

## Annex II: Overview of legally required documents

### Documents to indicate legality

#### 1. Domestic material

- a) Legal right to harvest and other key forest level legality documents

##### Permanent Forest (PF)

- Harvesting License
- Evidence of payment (e.g Tax, Royalty & Cess)
- Company registration with authority (more on legal requirements)
- **Forest Management Plan**
- **Record of monitoring by Forestry Dept.**

##### State land (SL)

##### Alienated land (AL)

- b) Transport from Forest to primary processing
- Removal Pass Form 8 (Figure 1)
  - Removal Pass (change of state) if relevant
- c) Processing
- Trading license
  - Sawmill license issued from Forestry Department (Figure 2)
  - Manufacturing license (Figure 3)
  - **Certificate of Incorporation of Company**
  - **Registration with MTIB and STIDC as appropriate**

#### 2. Import

- a) Import licence
- b) Customs Import Declaration Form 1
- c) Removal pass
- d) Import licence issued by MTIB for logs
- e) Customs Department K1 form
- f) Customs Department K3 form (within Malaysia)

#### 3. Export

- a) Registration with Malaysian Timber Industry Board (MTIB) (Figure 4)
- b) Bill of Lading (Figure 5)
- c) Certificate of Origin (Figure 6)
- d) Phytosanitary certificate (Figure 7)
- e) Form A / Form D (according to the Country)
- f) Fumigation Certificate (according to the Country)



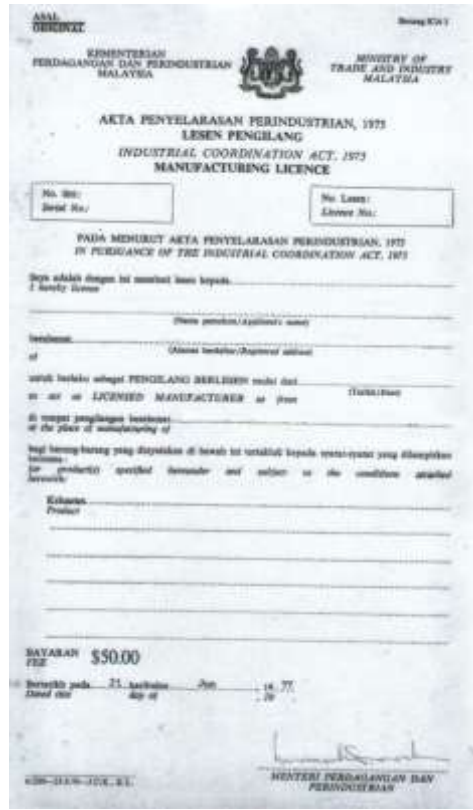


Figure 3: Manufacturing license



Figure 4: Registration with Malaysian Timber Industry Board

**EVERGREEN LINE** BILL OF LADING  
CONFIDENTIAL

1. Shipper's Name: EVERGREEN LINE  
 2. Consignee's Name: EVERGREEN LINE  
 3. Vessel Name: EVERGREEN LINE  
 4. Port of Origin: EVERGREEN LINE  
 5. Port of Destination: EVERGREEN LINE  
 6. Date of Issue: EVERGREEN LINE  
 7. Date of Receipt: EVERGREEN LINE  
 8. Date of Delivery: EVERGREEN LINE  
 9. Description of Goods: EVERGREEN LINE  
 10. Quantity: EVERGREEN LINE  
 11. Gross Weight: EVERGREEN LINE  
 12. Net Weight: EVERGREEN LINE  
 13. Volume: EVERGREEN LINE  
 14. Number of Packages: EVERGREEN LINE  
 15. Markings: EVERGREEN LINE  
 16. Freight: EVERGREEN LINE  
 17. Charges: EVERGREEN LINE  
 18. Total: EVERGREEN LINE  
 19. Signature: EVERGREEN LINE  
 20. Stamp: EVERGREEN LINE

Figure 5: Bill of Lading

**CERTIFICATE OF ORIGIN**  
 Made in **MALAYSIA**  
 MICCI  
 Registered in 1987  
 Member of International Chamber of Commerce (ICC), Paris  
**MALAYSIAN INTERNATIONAL CHAMBER OF COMMERCE & INDUSTRY** (MICCI) c/o P.O. Box 1392 / 50792 Kuala Lumpur, Malaysia. & Offices in Ipoh, Penang, Johor Bahru, Malacca and Kota Bharu.

1. Goods Consigned From (Exporting Country Name, Address & Country)  
 2. Goods Consigned To (Importing Country Name & Country)  
 3. Mark/Packaging & Labels  
 4. Nature of Goods and Mode of Transport  
 5. Item No. / Mark and Number on Package / Number and Types of Packages, Description of Goods (Including Quantity, Volume, Temperature and 45°C max. of Cooling Control) / Gross Weight / Net Weight / Other Quantity and Value / Number and Date of Invoice and Label

10. Declaration by the Exporter: The undersigned hereby declares that the goods shown on this certificate are wholly or partly of the goods shown production of the country of origin.  
 11. Signature: \_\_\_\_\_  
 12. Designation: \_\_\_\_\_  
 13. Title: \_\_\_\_\_

(FOR CHAMBER USE ONLY) 131 98347  
 14. Certificate: \_\_\_\_\_  
 15. Issued on: \_\_\_\_\_

Figure 6: Certificate of Origin


 <b>GOVERNMENT OF MALAYSIA PHYTOSANITARY CERTIFICATE</b> FAO International Plant Protection Convention		ORIGINAL Ser: BB 037247 Certificate Number										
To: The Plant Protection Organization of		Place of Issue										
<b>DESCRIPTION OF CONSIGNMENT</b>												
1. Name and address of exporter		2. Declared name and address of consignee										
3. Number and description of packages		4. Distinguishing marks										
5. Place of origin		6. Declared nature of consignment										
7. Detailed part of article												
8. Name of produce and quantity declared												
<table border="1"> <thead> <tr> <th>No.</th> <th>Name of produce</th> <th>Botanical Name</th> <th>Quantity</th> <th>Use</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			No.	Name of produce	Botanical Name	Quantity	Use					
No.	Name of produce	Botanical Name	Quantity	Use								
<small>This is to certify that the seeds, seed products or other regulated articles mentioned herein have been inspected and tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the written phytosanitary requirements of the importing contracting party, provided that all regulated non-quarantine pests.</small>												
<b>DISINFESTATION AND / OR DISINFECTION TREATMENT</b>												
9. Date		10. Treatment										
11. Chemical (Active ingredients)		12. Duration and temperature										
13. Concentration		14. Additional information										
15. Additional observation												
Stamp of Organization 16. Date		17. Signature 18. Name of authorized officer										
<small>** No transfer liability with respect to the Certificate shall be attached to the Government of Malaysia or to any of its Offices or representatives.</small>												

Figure 7: Phytosanitary Certificate

Annex III: Principles and Criteria of Legal Timber

Region	Peninsular Malaysia						
Principle	Criteria	Related Legislations / Reference	Sources of Timber				
			PF	SL	AL	RW-R (AL)	Imp
1. Right to harvest	Approval of harvesting area by State Authority	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Sections 14, 19, 40, 41 &amp; 42 ]</li> <li>State Forest Rules (Rule 28)</li> </ul>	X	X	X		
	Issuance of harvesting license	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Sections 19]</li> <li>State Forest Rules</li> <li>Forestry Manual 2003, Volume II</li> </ul>	X	X	X		
	Consent by owner to remove logs and wood residues from rubber smallholding/estate	<ul style="list-style-type: none"> <li>National Land Code 1965</li> </ul>				X	
	Environmental management	<ul style="list-style-type: none"> <li>Environmental Quality Act 1974 [Section 34A]</li> <li>Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 1987</li> </ul>	X	X	X		
	Environmental management (rubber estate)	<ul style="list-style-type: none"> <li>Environmental Quality Act 1974 [Section 34A]</li> <li>Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 1987</li> </ul>				X	
	Plan preparation and registration of classification mark	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Section 20 (b)(i) &amp; 20(c)]</li> <li>State Forest Rules</li> <li>Forestry Manual 2003, Volume II (Chap.13, paras 4.0 &amp; 5.1.9)</li> </ul>	X	X	X		
2. Forest operations	Area demarcation	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Section 20 (a)]</li> <li>Forestry Manual 2003, Volume II (Chap.12 &amp; 13)</li> </ul>	X	X	X		
	Pre-F inventory	<ul style="list-style-type: none"> <li>Forestry Manual 2003, Volume III (Chap. 17, paras 7.1 &amp; 7.2)</li> <li>Field Manual for Selective Management System</li> </ul>	X				
	Pre-F assessment	<ul style="list-style-type: none"> <li>Forestry Manual 2003, Volume II (Chap.13, para 4.1)</li> </ul>		X	X		
	Tree marking	<ul style="list-style-type: none"> <li>Forestry Manual 2003, Volume III (Chap. 13, para 7.2)</li> <li>Field Manual for Selective Management System</li> </ul>	X				
	Control of timber production	<ul style="list-style-type: none"> <li>Forestry Manual 2003, Volume II (Chap.13, para 7.3)</li> <li>Tree Tagging and Timber Production Control Book</li> </ul>	X	X	X		
	Control of timber production (ITP)	<ul style="list-style-type: none"> <li>Forestry Manual 2003, Volume II (Chap.13, para 7.3)</li> </ul>	X	X	X		
	Log transportation	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Section 68 &amp; 73]</li> <li>State Forest Rules (Rules 16, 17 &amp; 19)</li> <li>Director General of Forestry Directive JH/126 Jld. 2(6) dated 21 April 2010</li> </ul>	X	X	X		
	Worker safety and health	<ul style="list-style-type: none"> <li>Occupational Safety and Health Act 1994 [Section 15]</li> <li>Workmen’s Compensation Act 1952 (Act 273)</li> <li>Employee’s Social Security Act 1969</li> </ul>	X	X	X	X	
3. Statutory charges	Royalty and fees	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Sections 60, 61, 73 &amp; 75]</li> <li>State Forest Rules (Rules 22 &amp; 23)</li> </ul>	X	X	X		
4. Other users’ rights	User rights by Aborigines (Orang Asli)	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Sections 42(2)(d) and 62(2)(b)]</li> <li>Aboriginal Peoples Act 1954 [Sections 6, 7 &amp; 8]</li> </ul>	X	X	X		

5. Mill operations	Issuance of mill licence and conditions for operation	<ul style="list-style-type: none"> <li>Wood Based Industries Enactment 1985 [Section 3]</li> <li>Forestry Manual 2003, Volume II (Chap. 15)</li> </ul>	X	X	X	X	X
	Issuance of mobile sawmill/chipper licence	<ul style="list-style-type: none"> <li>Wood Based Industries Enactment 1985 [Section 3]</li> <li>Forestry Manual 2003, Volume II (Chap. 15, para 7.0)</li> </ul>				X	X
	Worker safety and health	<ul style="list-style-type: none"> <li>Occupational Safety and Health Act 1994 [Section 15]</li> <li>Workmen's Compensation Act 1952 (Act 273)</li> <li>Employee's Social Security Act 1969</li> </ul>	X	X	X	X	X
6. Trade and Customs	Registration of companies for export	<ul style="list-style-type: none"> <li>Malaysian Timber Industry Board (Incorporation) Act 1973 [Section 13]</li> <li>Timber Industry (Registration) Rules 1991</li> </ul>	X	X	X	X	X
	Export regulations	<ul style="list-style-type: none"> <li>Malaysian Timber Industry Board (Incorporation) Act 1973 [Sections 18A, 18B &amp; 20]</li> <li>Timber Export Bulletins</li> <li>Timber Cess Order 2008</li> <li>Customs Act 1967, Customs (Prohibition of Exports) Order 2008</li> </ul>	X	X	X	X	X
	Import regulations	<ul style="list-style-type: none"> <li>Malaysian Timber Industry Board (Incorporation) Act 1973 [Sections 18A, 18B &amp; 20]</li> <li>Customs Act 1967, Customs (Prohibition of Imports) Order 2008</li> <li>Plant Quarantine Act 1976</li> <li>Letter / circular on phytosanitary requirements from DoA</li> </ul>					X
	Timber from Sarawak	<ul style="list-style-type: none"> <li>Customs Act 1967</li> <li>Malaysian Timber Industry Board (Incorporation) Act 1973</li> <li>Plant Quarantine Act 1976</li> <li>MTIB circular 'Procedures for timber from Sarawak into Peninsular Malaysia and Sabah under the FLEGT VPA'</li> </ul>	X	X	X		
	Transportation of imported logs	<ul style="list-style-type: none"> <li>National Forestry Act 1984 [Sections 68 &amp; 73]</li> <li>State Forest Rules (Rules 16, 17 &amp; 19)</li> <li>Director General of Forestry Directive JH/126 Jld. 2(6) dated 21 April 2010</li> </ul>					X

**Note:**

PF : Permanent Forests  
 SL : State Land  
 AL : Alienated Land  
 Imp : Import  
 RW-R (AL) : Rubberwood (*Hevea brasiliensis*) from Replanting Operations

Source: Annex II. Malaysia-EU FLEGT VPA Timber Legality Assurance System,