

# Myanmar Timber Legality Assurance System\* (TLAS)

Working Group of the Timber  
Certification Committee of Myanmar  
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# 1. Introduction

- The assurance of legal timber from Myanmar exported to international markets can be provided using licenses / permits issued by Myanmar.
- These Licenses /permits will be underpinned by a TLAS.
- Key components of TLAS are
  - (i) definition of legal timber
  - (ii) principles and criteria of legal timber
  - (iii) source of Timber
  - (iv) control procedure

## **2. Definition of Legal Timber**

For the purpose of export, the definition of legal timber is as follows;-

**"Timber harvested by authorized agency from approved areas and timber and timber products extracted, transported, manufactured and exported in accordance with the laws, regulations and procedures pertaining to forestry, timber industry and trade of Myanmar."**

## **3. Product Coverage**

- (i) Logs
- (ii) Sawntimber
- (iii) Veneer
- (iv) Plywood
- (v) Furniture
- (vi)

## 4. Principles and Criteria of legal Timber

Six principles or elements of the legal timber are:

- (i) Right to harvest
- (ii) Forest operations
- (iii) Statutory Charges
- (iv) Other user's rights
- (v) Mill Operations
- (vi) Trade and customs

The corresponding criteria for each principle are identified in Annex A "Principles and Criteria of Legal Timber"

## 5. Sources of Timber

- Myanmar's domestic timber is sourced from the following categories of forest lands;
  - (i) Reserved forests (RF)
  - (ii) Protected public forests (PPF)
  - (iii) Unclassified forest (UCF)
  - (iv) Planted forests/ forest plantations (PLN)
- Currently most of the timber are harvested from natural forests, which consist of RF, PPF and UCF.
- As the control procedures between natural forests and planted forests differ significantly, separate procedures for these have to be developed.

## 6. Control Procedure

- To ensure the supply and export of legal timber for export as defined above, the TLAS will be the existing system of assurance of export licences for timber & timber products from Myanmar.
- The control procedures and documents involved in the process of issuing the export licences for timber product by the Directorate of Trade, Ministry of Commerce will ensure that the laws, regulations and procedures dealing with the licensing of forest harvesting, milling, export and import have been complied with.
- A detailed description of the control procedures is given in Annex "B".
- The control procedures when implemented will be subjected to an independent monitoring process by a third-party monitor.

## "Annex A" - Principles and Criteria of Legal Timber

Principle	Criteria	Related Legislations/Reference	Source of Timber			
			RF	PPF	UCF	IMP
1. Right to harvest	- Approval by the Forest Department(FD)	- Forest Law Section (17,18(a) 21) - The state Timber Board Act, 1950	X	X	X	
	- Environmental Management	- Environmental Conservation Law (2012)	X	X	X	
	- Plan Preparation	- Forest Law (Section 10 B) Departmental instructions (DI) for forest officers (FD)	X	X	X	

RF = Reserved forest, PPF = Protected public forest  
UCF = Unclassified forest, IMP = Import

Principle	Criteria	Related Legislations/Reference	Source of Timber			
			RF	PPF	UCF	IMP
2. Forest Operations	- Area demarcation	- Forest Law (Section 10 B) - DI for forest officer (FD)	X	X	X	
	- Pre-felling inventory (Selection marking for felling)	- DI for forest officer (FD)	X	X	X	
	- Marking on trees for felling	- DI for forest officers (FD)	X	X	X	



Principle	Criteria	Related Legislations/Reference	Source of Timber			
			RF	PPF	UCF	IMP
2. Forest Operations	- Control of timber production	- Forest Law (Section 21) - DI for forest officers (FD) - MTE extraction manual and standing orders	x	x	x	
	- Log transportation	- Forest law (Section 23) - DI for forest officer (FD) - MTE extraction manual and standing orders	x	x	x	
	- Worker safety and health	- Workman's compensation Act (1923) - Occupational safety and health Act	x	x	x	

Principle	Criteria	Related Legislations/Reference	Source of Timber			
			RF	PPF	UCF	IMP
3. Statutory charges	- Royalty and Fees	- Forest Law (Section 21 c)	x	x	x	

Principle	Criteria	Related Legislations/Reference	Source of Timber			
			RF	PPF	UCF	IMP
4. Other user's right	- Use rights of local community	- Forest Law (Section 15,17)	x	x	x	

Principle	Criteria	Related Legislations/Reference	Source of Timber			
			RF	PPF	UCF	IMP
5. Mill Operation	- Control of value-added processing (MTE)	- Forest Law (Section 18) - Departmental Instructions (MTE)	X	X	X	
	- Issuance of License (Private)	- Forest Law (Section 30)	X	X	X	
	- Control of value-added processing (Private)	- Forest Law (Section 31)	X	X	X	
	- Worker safety and health	- Workman's compensation Act (1923) - Occupational safety and health Act				

Principle	Criteria	Related Legislations/Reference	Source of Timber			
			RF	PPF	UCF	IMP
6.Trade and Customs	- Export regulations (MTE)	- Myanmar Customs Act - Control of Imports and Export Act	X	X	X	
	- Registration of companies (Private	- Myanmar Companies Act (1914)	X	X	X	
	- Export regulations (Private)	- Myanmar Custom Act - Control of Imports and Exports Act	X	X	X	
	- Import regulation	- Myanmar Custom Act - Control of Imports and Exports Act - Plant quarantine Law				X
	-Transportation of exported and imported timber	- Forest law (Section 23)				X

## " Annex B" - Details of Control Procedure for TLAS

<b>Principle 1</b>	<b>Right to harvest</b>
Criteria	Approval by Forest Department
Indicator	Forest Law Section (17,18 (a) ) Sate Timber Board Act 1950
Responsibility	Forest Department (FD) – Approval District Forest Department-Issuance of harvesting permission
Procedure	Approval by District (FD) Authority Issuance of permission to harvest
Outputs	Permission to harvest
Verification	Valid permission

<b>Principle 1</b>	<b>Right to harvest</b>
Criteria	Environmental management
Indicator	<ul style="list-style-type: none"> <li>- Environmental Conservation Law (2012)</li> <li>- Myanmar Timber Enterprise (MTE) Extraction Manual and standing orders</li> </ul>
Responsibility	District forest Department
Procedure	<ul style="list-style-type: none"> <li>- Ensure that forest harvesting is carried out in accordance with the instructions not to affect the environment</li> <li>- Completion report of harvesting by MTE</li> <li>- Post-harvest assessment by FD.</li> </ul>
Outputs	Completion report of harvesting.
Verification	Records indicated in the "outputs"

<b>Principle 1</b>	<b>Right to harvest</b>
Criteria	Plan preparation
Indicator	Forest Law Section 10 (B) DI for forest officer (FD)
Responsibility	District Forest Department District MTE Extraction Agency
Procedure	<ul style="list-style-type: none"> <li>- FD identifies the area for selection marking of trees for felling based on the management plan schedule.</li> <li>- MTE explores the area and prepare harvesting plan.</li> <li>-Register hammers to be used in harvesting operations at district FD office.</li> </ul>
Outputs	Registration of hammers, selection marking and harvesting plan.
Verification	Approved harvesting plan/instruction for selection marking of trees.

<b>Principle 2</b>	<b>Forest operations</b>
Criteria	Area demarcation
Indicator	DI for forest officers (FD)
Responsibility	District Forest Department
Procedure	<ul style="list-style-type: none"> <li>- Under – brushing of boundary</li> <li>- Demarcating and repairing of boundary pillars.</li> <li>- Marking of selected trees along boundary</li> </ul>
Outputs	Harvesting area clearly demarcated.
Verification	Boundary clearly marked on the map and ground.



Principle 2	Forest operations
Criteria	Pre-felling inventory (Selection marking for felling)
Indicator	DI for forest officers (FD)
Responsibility	District Forest Department
Procedure	<p>- Marking of trees which attain the prescribed girth limits at breast height (4'-6")</p> <p><b><u>Teak</u></b></p> <p>- Selection marking for girdling/green felling.</p> <p><b><u>Hardwood species other than teak</u></b></p> <p>- Selection marking of trees of different species with different girth limits.</p>
Outputs	Teak girdling/green felling and other hardwood selection marking report together with marking note book and map showing position of trees marked.
Verification	Selection marking reports together with marking note books and map showing position of trees marked.

<b>Principle 2</b>	<b>Forest operations</b>
Criteria	Marking on trees for felling.
Indicator	DI for forest officers (FD).
Responsibility	District Forest Department.
Procedure	<ul style="list-style-type: none"> <li>-Hammer marks at base of the trees which will be left with stump after felling.</li> <li>-Hammer marks on the blaze cut under the breast height (4'-6") which will be with the first log of the felled tree.</li> <li>-Measuring and recording of trees left.</li> </ul>
Outputs	Trees to be felled, numbered and recorded.
Verification	Trees marked with different hammers . (Teak and non-teak hardwood)

<b>Principle 2</b>	<b>Forest operations</b>
Criteria	Control of timber production
Indicator	- FD departmental instructions, MTE extraction manual and standing orders.
Responsibility	District FD and MTE.
Procedure	<ul style="list-style-type: none"> <li>- The number of logs and volume recorded by marked trees in the jungle felling register (MTE control form).</li> <li>- MTE Hammer marks on stumps and logs.</li> <li>- Joint measurement of logs by FD and MTE for revenue assessment and putting serial number and "Akauk" (Revenue) mark on logs</li> <li>- Monitoring of harvesting operations.</li> </ul>
Outputs	<ul style="list-style-type: none"> <li>- MTE hammer marking and timber extraction control forms.</li> <li>- Records of joint measurement by FD and MTE.</li> <li>- Harvesting monitoring report,</li> </ul>
Verification	-Records indicated in the "outputs" at the forest measuring point.

<b>Principle 2</b>	<b>Forest operations</b>
Criteria	Log transportation
Indicator	<ul style="list-style-type: none"> <li>- Forest Law (Section 23), DI for forest officers (FD)</li> <li>- MTE extraction manual and standing orders</li> </ul>
Responsibility	District FD and MTE.
Procedure	<p><b><u>Felling site to measuring point</u></b></p> <ul style="list-style-type: none"> <li>- Movement of logs by skidding a short distance in the forest.</li> <li>- Inspection of log at the measuring point verified by hammer marks of FD and MTE timber harvesting control forms.</li> </ul> <p><b><u>Forest measuring point to delivery depot</u></b></p> <ul style="list-style-type: none"> <li>- Movement of logs accompanied by trucking slip with detail of log in consignment.</li> <li>- Check at the check points of FD and MTE outside the forests.</li> </ul>

<p>Procedure</p>	<p><b><u>Delivery depot to sawmill and terminal depot through rafting, barging and rail depots:</u></b></p> <ul style="list-style-type: none"> <li>- Movement of logs accompanied by trucking slip/removal pass with details of log in consignment.</li> <li>- Check at the FD critical control points along the main route.</li> <li>-Trucking slips/removal passes are cancelled and send back or inform to the original depot for reconciliation after due inspection to ensure that the logs have been received by the mill/depot and their details have been recorded in mill/ depot log book.</li> </ul>
<p>Outputs</p>	<p>Trucking slip/Removal pass/mill and depot log book.</p>
<p>Verification</p>	<p>Records indicated in the "outputs" at the measuring points and depots/mill involved.</p>

<b>Principle 2</b>	<b>Forest operations</b>
Criteria	Worker safety and health.
Indicator	<ul style="list-style-type: none"> <li>- MTE Extraction manual.</li> <li>- Occupational safety and health law.</li> <li>- Workmen's compensation Act.</li> </ul>
Responsibility	District FD and MTE .
Procedure	<ul style="list-style-type: none"> <li>- Records of workers' training on safety.</li> <li>- Adequacy of safety equipments provided to workers.</li> <li>- Adequate precautions to provide workers' safety in the event of accidents.</li> <li>- Provision of required medicines for the workers and assignment of medical staff at the forest camps.</li> <li>- Insurance for workers.</li> </ul>
Outputs	Work instruction, training, insurance and incident records.
Verification	Work instruction, training, insurance and incident records.

<b>Principle 3</b>	<b>Statutory Charges</b>
Criteria	Royalty (Revenue) and fees.
Indicator	Forest Law ( Section 21(C) )
Responsibility	District FD and MTE
Procedure	<ul style="list-style-type: none"> <li>- Control forms for assessment of royalty made at forest measuring point.</li> <li>- Trucking slip/Removal pass and revenue "Akauk" hammer marks on logs to indicate payment have been made.</li> <li>- Accepted statement prepared by FD and MTE for settlement of royalty by MTE.</li> </ul>
Outputs	Revenue hammer marks ("Akauk") on logs.
Verification	<ul style="list-style-type: none"> <li>- Summary of records at forest measuring points.</li> <li>- Logs with revenue hammer marks ("Akauk") at forest measuring points.</li> <li>- Documents which show the revenue had been paid by MTE.</li> </ul>

<b>Principle 4</b>	<b>Other user's right</b>
Criteria	Use right of local community.
Indicator	Forest Law (Section 15,17)
Responsibility	District Forest Department
Procedure	<ul style="list-style-type: none"> <li>- Permission to establish community forest in the reserved forest and protected public forest.</li> <li>- Extraction of forest produce for domestic use without permit.</li> <li>-Exclusion areas set aside in the reserved forests for local community.</li> </ul>
Outputs	Permission by district and township FD.
Verification	Documents related to the rights and privileges given to the local community.



<b>Principle 5</b>	<b>Mill operation</b>
Criteria	Control of value-added processing (MTE).
Indicator	Forest law (Section 31)
Responsibility	Myanmar Timber Enterprise.
Procedure	<ul style="list-style-type: none"> <li>- Record of incoming logs.</li> <li>- Record the scantlings obtained and use in different stages of value-added processing.</li> <li>- Record the outgoing products.</li> <li>- Inspection and monitoring of mill operations by different levels of MTE staff.</li> </ul>
Outputs	Records of logs, value-added products and balance.
Verification	Records of products and balance.

<b>Principle 5</b>	<b>Mill operation</b>
Criteria	Issuance of mill licence (Sawmill, wood-based industry) (Private)
Indicator	Forest Law (Section 30)
Responsibility	District Forest Department.
Procedure	<ul style="list-style-type: none"> <li>- Apply for licence to FD together with the required documents.</li> <li>- Comply with the terms and conditions of the licence.</li> <li>- Pay necessary fees.</li> </ul>
Outputs	Mill licence.
Verification	Valid mill licence.

<b>Principle 5</b>	<b>Mill operation</b>
Criteria	Control of value-added processing (Private)
Indicator	Forest Law (Section 31)
Responsibility	District Forest Department
Procedure	<ul style="list-style-type: none"> <li>- Record the incoming logs or scantlings.</li> <li>- Permission to cut logs into different sizes from FD.</li> <li>- Record the scantlings obtained and used in different stages of value-added processing.</li> <li>- Record the outgoing products (scantlings and wood-based product).</li> <li>- Inspection of records and checking the balanced logs and other products by FD staff.</li> </ul>
Outputs	Records of incoming logs and outgoing values-added products and balance.
Verification	Records of logs and value-added products.

<b>Principle 5</b>	<b>Mill operation</b>
Criteria	Worker safety and health
Indicator	<ul style="list-style-type: none"> <li>- Workman's compensation Act (1923).</li> <li>- Occupational safety and health Act.</li> </ul>
Responsibility	Department of labour, MTE, Private mill owners.
Procedure	<ul style="list-style-type: none"> <li>- Records of worker's training on safety and health.</li> <li>- Adequacy of safety equipments provided to workers and briefing materials or posters to ensure awareness in the workplace.</li> <li>- Adequate precautions in place to provide workers safety in the event of fire and other accidents.</li> <li>- Insurance for workers.</li> </ul>
Outputs	Work instructions, training, insurance and accident records.
Verification	Work instructions, training, insurance and accident records.

<b>Principle 6</b>	<b>Trade and Customs</b>
Criteria	Export regulations (MTE)
Indicator	<ul style="list-style-type: none"> <li>- Myanmar custom Act.</li> <li>- Control of imports and Exports Act.</li> </ul>
Responsibility	<p>Customs Department</p> <p>Myanmar Timber Enterprise</p>
Procedure	<ul style="list-style-type: none"> <li>- Logs and value-added products are prepared into lots for sale by size and quality.</li> <li>- Ensure that the amount for the timber has been paid by the buyer.</li> <li>- Obtain the Customs Export Declaration Form and other supporting documents.</li> <li>- The products sold are transported to the ship by truck with the necessary documents for shipment. (Truck slip etc.)</li> </ul>
Outputs	MTE and customs documents required for export.
Verification	Valid documents for export.

<b>Principle 6</b>	<b>Trade and Customs</b>
Criteria	Registration of companies. (Private)
Indicator	Myanmar companies act 1914.
Responsibility	Ministry of National Planning and Economic Development.
Procedure	<ul style="list-style-type: none"> <li>- Ensure that company has been registered for processing and export with Myanmar Company Act.</li> <li>- Payment of registration fee.</li> <li>- Other conditions needed under registration guidelines.</li> </ul>
Outputs	Registration Certificate.
Verification	Valid registration certificate.

<b>Principle 6</b>	<b>Trade and Customs</b>
Criteria	Export regulations (Private)
Indicator	<ul style="list-style-type: none"> <li>- Myanmar Custom Act</li> <li>- Control of Imports and Exports Act.</li> </ul>
Responsibility	Directorate of Trade, Ministry of Commerce. Customs Department.
Procedure	<ul style="list-style-type: none"> <li>- Ensure applicant for export licence is a registered exporter.</li> <li>- Ensure timber exported are legal forest product recommended by FD.</li> <li>- Issuance of export licence.</li> <li>- Submission of Customs Export Declaration Form and other supporting documents.</li> </ul>
Outputs	Export licence and Custom delaration.
Verification	Valid export licence.

<b>Principle 6</b>	<b>Trade and Customs</b>
Criteria	Import regulations
Indicator	<ul style="list-style-type: none"> <li>- Myanmar Custom Act</li> <li>- Control of Imports and Exports Act.</li> <li>- Plant quarantine Law.</li> </ul>
Responsibility	Ministries of National Planning and Economic Development and Commerce.
Procedure	<p><b><u>For logs and large scantlings</u></b></p> <ul style="list-style-type: none"> <li>- Company registered with Myanmar Company Act.</li> <li>- Importer to furnish the certificate of origin.</li> <li>- FD to inspect timber consignment at legal landing site.</li> <li>- Provide import licence and Customs Import Declaration.</li> </ul>
Outputs	Import licence.
Verification	Valid import licence.



<b>Principle 6</b>	<b>Trade and Customs</b>
Criteria	Transportation of exported and imported timber products.
Indicator	Forest Law ( Section 23 )
Responsibility	District Forest Department.
Procedure	<p><b><u>Export (From mill/ depot to port)</u></b></p> <p>- Movement of timber and timber product accompanied by MTE required documents and export licence and recommendation by FD for private companies.</p> <p><b><u>Import (From port to mill/depot)</u></b></p> <p>- Movement of timber accompanied by import licence and Customs Declaration.</p>
Outputs	Export and import licences and necessary documents (Truck Slip).
Verification	Valid documents indicated in "outputs".

Thank you

For Your Attention