

Australia's illegal logging laws

Due diligence toolkit for processors

A step-by-step guide to understand and conduct due diligence under Australia's illegal logging laws.

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Acknowledgement of Country

We acknowledge the continuous connection of First Nations Traditional Owners and Custodians to the lands, seas and waters of Australia. We recognise their care for and cultivation of Country. We pay respect to Elders past and present, and recognise their knowledge and contribution to the productivity, innovation and sustainability of Australia's agriculture, fisheries and forestry industries.

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Introduction

About the toolkit

This toolkit aims to guide processors of domestically grown raw logs as you undertake your due diligence requirements under Australia's [Illegal Logging Prohibition Act 2012](#) (Act) and [Illegal Logging Prohibition Rules 2024](#) (Rules).

What to do

- Determine whether due diligence is required for processing your raw logs.
- Refer to the flowchart in this toolkit for an overview of your due diligence obligations.
- Using the guidance in this toolkit:
 - Record your contact details and the process by which you will meet the due diligence requirements, known as your 'due diligence system'.
 - Each time you consider processing domestically grown raw logs:
 - Gather information on the raw logs, and
 - Identify and assess the risk the raw logs were illegally logged.
 - In certain circumstances, where the risk of illegal logging is assessed as not low:
 - Conduct a risk mitigation process, which may include gathering more information
 - Ensure that risk mitigation process is reasonable and proportionate, and reassess the risk that the raw logs were illegally logged
 - Save a record of the risk mitigation process for each assessed raw logs.
- Provide your due diligence information when requested by the department.

Please note

- This toolkit is intended as **guidance only** to help you undertake your due diligence requirements, and the information and resources provided are **not exhaustive**.
- **There is no 'one size fits all' approach to due diligence.** You should always tailor your due diligence to your specific circumstances, considering all relevant factors that apply to your situation.

Where to go for more information

The department's [illegal logging webpages](#) are a source of up-to-date information, including answers to [frequently asked questions](#). The [Federal Register of Legislation](#) also contains the latest versions of the Act and the Rules as they are updated from time-to-time.

If you still have questions or require further information, please contact the Department of Agriculture, Fisheries and Forestry at 1800 657 313, or email:

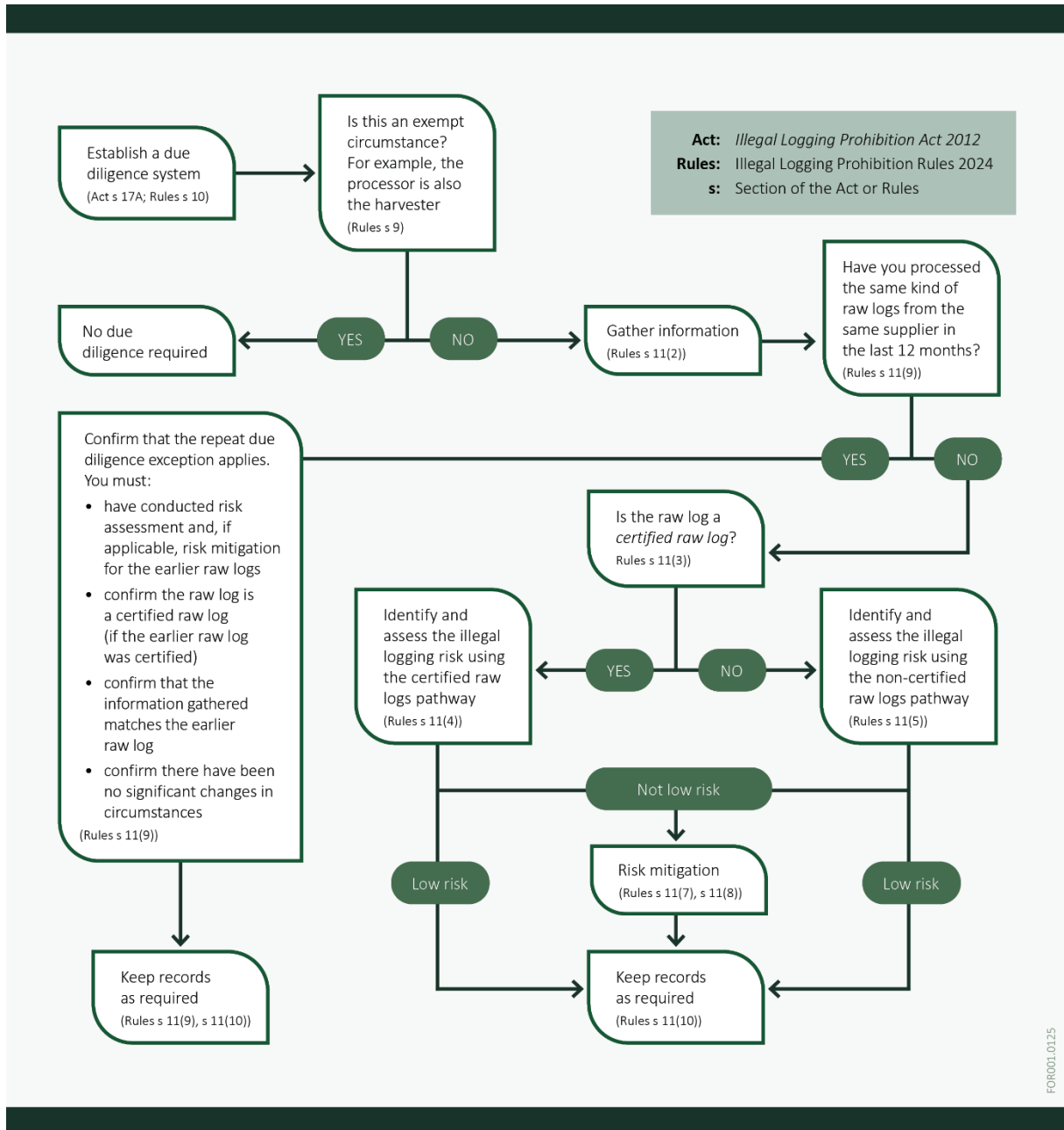
- illegallogging.complianceassessment@agriculture.gov.au – For information about your legal responsibilities and due diligence requirements

- illegallogging@agriculture.gov.au - For information relating to other illegal logging issues

You can also subscribe to our [illegal logging mailing list](#), to receive updates, guidance, and information about upcoming events.

Due diligence flowchart

The information in this visual cannot be considered in isolation. Readers are directed to consider the referenced sections of the *Illegal Logging Prohibition Act 2012* and *Illegal Logging Prohibition Rules 2024* to understand their full legal requirements.



Establish/maintain your due diligence system

You must have a written due diligence system *before* processing domestically grown raw logs.

Section 17A(1) of the Act sets out the requirement of having a due diligence system for processing raw logs. Section 17A(2) of the Act and [section 10 of the Rules](#) prescribes the form and information requirements of a due diligence system.

Your due diligence system must clearly set out the processes by which you will meet the due diligence requirements prescribed in the Act and section 11 of the Rules for processing raw logs.

The size, structure and format of your due diligence system should be tailored to meet your business situation and needs. More complex supply chains and business structures may need more detailed due diligence systems. However, all systems need to include certain mandatory elements.

If you are audited or issued with a Request for Information notice, you may be asked to provide a copy of your due diligence system in place at the time you processed the relevant raw log, which will be assessed for compliance with the requirements in the Act and the Rules.

It is important to know that a written due diligence system, on its own, is not sufficient to meet the requirements of the legislation. You must apply your system and complete a due diligence process which meets the other requirements set out in section 11 of the Rules before processing raw logs.

The [Due diligence for processors webpage](#) may assist in the development of your due diligence system.

Content of your due diligence system

Your due diligence system needs to:

- be in writing;
- set out the process you (or your employees) will undertake to meet the due diligence requirements before you process domestically grown raw logs, including:
 - [gathering information](#)
 - [identifying and assessing the risk](#)
 - [risk mitigation](#)
 - [record keeping](#)
- include certain information about you and/or your business, that is:
 - processor's/your name, street address, postal address, telephone number and email address
 - if in the case of a processor who is not an individual – the name, position and contact details (including email address and telephone number) of the individual responsible for maintaining the system

- if the raw logs are to be processed in connection with a business carried on by the processor– the principal business activity conducted by the processor and the processor's Australian Business Number (ABN) and Australian Company Number (ACN), where applicable.

Before continuing: confirm due diligence is required for your raw logs

Before you conduct your due diligence process you should confirm that the domestically grown raw logs you are processing are not excluded from the due diligence requirements.

Are the raw logs excluded from due diligence?

The due diligence requirements do not apply in circumstances where the processor was also the harvester of the raw logs (s 17(5) of the Act and s 9 of the Rules).

The offence and civil penalty provisions for processing raw logs in contravention of due diligence requirements do not apply where the raw logs have been imported into Australia (section 17(4) of the Act).

Consider

Are you processing raw logs that are excluded from due diligence requirements?

- **No:** Continue to the next step of this toolkit to complete your due diligence process – '[Step 1 – Gathering information.](#)'
- **Yes:** You do not need to undertake further steps. If you are audited or issued a Request for Information Notice, you will be expected to provide information or documents that are relevant to your due diligence system in place at the time you processed the raw log; or your compliance with the due diligence requirements for processing raw logs.

1 Gathering information

The first step in your due diligence process is information gathering. As with all the steps of the due diligence process, you will need to gather this information before processing your raw logs and you should consider how you will prove that you gathered the information before processing the raw logs.

Under section 11(2) of the Rules, you must obtain as much of the following information as it is reasonably practicable for you to obtain:

- A description of the raw logs, including the common name and scientific name of the tree from which the raw logs were derived;
- The State or Territory, and the area in the State or Territory, in which the raw logs were harvested;
- Details of your supplier, including the name, address, trading name, ABN (if any) and ACN (if any);
- The quantity of raw logs being processed (expressed in volume, weight or number of units);
- The sales or delivery document in relation to the purchase of the raw logs by the processor.

Scientific name

The scientific name for a tree refers to the genus and species (i.e. *Pinus radiata* for radiata pine). Sometimes, trees can be classified even further, to a subspecies or variety level. However, this level of detail is not necessary for your due diligence.

A genus (plural. genera) encompasses a group of species that are closely related, and can include anywhere from one to over 1000 different species. Often, the genus name will be abbreviated to the first letter (i.e. *P. radiata*).

Where a document lists a genus followed by 'sp' or 'spp' it designates a single unidentified species, or a mix of multiple species within the same genus.

- *Shorea spp.* refers to an indefinite number of species in the genus *Shorea*, none of which are identified

Different species within the same genus may grow in different locations or have different levels of protection. The Rules require you to identify the tree that your raw logs have come from down to the species level, because otherwise it is difficult to accurately assess the risk that the raw logs were illegally logged.

Common name

Common names, or commercial names for particular raw logs are generally not useful in identifying a particular species. Common names may vary regionally, and can often refer to multiple different species, sometimes across different genera.

There is no prescribed method for information gathering.

Many of these details about your raw logs may be found in existing commercial documents, contracts or invoices. However, you may need to work with your supplier to gather more information, documents or evidence.

There are a range of approaches that you could use, including (but not limited to) phone calls, online research or questionnaires sent to suppliers. Whatever approach you utilise should be documented in your due diligence system and records created that credibly verify the source of information and the timing of gathering the information – as proof that you have complied with the requirements under subsection 11(2).

The legislation recognises that it may not always be possible to obtain all the prescribed information before processing raw logs. Therefore, you are only required to obtain as much information as it is reasonably practicable to obtain.

What is reasonably practicable will depend on the circumstances. Visit our [FAQs page](#) for more information on what is meant by 'reasonably practicable'.

Where you have been unable to obtain certain information, you should be able to demonstrate what reasonably practicable steps you took to try to gather the information.

You must keep records of all information and evidence gathered as part of your due diligence. This includes, but is not limited to, copies of any resources, supporting documents and any information or documents provided by your supplier in relation to the purchase of your raw logs (section 11(10) of the Rules).

Consider

Have you processed the same kind of raw logs using the same supply chain in the last 12 months?

- **No:** You can move to [Step 2 – Identifying and assessing the risk](#).
- **Yes:** You may be able to use the Repeat due diligence exception. See: [Exception to Steps 2 and 3 – for repeat processing within 12 months](#).

2 Identifying and assessing the risk

After gathering information on the raw logs, you must identify and assess the risk that the raw logs were illegally logged. This may involve further research and the sourcing of additional information to inform the risk assessment.

The identification and assessment of risk must be undertaken before processing the raw logs.

Your risk identification and assessment must be to a reasonable standard and supported by the information that you have gathered. This reasonable standard applies to all the facts and considerations in the risk assessment process.

The Rules set out two alternative risk assessment pathways, both of which are explained in detail below:

- 1) certified raw logs (section 11(4))
- 2) non-certified raw logs (section 11(5)).

You need to consider all the information you know which may indicate that the raw logs were illegally logged. This means you cannot ignore such information when conducting your risk identification and assessment.

Once you have determined the risk level, you must make a written record of the risk identification and assessment you made. You should retain copies of any documents, resources or other information that you relied upon in your assessment.

Exception

If you have previously processed the same kind of raw logs in the last 12 months in certain circumstances, you may be able to apply the due diligence exception in section 11(9) of the Rules. For further information, see [Exception to Steps 2 and 3 – for processing of the same kind of raw logs within 12 months](#).

2A. Certified raw logs

The Rules specify a risk identification and assessment pathway that processors can use for certified raw logs. The Rules recognise two forest certification schemes:

- [Forest Stewardship Council \(FSC\)](#)
- [Programme for Endorsement of Forest Certification \(PEFC\)](#)

Definition of forest certification standard (see s 4 of the Rules)

Forest certification standards are defined in the Rules to mean:

- A standard of a country, or a part of a country, that was developed in accordance with the international standard known as the FSC Principles and Criteria for Forest Stewardship (FSC-STD-01-001), as those standards are in force from time to time; or
- The international standard known as the Chain of Custody Certification (FSC-STD-40-004), as that standard is in force from time to time; or
- A standard of a country, or a part of a country, that was developed in accordance with the international standard known as the Sustainable Forest Management – Requirements (PEFC ST 1003:2018), and endorsed by the international organisation known as the Programme for the Endorsement of Forest Certification, as those standards are in force from time to time; or
- A standard of a country, or a part of a country, that was developed in accordance with the international standard known as the Chain of Custody of Forest and Tree Based Products – Requirements (PEFC ST 2002:2020) and endorsed by the international organisation known as the Programme for the Endorsement of Forest Certification, as those standards are in force from time to time.

Establish that your raw logs are certified**Important to note**

- Certification does not provide a guarantee that the raw log is legal or that it is a *certified raw log* for the purposes of the Rules.
- Certified suppliers may deal in non-certified raw logs. You cannot assume that your raw logs are certified because your supplier or someone else in the supply chain is certified.

The Rules prescribes when raw logs are *certified raw logs* at section 11(3). You must be able to demonstrate that your raw logs meet the criteria of this provision to use the risk identification and assessment pathway for certified raw logs. There is no 12-month exception applied to checking whether your raw logs are certified. You must follow this step before each instance of processing.

To demonstrate that your raw logs are certified you must:

- 1) Obtain a copy of the relevant certification record from the FSC or PEFC database, current at the time of processing
 - [FSC – Public Certificate Search](#)
 - [PEFC – Find Certified Database](#)
- 2) Confirm that the raw logs fall within the scope of the certification held by the supplier in accordance with a forest certification standard.
 - a) When considering the scope, this may include the species and output category.
- 3) Verify that all the supplier's details – and all other details – in the certification record are true and correct, including by checking that the information aligns with the information gathered in [Step 1 – Information gathering](#)

- 4) Obtain from the supplier the sales or delivery document contains a certification claim that is consistent with the certification held by the supplier in accordance with a forest certification standard.
- Raw log claims may include: FSC 100%, FSC Mix X%, FSC Recycled, FSC Mix Credit, FSC Controlled Wood, X% PEFC Certified, PEFC Controlled Sources

Troubleshooting

- If the number or code has been typed incorrectly (and you cannot find it online) contact your supplier. Ask them to email you a link to the online certificate or contact the scheme and ask about the certificate codes given by the supplier.
- If the certificate appears to have expired or is currently suspended, you should ask why this has occurred. You may need to discuss this with the supplier or directly with the scheme. If the certificate is not valid for the period of supply, you cannot use the certified raw logs pathway. FSC directives advise - when a certificate is withdrawn or expires, products which left the chain of custody whilst the certificate was valid were certified and remain certified even after the certificate has been withdrawn. Products which have not yet left the chain of custody at the time the certificate is withdrawn will not be certified. PEFC rules advise - In the case of a certificate which has been withdrawn or has expired, the certified products which left the organisation when the certificate was still valid continue to be certified even after the certificate has been withdrawn or has expired; vice versa, the products which have not yet left the organisation certified at the time of withdrawal or expiry of the validity of the certificate, can no longer be considered as certified products, with immediate effect.
- If the FSC/PEFC certificates are not for the direct supplier, you may not be able to complete your risk assessment using the certified raw logs pathway.
- If the details of your supplier do not match those on the certificate, you should seek to confirm the authenticity of the certificate. This may involve contacting the scheme, or your supplier.
- If your supplier has claimed the raw logs are FSC or PEFC certified but it is not their name on the certificate, the chain of custody may be broken. You need to get more information from your supplier, or the scheme to verify the authenticity.
- If there are multiple suppliers in the supply chain, all suppliers must be certified to maintain chain of custody. If the chain of custody is broken, you must use the non-certified raw logs pathway.

If you find that your raw logs are not certified, you must conduct your risk identification and assessment using the non-certified raw logs pathway.

Assess the risk that your raw logs were illegally logged

When identifying and assessing the risk that the certified raw logs were illegally logged, there are several risk factors you must consider. You must be able to demonstrate in your written risk assessment that you considered each factor.

Table 1 sets out the factors you must consider and some possible questions to guide your thinking. Some resources to assist you can be found on the department's [Resources for processors webpage](#).

Table 1 Certified raw log risk assessment considerations

Mandatory considerations	Potential questions
Information the processor obtained under section 11(2) (information gathering requirements)	<ul style="list-style-type: none"> • Have you been able to obtain sufficient information to inform your risk assessment? • Do the classification of species, quantities, and qualities match across the documentation? • Can the claims made in the information gathered be verified with evidence? • Is any of the information inconsistent with other information you know or have obtained?
The extent of illegal logging in general involving entities, known to the processor, in the supply chain of the raw logs	<ul style="list-style-type: none"> • Is there any information publicly available about the supplier or their sub-suppliers within the supply chain, on the supplier's website or under allegation or investigation by an NGO/FSC/PEFC/government concerning illegal logging or trade in illegally logged timber??
Any other information that the processor knows that may indicate whether the raw logs are illegally logged	<ul style="list-style-type: none"> • Is there any information about previous incidents of illegal logging relevant to the raw logs, species or region? • Have there been any media articles, third party reports, or government statements that would bring the legality of the raw logs into question?
The source, validity and reliability of the above matters considered by the processor for the raw logs	<ul style="list-style-type: none"> • Do the documents gathered appear to be genuine and have they been generated by the appropriate government entity or other body? • Are there any inconsistent or missing documents?

Note: Section 11(4)(d) of the Rules requires the processor to make a written record of the risk identification and assessment made for certified raw logs.

2B. Non-certified raw logs

If the raw logs are not certified, you must identify and assess the risk that your raw logs were illegally logged using the non-certified raw logs pathway.

Section 11(5) of the Rules sets out a list of risk factors that you must take into account when conducting your risk identification and assessment. You must be able to demonstrate in your written risk assessment that you considered each factor.

Identify and assess the risk that your raw logs were illegally logged

When assessing the risk that the non-certified raw logs were illegally logged, there are several risk factors you must consider. Table 2 sets out the factors and some possible questions to guide your thinking.

Some resources to assist you may be found on the department's [Resources for processors webpage](#).

Table 2 Risk assessment considerations for non-certified raw logs

Mandatory factors	Potential considerations
Information the processor obtained under section 11(2) of the Rules	<ul style="list-style-type: none"> • Have you been able to obtain sufficient information to inform your risk assessment? • Do the classification of species, quantities, and qualities match across the documentation? • Can the claims made in the information gathered be verified with evidence? • Is any of the information inconsistent with other information you know or have obtained?
Any State specific guideline (SSG) that relates to the raw logs	<ul style="list-style-type: none"> • Have you checked the information, or obtained the documents, that the SSG suggests could support that the harvest was legal? • Does the information you have gathered on your raw logs match the information and documentation in the SSG?
The extent of illegal logging in general involving entities, known to the processor, in the supply chain for the raw logs	<ul style="list-style-type: none"> • Is there any information publicly available, about the supplier or their sub-suppliers within the supply chain, on the supplier's website or under allegation or investigation by an NGO/FSC/PEFC/government concerning illegal logging or trade in illegally logged timber?
The extent of illegal logging in general of the species or genus of tree from which the raw logs were derived	<ul style="list-style-type: none"> • Is there any information about previous incidents of illegal logging relevant to that species? • Can you confirm that the species grows in the area that the supplier claims it came from? • Are there any other factors which may indicate that the species is prone to illegal logging in this area? For example, is the species highly sought after and highly valued due to its scarcity? • Is this species similar to, or regularly substituted for a species which may be high value or scarce?
The conservation status (if any) of that species or genus, including if that species or genus is included in Appendix I, II or III of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES)	<ul style="list-style-type: none"> • Is the species subject to any international trade restrictions (e.g. CITES)? • Is the species protected under Commonwealth, State or Territory legislation? • Is the species listed on the International Union for Conservation of Nature Red List of Threatened Species (the IUCN Red List)? • Is the species of log the subject of a logging ban or restriction in Australia?
The extent of illegal logging in general in the area in which the raw logs were harvested	<ul style="list-style-type: none"> • Is there much illegal logging in the area where the raw logs were harvested? • Is there any information about previous incidents of illegal logging relevant to that region? • Are the raw logs harvested from a known protected area? • Can your supplier tell you where the raw logs have come from?
Any other information that the processor knows that may indicate whether the raw logs are illegally logged	<ul style="list-style-type: none"> • Have there been any media articles, third party reports, or government statements that would bring the legality of the logs into question? • Are you unable to get rational answers to questions asked of your supplier or other entities in the supply chain? • Are the raw logs being sold significantly below the market rate? • Are the appropriate taxes included in the price?
The source, validity and reliability of the above matters considered by the processor	<ul style="list-style-type: none"> • Do the documents gathered appear to be genuine and have they been generated by the appropriate government entity or other body?

Mandatory factors	Potential considerations
	<ul style="list-style-type: none"><li data-bbox="703 241 1230 273">• Are there any inconsistent or missing documents?

Note: Section 11(5)(d) of the Rules requires the processor to make a written record of the risk identification and assessment made for non-certified raw logs.

Consider

Your next steps will depend on the risk conclusion you reached:

- If you concluded in your written risk assessment that the risk of your raw logs being illegally logged is low risk, you can move onto [Step 4 – Record keeping](#)
- If you concluded in your written risk assessment that the risk of your raw logs being illegally logged is not low, you will need to complete [Step 3 – Risk mitigation](#)

3 Risk mitigation

If the risk of your raw logs being illegally logged is not a low risk, you need to undertake a risk mitigation process before processing the raw logs (section 11(7) of the Rules). Risk mitigation means taking active steps to reduce or minimise the risks associated with your raw logs in a way that is reasonable and proportionate to the identified risk.

This may include the following steps:

- obtaining further information about the raw logs
- obtaining further information about the risk that the raw logs are illegally logged
- conducting further research
- requesting certified alternatives, if your raw logs are not certified
- visit your supplier to learn more about their supply chains
- using scientific methods relating to the timber identification in order to identify the scientific name of the tree from which the raw logs were derived and the area in which the raw logs were harvested.

In some cases, you may need to consider sourcing lower risk raw logs, or even changing suppliers. If you are unable to mitigate the risk by taking other measures, your risk mitigation may involve not processing the raw logs.

All risk mitigation steps must be taken before processing the raw logs. For example, any timber testing conducted once the raw logs are processed cannot be considered part of your risk mitigation.

Following the risk mitigation process, you must reassess the risk that the raw logs were illegally logged. This reassessment of risk takes into account your earlier risk assessment and any risk mitigation measures you have taken.

You must have verifiable records of the steps and information that informed your risk mitigation, and you must make a written record of your risk mitigation process conducted which includes:

- the risk level following the risk mitigation process; and
- any further information obtained as part of that process.

Exception

If you have previously processed the same kind of raw logs in the last 12 months in certain circumstances, you may be able to apply the due diligence exception in section 11(9) of the Rules. For further information, see [Exception to Steps 2 and 3 – for processing of the same kind of raw logs within 12 months](#).

Consider

Once you have completed your risk mitigation, you can move onto [Step 4 – Record keeping](#).

Exception to Steps 2 and 3 – for processing of the same kind of raw logs within 12 months

If you are processing the same kind of raw logs more than once within a 12-month period in certain circumstances, you may not be required to conduct another risk assessment or risk mitigation process during that 12-month period (section 11(9)).

This is not an exception to the information gathering requirements set out in Step 1. Processors must still comply with those requirements before processing each kind of raw log.

To be able to rely on this exception, you must:

- 1) Confirm that you have processed the same kind of raw logs within the last 12 months.
- 2) Confirm that you complied with the information gathering requirements, the risk identification and assessment process and the risk mitigation process (as applicable,) in relation to the processing of the earlier raw logs.
- 3) Where applicable, confirm that the certification status of the earlier raw logs and the current raw logs are the same (that is, either certified or non-certified raw logs).
 - If your earlier raw log was a certified raw log and you conducted your risk assessment using the certified raw logs pathway (set out in [Pathway 2A](#)), you must confirm that your current raw log is also a certified raw log in accordance with section 11(3) of the Rules (see [Pathway 2A](#) for further details) and create the required records for the current raw log.
- 4) Check that you have obtained the information covered by sections 11(2)(a) – (c) of the Rules for the current raw logs and confirm that the information is the same as the information for the earlier raw logs, namely:
 - the description of the raw logs
 - the State or Territory, and the area in the State and Territory, in which the raw logs are harvested
 - the supplier's details.
- 5) Consider whether, since you complied with the information gathering requirements, the risk identification and assessment process and the risk mitigation process (as applicable) in relation to the processing of the earlier raw logs, there have been a significant change in circumstance which has increased the risk that the current raw logs were illegally logged. Examples of significant changes include:
 - the relevant certification for timber harvested in certain areas is suspended or revoked
 - a significant increase in the reports of illegal logging in a particular area
 - the conservation status of the relevant species of tree has changed.

If you are satisfied that there has not been such a significant change in circumstances, you must make a written record to that effect.

If you are audited or issued a Request for Information notice, you may also be required to provide a copy of the risk assessment and risk mitigation process of the earlier raw log that you relied upon for your current raw log.

Consider

If you have determined that the exception applies, you can move onto [Step 4 – Record keeping](#).

If the exception does not apply to your raw logs, you must return to [Step 2 – Identify and assess the risk](#) to complete a risk identification assessment process, and if applicable, risk mitigation for the raw logs.

4 Record keeping

You must keep records covering all the steps you took in the due diligence process. This includes records of all information and evidence gathered as part of your due diligence.

Under subsection 11(10) of the Rules, you have to keep the following records for the period of 5 years beginning on the day the raw logs are processed:

- the information obtained under the information gathering requirements; and
- for certified raw logs - the copy of the record from the database maintained by the FSC or the PEFC that the raw log is covered by the certification held by the supplier in accordance with a forest certification standard and the sales or delivery document for the raw logs that is consistent with that certification; and
- the written record of the risk identification and assessment process; and
- the written record of the risk mitigation processes (where relevant).

For processing of the same kind of raw logs within the last 12 months, you have to keep the following records for a period of 5 years beginning on the day the raw logs are processed:

- The information under the information gathering requirements in paragraphs 11(2)(a) - (c) of the Rules; and
- The record of the assessment that there has not been a significant change in circumstances since the processing of the earlier raw logs

Your records must be able to demonstrate that you complied with all your due diligence obligations before processing the raw logs.

Records can be kept digitally or on paper.

You may be given a notice under section 18E of the Act requiring you to provide information and produce documents relevant to:

- your due diligence system in place at the time you processed the raw log; and
- your compliance with all the due diligence requirements for processing raw logs

You may commit an offence or be subject to a civil penalty for failure to comply with the notice.

A person may commit an offence or contravene a civil penalty provision if they provide false or misleading information or documents (see sections 137.1 and 137.2 of the *Criminal Code Act 1995* (the *Criminal Code*), and section 84 of the Act.

Further, under section 28 of the Act, the Secretary may require an audit to be carried out in relation to whether a person who process a raw log has complied with the due diligence requirements for processing the raw log. A person may commit an offence or contravene a civil penalty provision if they fail to comply with a requirement of an auditor to answer a question, give information in writing

or produce a document, and/or fails to comply with a requirement of an auditor to provide all reasonable facilities and assistance for the conduct of the audit.

A person may also commit an offence if the person provides false or misleading information or documents (see sections 137.1 and 137.2 of the *Criminal Code*).

Resources

The department's [illegal logging compliance webpage](#) provides information to assist you with how to respond to a Request for Information notice.