## Justification report for sourcing non third-party certified timber

**DETAILS**

**Contractor:**

**Work Package:**

**Timber product:**

**Timber type:**

**Timber specie:**

**Country of origin:**

**Quantity (tonnage):**

**Value:**

**Timber Supplier:**

**JUSTIFICATION**
Please describe the technical or health and safety reasons requiring to source non-compliant timber

**ALTERNATIVE SUPPLIERS INVESTIGATED**Please state **at least three** alternative suppliers investigated and the reasons why they are not suitable.

**EVIDENCE**List the evidenceto beattached as appendices to this justification report to demonstrate that the timber either:
**1. Complies with the requirements of the Due Diligence System (DDS) as defined under the European Timber Regulation (EUTR). Evidence includes:**
 a. provision of a *Verification of Legal Compliance Certificate* from a monitoring agency (i.e. NEPCon or Conlegno) or
 b. exhaustive list of evidence detailed overleaf

**OR**
**2. Does not require to comply with DDS requirements under EUTR. Evidence includes:**
 a. CITES certificate or
 b. FLGET certificate

**In addition for high value, high profile items:**

a signed letter-headed document from the supplier committing to achieve FSC certification at an agreed timeframe with Network Rail, the approach will be discussed with the Sustainable Business Strategy Team on a case by case basis.

This section detailed the exhaustive list of evidence that demonstrate that a Due Diligence System (DDS)[[1]](#footnote-1) is set up and implemented:

1. **Copy of the DDS manual which must include the following as a minimum:**
* Scope of the DDS and written procedure
* Clearly detailed responsibilities
* Staff training requirements
* Performance monitoring requirements
* Timber sourcing policy
1. **“Access to Information” evidence:**
* description (including the trade name, type of product and common name/full scientific name of species);
* country of harvest (and, if applicable, region of harvest, as well as the concession of harvest – i.e. any arrangement conferring the right to harvest timber in a defined area);
* quantity (expressed in volume, weight or number of units);
* name and address of the supplier to the operator;
* name and address of the buyer (trader) who purchases the timber;
* documents or other information indicating legal compliance. This includes [ref table 4]:
- Rights to harvest timber within legally gazetted boundaries,

- Payments for harvest rights and timber including duties related to timber harvesting,

- Timber harvesting, including environmental and forest legislation including forest management and

biodiversity conservation, where directly related to timber harvesting,

- Third parties ' legal rights concerning use and tenure that are affected by timber harvesting, and

- Trade and customs, in so far as the forest sector is concerned.

Table 4 - Evidence of legal requirements

|  |  |
| --- | --- |
| **Requirements**  | **Concrete evidence type**  |
| **Rights to harvest timber within legally gazetted boundaries,** | Generally available documents in paper or electronic form e.g. documentation of ownership/rights to land use or contract orconcession agreements |
| **Payments for harvest rights and timber including duties related to timber harvesting,** | Generally available documents in paper or electronically e.g. contracts, bank notes, VAT documentation, official receipts, etc. |
| **Timber harvesting, including environmental and forest legislation including forest management and biodiversity conservation, where directly related to timber harvesting,** | Official audit reports; environmental clearance certificates; approved harvest plans; coupe closure reports, ISO certificates; codes of conducts; publicly available information demonstrating rigorous legislative supervision and timber tracking and control procedures; official documents issued by competent authorities in a country of harvest etc. |
| **Third parties ' legal rights concerning use and tenure that are affected by timber harvesting, and** | Environmental impact assessments, environmental management plans, environmental audit reports, social responsibility agreements, specific reports on tenure and rights claims and conflicts. |
| **Trade and customs, in so far as the forest sector is concerned.** | Generally available documents in paper or electronic format e.g. contracts, bank notes, trade notes, import licenses, export licenses, official receipts for export duties, export ban lists, export quota awards, etc. |

1. **Copy of the risk assessment, which include the following criteria:**
* assurance of compliance with applicable legislation, which may include certification or other third-party-verified schemes which cover compliance with applicable legislation;
* prevalence of illegal harvesting of specific tree species;
* prevalence of illegal harvesting or practices in the country of harvest and/or sub-national region where the timber was harvested, including consideration of the prevalence of armed conflict;
* sanctions imposed by the UN Security Council or the Council of the European Union on timber imports or exports;
* complexity of the supply chain of timber and timber products.
1. **Copy of risk mitigation undertaken -** this is requested if the risk has been deemed non negligible as part of the risk assessment. These may include:
* requiring additional information from your suppliers;
* requiring additional documents from your suppliers;
* Third party certifications;

1. ## A free downloadable guidance to help you set up a DDS is available from NEPCon called The LegalSourceTM Due Diligence System files on <http://www.nepcon.net/4871/English/Certification/Timber_legality_services/>

 [↑](#footnote-ref-1)