

Illegal Logging Prohibition Amendment Regulation 2014 (No. 1)

Select Legislative Instrument No. 172, 2014

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 13 November 2014

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Richard Colbeck

Parliamentary Secretary to the Minister for Agriculture

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1 Name

This is the *Illegal Logging Prohibition Amendment Regulation 2014 (No. 1)*.

2 Commencement

Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | |
| --- | --- |
| Column 1 | Column 2 |
| Provisions | Commencement |
| 1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered. |
| 2. Schedule 1 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of the *Illegal Logging Prohibition Amendment Regulation 2013 (No. 1)*. |

3 Authority

This instrument is made under the *Illegal Logging Prohibition Act 2012.*

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Illegal Logging Prohibition Regulation 2012

1 Subsection 6(3) (example)

Omit “plywood”, substitute “medium density fibreboard”.

2 Subparagraph 10(2)(a)(ii)

Omit “and scientific name”, substitute “or scientific name”.

3 Paragraph 14(3)(a)

Omit “third party”, substitute “independent”.

4 Paragraph 14(3)(b)

Omit “consideration of each of the matters mentioned in subsection 13(2)”, substitute “using the procedures in subsection 11(2), 12(2) or 13(2)”.

5 Paragraph 19(2)(f)

Omit “importer”, substitute “processor”.

6 Paragraph 23(3)(a)

Omit “third party”, substitute “independent”.

7 Paragraph 23(3)(b)

Omit “consideration of each of the matters mentioned in subsection 22(2)”, substitute “using the procedures in subsection 20(2), 21(2) or 22(2)”.

8 Schedule 2

Repeal the Schedule, substitute:

Schedule 2—Timber legality frameworks, country specific guidelines and State specific guidelines

Note: See section 3.

Part 1—Timber legality frameworks

1 Timber legality frameworks

A framework mentioned in the following table is a timber legality framework:

| Timber legality frameworks | |
| --- | --- |
| Item | Framework |
| 1 | The Forest Law Enforcement Governance and Trade (***FLEGT***) licensing scheme for imports of timber into the European Community, administered by the European Commission. |
| 2 | Each of the following administered by the Forest Stewardship Council (***FSC***):  (a) the FSC forest management certification standard;  (b) the FSC chain of custody standard. |
| 3 | Each of the following administered by the Programme for the Endorsement of Forest Certification (***PEFC***):  (a) the PEFC sustainable forest management certification standard;  (b) the PEFC chain of custody standard. |

Note 1: Information about the FLEGT licensing scheme could in 2014 be viewed on the FLEGT website (http://www.euflegt.efi.int).

Note 2: Information about the FSC forest management certification standard and the FSC chain of custody standard could in 2014 be viewed on the FSC website (http://www.ic.fsc.org).

Note 3: Information about the PEFC sustainable forest management certification standard and the PEFC chain of custody standard could in 2014 be viewed on the PEFC website (http://www.pefc.org).

Part 2—Country specific guidelines

2 Country specific guidelines

A guideline mentioned in the following table is a country specific guideline:

| Country specific guidelines | |
| --- | --- |
| Item | Guideline |
| 1 | Country specific guideline for Canada, co‑endorsed by the Government of Australia and the Government of Canada on 25 September 2014. |
| 2 | Country specific guideline for Finland, co‑endorsed by the Government of Australia and the Government of Finland on 29 August 2014. |
| 3 | Country specific guideline for Indonesia, co‑endorsed by the Government of Australia and the Government of Indonesia on 21 October 2014. |
| 4 | Country specific guideline for Italy, co‑endorsed by the Government of Australia and the Government of Italy on 3 October 2014. |
| 5 | Country specific guideline for New Zealand, co‑endorsed by the Government of Australia and the Government of New Zealand on 7 October 2014. |
| 6 | Country specific guideline for Solomon Islands, co‑endorsed by the Government of Australia and the Government of the Solomon Islands on 12 May 2014. |

Note: The country specific guidelines could in 2014 be viewed on the Department’s website (http://www.agriculture.gov.au).

Part 3—State specific guidelines

3 State specific guidelines

A guideline mentioned in the following table is a State specific guideline:

| State specific guidelines | |
| --- | --- |
| Item | Guideline |
| 1 | State specific guideline for New South Wales, co‑endorsed by the Commonwealth and New South Wales governments on 24 October 2014. |
| 2 | State specific guideline for Victoria, co‑endorsed by the Commonwealth and Victorian governments on 15 October 2014. |
| 3 | State specific guideline for Western Australia, co‑endorsed by the Commonwealth and Western Australian governments on 10 October 2014. |
| 4 | State specific guideline for South Australia, co‑endorsed by the Commonwealth and South Australian governments on 23 October 2014. |
| 5 | State specific guideline for Tasmania, co‑endorsed by the Commonwealth and Tasmanian governments on 1 October 2014. |

Note: The State specific guidelines could in 2014 be viewed on the Department’s website (http://www.agriculture.gov.au).