



Australian Government

Department of Agriculture



Italy

Country specific guideline for Italy

This guideline has been prepared by the Australian Government and the Government of Italy. It is intended to assist businesses importing regulated timber products from Italy into Australia in understanding the regulatory framework in Italy in order for them to carry out their due diligence obligations under the *Illegal Logging Prohibition Amendment Regulation 2013*, which supports the *Illegal Logging Prohibition Act 2012*.

This guideline was co-endorsed by the Australian and Italian governments on 3 October 2014.

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What is required under the new law?

Australia's *Illegal Logging Prohibition Act 2012* (the Act) restricts the movement of illegally logged timber into Australia for imported timber and timber products; and at timber processing mills, for domestically grown raw logs.

The Act seeks to address the harmful environmental, social and economic impacts of illegal logging, including forest degradation, habitat loss and threats to sustainable livelihoods.

The Act defines illegally logged as:

'in relation to timber, means harvested in contravention of laws in force in the place (whether or not in Australia) where the timber was harvested.'

The *Illegal Logging Prohibition Amendment Regulation 2013* (the Regulation) prescribes due diligence for the regulated community, that is, Australian importers of regulated timber products and Australian processors of domestic raw logs (for the purposes of the Act a regulated timber product is a product listed in Schedule 1 to the Regulation). Under the Regulation the regulated community have to undertake a due diligence process to minimise the risk of sourcing illegally logged timber.

Due diligence requirements for importers include the following steps:

Step 1: Information gathering

Step 2: Assessing and identifying risk against a timber legality framework (optional) or a country specific guideline (optional)

Step 3: Risk assessment (if required)

Step 4: Risk mitigation (if required)

Further information on the Act and the Regulation is available at agriculture.gov.au/illegallogging.

This guideline is intended to assist an importer of regulated timber products from Italy to comply with the due diligence requirements of the Regulation.

Information or evidence listed in this guideline is not an exhaustive list of evidence or documentation required to satisfy due diligence requirements under the Regulation. The Regulation should be referred to for the information required to be gathered to satisfy due diligence requirements.

Information gathered by applying this guideline, along with any other information gathered in accordance with the Regulation, needs to be assessed in accordance with the processes outlined in the Regulation to identify the risk that a regulated timber product is, is made from, or contains illegally logged timber.

Timber products imported into Australia from Italy

In 2012, Italy was Australia's ninth most valuable supplier of regulated timber products, with a total trade value of A\$156.7 million. This included A\$88.3 million in paper products and A\$58.7 million in furniture products.

The following regulated timber products were the most valuable products imported into Australia from Italy in 2012:

Wood articles – HS Code Chapter 44:

- Plywood (44.12)
- Builders' joinery and carpentry of wood (44.18)

Paper – HS Code Chapter 48:

- Paper and paperboard, coated (48.10)
- Paper and paperboard, self-adhesive (48.11)
- Toilet paper (48.18)
- Cartons, boxes (48.19)
- Filter paper and paperboard (48.23)

Furniture – HS Code Chapter 94:

- Furniture used for offices, kitchens, bedrooms, accessories and other (94.03)

How is timber harvesting regulated in Italy?

Italy's forest sector is regulated by regional, national and European laws (see inea.it/ossevatorio-foreste/normativa-italiana for further details).

The European Union Timber Regulation (EUTR), which came into force on 3 March 2013, applies to Italy as it does to all European Union member states. According to Article 6 of Regulation 995 (see politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/6128), EUTR requires that operators have a due diligence system in place to ensure the legality of the timber they source.

Obtaining *authorisation for wood removal* is mandatory across Italy. This authorisation is granted by regional offices. In Italy there are 19 regions and two autonomous provinces; each is responsible for authorising timber removal within its territory. No payments are required for the right to harvest timber in Italy.

Sixty-five per cent of Italian forests are privately-owned. The remaining component is publicly managed by states, regions or municipalities.

The harvesting of timber is forbidden in 'naturalistic core areas', or protected areas such as national parks. Italy has some protected tree species, however none are used for timber production. Owing to historical tradition, some communities – usually in mountainous areas – have special rights to harvest and use forest products for household timber and fuel consumption.

Identifying legal product from Italy

With the exception of protected timber in 'naturalistic core areas', all types of timber may be legally harvested in Italy. That is, there are no restrictions on harvesting particular timber species.

Australian importers should ask the relevant Italian exporter for evidence of the regional authorisation to harvest timber to ensure that local requirements have been complied with.

Documents vary between the regions; subsequently, there is no standard authorisation form. As examples, please see a sample:

- **Authorisation to harvest form** from the Toscana region at Attachment A; and
- **Notice to harvest form** from the Umbria region at Attachment B.

Legality of timber products manufactured in Italy

With few exceptions, there is no duty on timber operators to trace timber supply chains for either domestic or imported timber in Italy. One exemption is for EUTR cases where the operator has to collect information about the sub-national region or about the concession of harvest (see Article 3, “Information concerning the operator’s supply” of the Commission Implementing Regulation (EU) No 607/2012, ec.europa.eu/environment/forests/timber_regulation.htm).

There are examples of a duty of traceability in some wood sectors, even where operators are not obliged to hold supply chain information from the point of harvest:

- In the *timber for structural use sector*, an Italian Ministry of Infrastructure decree from January 2008 provides that timber workers are obligated to trace the timber they buy (e.g. a glue lam beam from Austria), in cases where the product must be connected to the finished product sold after processing (e.g. a glue lam beam that has been cut and processed according to a particular wooden roof design), to the timber producer (e.g. of the glue lam beam). This traceability need not extend to the place of harvest.
- For *timber harvesting in Italy*, there must be traceability from the tree (before harvesting), marked by the relevant authority, to the logs that are transported from the forest after cutting.

For domestic timber, the existing assurance systems, ordered by national laws, are those described above for wood for structural use and for harvest. There are also increasing requests for certified domestic or imported timber under the Programme for the Endorsement of Forest Certification (PEFC) international forest certification scheme, the Forest Stewardship Council (FSC) forest management certification, or other verified third-party schemes.

The majority of wood used for processing and fuel in Italy is imported from Europe. The main source countries, comprising about 85 per cent of all imports, are Austria, Germany, France, Croatia and Slovenia. The remaining 15 per cent of imported goods come from other continents (Asia, America and Africa, in order of value).

Other relevant non-government resources

The European Commission has recognised the consortium, Conlegno, as a monitoring organisation in Italy under the EUTR. Conlegno (conlegno.eu) works with the Italian staff of TRAFFIC, the wildlife trade monitoring network, whose role is to provide advice on the documents that operators receive from suppliers from outside the EU.

NEPCon (nepcon.net), which has also been recognised as a EUTR monitoring organisation, is also likely to operate in Italy upon the request of interested Italian operators.

Who should I contact for further information?

The Italian Ministry of Agricultural, Food and Forestry Policies is the competent authority for EU Forest Law Enforcement, Governance and Trade (FLEGT) and the EUTR, as required by Reg. EC 2173/2005 and Reg. EU 995/2010.



Australian Government

Department of Agriculture

Australian Government

Department of Agriculture
GPO Box 858
Canberra ACT 2601
Phone: +61 (0) 2 6272 3933
agriculture.gov.au/illegallogging
illegallogging@agriculture.gov.au



Italy

Italian Government

Ministry of Agricultural, Food and Forestry
Policies
Phone: +39 06 4665 5063 or
+39 06 4665 7046
politicheagricole.it
DISR3@mpaaf.gov.it or
DIV05@corpoforestale.it

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This guideline and its associated quick reference guide is made available on the understanding that the Commonwealth of Australia is not providing professional advice. Before relying on this guideline or its associated quick reference guide, readers should obtain appropriate professional advice suitable to their particular circumstances.

Readers should also confirm that this is the most up-to-date available guideline by referring to the Department of Agriculture website.

Attachment A – Authorisation to harvest form (sample) – Toscana region

AUTOR-P

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REGIONE TOSCANA
Servizio Foreste
e Patrimonio Agroforestale

Settore forestale
Richiesta di autorizzazione al taglio
ed opere connesse
L.R. 39/00 e Regolamento Forestale

Ente competente

Quadro A - Azienda

Bollo
€ 14,62

Sez. 00 - Documentazione accessoria

- Intervento compreso nel territorio del Parco Nazionale (art. 68 comma 1 Legge Forestale)

Sez. 0 - Tipo di autorizzazione (barrare solo una casella)

- Autorizzazione al taglio Autorizzazione al taglio e opere connesse
 Autorizzazione al taglio per silenzio assenso Opere connesse

Sez. 1 - Azienda ⁽¹⁾

Classificazione ⁽²⁾	_____	Natura Azienda ⁽³⁾	_____
Partita Iva	_____	Codice Fiscale	_____
Cognome o Denominazione ⁽⁴⁾	_____		_____
Nome	_____	Luogo di Nascita (facoltativo)	_____
Data di Nascita (facoltativo)	_____	Indirizzo e n. civico	_____
Comune	_____	Provincia	_____
CAP	_____	Telefono	_____
Cellulare (facoltativo)	_____	Fax (facoltativo)	_____
Web (facoltativo)	_____	e-Mail (facoltativo)	_____

Sez. 2 - UTE ⁽⁵⁾

Denominazione ⁽⁷⁾	_____		
Indirizzo e n. civico ^(7b)	_____		
Comune	_____	Provincia	_____
CAP	_____	Telefono	_____
Cellulare (facoltativo)	_____	Fax (facoltativo)	_____
Web (facoltativo)	_____	e-Mail (facoltativo)	_____

Soltanto per le persone giuridiche: Estremi del rappresentante (Sez. 1)

Codice Fiscale	_____	Ruolo ⁽⁶⁾	_____
Cognome	_____	Nome	_____

Attachment B – Notice to harvest form (sample) – Umbria region

ALLEGATO B

ENTE COMPETENTE _____

COMUNICAZIONE DI TAGLIO

ai sensi del Regolamento attuativo della legge regionale 19 novembre 2001, n. 28

Il/la sottoscritto/a _____ nato/a a _____ il

_____ e residente a _____ in via _____ n. _____ tel. _____

Codice Fiscale _____

Consapevole delle sanzioni penali, nel caso di dichiarazioni non veritiere, di formazione o uso di atti falsi, richiamate dall'art. 76 del D.P.R. 445 del 28 dicembre 2000.

DICHIARA

- di essere proprietario dei terreni interessati dagli interventi
 di essere delegato dalla proprietà alla presentazione della comunicazione di taglio in qualità di ditta incaricata dell'esecuzione degli interventi

Numero di Patentino _____ fascia di appartenenza _____ rilasciato il

_____ da _____

Che i dati relativi all'area oggetto di taglio, all'età dell'ultima utilizzazione ed al tipo di taglio da effettuare sono esatti e veritieri, assumendosi ogni responsabilità in ordine a diritti ed interessi di terzi.

COMUNICA

di essere intenzionato a tagliare il bosco sito in Comune di _____ località _____ nelle seguenti particelle catastali:

PARTICELLE SOGGETTE AL TAGLIO						
Corpo	Comune	Foglio	Particella	Superficie totale della particella (ha)	Superficie da tagliare nella particella (ha)	Anno ultima utilizzazione

per una superficie a corpo di Ha _____ e totale di Ha _____ da cui prelevare una massa di circa _____ tonnellate nel **CEDUO** e circa _____ metri cubi di legname proveniente dal taglio in **FUSTAIA**.

QUOTA ALTIMETRICA DEL BOSCO

- fino a 500 m slm
 da 501 a 1.000 m slm
 da 1.001 a 1.500 m slm
 oltre 1.500 m slm

LOCALIZZAZIONE DEL BOSCO

- zone della Rete Natura 2000 (SIC, ZSC, ZPS)
 area naturale protetta (parchi regionali e parchi nazionali)

FORMA DI GOVERNO IN ATTO

- ceduo semplice
 ceduo matricinato
 ceduo intensamente matricinato
 ceduo composto
 fustaia coetanea
 fustaia disetanea per piede d'albero
 fustaia disetanea per piccoli gruppi
 fustaia irregolare

MODALITÀ DI ESBOSCO

- per avvallamento
 con gabbie su trattore
 a strascico con trattore
 a soma con animali
 a strascico con animali
 con cabalette o risine
 altro (specificare) _____

SPECIE ARBOREE NEL BOSCO

principali _____

secondarie _____

DESCRIZIONE DELL'INTERVENTO SELVICOLTURALE:

Governo ceduo	Governo ad alto fusto
<input type="checkbox"/> Intervento di ceduzione	<input type="checkbox"/> Sfolli e diradamenti (art. 42 comma 1 e 2)
<input type="checkbox"/> Sfolli e diradamenti (art. 28 comma 3)	<input type="checkbox"/> Taglio di preparazione in fustaia trattata a tagli successivi (art. 43 comma 3)
<input type="checkbox"/> Taglio di avviamento all'alto fusto (art. 37 comma 3)	<input type="checkbox"/> Tagli secondari in fustaia trattata a tagli successivi (art. 43 comma 6)
<input type="checkbox"/> Interventi atti a favorire l'evoluzione naturale in cedui che hanno superato l'età del turno (art. 38 comma 1)	
<input type="checkbox"/> Altro specificare): _____ _____	Altro (specificare): _____ _____

La presente comunicazione dovrà essere debitamente compilata in ogni sua parte dovendosi altrimenti procedere all'archiviazione d'ufficio.

Gli interventi dovranno essere eseguiti nel rispetto sia di quanto sopra comunicato sia delle norme contenute nel Regolamento Regionale n. 7 del 17/12/2002.

Per eventuali chiarimenti e per l'invio delle comunicazioni inerenti la presente richiesta e/o per il ritiro o consegna di documenti delego il tecnico: _____

Il sottoscritto dichiara che i dati relativi all'area oggetto di taglio, all'età dell'ultima utilizzazione ed al tipo di taglio da effettuare sono esatti e veritieri, assumendosi ogni responsabilità in ordine a diritti ed interessi di terzi.

Luogo, data _____

Firma*

* allegare fotocopia di un documento di riconoscimento valido