



Implementation Guidelines
on Public Procurement Policy
for Procurement of Timber
and Timber Products on the
Domestic Market

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The content of this guide/views expressed is the responsibility of the Ministry of Lands and Natural Resources (MLNR), Timber Industry Development Division (TIDD) & Nature and Development Foundation (NDF) and do not necessarily reflect the UK government’s official policies and can in no way be taken to reflect the views of the European Union or the FAO.

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ACRONYMS AND ABBREVIATIONS

DoTIC	-	Domestic Timber Inspection Certificate
DM	-	District Manager, FSD
ED	-	Executive Director, TIDD/FSD
FC	-	Forestry Commission
FSD	-	Forestry Services Division
ILMCC	-	Imported Log Measurement Conveyance Certificate
IPTIC	-	Imported Processed Timber Inspection Certificate
LOGIC	-	Log Inspection Certificate
LIF	-	Log Information Form
LTC	-	Log Transfer Certificate
MOFA	-	Ministry of Food and Agriculture
OWPIC	-	Other Wood Product Inspection Certificate
PE	-	Procurement Entity
PLMCC	-	Plantation Log Measurement and Conveyance Certificate
RLMCC	-	Re measurement Logs Measurement and Conveyance Certificate
RM	-	Regional Manager, FSD
RMSC	-	Resource Management and Support Centre, FC
SLDC	-	Seized Lumber Disposal Committees
TIDD	-	Timber Industry Development Division
TIF	-	Tree Information Form
TVD	-	Timber Validation Department

PART A

1.0 BACKGROUND

This Implementation Guidelines have been prepared jointly by the Ministry of Lands and Natural Resources, the Forestry Commission, and other stakeholders to support implementation of the Public Procurement Policy on Timber and Timber Products for the domestic market.

In its efforts to combat illegal timber operations, the Government passed the Timber Resources Management Act, 1997, (Act 547) and its LI 1649 to outlaw, particularly, the use of chainsaw to produce illegal lumber which accounts for more than 80% of the annual 600,000m³ of lumber traded on the domestic market. The phenomenon of illegal chainsaw operation and other forms of illegal timber harvesting are clearly destructive and unsustainable and have the potential of dissipating the forest estate of the country. LI 2184 was also passed on Timber Resources Legality Licensing to provide for a licensing scheme to regulate the import and export of timber products to and from Ghana.

Other administrative measures include the allocation of 20% of sawmill production to the domestic market, designation of some sawmills to solely produce lumber for the domestic market, as well as the use of joint military/police/Forestry Commission (FC) task forces to enforce compliance with forestry regulations. All these have not yielded the desired outcomes.

The Government of Ghana and the European Union (EU) entered into a Voluntary Partnership Agreement (VPA) in 2009 aimed at ensuring that only legal timber and timber products are exported to the EU, and to encourage trade in legal timber on the domestic market. One of the supporting measures required for the implementation of the VPA is to promote a legal timber procurement policy. It is expected therefore, that the implementation of this policy will significantly reduce the trade in illegal timber on the domestic market; hence the need for these implementation guidelines.

2.0 PURPOSE

The purpose of these guidelines is to establish uniform procedures pertaining to the procurement of timber and timber products, based on the Procurement Policy on Timber and Timber Products for the domestic market.

3.0 THE PROCUREMENT POLICY STATEMENT

The timber procurement policy requires that State institutions (procurement entities) together with their contractors and sub-contractors working on public projects procure only timber and timber products derived from a legally and/or sustainably harvested forest, or from legal sources for use in public projects. The Policy also requires vendors of Timber and Timber Products destined for sale on the domestic market to be registered by the Forestry Commission.

The approach to ensuring compliance with this policy is to have systems in place for the following:

- (a) Procurement Process
- (b) Availability of legal timber
- (c) Proof of Legality
- (d) Registration of vendors and dealers in timber and timber products.
- (e) Socio-economic safeguards and environmental protection in timber harvesting, processing and trade.

4.0 SCOPE

4.1 The policy applies to all institutions and agencies listed in Section 14 (2) of the Public Procurement Act, 2003 (Act 663) and their contractors, sub-contractors and agents:

- (a) Central Management Agencies;
- (b) Government Ministries, Departments and Agencies;
- (c) Subvented Agencies;

- (d) Governance Institutions;
- (e) State owned enterprises to the extent that they utilize public funds;
- (f) Public universities, public schools, colleges and hospitals;
- (g) The Bank of Ghana and financial institutions such as trusts; pension funds, insurance companies and building societies which are wholly owned by the State or in which the State has majority interests;
- (h) Institutions established by Government for the general welfare of the public or community.

4.2 It also applies to all timber and timber products as shall be defined from time to time by the Timber Industry Development Division of the Forestry Commission.

4.3 This policy applies to the following products and the procurement of any one of them is required to meet the prescriptions set out in this policy:

- i. Boules,
- ii. Square-edged sawn timber
- iii. Semi-finished (planed) timber products
- iv. Mouldings (T & G Profile Boards)
- v. Furniture components
- vi. Tables
- vii. Seating's (Chairs)
- viii. Bedstead
- ix. Window Frames
- x. Door Frames
- xi. Flooring,
- xii. Pegs
- xiii. Railway Sleepers
- xiv. Poles,
- xv. Chipboard
- xvi. Plywood

- xvii. Any other processed wood and wood product used in the fulfilment of the contract.

5.0 DEFINITION OF LEGALITY

{This definition is derived from the Second Schedule of the Timber Resources (Legality Licensing) Regulations 2012 (regulation 11 (2) (b) and 12 (4), of LI 2184}

5.1 LEGALLY PRODUCED TIMBER:

5.1.1 A timber product is legally produced, if it meets the following requirements:

- (a) In cases where the source is other than salvaged timber or timber products, imported timber or timber products;
 - i. The timber originated from land subject to timber rights or land properly acquired as the case may be;
 - ii. The owners of the land gave their consent to the logging of the timber product, where the land is not public land or a forest reserve.
 - iii. the logger at the time of felling held a valid timberutilization contract, issued by the competent authority, and followed the prescribed competitive process; and
 - iv. The logger complied with forest operation procedures, standards and any other requirements prescribed by law.
- (b) In cases where the source is salvaged timber or timber product:
 - i. the logger at the time of felling, held a valid **Salvaging Permit** issued by the Forestry Commission; and
 - ii. the logger complied with forest operation procedures, standards and any other requirements prescribed by law
- (c) In cases where the source is confiscated or abandoned timber products;
 - i. there is a valid Certificate of Purchase

- ii. the Certificate of Purchase was issued pursuant to a court order confiscating the timber products;
- iii. the abandoned timber or timber product was sold by the Forestry Commissioner in accordance with statutory procedures and
- iv. the owner complied with forest operation procedures, standards and requirement prescribed by law.

5.1.2 A timber or timber product shall be certified to be legally produced if:

- i. the timber or timber product was at all times transported or processed in accordance with standards prescribed by law;
- ii. all exporters and vendors/dealers in timber products have obtained valid registration certificate from TIDD to market timber and timber products;
- iii. at the time of sale or export of the timber or timber product no accrued fees, rents or taxes, prescribed by law were owing to the state; and
- iv. at the time of sale or export, the logger had complied fully with obligations under relevant Social Responsibility Agreement.

5.2 SUSTAINABLY PRODUCED TIMBER

Timber is from a sustainably harvested forest if it is harvested in accordance with Ghana Forest Management Certification Standards (GFMCS) that have been established based on internationally recognized certification principles prescribed by bodies such as Forest Stewardship Council (FSC), Programme for Endorsement of Forest Certification (PEFC) and Sustainable Forest Initiative (SFI), among others.

5.2.1 The list of recognized certification bodies shall be published by the Commission from time to time.

5.2.2 Timber legally harvested from a sustainably managed forest is to be considered as satisfying legality requirements.

5.2.3 The phrases in bold in this Section 5.0 represent the issues that have most bearing on legal timber, and the Guidelines address legality of timber and timber products in terms of documentations that signify proof of these.

6.0 METHODOLOGY

These guidelines were developed through data gathering and extensive stakeholder consultations (mainly state and non-state actors) - MLNR, FC, loggers, millers, vendors, dealers, etc as well as lessons from principles of Sustainable Public Procurement and Sustainable Development.

7.0 THE PRINCIPLES

The principles underpinning this Timber Procurement Policy Guidelines are as follows:

- (a) Illegal timber shall not be used for public projects.
- (b) Implementation of this procurement policy shall be in conformity with the overall goal of the Ghana Forest and Wildlife Policy
- (c) Optimizing value for money
- (d) Upholding transparency, fairness, accountability and competitiveness as espoused by the Public Procurement Act, 2003 (Act 663).
- (e) Government recognizing its responsibility under international conventions and agreements about the need to adhere to good forest governance by fighting illegal logging and trade
- (f) Government and other stakeholders involved in the forest and timber industry and trade recognizing their responsibility to ensure environmental protection and socio-economic safeguards.
- (g) Recognizing the need to consider ready accessibility to timber and timber products on the domestic market, especially for rural communities.

8.0 KEY STAKEHOLDERS

- i. Ministry of Lands and Natural Resources
- ii. Metropolitan, Municipal, and District Assemblies
- iii. Forestry Commission
- iv. All other Procurement Entities
- v. Service Providers (-Vendors, Contractors, Consultants)
- vi. Chiefs and forest fringe communities

The guidelines cover procedures expected to be applied by all Procurement Entities to ensure that only legal and or sustainable timber and timber products are procured to satisfy Procurement Entity requirements of timber and timber products.

PART B

1.0 PROCEDURES FOR PROCUREMENT ENTITIES FOR PROCURING TIMBER AND TIMBER PRODUCTS

The Public Procurement Policy on Timber and Timber Products for the Domestic Market requires all categories of entities specified in *Section 14 (2) of the Public Procurement Act, 2003 (Act 663)* as listed in *Section 4 of the INTRODUCTION above*, to procure only legal timber and timber products and from legal sources only.

1.1 RESPONSIBILITIES OF PROCUREMENT ENTITIES

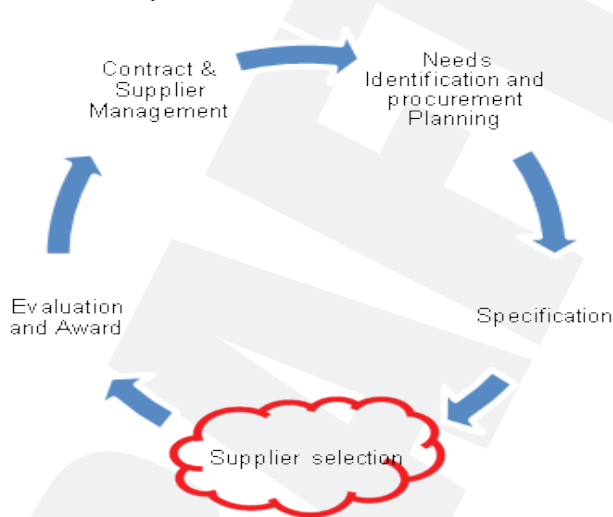
Procurement officials are required to perform certain activities at each stage of the procurement process. These include the following, among others:

- i. Determination of needs
- ii. Preparation of Procurement Plans
- iii. Preparation of specifications
- iv. Invitation and selection of vendors
- v. Identification of supporting documents
- vi. Tender evaluation and Contract award
- vii. Supervision of contract performance, and
- viii. Payment for delivery

2.0 DETAILS OF THE PROCEDURES

2.1 THE PROCUREMENT CYCLE

The diagram below depicts a typical procurement process. Procurement officials shall be required to perform certain activities at each stage of the process in implementing the Timber Procurement Policy.



(⁴Adapted from the Marrakech Task Force on Sustainable Public Procurement)

2.1.1 Needs Identification, Procurement Planning, and Preparation of Specifications

At this planning stage of procurement, it is expected that the entity will prepare its procurement Plan as required by the Public Procurement Act, 2003 (Act 663).

1. Needs Identification

Whenever a decision is taken that timber or timber products will be procured, this need shall be satisfied with Legal Timber.

2. Specification

In specifying technical requirements of legal timber and timber products, procurement entities shall endeavour to specify it in terms of dimensions and quality in accordance with Specification

and Grading Rules for Lumber for the Domestic Market., as developed by Timber Industry Development Division of the Forestry Commission and approved by the Ghana Standards Authority, and performance outputs and not by species alone.

- a. It shall be the responsibility of the Head of Entity and the Procurement Unit of the Procurement Entity (PE) to alert user departments on the need to comply with the legality provisions in the Public Procurement Policy for Timber and Timber Products.
- b. The Procurement Entity shall include a provision in the tender document that the timber/timber products shall originate from only legal sources, or be legally sourced from sustainable sources. Tenderers should therefore include a letter in their tender, undertaking to comply with the legality provisions.
- c. The statement “chain sawn lumber in any form is illegal and unacceptable for the tender” shall also be included in the tender document as part of the quality specification
- d. The PE shall ensure that the legality requirement becomes part of the products standards, and also includes it in the solicitation document. This shall be done as follows:
 - i. The statement “only timber/timber products derived from sustainably harvested forest or from legal sources shall be accepted under this tender” shall be included in the Technical Specifications.
 - ii. “All timber and timber products to be supplied or used under the contract including all timber and timber products sub-contracted shall comply with the legality provision”.
 - iii. It shall indicate further that “Legality of the timber shall be a mandatory requirement” under the tender.
 - iv. The whole of Sub-section 5.1 up to 5.2.3 of this document on “Definition of Legal Timber” shall be attached to the specifications in the tender document, for the benefit of service providers.

2.1.2 Supplier Selection

This is the stage where the appropriate procurement method is applied in accordance with the Public Procurement Act, 2003 (Act 663), and the issue of who qualifies to be invited to participate in the tender, is specified. It also requires the preparation of the solicitation documents.

1. Evidence to Establish Legality of Timber and Source

The Procurement Entity (PE) shall ensure that the solicitation documents contain the necessary Legality provisions as specified in sub-paragraphs 2(c) above. In particular, the entity shall specify the following in the solicitation documents.

“Legality of the timber/timber products shall in addition be established as follows:

- (a) All service providers shall be required to show evidence that they are qualified to participate in the procurement process for timber /Timber products.

This evidence shall be a **certificate of registration at TIDD as a Timber Vendor/Dealer**, OR, letter from the registered **Vendor/Dealer** stating clearly, that they have the capacity to supply and that they will supply legal/sustainable timber to the buyer under the contract. The letter shall contain the registration number of the registered Vendor/Dealer

- (b) In addition, evidence of supply of legal timber during Contract Management stage, shall be the following:

Evidence of Legal source of Timber and Timber Products

- Domestic Timber Inspection Certificate (DoTIC),
- Log Inspection Certificate (LOGIC) or
- Veneer Inspection Certificate (VIC),
- Imported Processed Timber Inspection Certificate (IPTIC) issued by TIDD or
- Other Wood Product Inspection Certificate (OWPIC);

- FC-TIDD Waybill;
- VAT Invoice.

Legality Verification Documents

- TUC/Certificate of Purchase/Salvage Permits,
- Approved Yield
- Log Measurement and Conveyance Certificate (LMCC)
- Plantation Log Measurement and Conveyance Certificate (PLMCC)
- Imported Log Measurement Certificate (ILMC)
- Imported Processed Timber Way-bill (IPTW)
- Third Party Legal Rights
- Valid Form “C”
- TIDD Input – Output Analysis Sheet

(This is so because certification of source or chain of custody shall be established through documentation on legality issued by the Forestry Commission for the domestic market and compliance with the requirement regarding registration of vendors / Dealers in timber and timber products).

Where the contract is for construction, and timber /timber products are required:

The evidence of qualification of service provider shall include:

- Certificate of incorporation and certificate of commencement of business/Certificate of registration from Registrar General’s Department
- A letter or certificate from a TIDD Certified Vendor/Dealer, stating that they will supply Legal Timber/Products to the Contractor under the contract.

Where the contract is mainly for supply of Timber/Timber Products:

The evidence of qualification of service provider shall include:

- Certificate of incorporation and certificate of commencement of business/Certificate of registration from Registrar General's Department
- The evidence of qualification of service provider shall include service provider's Registration Certificate with TIDD, as a vendor (Ref. Pic.1 on page 22)

2.1.3 Evaluation Criteria

The evaluation criteria shall be disclosed in the solicitation document made available to the service providers.

- (a) The Procurement Entity shall develop a model for evaluation that involves **at least three stages**, and this model shall be disclosed in the solicitation (tender) document. These stages are Preliminary Evaluation, Technical & Commercial Evaluation, and Financial Evaluation. Since the Timber Procurement Policy encourages sustainable management of forests, an appropriate model that meets this requirement should be used.

i. The First Stage:

At this stage, which is the Preliminary Evaluation stage, mandatory requirements are examined and scored as **Pass/Fail**. It is at this stage that examination for legality as well as other mandatory requirements shall be done as shown in Table 1 below.

Table 1 Example of Mandatory Requirements

Mandatory Criteria	Scoring	
	YES	NO
Registrar-General’s Certificate of Registration as a business entity		
Source documentation: TIDD Registration Certificate or, in the case of a construction contract, a letter from a TIDD registered Vendor/ dealer undertaking to supply legal timber/ timber products to the contractor.		
Evidence of legality: An undertaking to furnish the following documents to cover the timber/ timber product: <ul style="list-style-type: none"> ➤ Domestic Timber Inspection Certificate (DoTIC), Log Inspection Certificate (LOGIC) or Veneer Inspection Certificate (VIC), Imported Processed Timber Inspection Certificate (IPTIC) issued by TIDD or ➤ Other Wood Product Inspection Certificate (OWPIC) ➤ FC-TIDD Waybill 		
VAT Certificate of Registration		
Current Tax Clearance Certificate		
SSNIT Certificate,		
Other statutory requirements		
VAT		

It is also at this stage that tenders submitted should be examined for omissions and minor errors. Corrective actions shall be taken in accordance with *Section 57 of the Public Procurement Act, 2003 (Act 663)*. Non-mandatory requirements shall be treated as per *Section 58 of the Public Procurement Act, 2003 (Act 663)*.

The **Decision Rule** here shall be as follows:

Tenders that fail **at least one** mandatory requirement shall be eliminated from further evaluation and rejected as non-responsive.

- The procurement officials/Project Consultant must ensure that the legality documents are verified as genuine.
- This will require TIDD expertise, where in-house expertise is absent. Evaluation shall be continued in the second stage for those that pass this stage.

ii. Second Stage:

This is the stage where criteria other than mandatory ones are evaluated. **Decision Rule** at this stage depends on the model applied.

A model that assigns Weights or Merit Points to the other Technical Requirements (include Quality, Commercial, etc), having already dealt with the legality and other mandatory factors, can be applied provided **it was disclosed in the solicitation document**. In particular, where sustainability of forests is an important objective, offers of sustainable timber/timber products shall be assigned the highest technical Weights/Points on Timber Sustainability criterion. In other words, a Preference System shall be applied in such a situation. For example, if a certification that signifies a sustainable source of the timber is requested for, additional points shall be assigned for it.

A Qualifying Technical Score which will require that only offers attaining this score shall be considered for Financial Evaluation, may be specified in the solicitation documents.

iii. Third Stage:

The Financial Evaluation stage is the third stage. The offer with the highest combined score (Technical + Financial) shall be awarded the contract, subject to **Value For Money** considerations.

A Post-Qualification process may be added at the discretion of the entity.

2.1.4 Contract Management

During performance of the contract, the Contract Manager/Project Consultant shall have certain responsibilities regarding legality of the items.

They shall ensure that timber/timber products supplied or to be supplied are inspected to ascertain legality of the items. Such inspection shall include documents required as proof of legality or sustainable harvesting.

These documents shall be from the following list:

- i. Log Measurement And Conveyance Certificate (LMCC)
- ii. Certificate of Purchase
- iii. TIDD Vendors Registration certificate*
- iv. Salvage Permits
- v. Property Holder's Mark
- vi. Timber Utilisation Certificate (TUC)
- vii. Domestic Timber Inspection Certificate*
- viii. Timber/Timber Product Inspection Certificate *
- ix. TIDD Waybill*
- x. Waybill from a certified vendor
- xi. VAT Invoice*
- xii. Input-Output Form
- xiii. FLEGT License (where export was discontinued after obtaining the license)

(*Mandatory requirements)

See **Appendix A** for samples of some of the legality documents.

- Possession of the Mandatory documents listed above and product tags as per the Voluntary Partnership Agreement (VPA) shall be sufficient evidence of legal compliance on the part of state institutions (procurement entities) or their contractors and sub-contractors
- Documents establishing legality of the Items and source shall be examined to also ascertain their **genuineness**.
- Support or assistance shall be sought from the Timber Industry Development Division of the Forestry Commission (FC) on the issue of legality where there is lack of the required expertise in-house.
- For this reason, TIDD shall maintain a toll free line for such calls.
- Procurement officials should be trained by Forestry Commission to recognise genuine documents, as a long term solution to lack of expertise.
- TIDD shall maintain a database of qualified mills and vendors

See **Appendix B** for a flowchart on the procurement process for Legal Timber.

3.0 STORAGE OF LEGALITY DOCUMENTATION

Timber Inspection documents shall be kept by the contractor/vendor for at least five years for audit purposes.

4.0 CONCLUSION

All Procurement Entities are expected to comply with the Public Procurement Policy on Timber and Timber Products whenever they are to procure timber or timber products.

Appendix A: SAMPLE DOCUMENTS FOR LEGALITY VERIFICATION

Pictorial presentations of samples of some of the most essential documents on timber legality which procurement officials/Project Consultants must be familiar with, are as shown below:

Pic.1: TIDD Vendors Certificate Of Registration (FORM TIDD/R/)

FORESTRY COMMISSION-GHANA
(TIMBER INDUSTRY DEVELOPMENT DIVISION)

No: TIDD/R/

Certificate of Registration

We Hereby Certify That

.....

Have This..... Day Of20.....

Been Registered By Us As.....

..... In Ghana

This Certificate is valid up to 31st Dec., 20.....

.....
Executive Director
(T.I.D.D.)

*This certificate is not transferable
Retailing of wood products is not permitted within 20
kilometers of Ghana's Territorial Frontiers*

Pic 2: Certificate of Purchase

SAMPLE CERTIFICATE OF PURCHASE

FORESTRY COMMISSION

a. CERTIFICATE OF PURCHASE

THIS IS TO CERTIFY that----- (full name) of----- (address) having won auction ----- (auction number) conducted on ----- (date) at----- (place) consisting of ----- (quantity/species of lumber or log) and having fully paid for the amount involved as per the attached receipt is duly issued with this certificate.

Dated the ---day of----- (month, year) at ----- (place of issue)

Signature and name of issuing officer

Seal of FC

b. CERTIFICATE OF PURCHASE

THIS IS TO CERTIFY that----- (full name) of----- (address) has been declared the purchaser of the right, title and interest of----- (quantity/species of lumber or log).

That these logs/lumber were sold on the orders/authority of ----- (state approving authority), dated the ---day of -----, 20---

Dated at -----the -----day of -----, 20---

Signature and name of issuing officer

Seal of FC

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Pic. 3: Domestic Timber Inspection Certificate



MINISTRY OF LANDS AND FORESTRY
TIMBER INDUSTRY DEVELOPMENT DIVISION
 (Forestry Commission)
 P. O. Box 783 - Takoradi, Ghana.



NO. 3123945

DOMESTIC TIMBER INSPECTION CERTIFICATE [DoTIC]

Processing Mill:.....

Way Bill No.:.....

Name of Buyer:.....

Contract No.:.....

Address:.....

Product:.....

TIDD Station:.....

Species Code:.....

Vehicle No.:.....

Species:.....

Destination:.....

Item	Description				Pieces	Volume (m ³)	Grade	Defects
	Thickness (mm)	Width Range(mm)	Total or Av Width (mm)	Length (M)				
TOTAL								

I certify that the measurements and Grades of bundles of timber enumerated above have been duly taken and computed by me, an authorized officer of Timber Industry Development Division and that this certificate is issued without erasure of any kind. This certificate expires twenty - one (21) days from the date of issue.

Signature:.....

Company's TIDD Reg. No.....

Date of Issue:.....

Date of expiry:.....

Pic 4: Veneer Inspection Certificate



**MINISTRY OF LANDS AND FORESTRY
TIMBER INDUSTRY DEVELOPMENT DIVISION**
(Forestry Commission)
P. O. Box 783/515 - Takoradi
VENEER INSPECTION CERTIFICATE

No 0042251

Name Of Company:..... Name Of Buyer:.....
 TIDD Station:..... Contract No:.....
 Product:..... Destination:.....

Container No:.....

PALLET NO	SPECIES	DIMENSIONS			NO OF BUNDLES	QUANTITY (m ³)	VOLUME (m ³)	GRADE	REMARKS
		THICKNESS (mm)	WIDTH (mm)	LENGTH (mm)					
TOTAL									

I hereby certify that the measurement and grades of.....pallets of veneer enumerated above have been duly taken and computed by me, an authorized officer of Timber Industry Development Division and that this certificate is issued without erasure or alteration of any kind.

Name Of Officer:.....
 Rank:.....
 Signature:.....
 Date Of Inspection:.....
 Date Of Expiry:.....

Moisture Content %	

Pic 5: Log Inspection Certificate



MINISTRY OF LANDS AND FORESTRY
TIMBER INDUSTRY DEVELOPMENT DIVISION
(Forestry Commission)

P. O. Box 783/ 515 - Takoradi, Ghana.

LOG INSPECTION CERTIFICATE (LOGIC) N^o 0020701

Name Of Exporter..... CONTRACT NO.....
 Species..... BUYER.....
 Product..... DESTINATION.....
 Quality..... TIDD STATION.....

Serial No.	Container/ Log No.	Diameter (CM)	Length (M)	No. Of Pcs	Volume (M3)	Grade
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
TOTAL						

I hereby certify that the measurements of the product enumerated above have been duly taken and computed by me, and that this certificate is issued without erasure of any kind. This certificate is valid for twenty - one (21) days from the date of issue.

Name of Officer.....
 Rank.....
 Date.....
 Signature.....

Pic 6: Log Transfer Certificate

**TIMBER INDUSTRY DEVELOPMENT DIVISION
(Forestry Commission)
P. O. Box 783/ 515 - Takoradi, Ghana.**

LOG TRANSFER CERTIFICATE (LTC)

AFC **TIDD No. 00000**

FROM: (Name of Sawmill / Contractor) Driver's Name:

ADDRESS: Vehicle / Wagon(Rail) No.

TO: (Name of Sawmill and Town) Waybill Number:

PROPERTY MARK	STOCK No	LOCALITY MARK	TIMBER SPECIES		DIAMETER (CM)					LENGTH (M)	VOL M3	ORIGINAL LMCC SERIAL No	REM LMCC SERIAL No	REMARKS	
			TREE No	LOG No	NAME	CODE	D1	D2	D3						D4

These logs have been duly checked and approval to transport them for Processing is hereby granted.

Authorised TIDD Officer: Authorised official of the Company effecting the transfer

Staff Number: Name:

Signature: Signature:

Stamp/Date of Issue: Stamp/Date of Issue:

Date of Expiry:

W

Pic.7: Log Measurement and Conveyance Certificate (LMCC)



LOG MEASUREMENT AND CONVEYANCE CERTIFICATE

AS **1.037951**

Contractor: _____ Driver's Name: _____
 Property Mark: _____ Vehicle Reg. No. _____
 Forest District: _____ Destination: _____
 Locality Mark: _____ Check Point: _____
 L.I.F.Ref. No. _____ Sawmill: _____

TIP Ref No.	Reserve Code	Compst. No.	Stock No.	CONTRACTORS		SPECIES	DIAMETER(CM)						Length (M)	Vol (M3)	Defects	Grade	
				Tree No.	Log No.		DB:	DB:	DB	DT:	DT:	D/T					

These logs have been measured by the Property Mark Holder and approval to transport them is hereby granted.

Issued FSD Officer

Name _____

Signature _____

I HEREBY CERTIFY that the measurements of the logs enumerated above have been duly taken and computed by me.

Property Mark Holder/Agent

Name _____

Signature _____

These logs have been duly checked and certified for processing.

Authorised TIDD Officer

Staff Number _____

Name _____

Signature _____



Pic.8: A Typical Salvage Permit

██████████

The Regional Manager
Forest Services Division
██████████

The District Manager
Forest Services Division
██████████

Dear Sir,

RE: APPLICATION FOR SALVAGE PERMIT AT ██████████ OFF-RESERVE TRADITIONAL AREA-

CE' Ref: ██████████
RM's Ref: ██████████
DM's Ref: ██████████

On the strength of the above quoted reference, an approval is hereby given to **Messrs** to salvage ██████████ economic trees from ██████████ off-reserve area.

Management has taken cognizance of the comments from both Regional and District Managers on the under-listed trees shown in the table below:

No.	Species	Species code	Quantity	Remarks
1	Ceiba	Cp	160	Standing
2	Rosewood	Rw	42	Lying
Total			202	

Based on the recommendations made in your submission, approval is hereby granted to **Messrs** trees at ██████████ off-reserve area to prevent the trees from being destroyed by farmers.

All statutory payments should be fulfilled by the company prior to evacuation of logs from the site. The company should comply with all forestry rules and regulations.

Kindly take the necessary action and provide feedback. The authorization expires on ██████████.

Yours faithfully,

Cc: The Chief Executive The Executive Director The Managing Director
Forestry Commission TIDD RMSC
Accra Takoradi Kumasi ██████████

PROCUREMENT PROCESS FOR TIMBER

Needs Identification and procurement Planning

- Draw procurement plan once all needs are identified.
- Take special note that Timber procurement policy requires all dealers to be registered with TIDD

• Supplier selection

- Prepare the solicitation documents. Include the legality clauses. Include the list of certificates that should be furnished with offers, as well as those to be furnished with the supplies covering legality of items. Insert an appropriate Evaluation Model (EM) that is clear on requirements that are mandatory, and those that reward sustainability. Invite only registered dealers. If it is a construction contract that involves use of timber/timber products, include the statement that only service providers registered with TIDD shall qualify to supply the items to the contractor.

• Evaluation and Award

- Based on the EM, evaluate the offers, going by the rules of the model.

• Contract & Supplier Management

- Ensure inspection of items and covering documents; May seek expert advice from TIDD.
- END

➤ LEGALITY DOCUMENTS TO BE KEPT FOR FIVE YEARS.

DEFINITIONS

Certificate of Purchase (CoP): A certificate proving legal ownership of seized or abandoned timber.

Dealer: A miller or vendor of Timber/Timber Products

Preference System: A policy driven system of granting preferential advantage to a particular group of tenderers competing with others for public contract. It is meant to promote businesses of the beneficiaries.

Procurement Entity: Any entity conducting procurement under the Public Procurement Act, 2003 (Act 663).

Service Providers: Vendors, Consultants, Contractors, Millers, etc. who do business with procurement entities.

Solicitation Documents: Tender and other procurement documents that are used to seek public participation in a procurement process.

Salvage Permit (SP): Is an administrative permit signed by the Forestry Commission to salvage trees from an area undergoing development. To be considered legal, the permit needs to be accompanied by the application and an inspection report from Forest Services Division.

Sustainability: Improving the quality of human life while living within the carrying capacity of supporting eco-systems.

Timber Utilisation Contract (TUC): Is a written contract signed by the Minister and ratified by the Parliament granting a Timber harvesting right acquired upon competitive bidding

Timber Utilisation Permit (TUP): Is a small scale permit to harvest a defined number of trees for social or community purposes signed by the Forestry Commission. Timber from these permits cannot be sold or exported.

Vendor: A dealer in Timber or Timber Products who offers to supply timber/timber products to a buyer.

ANNEX

PUBLIC PROCUREMENT POLICY ON TIMBER AND TIMBER PRODUCTS FOR THE DOMESTIC MARKET

1.0 Introduction and Background

1.1 Introduction

This document is the timber and timber products procurement policy for the Government of Ghana for the domestic market. It is an expression of its commitment to show leadership in addressing illegal logging and supporting the development of sustainable forest management.

The policy aims at using the purchasing power of government procurement to signal the market in favour of legally and sustainably produced timber and timber products.

1.2 Background

The issue of supply of legal timber for commercial purposes is of global concern, gaining currency in world timber trade. In Ghana, illegality in timber harvesting has remained a formidable challenge for managers of the country's resources resulting in the promulgation of various regulations and policies which are themselves ineffective due mainly to weak enforcement and monitoring.

In its efforts to combat illegal timber operations, the Government passed the Timber Resources Management Act, 1997, (Act 547) and its LI 1649 to outlaw, particularly, the use of chainsaw to produce illegal lumber which accounts for more than 80% of the annual 600,000m³ of lumber traded on the domestic market. The phenomenon of illegal chainsaw operation and other forms of illegal timber harvesting are clearly destructive and unsustainable and have the potential of dissipating the forest estate of the country.

Other regulatory measures include the allocation of 20% of sawmill production to the domestic market, designation of some sawmills to solely produce lumber for the domestic market, as well as the use of joint military/police/Forestry Commission (FC) task forces to enforce compliance with forestry regulations. All these have not yielded the desired outcomes.

The Government of Ghana and the European Union (EU) entered into a Voluntary Partnership Agreement (VPA) in 2009 aimed at ensuring

that only legal timber and timber products are exported to the EU, and to encourage trade in legal timber on the domestic market. One of the supporting measures required for the implementation of the VPA is to promote a legal timber procurement policy. Further to the VPA, the Timber Resources (Legality Licensing) Regulations, 2012 (LI 2184) was passed to provide for a licensing scheme to drive trade in legal timber and timber products. It is expected therefore, that the implementation of this policy will significantly reduce the trade in illegal timber and timber products on the domestic market.

Internationally, public procurement policies have been recognized as one of the instruments applied to promote sustainable development, and would be effective at addressing illegality in domestic trade of products. Public procurement policies have been developed for timber and timber products in many countries including the UK, New Zealand, Japan and Germany to address illegalities associated with the timber trade. Public procurement is being used to achieve such horizontal objectives because of the size of Government's procurement budget which has significant impact on the society and environment. In Ghana particularly, public procurement budget is estimated to exceed 50% of the total Government budget (without personnel emoluments). Therefore, using public procurement to address illegal and unsustainable timber trade will no doubt make a positive impact on the timber industry.

In view of the foregoing, this document has been developed to provide policy prescriptions for the procurement of timber and timber products on the domestic market. It is meant to contribute to improvements in forest management.

2.0 Guiding Principles

The principles underpinning this timber procurement policy shall be as follows:

- (a) Illegal timber shall not be used.
- (b) Implementing this procurement policy in conformity with the overall goal of the Ghana Forest and Wildlife Policy.

- (c) Optimizing value for money.
- (d) Upholding transparency, fairness, accountability and competitiveness as espoused by the Public Procurement Act 2003 (Act 663).
- (e) Government recognizing its responsibility under international conventions and agreements about the need to adhere to good forest governance by fighting illegal logging and trade.
- (f) Government and other stakeholders involved in the forest and timber industry and trade recognizing their responsibility to ensure environmental protection and socio-economic safeguards.
- (g) Recognizing the need to consider ready accessibility to timber and timber products, especially for rural communities.

3.0 Goals and Objectives

3.1 Overall Goal

To promote the production, processing and trade in legal timber on the domestic market as a contribution towards sustainable forest management.

3.2 Specific Objectives

- (a) To ensure that all timber and timber products for public purpose originate from legal and/or sustainable sources.
- (b) To mitigate negative social, economic and environmental impacts of illegal timber production, processing, and trade.
- (c) To create sustained public awareness of regulations on trade in legal and/or sustainable timber and timber products.

4.0 The Policy Statements

The policy prescriptions presented herein are based on the following specific objectives:

4.1 To ensure that all timber and timber products for public use originate from legal and/or sustainable sources.

4.1.1 Policy Prescriptions - Legality

1. State institutions (procurement entities) listed in Section 8.1 of this policy document together with their contractors and sub-contractors working on public projects are required to procure only timber and timber products derived from a legally and/or sustainably harvested forest, or from legal sources for use in public projects.
 - a. Timber is from a legally harvested forest or from a legal source if it complies with the Ghana timber legality definition of this document (-see Appendix 1) including other relevant national laws on harvesting, transportation and production of timber from the forests. Certification of source shall be established through documentation issued by the Forestry Commission on legality for the domestic market and compliance with the requirement regarding registration of vendors.
 - b. Timber is from a sustainably harvested forest if it is harvested in accordance with Ghana Forest Management Certification Standards (GFMCS) that have been established based on internationally recognized certification principles prescribed by bodies such as Forest Stewardship Council (FSC), Program for Endorsement of Forest Certification (PEFC) and Sustainable Forest Initiative (SFI) among others. The list of recognized certification bodies shall be published by the Forestry Commission from time to time.
 - c. Timber legally harvested from a sustainably managed forest is to be considered as satisfying legality requirements.

4.1.2 Policy Prescriptions: Verification of Legality

1. The Forestry Commission shall provide measures to verify that the sources of timber and timber products used for public projects are legal and/or sustainable.

Such measures shall include, but not limited, to the following:

- (a) Certification of sources of logs used to produce timber and timber products by issuing Log Measurement and Conveyance Certificates (LMCC) and/or any other wood tracking and validation system endorsed by the Forestry Commission.

- (b) Inspection of FC-TIDD registration certificates/waybills/permits/LMCCs/receipts, etc.
 - (c) Quality certification of lumber and other timber products traded on the domestic market using FC-TIDD Product Inspection Certificate (PIC).
 - (d) FC-TIDD shall issue value books (Receipts and Waybills) to sawmills and vendors for their use.
2. Procurement entities and their contractors (and sub-contractors) shall maintain records for audit of timber and timber products procurement that demonstrate verification of legality of the product. Such records must be kept for at least five (5) years. The procurement entities/contractors/sub-contractors shall be required to produce evidence of legality within a period to be determined by FC, if requested by the appropriate Authority.

For the purpose of auditing, Timber Industry Development Division (TIDD) of the Forestry Commission shall maintain records of timber and timber products traded on the domestic market and may appoint an independent body for auditing.

4.2 To reduce negative social, economic and environmental impacts of illegal timber production and trade.

This is a move towards encouraging sustainable management of forests.

4.2.1 Policy Prescriptions: Sustainability

- 1. The FC shall take necessary steps to encourage and empower forest administrators, timber producers and processors of timber products, to undertake the management of forests, production of timber and processing of timber products in a manner that ensures socio-economic safeguards and environmental protection.
- 2. The FC shall actively involve forest fringe communities in the sustainable development, protection and management of the forest.

4.3 To create sustained public awareness of regulations on trade in legal and/or sustainable timber and timber products.

4.3.1 Policy Prescriptions: Use of Communication Tools

The FC shall institute a public educational campaign on the requirements of this policy. This may be done in collaboration with stakeholders such as District Assemblies and Civil Society Groups on environment and forest governance.

5.0 Maintenance of Database of Vendors of Timber and Timber Products

In accordance with Act 571, all timber vendors must be registered by the FC-TIDD to qualify them to trade in timber and timber products. FC-TIDD shall therefore maintain a database of vendors of timber and timber products. In compiling this vendors list, FC-TIDD shall develop criteria for registration of the vendors. Registered vendors shall be issued with FC-TIDD Registration Certificates of one year validity, subject to annual renewal. Details of the registration procedures shall be specified in the policy implementation guidelines.

6.0 Certification/Licensing/Permit/Tracking Systems

Timber and timber products covered by Certificates/Permits/Licenses issued by TIDD shall serve as evidence of the legality of timber and timber products for domestic trade whilst forest management and chain of custody certificates issued in line with Ghana's legality standards as prescribed in Section 11 (2) of LI2184, shall cover both legal and sustainable timber and timber products for both domestic and export trade.

Forest Laws Enforcement, Governance and Trade (FLEGT) License shall be the evidence of legality of all timber and timber products imports into Ghana. For countries that are not signatories to the VPA, custom documentations and/or Certificates of Sustainable Forest Management shall be used as evidence of legality.

Possession of signed copies of FC-TIDD issued value books and Product Inspection Certificate(s) as well as product tags as per the VPA in support of domestic trade in timber and timber products, shall be

sufficient evidence of legal compliance on the part of state institutions (procurement entities) or their contractors and sub-contractors.

Table 1 shows a summary of key evidence required to establish the origin of timber and timber products for domestic trade.

Table 1: Chain of Custody for Domestic Timber Trade

Critical Control Point	Documentary Evidence	Source of Documentary Evidence	Remarks
Imported Timber and Timber Products	FLEGT License, Sourced Country's Documents (e.g. Certificates of Legal Compliance)	Statutory Body of Country of Origin	Applicable to domestic <i>and export</i> markets
Timber Source (Local)	*TUC/ Certificate of Purchase/Salvage Permits	FC-FSD	Applicable to domestic <i>and export</i> markets.
Forest to Sawmill	LMCC/Waybill	FC-FSD/Timber Rights Holder	Applicable to domestic <i>and export</i> markets
Sawmill to Vendor	PIC/Waybill/Receipt	FC-TIDD/ Sawmill	Applicable to domestic <i>and export</i> markets
Vendor to End User	FC-TIDD Waybill/VAT Receipt	Vendor	Applicable to domestic market only

*TUC: Timber Utilization Contract

7.0 Procurement Process

7.1 Compliance with the Public Procurement Act, 2003 (Act 663)

In this policy, timber and timber products for public projects shall be

procured in compliance with the public Procurement Act, 2003 (Act 663), and laws and regulations governing forestry in Ghana. In the procurement of timber and timber products for public projects, or in the procurement of public projects that use timber and timber products, institutions listed in Section 8.1 of this policy, shall comply with all relevant provisions in the Procurement Act, 2003 (Act 663). In particular, procurement entities are advised to refer to Schedule 3 of Act 663 for guidance on the choice of procurement methods vis-à-vis thresholds.

7.2 Standard Tender Document

A standard tender document shall be developed for use by procurement entities under this policy for procurement of timber and timber products.

7.3 Specification of Requirements, Supplier Eligibility, and Tender Evaluation

- (a) This policy requires that *only timber and timber products derived from a legally and/or sustainably harvested forest or from legal and / or sustainable sources shall be used for government projects*. Sustainable timber shall be considered as satisfying the legality criteria. These requirements shall be specified in the tender document when tenders are issued, and legality shall be a mandatory requirement in the product specification. Both legality and sustainability shall form part of the evaluation criteria.
- (b) In tender evaluation, entities are encouraged to give preference to timber and timber products from sustainable sources, subject to value for money considerations. Any preference scheme to be applied in the tender evaluation shall be disclosed in the tender document as part of the evaluation criteria.
- (c) In addition, the product specifications shall include a statement to the effect that chain sawn lumber in any form is illegal and unacceptable for the tender.
- (d) Tenderers for government projects that utilize timber and timber products as well as and tenderers for supply of timber and timber products shall indicate clearly, as part of their tender documentation,

their commitment to supply or use only legal/sustainable timber and timber products

- (e) Where a tender process for timber and timber products fails to yield offers for legal timber, the entity may annul the tender process and re-issue tenders subject to time constraint, or apply to the Public Procurement Authority for single source procurement.
- (f) Only FC-TIDD certified vendors shall qualify to supply timber and timber products for public projects. This shall be clearly stated in the publication of tender opportunities, and also in the tender documents, specifically under Supplier Eligibility Clause in the Tender Data Sheet. For the purpose of procurements of value below the National Competitive Tender procedure's threshold, procurement entities, their contractors, sub-contractors and agents are advised to maintain Timber Suppliers Lists, which shall be compiled from the database of FC-TIDD.
- (g) The tender document shall specify that evidence of compliance with requirements in 7.3 (a), (d) and (f) above shall be examined as part of the Preliminary Examination of tenders during Tender Evaluation and tenders that fail to meet these requirements shall be declared to be substantially non-responsive, and thus be rejected. Such evidence shall be in the form of a certificate prescribed by the Forestry Commission.
- (h) In specifying quality requirement of timber and timber products, procurement entities shall endeavour to specify it in terms of dimensions and performance outputs and not by species. Evidence for attestation of quality shall be FC-TIDD Inspection Certificate.

7.4 Contract Award and Management

- (a) Eligible Tenderers offering either Legal or Sustainable timber or timber products shall be deemed to be compliant with this policy. Once tenders have been assessed to meet the specified requirements as per Sections 7.3(a), (c) (d) and (f), the most economically advantageous tender should be accepted, based on the disclosed evaluation model.

- (b) Government contractors and their sub-contractors shall be required to provide proof of legality of the timber and timber products used for public projects. The evidence shall be as specified in Section 6 of this document.

8.0 Scope of the Policy

This section specifies the target entities and products.

8.1 State Institutions (Procurement Entities)

This policy applies to all institutions and agencies listed in Section 14 (2) of the Public Procurement Act, 2003 (Act 663) and their contractors, sub-contractors and agents:

- (a) Central Management Agencies;
- (b) Government Ministries, Departments and Agencies;
- (c) Subvented Agencies
- (d) Governance Institutions;
- (e) State owned enterprises to the extent that they utilize public funds;
- (f) Public universities, public schools, colleges and hospitals;
- (g) the Bank of Ghana and financial institutions such as public trusts, pension funds, insurance companies and building societies which are wholly owned by the State or in which the State has majority interest;
- (h) Institutions established by Government for the general welfare of the public or community.

8.2 Target Products

This policy applies to all timber and timber products as shall be defined from time to time by the Timber Industry Development Division of the Forestry Commission.

This policy applies to the following products and the procurement of any one of them is required to meet the prescriptions set out in this policy:

Boules, Lumber (strips, scantlings, squares, boards, beams etc.), Mouldings, Furniture, Flooring, Planed Timber, Slicer Boards, Poles, Chipboard and Plywood.

9.0 Implementation Arrangements

9.1 Institutional Arrangements

The Forestry Commission shall establish institutional arrangements for the successful implementation of this policy. These institutional arrangements shall support the following key functions, among others:

- Implementation of the policy
- Public awareness campaign
- Development of policy implementation guidelines
- Drafting and passing of legislation on the policy

9.1.1 The Roles of the Key Institutions

(a) Forestry Commission

- Lead implementing agency of the policy
- Responsible for trade regulation and monitoring (timber trade and industry development and monitoring)
- Responsible for allocation and monitoring of forest operations

(b) Ministry of Lands and Natural Resources

- Responsible for facilitating legislation to support implementation of the policy.
- Coordination of agencies and institutions to support implementation of the policy.

(c) Parliament

- Promulgates appropriate legislation to support implementation of the policy.

- (d) Ministry of Justice and Attorney –General
 - Drafting of legislation
- (e) Public Procurement Authority
 - Oversight responsibility for public procurement.
 - Development of Standard Tender Documents
 - Carry out procurement performance assessment.
- (f) Ministry of Local Government and Rural Development
 - Enact bye laws to support procurement of legal timber.
 - Support law enforcement, supervision and monitoring of government projects.
 - Ensure provision of adequate resources for enforcement.
- (g) Ministry of Finance and Economic Planning
 - Rationalize fiscal regime to provide incentives for promoting legal and sustainable trade in the timber industry.
- (h) Ministry of Trade and Industry
 - Regulation of internal trade policy.
- (i) Environmental Protection Agency
 - Development and regulation of environmental standards to support the policy.
- (j) Ministry of Water Resources, Works and Housing
 - Responsible for infrastructural and construction standards.
 - Supervision and monitoring of government projects.
- (k) Ministries of Interior and Defense
 - Support law enforcement.

(l) Ministry of Chieftaincy and Culture/National House of Chiefs

- Oversight body of the chieftaincy institution.
- Assist in community sensitization.

(m) Civil Society and Traditional Authorities

- To assist in implementation

11.0 Implementation Procedures

Detailed guidelines on the implementation of the policy shall be developed by the Forestry Commission.

11.0 Legal Framework

The Ministry of Lands and Natural Resources (MLNR) shall sponsor the promulgation of a Legislative Instrument to support the enforcement of this policy. As an interim measure however, the Ministry can issue an Executive Instrument to back the policy.

This policy should be complemented by other strategies to ensure an enhanced legal timber supply system in Ghana and also promote sustainable management of Ghana's forest resources.

12.0 Applicable Threshold

This policy applies to all timber and timber products procurement of four cubic meters (4m³) in volume and above. The threshold volume of timber may be revised as and when necessary.

A procurement entity shall not divide a procurement order into parts or lower the value of a procurement order to avoid the application of this policy.

The FC shall institute administrative procedures for the procurement of timber and timber products below the four cubic meters (4m³) threshold.

12.0 Definitions

12.1 Domestic market

The supply and demand for goods and services or securities in a particular country.

12.2 Forest sustainability

The ability of the forest to support a defined level of environmental quality and natural resources extraction rates indefinitely.

12.3 Forestry

Activities related to the management of forests and other wooded land for the production and supply of wood and/or other goods and services.

12.4 Legal timber/Legal timber product

The term 'Legal Timber' in the context of this policy document refers to timber or timber product that has been checked in accordance with the wood tracking system prescribed by the Commission and conforms to the definition, principles, standards and criteria set out in the Second Schedule of LI 2184 (Reference Appendix 1 of this document)

12.5 Procurement entity

Any entity conducting procurement under the Public Procurement Act, 2003 (Act 663).

12.6 Public procurement

Acquisition of goods, works and services using public funds where public funds means consolidated fund, the contingency fund and such other funds as may be established by Parliament. This includes all stages in the process of acquiring goods, works and services beginning with the process of determining the need and ending with contract closure.

12.7 Public purpose

A government action that purports to benefit the populace.

12.8 Sawmill

Mill with power-operated saws for cutting timber into lumber, beams, planks etc.

For purpose of this document sawmill shall include bush mills.

12.9 Sawn timber

Timber sawn to size with or without wane but not planed or otherwise finished.

12.10 Sustainability

Improving the quality of human life while living within the carrying capacity of supporting eco-systems.

12.11 Sustainable development:

The management and conservation of the natural resources base, and the orientation of technological and institutional change in such a manner as to ensure the attainment and continued satisfaction of human needs for present and future generations (FAO).

12.12 Sustainable forest management

The stewardship and use of forests and forest lands in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfill, now and in the future, relevant ecological, economic and social functions, at local, national and global levels and that does not cause damage to other ecosystems (FAO).

12.13 Sustainable timber

Timber harvested from a sustainably managed forest.

12.14 Timber

Wood in a form suitable for construction or carpentry or joinery or for re-conversion for manufacturing purposes.

Timber is taken to include standing, fallen and felled trees, wood for industrial purposes, logs and sawn wood.

12.15 Timber product

Range of goods that contains wood or wood fibre with the exception of 'recycled' materials.

12.16 Vendor

Any registered enterprise/company offering timber and/or timber products for sale.

TIMBER LEGALITY DEFINITION

{This definition is derived from the Second Schedule of the Timber Resources (Legality Licensing) Regulations 2012 (regulation 11 (2) (b) and 12 (4), of LI 2184}

Legality produced timber:

1. A timber product is legally produced, if it meets the following requirements:
 - (a) In cases where the source is other than salvaged timber or timber products, imported timber or timber products, or confiscated or abandoned timber or timber products; the
 - (i) timber originated from land subject to timber rights or land properly acquired as the case may be;
 - (ii) owners of the land gave their consent to the logging of the timber product, where the land is not public land or a forest reserve,
 - (iii) logger, at the time of felling, held a valid timber utilization contract, issued by the competent authority and ratified by Parliament or other competent authority, and followed the prescribed competitive process; and
 - (iv) logger complied with forest operation procedures, standards and any other requirements prescribed by law.
 - (b) In cases where the source is salvaged timber or timber product:
 - (i) the logger at the time felling, held a valid Salvaging Permit issued by the Forestry Commission; and
 - (ii) the logger complied with forest operation procedures, standards and any other requirements prescribed by law.
 - (c) In cases where the source is confiscated or abandoned timber or timber products:
 - (i) there is a valid Certificate of Purchase

- (ii) the Certificate of Purchase was issued pursuant to a court order confiscating the timber.
- (iii) the abandoned timber or timber product was sold by the Forestry Commission in accordance with statutory procedures; and
- (iv) the owner complied with forest operation procedures, standards and any other requirement prescribed by law;

2. A timber or timber product shall be certified to be legally produced if:

- (a) the timber or timber product was at all times transported or processed in accordance with standards prescribed by law;
- (b) all vendors and exporters have valid licenses or permits to market timber;
- (c) at the time of the sale or export of the timber or timber product no accrued fees, rents or taxes, prescribed by law were owed to the State, and
- (d) at the time of sale or export, the logger had complied fully with obligations under any relevant Social Responsibility Agreement.



NDF is a non-governmental organization created with the assistance of WWF to continue and expand WWF's terrestrial project activities including forest and other land uses.

NDF's mission is to help build a society in which human development and nature conservation complement each other. NDF believes this mission can be realized through the pursuit of the following key approaches:

- **Mobilising key players**, such as industry, local communities, consumer markets and governments in West Africa to create the conditions and solutions that can drive sustainable natural resource utilization on the ground.
- **Creating partnerships with key organisations**, such as industry, governments in West Africa and other strategic civil society organizations in policy dialogue and developing market mechanisms to act as stimuli for positive change.
- **Engaging in activities around other land-uses impacting the forest landscape** in West Africa, focusing on sustainable forms of land use in appropriate locations.

For further information contact:

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