



Summary Report
of the
Final Judgement of

MTCS
by the
Timber Procurement Assessment Committee
(TPAC)

The Hague, Netherlands

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1 Introduction

1.1 The Dutch procurement policy for timber

The Dutch government, like other (European) administrations, has developed a public procurement policy for wood-based products. Central in this procurement policy are the *Dutch Procurement Criteria for timber*, which have been developed in consultation with stakeholders, and were officially established in June 2008. The Minister of Environment has commissioned the *Timber Procurement Assessment Committee* (TPAC) to assess whether existing certification systems for timber meet these Dutch Procurement Criteria. These assessments are essential because only timber that meets the criteria shall be procured by the Dutch government starting in 2010.

The TPAC assessment procedure consists of several steps, which is concluded by the Final Judgement. The underlying document is the public summary of this Final Judgement.

1.2 Readers guide

This summary report is structured as follows: in section 2, the TPAC assessment method is explained, giving the details on what scores are necessary for a certification system to be assessed as *conforming to the Dutch Procurement Criteria*. Section 3 and 4 give a summary of the Final Judgement of MTCS. Section 5 lists the documents which have been used for the assessment. The last section clarifies the conditions of the Final Judgement.

Note: this document gives a summary of TPAC's Judgement of MTCS and provides an overview to the interested reader. The document by no means attempts to be all inclusive, for more detailed information related to the TPAC assessment procedure please refer to the User Manual which can be downloaded from the TPAC website (www.tpac.smk.nl).

2 The TPAC Assessment

2.1 Assessment procedure

The TPAC assessment procedure consists of several steps and involves a number of parties. The procedure, for example, includes two opportunities for the system manager of the certification system to review the assessment performed by TPAC. The procedure also includes an online stakeholder forum. On this forum stakeholders are invited to provide information on how the certification system functions in practice. In the 'TPAC stakeholder forum report', the Committee shows how the information of the forum is taken into account in the final judgement of the system.

2.2 Assessment method

The Dutch Procurement Criteria consist of *principles* and *criteria* which are structured in three so-called matrices:

- Sustainable Forest Management (SFM);
- Chain-of-Custody and Logo Use (CoC);
- Development, Application and Management of certification systems (DAM).

The tables below depict the possible scores for criteria and principles.

Scores for Criteria		Scores for Principles	
=	Fully addressed	2	Fully addressed
≈	Partially addressed	1	Partially addressed
≠	Inadequately addressed	0	Inadequately addressed
n.r.	Not relevant	n.r.	Not relevant
c.o.	Covered otherwise in legal and social context		

A certification system is assessed as conforming to the Dutch Procurement Criteria if:

1. all 17 principles of SFM, CoC and DAM have a score of at least 1;
2. at least 50% of the principles have a score of 2;
3. within the social, ecological and economic aspects of SFM, at least *one* of the two principles has a score of 2;
4. the fraction of the criteria that is "inadequately addressed" is not more than 10% of the total of the 76 SFM, CoC and DAM criteria together.

3 Summary of the Final Judgement of MTCS

TPAC has assessed the MTCS documents and standards that are endorsed by PEFC International, these include MC&I(2002) and Annex 4 of the PEFC Council Technical Document. For the same reason the following documents are not relevant: MC&I(2001), the MTCS plantation standard and the MTCS CoC requirements laid down in MTCC RCOC. This implies that the TPAC Final Judgement only pertains to MTCS timber which is eligible to carry the PEFC logo.

In the table below an overview is given of the scores of MTCS at the level of the principles: three principles have a score of 1. One principle is not relevant for MTCS. The remaining thirteen principles have a score of 2. Out of the total of 76 criteria, nine are partially addressed and two are inadequately addressed. Based on these findings, TPAC’s Final Judgement is that MTCS is:

“Conforming to the Dutch Procurement Criteria”

Summary of the Final Judgement – MTCS																	
Score	Sustainable Forest Management (SFM)									Chain of Custody (CoC)			Development, Application and Management (DAM)				
	P1	P2	P3	P4	P5	P6	P7	P8	P9	P1	P2	P3	P1	P2	P3	P4	P5
2	■		■		■	■	■	■		■	■		■	■	■	■	■
1		■		■								■					
0																	
n.r.									■								

3.1 Sustainable Forest Management (SFM)

Principle 1 – Legislation and regulations

Principle 1 focuses on the relevant legislation for forest management and consists of four criteria. Criteria 1.1, 1.2 and 1.3, deal with the requirements of the forest manager regarding all types of legislation and regulations. Criterion 1.4 deals with illegal activities. All criteria are fully addressed. The principle is awarded a score of 2.

Principle 2 - Interests of stakeholders

Principle 2 and 3 cover the *social aspects* of sustainable forest management. Principle 2 requires that the interests of stakeholders are taken into account in forest management. The principle includes six criteria. Criterion 2.1 deals with tenure and use rights; criterion 2.2 with effective communication; 2.3 with free and informed consent; criterion 2.4 with the public availability of different documents concerning forest management; criterion 2.5 with dispute resolution; and criterion 2.6 deals with objects of cultural and economic value. Regarding criterion 2.1 and 2.2, concerns have been expressed by stakeholders. The concerns were serious but could not be sufficiently confirmed. The situation being somewhat diffuse, the Committee concluded that criteria 2.1 and 2.2 are partially addressed. The other four criteria are fully addressed. The principle is awarded a score of 1.

Principle 3 - Health and labour conditions

Principle 3 requires that safety, health, and labour conditions are safeguarded and where relevant enhanced. The principle consists of two criteria. Criterion 3.1 deals with health and safety, criterion 3.2 with employment conditions. Both criteria are fully covered. The principle is awarded a score of 2.

Principle 4 - Biodiversity

Principles 4 and 5 cover the *ecological aspects* of sustainable forest management. Principle 4 requires that biodiversity is maintained and where possible enhanced. The principle consists of seven criteria on: species and ecosystems (criteria 4.1 and 4.2), plantations (criteria 4.4 and 4.5), conversion (criterion 4.3), GMOs (criterion 4.7) and non-timber forest products (NTFPs) (criterion 4.6). Criteria 4.1, 4.2 and 4.7 are fully addressed. Criterion 4.3 is inadequately addressed because the standard of MTCS does not contain clear limitations for conversion. Criterion 4.4 and 4.5 are assessed 'not relevant' as TPAC only assessed MC&I(2002) for natural forests and plantations are outside the scope of this assessment. Criterion 4.6 is partially addressed because the standard does not mention the utilisation of knowledge of local population, indigenous peoples and environmental organisations. Overall, the principle is awarded a score of 1.

Principle 5 – Regulation functions

Principle 5 requires the regulation functions and the quality, health, and vitality of the forest to be maintained and where possible enhanced. The principle includes eight criteria which relate to soil (criterion 5.1), water (criterion 5.2), ecological cycles (criterion 5.3), reduced impact logging (criterion 5.4), forest fires (criterion 5.5), disease and pests (criterion 5.6), chemicals (criterion 5.7) and waste and litter (criterion 5.8). Criterion 5.2 and 5.3 score partially addressed because the standard does not mention the down stream water protection, nor the protection of ecological cycles. Criterion 5.5 on 'forest fires', is 'not relevant' for the management of natural forests. The five remaining criteria are fully addressed. The principle is awarded a score of 2.

Principle 6 - Production function

Principles 6 and 7 cover the *economic aspects* of sustainable forest management. Principle 6 requires that the production capacity of timber and relevant non-timber forest products are maintained. The principle contains one criterion which is fully addressed by MTCS. The principle is awarded a score of 2.

Principle 7 – Contribution to the local economy

Principle 7 requires that forest management contributes to the local economy and to local employment. The principle includes two criteria: criterion 7.1 deals with employment; criterion 7.2 with infrastructure. Both criteria are fully addressed. The principle is awarded a score of 2.

Principle 8 – Management system

Principle 8 requires that sustainable forest management is realised through a management system. The principle consists of six criteria, which cover: the management cycle (criterion 8.1), the forest management plan and maps (criterion 8.2 and 8.3), monitoring (8.4), and knowledge and expertise of the staff (criterion 8.5 and 8.6). All criteria are fully addressed. Principle 8 is awarded a score of 2.

Principle 9 – Management group or regional association

Principle 9 focuses on group certification and requires that forest management in a group or regional association offers sufficient safeguards for sustainable forest management. The principle covers three criteria which require that a group is under the leadership and supervision of an independent legal entity (criterion 9.1 and 9.2) and the compliance with SFM requirements (criterion 9.3). As MTCS does not enable group certification, this principle is 'not relevant'.

3.2 Chain of Custody (CoC) and Logo Use

Principle 1 – Chain of Custody system

The first CoC principle requires that a Chain of Custody from the forest unit to the final point of sale is in place. The principle includes six criteria which focus on the organisation (criterion 1.1, 1.2 and 1.3), the legality of sources (criterion 1.4 and 1.5) and on mixed products (criterion 1.6). All criteria are fully addressed by MTCS. The principle is awarded a score of 2.

Principle 2 – Chain of Custody group certification

The second CoC principle requires that, if the certification system allows CoC group certification, the standard must require the group as a whole to comply with the same requirements as imposed on individual companies. The principle consists of four criteria which deal with a juridical entity (criterion 2.1), a management system (criterion 2.2 and 2.3) and the registration of members (criterion 2.4). All criteria are fully addressed by MTCS. The principle is awarded a score of 2.

Principle 3 – Logos and labels

The last CoC principle requires that logos and labels of the certification system have an unambiguous meaning and that they are applied in accordance with the rules established by the certification system. The principle includes three criteria. Criterion 3.1 deals with the design of logos and labels, criterion 3.2 with copyright, criterion 3.3 with the control of all claims. All criteria are fully addressed except for criterion 3.1. This criterion is inadequately addressed because the used PEFC logo does not differentiate between timber produced in different PEFC countries. The principle is awarded a score of 1.

3.3 Development, Application and Management (DAM) of certification systems

Principle 1 – Standard development

The first DAM principle requires that the process of standard development and the standard itself to fulfil the requirements as established by international umbrella organisations such as ISO and ISEAL. The principle consists of ten criteria. Criterion 1.1 specifies the required treaties; criterion 1.2, 1.3 and 1.4 deal with stakeholder input; criterion 1.5 with public consultation; criterion 1.6 with the handling of conflicts; criterion 1.7 with publication; criterion 1.8 with reference to meta-standards; criterion 1.9 with the general applicability; and criterion 1.10 deals with both process and performance criteria. All criteria are fully addressed except for criteria 1.2 and 1.4. Criterion 1.2 is partially addressed: MTCC invited all relevant stakeholder groups, but the majority of the Orang Asli organisations have not participated in the standard setting process the led to the MC&I(2002). Criterion 1.4 is partially addressed because limitations of certain groups such as indigenous peoples are not specifically taken into account. The principle is awarded a score of 2.

Principle 2 – System manager

The second DAM principle requires the system manager to be a legally registered entity (criterion 2.1). Furthermore the responsibilities, authorities, procedures and tasks amongst entities are clear and public available (criterion 2.2). The two related criteria are fully addressed. The principle is awarded a score of 2.

Principle 3 – Decision-making bodies and appeal procedures

The third DAM principle requires the decision-making bodies and appeal procedures to reflect the interests of the stakeholders. The principle consists of six criteria: Criterion 3.1 and 3.2 deal with decision making bodies; criterion 3.3, 3.4, 3.5 and 3.6 with objection and appeal procedures. Five of the six criteria are fully addressed. Criterion 3.2 scores is partially addressed because consensus is not explicitly required for decision-making and advisory bodies. Criterion 3.5 scores partially addressed due to the short period stakeholders have for handing in complaints. The principle is awarded a score of 2.

Principle 4 – Certification bodies and procedures

The fourth DAM principle requires the certification bodies to be independent and competent to assess sustainable forest management and the Chain of Custody. The principle includes four criteria. Criterion 4.1 deals with the certification body; criterion 4.2 and 4.3 with the procedure for assessment; and criterion 4.4 deals with public availability. Criterion 4.3 is related to group certification and is not relevant for MTCS. The other three criteria are fully addressed by MTCS. The principle is awarded a score of 2.

Principle 5 – Accreditation

The fifth DAM principle requires accreditation agencies, who grant accreditations for certification of sustainable forest management and/or the Chain of Custody, to be competent and independent. The principle consists of two criteria. Criterion 5.1 deals with the accreditation body; criterion 5.2 deals with peer review. Both criteria are fully addressed. The principle is awarded a score of 2.

4 Assessment Matrices

4.1 Sustainable Forest Management (SFM)

Legislation and Regulation		
Legislation and regulation	P 1. Relevant international, national, and regional/local legislation and regulations shall be respected. To that end the system requires that:	2
Requirements of forest manager	C 1.1. The forest manager holds legal use rights to the forest.	=
	C 1.2. The forest manager complies with all obligations to pay taxes and royalties.	=
	C 1.3. Legal and regulatory obligations that apply to the forest management unit, including international agreements, are fulfilled.	=
Illegal activities	C 1.4. The forest management unit is sufficiently protected against all forms of illegal exploitation, illegal establishment of settlements, illegal land use, illegally initiated fires, and other illegal activities.	=
Social Aspects		
Interests of stakeholders	P 2. The interests of directly and indirectly involved stakeholders shall be taken into account. To that end the system requires that:	1
Tenure and use rights	C 2.1. The legal status of the management of the forest management unit and claims of the local population, including indigenous peoples, regarding the property/tenure or use rights in the forest management unit or a portion thereof have been inventoried and are respected.	≈
Consultation and permission	C 2.2. Effective communication with and consultation and participation of stakeholders take place regarding the management of the forests.	≈
	C 2.3. The local population and indigenous peoples have a say on the basis of free and informed consent, and hold the right to grant or withhold permission and, if relevant, receive compensation where their property/use rights are at stake.	=
Public availability	C 2.4. The forest management plan and accompanying maps, relevant monitoring results and information about the forest management measures to be applied are publicly available, except for strictly confidential business information.	=
Dispute resolution	C 2.5. Adequate mechanisms are in place for resolving disputes regarding forest management, property/usage rights, work conditions, or social services.	=
Objects of cultural and economic value	C 2.6. Objects of cultural and traditional economic value are identified and inventoried in consultation with the stakeholders, and are respected.	=
Health and labour conditions	P 3. Safety, health, and labour conditions shall be sufficiently safeguarded and where relevant enhanced. To that end the system requires that:	2
Health and safety	C 3.1. The forest manager must take adequate health and safety measures, at least in compliance with relevant legislation and in accordance with ILO conventions, in order to protect the personnel, including contractors and their employees and, where appropriate, the local and indigenous population.	=
Employment conditions	C 3.2. Employees have the right to organise and negotiate wages and employment conditions, in accordance with national laws and the core conventions of the International Labour Organisation (ILO).	=

Ecological Aspects		
Biodiversity	P 4. Biodiversity shall be maintained and where possible enhanced. To that end the system requires that:	1
Species and Ecosystems	C 4.1. Objects of high ecological value and representative areas of forest types that occur within the forest management unit are identified, inventoried and protected.	=
	C 4.2. Protected and endangered plant and animal species are not exploited for commercial purposes. Where necessary, measures have been taken for their protection and, where relevant, increase of their population.	=
Conversion	C 4.3. Conversion of forests in the FMU to other types of land use, including timber plantations, shall not occur unless in justified exceptional circumstances.	≠
Plantations	C 4.4. In case of plantations native species are preferred and a relevant proportion of the plantation shall be allowed to regenerate to natural forest.	n.r.
	C 4.5. Plantations shall not be established through the conversion of natural forests after 1997.	n.r.
Non-timber forest products, hunting and fishing	C 4.6. The exploitation of non-timber forest products, including hunting and fishing, are regulated, monitored and controlled. Insofar as relevant, knowledge of the local population, indigenous peoples, and locally active environmental organisations is utilised in monitoring commercial exploitation.	≈
Genetically modified organisms	C 4.7. Genetically modified organisms are not used.	=
Regulation functions	P 5. The regulation function and quality, health, and vitality of the forest shall be maintained and where possible enhanced. To that end the system requires that:	2
Soil	C 5.1. The soil quality of the forest management unit is maintained and, where necessary, improved, whereby special attention is given to shores, riverbanks, erosion-prone parts and slopes.	=
Water	C 5.2. The water balance and quality of both groundwater and surface water in the forest management unit, as well as downstream (outside of the forest management unit), are maintained and, where necessary, improved.	≈
Ecological cycles	C 5.3. Important ecological cycles, including carbon and nutrient cycles, which occur in the forest management unit, are at least maintained.	≈
Reduced impact logging	C 5.4. Avoidable damage to the ecosystem is prevented by application of the most suitable and available methods and techniques for logging and road construction under the prevailing conditions.	=
Forest fires	C 5.5. Initiating of forest fires is only permitted if that is necessary for the achievement of the management goals of the forest management unit and adequate safety measures are taken.	n.r.
Diseases and pests	C 5.6. Forest management is geared towards preventing and controlling diseases and pests, inasmuch as they threaten the timber production.	=
Chemicals	C 5.7. The use of chemicals is only permitted if maximum use of ecological processes and sustainable alternatives proves insufficient. The use of class 1A and 1B pesticides, as drafted by the World Health Organisation, and of chlorinated hydrocarbons is not permitted.	=
Waste and litter	C 5.8. Non-organic waste and litter are avoided, collected, stored in the designated places and removed in an environmentally responsible manner.	=

Economic Aspects		
Production function	P 6. The production capacity of timber and relevant non-timber forest products shall be maintained. To that end the system requires that:	2
Production capacity	C 6.1. The production capacity of each forest type of the forest management unit as a whole is maintained.	=
Contribution to local economy	P 7. Forest management shall contribute to the local economy and employment. To that end the system requires that:	2
Employment	C 7.1. Forest management stimulates employment of the local population, including indigenous peoples, as well as the local processing of timber and non-timber forest products.	=
Infrastructure	C 7.2. Insofar as not provided for otherwise, a contribution is made to the development of local physical infrastructure and of social services and programmes for the local population, including indigenous peoples. This contribution is made in agreement with the local population.	=
Management Aspects		
Management system	P 8. Sustainable forest management shall be realised through a management system. To that end the system requires that:	2
Management cycle	C 8.1. Forest management aims to achieve the goals formulated in the forest management plan and comprises the cycle of inventory and analysis, planning, implementation, monitoring, evaluation, and improvement.	=
Forest management plan	C 8.2. There is a forest management plan, consisting of, or dealing with at least: a. a description of the current condition of the forest management unit b. long-term objectives c. the average annually allowable cut per forest type, and, if relevant, the annual allowable exploitation of non-timber forest products, based on reliable and current data d. budget for the implementation of the forest management plan.	=
Maps	C 8.3. Essential elements for forest management are indicated on maps.	=
Monitoring	C 8.4. The implementation of the forest management plan and the ecological, social, and economic effects of forest management on the FMU and its surroundings are monitored periodically on the basis of adequate data.	=
Knowledge and expertise	C 8.5. Forest management is based on scientific research and, if needed, information on comparable forests types.	=
	C 8.6. Forests are managed by professional staff and forest workers. Adequate periodic training secures the level of skills, including knowledge of relevant laws and treaties.	=
Management group or regional association	P 9. Forest management in a group or regional association shall offer sufficient safeguards for sustainable forest management. To that end the system requires that:	n.r.
Group or regional association	C 9.1. A group or regional association is under the leadership and supervision of an independent legal entity.	n.r.
	C 9.2. The management system of a group or regional association offers sufficient guarantee to fulfil criterion 9.3.	n.r.
Sustainable forest management requirements	C 9.3. A group or regional association complies with the requirements set by the SFM standard of the certification system. In addition, each member of a group or regional association complies with these requirements, inasmuch as they apply to its operations.	n.r.

4.2 Chain of Custody (CoC) and Logo Use

Chain of Custody system	P 1. A Chain of Custody (CoC) must be in place from the forest unit of origin to the final point of sale, which provides a link between the certified material in the product or product line and certified forest units. To that end the system requires that:	2
Organisation	C 1.1 Each individual organisation in the CoC possesses an operational CoC system.	=
	C 1.2 The management system of each organisation in the CoC provides sufficient guarantees that the requirements of the CoC standard are being met.	=
	C 1.3 Each individual organisation in the CoC registers quantities and the names and certificate numbers of the organisations from which it purchases timber and to which it sells timber.	=
Legal sources	C 1.4 If the system allows for mixing of SFM-certified and non-SFM-certified material, the non-SFM certified material is covered by a verifiable system to ensure that it is from non-disputed, at least legal sources. This applies to new-, including pre-consumer recycled material, and post-consumer recycled material.	=
	C1.5 SFM-certified timber, including timber products, timber from other verified legal sources and timber from non-verified (legal) sources are administratively separated. Timber from non-verified (legal) sources is also physically separated from the other two sources.	=
Mixed wood and assembled products	C1.6 If the system allows for mixing of SFM-certified and non-SFM-certified material, (one of) the following approaches shall be used: <ul style="list-style-type: none"> a. mass balance claim: the proportion of the product sold as SFM certified is equal to the proportion of SFM certified material entering a process; b. percentage based claim: the percentage of SFM certified material in a product or product line is reported. 	=
Chain of Custody group certification	P 2. If Group certification of the CoC is allowed, the standard must require that the group as whole must comply with the same requirements which are posed on individual companies. To that end the system requires that:	2
Juridical entity	C 2.1 A group has a juridical entity, which is responsible for the group as a whole.	=
Management	C 2.2 The group has a management system that provides sufficient guarantees that C 2.3 will be met.	=
	C 2.3 The group operates according to principle 1; in addition, each member of the group complies with these requirements inasmuch as they apply to its operations.	=
Registration	C 2.4 The group leader has a registration system in place including: <ul style="list-style-type: none"> a. names and addresses of the group members b. declarations of each member to comply with the certification requirements of the CoC. 	=
Logos and labels	P 3. Logos and labels that belong to the certification system and occur on products and documents shall have an unambiguous meaning and shall be applied in accordance with the rules established by the certification system. To that end the system requires that:	1
Design and use of	C 3.1. The system manager employs rules for the use of logos and labels and for supervision of compliance. The rules comprise at least:	≠

logos and labels	a. specification of the logos and labels b. unambiguous description of the claim that the logos and labels represent, including the requirement to communicate the actual or minimum percentages of SFM certified- and post-consumer recycled material included in the product or product line c. rights to use logos and labels d. instructions regarding the use of logos and labels and the informative text they show.	
Copyright	C 3.2. The logo is copyrighted and is a registered trademark.	=
Clear and accurate claims	C 3.3 There is a clearly defined mechanism for controlling all claims made about the certified nature of products, which ensures that claims are clear and accurate and that action is taken to prevent any false or misleading claims.	=

4.3 Development, Application and Management (DAM) of certification systems

Standard Development and Application		
Standard development	P 1. The process of standard development and the standard itself shall fulfil the requirements as established by international umbrella organisations (such as ISO and ISEAL). To that end the system requires that:	2
ISEAL and ISO Guide 59	C 1.1. The development process of the standard fulfils the requirements established in the <i>ISEAL 'Code of Good Practice for Setting Social and Environmental Standards'</i> , the <i>ISO Guide 59 'Code of Good Practice for Standardisation'</i> or equivalent requirements. The development process and application of the standard at least fulfil the following criteria: 1.2. through 1.10; 2.1. and 2.2.; 3.3. through 3.6. of this assessment table.	=
Stakeholder input	C 1.2. The standard development body comprises the relevant interested groups that serve the economic, social and environmental interests without undue dominance of one interest.	≈
	C 1.3 Decisions of the standard development body are made, if possible, by consensus. If consensus is not reached, qualified majority voting applies.	=
	C 1.4. The development of the standard takes place with input of the relevant stakeholders. Potential limitations for certain groups such as indigenous peoples and small forest owners to contribute directly are taken into account.	≈
Public consultation	C 1.5. The standard development procedure provides for public input during a reasonable period of time.	=
Justification for handling comments	C 1.6. With the development of the standard, the standard setting organisation takes into account any comments submitted in writing and communicated verbally. The organisation maintains reports of the development process of the standard including the received input and how it is dealt with. A summary of it is published and is freely available.	=
Publication	C 1.7. The standard setting organisation publishes the standard as soon as it has been established.	=
Reference to international standards	C 1.8. A national standard which is part of an international certification system with a generic standard or which is based on a generic standard of an umbrella organisation, must refer to the relevant generic standard and be accepted by the relevant international system or organisation.	=
General applicability	C 1.9. The standard and the procedures for establishing compliance are sufficiently flexible to be applied under changing local conditions and to forest management units of any size, either as a part of a group or regional association or otherwise.	=
Process criteria and performance criteria	C 1.10. The standard contains both process and performance criteria and consists, where appropriate, of measurable, unambiguous parameters with guidelines for interpretation.	=

Certification system management		
System manager	P 2. The certification system shall be managed by a legal entity (system manager). The tasks and responsibilities shall be clearly distributed among the organisations, which form an organisational and/or functional part of the system. To that end the system requires that:	2
Legal entity, statutes	C 2.1. The system manager is a legally registered organisation with statutes, contact address, telephone, e-mail, and website.	=
Entities, distribution of responsibilities	C 2.2. The distribution of the responsibilities, authorities, and tasks among the entities, comprising an organisational and/or functional part of the certification system, and the procedures to be followed are clear and publicly available. The certification system comprises at least rules for the following functions: a. standard development b. certification c. accreditation d. supervision of proper performance of tasks and compliance with the rules e. objection and appeal handling f. design and use of logos and labels	=
Decision-making bodies and objection and appeal procedures	P 3. Decision-making bodies shall reflect the interests of stakeholders and shall provide for adequate procedures for objection and appeal regarding the decisions made and the functioning of the decision-making bodies. To that end the system requires that:	2
Composition	C 3.1. The decision-making and advisory bodies comprise the relevant interested groups without undue dominance of one interest.	=
Decision-making	C 3.2. Decisions of decision-making and advisory bodies are made, if possible, by consensus. If consensus is not reached, majority voting applies.	≈
Provision for objection or appeal	C 3.3. Objection and appeal procedures are publically available and clearly indicate the entity a stakeholder must turn to in the event of an objection or appeal against the operation of a particular entity or against a decision made by a particular entity.	=
Justification	C 3.4. The objection and appeal procedures require that the submitter or a representative substantiates the objection or appeal with arguments and relevant documentation.	=
Reasonable period	C 3.5. Objection and appeal procedures contain clear and reasonable deadlines for handling of the objection or appeal.	≈
Independent forum	C 3.6. A forum of independent persons, which adequately represent legal and domain knowledge, handles appeal cases. Decisions are taken by majority voting.	=
Certification Bodies and Certification Procedures		
Certification bodies and procedures	P 4. Certification bodies shall be independent and shall be competent to assess sustainable forest management and the chain of custody system. To that end the system requires that:	2
Certification bodies	C 4.1. The certification bodies are accredited on the basis of the requirements and guidelines in ISO 17021 ¹ 'Conformity Assessment - Requirements for Bodies Providing Audit and Certification of Management Systems' and/or ISO Guide 65 (EN 45011) 'General Requirements for Bodies Operating Product Certification Systems' and preferably on the basis of specific supplemental requirements for performance of conformity assessments according to the standards for sustainable forest management and the chain of custody.	=

¹ ISO 17021 has replaced ISO Guide 62 (EN 45012) and ISO Guide 66. A transition period applies. ISO Guide 62 (EN 45012) and ISO Guide 66 may be used until September 2008.

Procedure for assessment	C 4.2. The certification contains an assessment of system documents, site visits, and sufficient consultation of external stakeholders.	=
	C 4.3. In case of a group certification an adequate sample of group members must be audited.	n.r.
Public availability	C 4.4. The certification agency makes the following items public in addition to the requirements in ISO 17021 and ISO Guide 65: a. summaries of assessment reports b. a list of the granted certificates	=
Accreditation		
Accreditation	P 5. The accreditation agencies that grant the accreditations for certification of sustainable forest management and/or the chain of custody shall be competent and independent, national or international organisations that are preferably member of the IAF. To that end the system requires that:	2
Accreditation body	C 5.1. Accreditation must be granted by a national or international organisation that fulfils requirements as included in ISO 17011 ' <i>General Requirements for Assessment and Accreditation of Certification Bodies</i> '.	=
Peer review	C 5.2. The accreditation body takes part in a peer review process with sister organisations, preferably within the framework of the IAF.	=

5 Documents MTCS

- Malaysian Criteria and Indicators for Forest Management Certification [MC&I(2002)], 11 Augustus 2004.
Normative documents for MC&I(2002):
 - Logo Use Rules Manual, 15 September 2008.
 - Malaysian Timber Certification Scheme and Its Implementation Arrangement, 19 May 2009.
 - Malaysian Timber Certification Scheme Dispute Resolution Procedures, 17 February 2009.
 - Rules On Standard Setting Process For Development Of Timber Certification Standards, 7 February 2009.
- Annex 4 to (PEFC Council Technical Document, 5 October 2007) Chain of Custody of Forest Based Products-Requirements, 17 June 2005.
- Letter of Director of Forestry Terengganu (HAJI NOR AKHIRRUDIN BIN MAHMUD) to district forest officers, 1 September 2009.
- Memorandum and Articles of Association of national Timber Certification Council, Malaysia; Incorporated on the 29th of October 2009.

6 Concluding remarks

The decision on the conformity of MTCS is valid for a period of five years: from March 2010 until March 2015. Towards the end of this period a full reassessment will take place. Revision of the assessment will also take place when MTCS changes its standard, or when adaptations are made in the Dutch Procurement Criteria for timber, or when serious flaws in the implementation of the standard appear.