indicator	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 - 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)
Regulatory Inspection	Verification	
Inspected and endorsed by: - PAFO	Verified by: - POFI	
	Verification means: - document review at LL3 and storage of trader - field observations/measurements at LL3 (sampling) interviews with timber buyer (for verification of supply chain control at LL3, see Appendix B8)	
Information stored by: - PAFO - POIC/DOIC - operator (at LL3) or trader	Verification frequency, timing and intensity: - TBD in coordination with inspection 0777 - during site visit at LL3 and storage of trader - comprehensive (all wood processors and traders)	
Indicator	Verifiers	Legal references
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 - 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)
Regulatory Inspection	Verification	

<p>Inspected and endorsed by:</p> <ul style="list-style-type: none"> - DAFO 	<p>Verified by:</p> <ul style="list-style-type: none"> - POFI <p>Verification means:</p> <ul style="list-style-type: none"> - document review at LL3 and storage of trader - field observations/measurements at LL3 (sampling) - interviews with timber buyer (for verification of supply chain control at LL3, see Appendix B8)
<p>Information stored by:</p> <ul style="list-style-type: none"> - PAFO - POIC/DOIC - operator (at LL3) or trader 	<p>Verification frequency, timing and intensity:</p> <ul style="list-style-type: none"> - TBD in coordination with inspection 0777 - during site visit at LL3 and storage of trader - comprehensive (all wood processors and traders)