



Setting, Reviewing and Revising Legality Standards

Policy 03 v3.01

1 July 2016

Original Issue 8 August 2009
Revision Date 1 July 2016
Policy Applicable To All CertiSource Staff and Certification Body Staff
Policy Managed By The CertiSource Programme Director owns this policy and can be approached in relation to this policy:

Mr. Paul Wilson
Programme Director
+62 8873411210
info@certisource.org
Paul Wilson
Programme Director

Approved By
Position
Signed



Table of Contents

1. Policy Background	4
1.1. Introduction	4
1.2. Scope.....	4
1.3. Definitions	4
2. Policy Standards.....	6
2.1 General.....	6
2.2 Development of a CertiSource Legality Standard	6
2.3 Review of a CertiSource Legality Standard	6
2.4 Revision of a CertiSource Legality Standard	7
2.5 Consultation.....	7
2.6 Standard Contents.....	8
2.7 Standard Transition	8
2.8 Non-Substantive Changes	8
3. Related Information	9
3.1 Related Policies and Documents	9
3.2 Related Standard Operating Procedures and External Documents.....	9
3.3 Policy Review	9
4. Document History	10

1. Policy Background

1.1. Introduction

CertiSource standards are designed to provide independent assurance that exported timber products can be classified as Verified Legal Timber.

The objective of this policy is to specify the system for setting and/or revising a CertiSource timber legality Standard.

1.2. Scope

This policy applies to all CertiSource members of senior management, staff members and Directors.

1.3. Definitions

For purposes of this policy, unless otherwise stated, the following definitions shall apply:

<i>Centre for International Forestry Research</i>	CIFOR conducts internationally relevant research to serve its mission of poverty alleviation and environmental protection.
<i>DfID</i>	UK Department for International Development: The Department for International Development (DFID) is the part of the UK government that manages Britain's aid to poor countries and works to get rid of extreme poverty. They also have projects and research related to sustainable forestry management.
<i>FLEG</i>	The donor-led Forest Law Enforcement and Governance (FLEG) process is the outcome of a number of consultations, conferences and national initiatives organised by multilateral and bilateral donors that focused on combating the threat posed to forests by illegal logging and trade, corruption and poaching.
<i>FSC</i>	The Forest Stewardship Council (FSC) is an international network that promotes the responsible management of the world's forests. FSC brings people together to find solutions to the problems created by bad forestry practices and to reward good forest management.
<i>International Tropical Timber Organisation (ITTO)</i>	ITTO develops internationally agreed policy documents to promote sustainable forest management and forest conservation and assists tropical member countries to adapt such policies to local circumstances and to implement them in the field through projects. ITTO also collects, analyses and disseminates information on the production and trade of tropical timber.

<i>Reviewing</i>	The process of analysing comments and feedback received to determine a Standard's continued effectiveness. A review shall consider whether the Standard should be formally and publicly revised.
<i>Smartwood Generic Standard for Verification of Legal Compliance (VLC)</i>	<p>The Smartwood VLC generic Standard incorporates the four principles of the Smartwood Verified Legal Origin generic standard:</p> <p>Principle 1: Legal Right to Harvest; Principle 2: Approved Planning Authorizations and Operations; Principle 3: Payment of Relevant Fees and Taxes; Principle 4: Legal Registration, Transport, and Trade</p> <p>In addition the VLC Standard has four further principles:</p> <p>Principle 5: Fulfilment of Harvesting Regulations; Principle 6: Fulfilment of Environmental Regulations; Principle 7: Fulfilment of Social Regulations; Principle 8: Control of Unauthorized Activities</p> <p>The Smartwood VLC generic standard also contains Chain of Custody (CoC) principles.</p>
<i>Stakeholder</i>	Stakeholders broadly defined are those groups or individuals: (a) that can reasonably be expected to be significantly affected by an organization's products, services and activities; or (b) whose actions can reasonably be expected to affect the ability of an organization to successfully implement its strategies and achieve its objectives ¹ .
<i>WWF's GFTN</i>	The GFTN is WWF's initiative to eliminate illegal logging and improve the management of valuable and threatened forests. By facilitating trade links between companies committed to achieving and supporting responsible forestry, the GFTN creates market conditions that help conserve the world's forests while providing economic and social benefits for the businesses and people that depend on them. WWF's GFTN believes that a combination of a stepwise approach to forest management and the responsible purchase of forest products, as guided by credible forest certification, should underpin the search for solutions to the problems that are associated with the trade in forest products.

¹Source for this definition: GRI Sustainability Reporting Guidelines

2. Policy Standards

2.1 General

CertiSource does not create its own legality assessment criteria, but rather uses generic guidelines as a foundation and combines this generic standard with relevant national standards.

CertiSource will use Smartwood's Generic Standard for Verification of Legal Compliance (VLC) as the generic base for current and future timber legality standards.

If a recognized national standard exists this is incorporated along with the generic standard base.

Where country specific standards do not exist CertiSource will use the generic standard as the foundation, supplementing these with country specific aspects following research.

For existing Standard(s) a review process shall consider a standard's continued relevance, effectiveness, and whether external circumstances (such as compliance to external legal demands and international best practices) have changed to the point where change is required.

2.2 Development of a CertiSource Legality Standard

For the development of a new Standard or the revision of an existing Standard.

- Country Specific Standards Exist
- The generic standard foundation will be combined with relevant national standards.
- Country Specific Standards Non-Existent

To develop the standards CertiSource will research and consider available protocols from the country in question.

These might include (but is not limited to):

1. Relevant Government documents,
2. Studies/recommendations from organizations such as DFID, USAID, ITTO, FLEG.
3. Documents from other certification companies such as SGS, Smartwood.
4. Documents from International NGOs such as Proforest, WWF, Greenpeace, FSC.
5. Documents from local national NGOs active in forestry and the environment.
6. Relevant research studies carried out by organizations such as national Universities and international organizations such as the Centre for International Forestry Research.
7. Protocols such as those by Keurhout (Netherlands Timber Trade Association).

2.3 Review of a CertiSource Legality Standard

To ensure that a CertiSource Legality Standard remains as one of the world's leading timber legality certification systems, scheme requirements (policies and the Legality Standard) must be reviewed regularly.

Proposals to review and (or revise) a standard may be submitted by any interested party and shall be logged centrally in the 'issues log' by CertiSource Programme Director.

A CertiSource Legality Standard shall be reviewed on an ongoing basis, with the period between reviews not exceeding 3 years. The date of any subsequent scheduled review shall be made publicly available and shall be included in the standard itself.

After a formal review, a decision shall be made by CertiSource Senior Management on whether a revision shall be recommended.

Reasons why a review process may be recommended and initiated are:

- Stakeholder and/or Certification Body and/or internal CertiSource feedback or developments;
- New developments in timber verification and/or relevant international best practices in the field;
- Changes in legislation relevant to a particular CertiSource Standard;
- Any other significant change in the timber legality certification supply chain industry;
- A Standard has been recently created or an existing Standard has recently undergone a major revision (a review would be recommended within the first 18 months following release);
- 3 years have elapsed since a previous review.

2.4 Revision of a CertiSource Legality Standard

A Working Group (WG), appointed by CertiSource Senior Management Team (SMT), shall be established to:

- Draft terms of reference for the revision which include objectives, a list of key stakeholders and work plan (including decision making process);
- Produce drafts of the revised standard both prior to and following stakeholder feedback, including justification of the proposed changes, and an assessment of risks and impact of each change;
- Provide recommendations and seek input after each development activity.

The WG shall as a minimum include a designated Manager from CertiSource, a qualified auditor from a Certification Body auditing against the Standard under review, and external consultants, if necessary.

A summary of the finalised terms of reference and work plan shall be made publicly available, and the CertiSource website shall be regularly updated with information on the status of the standard revision activities.

CertiSource Policy on Certification Complaints, Appeals and Dispute Resolutions shall be referred to when complaints about the content of the standard and/or procedural matters are received.

2.5 Consultation

Consultation will be carried out in accordance to Policy 08: Stakeholder Engagement. The launch of a public consultation shall be officially announced on the CertiSource website.

The announcement shall include:

- A brief and clear description of the scope and objectives of the proposed standard or proposal to revise an existing standard;
- The justification of the need to introduce or revise the standard;
- The estimated timeline for completion of the proposed standard or revision;

- The opportunity to submit written comments on the specific issues and approaches that should be addressed;
- That the process shall be in compliance with the ISEAL Code of Good Practice and in accordance to CertiSource Policy 08: Stakeholder Engagement;
- Contact details.

2.6 Standard Contents

At a minimum the standard must contain:

Scope:

The parties and geographic location to which the standard is applicable and a brief description as to what the standards are derived from and to what principles pertain.

Scope will also contain a brief description of any limitations where applicable.

Standard Effective Date:

The date the standard will be effective from and the date of and details as to the scheduling of updates. The standard will be reviewed annually.

References:

Details of related and cited documents.

Terms and definitions:

An explanation of terms, definitions of specialized language and definitions of acronyms used.

Standards and Requirements:

The main body of the document containing the list of legality standards, criteria and verifiable indicators. Also included should be information on the purpose of the standards, background information relevant to their development and an indication as to permissible claims related to the standard.

2.7 Standard Transition

When a Standard has been updated or a new Standard finalised, CertiSource will grant a period of transition to allow clients (including Certification Bodies and auditees) sufficient time to adapt practices and related documentation to ensure compliance.

Transition periods will be decided by CertiSource depending on the nature and extent of new requirements. Timeframes for transition will never be less than two months, and normally never exceed one year.

2.8 Non-Substantive Changes

Typographical errors and minor inconsistencies may be corrected with the approval of the CertiSource SMT.

The CertiSource Programme Director may propose non-substantive changes, such as formatting, layout, design and organization to the CertiSource SMT.

An updated standard shall be clearly identified as such with a new version number and date and the most recent version shall be posted on the CertiSource website and circulated to all known users.

3. Related Information

3.1 Related Policies and Documents

This policy has connections to the following CertiSource Policy Statements

Policy 01: Policy Statement

Policy 02: Policy Development

Policy 08: Stakeholder Engagement

Policy 10: Certification Complaints, Appeals and Dispute Resolution

3.2 Related Standard Operating Procedures and External Documents

No related SOPs.

This policy has connections to the following external documents:

- AA1000 Stakeholder Engagement Standard Exposure Draft: AA1000SES, London (2005).
- The Stakeholder Engagement Manual Volume i: The Guide To Practitioners' Perspectives On Stakeholder Engagement - Stakeholder Research Associates Canada Inc, United Nations Environment Programme, AccountAbility.
- The Stakeholder Engagement Manual Volume ii: The Guide To Practitioners' Perspectives On Stakeholder Engagement - Stakeholder Research Associates Canada Inc, United Nations Environment Programme, AccountAbility.
- Global Reporting Initiative (GRI) Sustainability Reporting Guidelines- GRI.

3.3 Policy Review

To ensure that this policy statement remains relevant it will be reviewed regularly at a minimum frequency of every six months. Revisions will be made when necessary to provide solutions to any practical problems encountered.

4. Document History

Version	Date Approved	Description
1.01	3 January 2013	1. Development of a Legality Standard includes major revisions.
1.02	1 August 2013	1. Document history added (i.e. this section). 2. Transferred to this new template. 3. Programme Manager changed to Programme Director.
2.00	1 October 2014	1. Previous reference to using Smartwood's VLC as the generic base was a footnote. This has been added into the main text in section 2.1. 2. Requirement to "update" Standard annually changed to "review" annually. 3. Definitions deleted. Obvious ones such as NGO. 4. In the "approvals" space the date of the next revision is deleted. This is to avoid confusion as to whether or not a policy is still valid (e.g. the date of the next revision in the past failed to be changed after a review if nothing was changed in a policy.
	1 December 2014	5. Section 2.5 on Standard Transition added.
2.01	16 July 2015	1. Change email contact to info@certisource.org
3.00	1 January 2016	1. Add definition of reviewing; 2. Add sections 2.3, 2.4,2.5 and 2.8 3. Change title from "Setting Legality Standards" to "Setting, Reviewing and Revising"
3.01	28 June 2016	1. Transfer to new template