

FLEGT Regulation Report

Fields marked with * need to be filled in before the form can be submitted to the next level.

Competent Authority

* 1 Competent Authority/Authorities (CA) for FLEGT?

Please specify, if different to reporting authority

National Customs Agency

* 2 Is the customs authority the CA, or one of the CAs for FLEGT?

- ☒ Customs authority is the CA
☐ Customs authority is one of the CAs
☐ Customs authority is not the CA or one of the CAs

* 3 Which national legislation designates the CA?

Please also provide a hyperlink to the document (if available) or upload a PDF

Forestry Act, Art. 127, paragraph 1

4 Please upload your file

The maximum file size is 1 MB

Only files of the type pdf are allowed

Interaction of Competent Authority and customs

* 17 Does your national legislation specify the actions that customs should take when shipments from countries and of products covered by the FLEGT licensing scheme arrive at the border?

- ☒ Yes
☐ No

* 18 Please select all the types of actions pertaining to customs that are specified in your national legislation:

Select the types of actions that customs is responsible for, as defined in your legislation

- ☐ Customs are required to assist in enforcing the FLEGT Regulation

- ☒ Customs are required to check FLEGT shipments in the same way they check other shipments
- ☒ Customs are required to suspend release for free circulation of a shipment until the CA has verified the FLEGT licence
- ☐ Customs are required to do certain types of checks for FLEGT shipments
- ☐ Customs are required to inform the CA of any potential non-compliance identified
- ☒ Other (please specify)

* 19 Please specify other:

In accordance with Art. 276 of Forestry Act, infringements shall be established by customs authorities.

20 Does your Member State permit the retrospective submissions of customs declarations for FLEGT licenced shipments by selected importers?

- ☐ Yes
- ☐ No

FLEGT Licences and shipments

* 21 Does the CA use FLEGIT for the processing of FLEGT licences or a national electronic system?

- ☐ FLEGIT
- ☒ National system

* 24 How are FLEGT licences submitted in your country? Please select all that apply.

- ☒ Paper licences
- ☐ Via FLEGIT
- ☐ Via national electronic system
- ☐ Via email
- ☐ Other electronic system (please specify)

* 26 Have any FLEGT licences or FLEGT-licensed shipments been received by your country in the reporting period?

- ☒ Yes
- ☐ No

27 Please provide details of the FLEGT licences received, their status (validated, pending, rejected) and quantities of timber actually imported under the FLEGT licensing scheme in the reporting year, by using the Excel template provided below and upload the completed file. Further **detailed guidance on how to compile and format this data is provided within the Excel template provided. Please also refer to the 'Preliminary checks' tab** for some guidance for the verification of your data before uploading the completed file.

Please note that this information can be extracted from FLEGIT as an Excel file, in the same format as the template provided below. The reporting authority can then complete and verify the dataset as required, by editing the generated Excel sheet.

The maximum file size is 1 MB

Only files of the type xls,xlsx are allowed

4c621b49-b2b2-4073-8f82-f5be242ef144/2022_FLEGT_licences_and_actual_imports_data.xls

28 Download template:

[FLEGT licences and actual imports data template v2.xlsx](#)

Provision for penalties

*29 Are there provisions for administrative fines?

- ☒ Yes
☐ No

Provisions for administrative fines

*30 Minimum level of penalty:

BGN 500

*31 Maximum level of penalty:

BGN 10000

*32 Legal basis

Art. 271 of Forestry Act provides for infringements of Regulation (EC) No. 2173/2005

33 Comments:

No

*34 Are there provisions for criminal fines?

- ☐ Yes
☒ No

*39 Are there provisions for imprisonment?

- ☐ Yes
☒ No

*44 Are there provisions for suspension of the authority to trade?

- ☐ Yes
☒ No

*49 Are there provisions for notices of remedial action or warning letters?

- ☐ Yes
☒ No

*54 Are there provisions for other types of penalties?

- ☐ Yes

☒ No

*56 Do penalties include seizure or confiscation of timber shipments?

☒ Yes

☐ No

*57 Is disposal of the confiscated timber foreseen in the national legislation?

☒ Yes

☐ No

*58 Which institution is responsible for disposal of confiscated timber?

☐ Customs

☐ CA

☐ Court

☐ Police

☒ Other

*59 Please specify other:

Executive Forestry Agency

Penalties applied

*60 How many FLEGT licences were rejected?

1

*61 Has Article 6(1)[1] been applied for any shipments in the reporting period, i.e. were there any penalties or seizures in in the reporting period?

[1] Article 6.1: If competent authorities establish that the requirement laid down in Article 4(1) is not fulfilled, they shall act in accordance with national legislation in force.

☐ Yes

☒ No

63 Download template:

[Penalties applied template.XLSX](#)

*64 Has Article 6(2)[1] been applied for any shipments in the reporting period?

[1] Article 6.2: Member States shall notify the Commission of any information suggesting that the provisions of this Regulation are being, or have been, circumvented.

☐ Yes

☒ No

Provisions for additional verification of FLEGT licences and shipments

*66 Does your country carry out additional verification checks on FLEGT licences?

‘Additional’ verification of FLEGT licences is understood as the Competent Authority requesting additional information from the licensing authority of the partner country.

☒ Yes

☐ No

* 67 Which agency carries out these additional FLEGT licence verification checks?

- ☐ Customs
- ☒ CA
- ☐ Customs or CA
- ☐ Customs and CA
- ☐ Other

* 69 What criteria are used to determine whether additional verification of a FLEGT licence is required? Please select all that apply:

- ☐ Species
- ☒ Operator
- ☒ Volume/weight of shipment
- ☒ HS codes
- ☐ Country of origin
- ☒ Mismatch of information on FLEGT licence and other shipment documents
- ☐ Mismatch with information in SILK database
- ☒ Licence is missing a stamp and/or signature
- ☒ Licence is no longer valid
- ☐ Other issues with FLEGT licence (please specify)
- ☐ Other (please specify)

* 72 Does your country carry out additional verification checks on FLEGT-licensed shipments?

- ☒ Yes
- ☐ No

* 73 Which agency carries out these additional shipment verification checks?

- ☒ Customs
- ☐ CA
- ☐ Customs or CA
- ☐ Customs and CA
- ☒ Other (please specify)

* 74 Other (please specify):

Executive Forestry Agency, if necessary

* 75 What criteria are used to determine whether additional verification of a FLEGT shipment is required? Please select all that apply:

- ☐ Species
- ☐ Operator
- ☒ Volume/weight of shipment
- ☒ HS codes
- ☐ Country of origin
- ☒ Mismatch of information on FLEGT licence and other shipment documents
- ☐ Other issues with FLEGT licence (please specify)
- ☒ Random spot-checks
- ☐ Other (please specify)

*78 How does the CA obtain information to verify that a shipment declared for release for free circulation matches the information provided in the FLEGT licence (e.g. HS codes, volume etc.)? Please select all that apply.

- ☒ Customs checks shipment documentation (where customs is also the CA)
- ☐ The CA requests shipment documents directly from customs for every shipment
- ☒ The CA requests shipment documents from importer for every FLEGT licence he/she submits
- ☐ The CA uses FLEGIT to check customs documents
- ☐ The CA can request customs to perform physical checks on the shipment
- ☒ Customs informs the CA if there are any mismatches between the FLEGT licence and customs data, on a case-by case basis
- ☐ Other (please specify)

Verifications of FLEGT licences and shipments carried out

*80 Did you carry out any additional verification checks of FLEGT licences or shipments (including exchange of information with e.g. Indonesia's Licence Information Units (LIU), physical inspections etc.) in the reporting period?

- ☒ Yes
- ☐ No

*81 For how many FLEGT licences were additional verification checks carried out in the reporting period?

7

*82 Are FLEGT licences checked against the FLEGT licence information in SILK?

- ☒ Yes
- ☐ No
- ☐ Sometimes

83 Please provide feedback on your communication with the competent authority(ies) in each VPA partner county (e.g. Indonesia's Licence Information Units (LIU))

We have had cases with seven FLEGT licenses for which we had to seek information from LIU.

We had to enquiry about the signator and the signature specimen (box 18). ID provided actual and updated information about the name and the specimen.

We had a case with a FLEGT license received without stamp of the issuing authority in box 18 and in the relevant box in the attachment as well, which is mandatory to be filled in. ID clarified the matter by sending a Confirmation statement letter from the Issuing Licensing Authority, stating omission due to human error and confirming the validity of the license.

We had a FLEGT license presented to the BG CA after its date of expiry (box 4) and therefore rejected. Afterwards the importer provided a "new version" of the license in question (with a suitable date of expiry in box 4), for which the Issuing Licensing Authority stated being "not authentic" and "not valid". This "new version" of the same license was rejected as well.

We had a case with FLEGT license, for which the Issuing Licensing Authority extended the period of the validity, applying the ID national rules.

We asked for clarification regarding some discrepancies between the data in box 17 (document No and date of issue) and the accompanying documents.

*84 How many physical inspections of shipments were carried out in the reporting period? Please specify how many.

8

*85 Where physical inspection was performed, how many shipments did not match the details on the FLEGT licence? Please specify how many.

0

86 Please provide details of the additional verification checks of FLEGT licences or/and shipments. Please use the Excel template provided below and upload the completed file.

The maximum file size is 1 MB

Only files of the type xls,xlsx are allowed

7bc65436-13d1-468f-b01f-e2be5a978772/2022_FLEGT_additional_verification_checks.xlsx

87 Download template:

[FLEGT_additional_verification_checks.xlsx](#)

Fees for the processing of the FLEGT licences

*88 Do importers need to pay fees for the processing of the FLEGT licences?

☐ Yes

☒ No

Other Implementing measures

92 Please provide feedback on your collaboration with other CAs and the European Commission.

93 Please provide any other information, implementing measures or open issues that you consider that may be of interest to other Member States and/or the Commission.

Users can attach files and URLs to this question.

94 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

95 Please indicate if there are specific issues that proved, or are proving, difficult when developing and/or applying national legislation to implement the FLEGT Regulation.

Users can attach files and URLs to this question.

Concerning the answer to Q 21, we would like to clarify that we do not have national IT system but in broad sense - national system to manage the FLEGT licences and the communication with customs offices and companies.

96 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

97 Any other relevant information?

Users can attach files and URLs to this question.

We are still touching with cases in which ID authorities issue FLEGT licenses for wood frame mirrors, HS code 441400, for which the correct tariff classification is 700992 (out of FLEGT scope). Another similar situation occurs with FLEGT licenses issued for wooden tableware and kitchenware (HS code 441990) and afterwards the items in question appear to be out of FLEGT scope: statuettes and other ornaments (HS code 442019); umbrellas and sun umbrellas (HS code 660199); umbrella frames (HS code 660320), etc.

98 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

Contact

ENV-DECLARE@ec.europa.eu