

## 行政院農業委員會林務局 函

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受文者：中華林產事業協會

發文日期：中華民國108年9月9日

發文字號：林企字第1081710487號

速別：普通件

密等及解密條件或保密期限：

附件：如說明一、三

主旨：有關韓國將自本（2019）年10月1日起正式施行「木材永續利用法案（Act on the Sustainable Use of Timbers）」一案，請惠予協助轉知所屬公協會及相關業者，請查照。

說明：

一、依據韓國山林廳國際業務局局長108年8月21日信函辦理（如附件）。

二、韓國自2018年10月1日起，實施前揭法案為期一年之試辦期，並將於本(2019)年9月30日屆滿。該法案將自2019年10月1日起正式施行，實施範圍及要項簡要摘譯如下：

(一)實施範圍（HS Code）：原木（log，4403）、縱鋸木材（sawn timber，4407）、經防腐處理之木材（anti-decay wood，4407）、經滯燃處理之木材（fire retardant treated wood，4407）、層板（laminated wood，4407）、夾板（plywood，4412）及木顆粒（wood pellets，4401.31）等149項至HS code十位碼稅號之貨品。

(二)進口申報流程：

1、步驟1：進口商透過韓國海關UNI-PASS電子系統向韓國山林廳提交進口聲明文件。

2、步驟2：由韓國山林廳指定機構審核所提交之文件，通過後由山林廳核發進口聲明許可（缺乏該許可將使貨品無法完成清關程序）。

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訂

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3、步驟3：倘進口聲明文件有需補正事項，補正期間為30日。

(三)所需提交之文件（擇一）：

- 1、原產國所授發之伐採許可證明。
- 2、國際間廣泛被承認、足資證明該木材製品為合法伐採之證明文件，如FSC、PEFC或其他國際生物永續利用認證系統所頒發之文件（包含ISO 17065下之第三方認證）等。
- 3、韓國與原產國透過雙邊協商後該國政府出具之官方證明文件。
- 4、其他足資證明該木材製品為合法伐採之證明文件。

(四)法案包含之處罰機制：

- 1、針對未能證明其進口木材合法性之進口商：發布暫停銷售之命令、退運或銷毀該木材或木製品。
- 2、針對未能保有相關文件之製造商：撤銷其木材生產登記或暫停其營業。
- 3、違反規定者，最高可處罰鍰30,000美金或3年以下有期徒刑。

三、檢附韓國「木材永續利用法案」宣傳摺頁1份。

正本：經濟部國際貿易局、經濟部工業局、經濟部中小企業處、中華林產事業協會、中華民國木材商業同業公會聯合會、台灣生態材料產業發展協會、台灣區木材輸出業同業公會 & 台灣區木材工業同業公會、台北市林業技師公會、台灣區木板製造輸出同業公會、中華木質構造建築協會、社團法人中華造林事業協會、台灣木結構工程協會、台灣竹會、財團法人台灣建築中心、新竹縣永泰林業合作社、有限責任新竹縣尖峰竹萃液生產合作社、南投縣永隆林業合作社、屏東縣永在林業合作社、有限責任新竹縣品彥林業合作社、蘭陽林業合作社  
副本：外交部、財政部關務署、行政院農業委員會國際處、行政院農業委員會林業試驗所、本局造林生產組、本局森林企劃組(均含附件)

局長林華慶







Date: 21 August 2019

Ref. No.: KL19-283

To whom it may concern,

We would like to take this opportunity to express our sincere appreciation for the cooperation with your country in Korea's new regulations against illegal logging and associated trade pursuant to the revised "Act on the Sustainable Use of Timbers," promulgated on 21 March 2017.

Beginning on 1 October 2018, the Korea Forest Service (KFS) has been having a 'trial operation period' for one year so as to raise awareness of the laws and to educate the related business entities on how they comply with the requirements of the Act.

Since the period started, the total volume of import declaration has been more than 30,000. Data collected at document inspection show that a noncompliance rate for submitting related documents has been continuously decreasing, from 80 percent in November 2018 to 20 percent in June 2019. We would like to inform that noncompliance carries a penalty. For smooth and healthy timber trade, the KFS is making the utmost effort to reduce the noncompliance rate.

Seeking to achieve our goal in combating illegal logging and promoting fair trade, we are pleased to announce that the trial period will end on 30 September 2019 and penalty provision will be applied from 1 October 2019. Accordingly, importers who import regulated timber products into Republic of Korea could face penalties for non-compliance with timber legality. In this connection, we request your assistance to notify exporters on your side of the enforcement.

We look forward to continuing our partnership to promote trade in legal timber products between the two countries. If you have any questions about the new regulations, please do not hesitate to contact Ms. Sunmi Lee ([earlybird36@korea.kr](mailto:earlybird36@korea.kr)), Deputy Director of the Forestry Trade Division of KFS.

Yours sincerely,

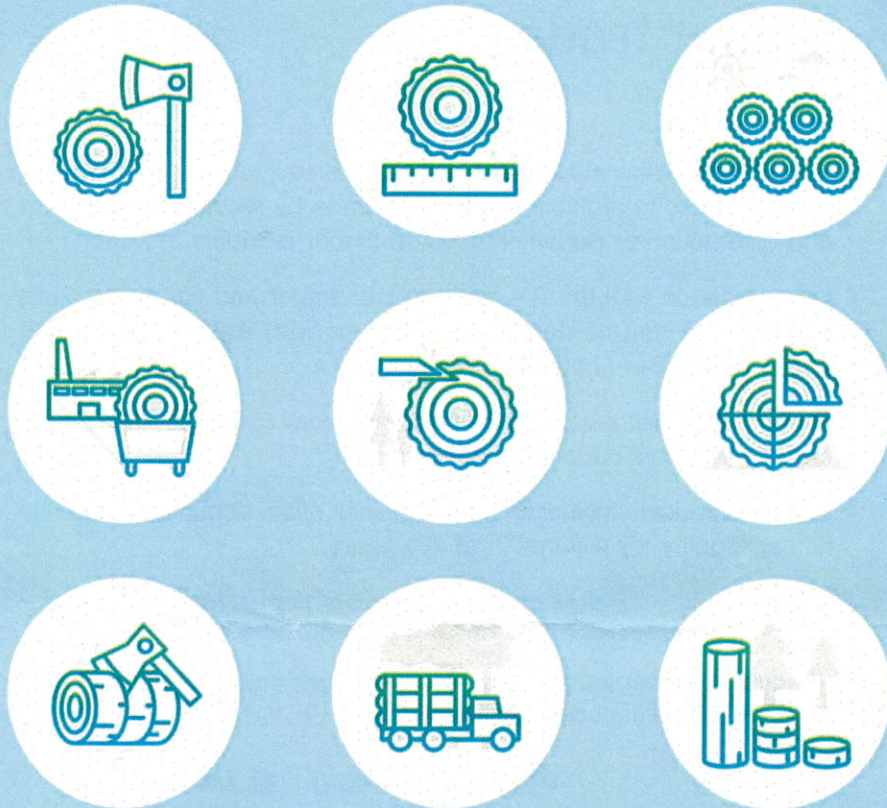
Ki-Yeon Ko

Director General of International Affairs Bureau  
Korea Forest Service  
Republic of Korea





To keep our planet healthy,  
behave responsibly



# Korea's regulation to promote legal timber trade



# 1

## Korea's Act against illegal timber trade



- "The Act on Sustainable Use of Timbers" came into force on 1 October 2018. It seeks to promote legal timber trade by restricting the import and distribution of illegally harvested timber products in Korea.
- In accordance with the Act, importers of timber and timber products shall file an import declaration thereof with the Minister of the Korea Forest Service(KFS).
- The Minister shall require an inspection agency to inspect the relevant documents before customs clearance.
- Timber producers including importers shall retain documents verifying timber legality for a duration of five years.

### Products regulated under the Act

Regulated timber products are as below. Their customs tariff codes include 149 tariff codes, identified at their 10-digit code level.

1 Log(4403)



2 Sawn Timber(4407)



3 Anti-decay wood (4407)



4 Fire retardant treated wood (4407)



5 Laminated Wood (4407)



6 Plywood(4412)



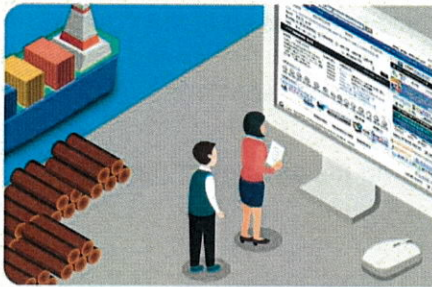
7 Wood pellets(4401.31)







## Import declaration process



An importer file an import declaration with the Minister of KFS through UNI-PASS (an electronic customs clearance system of the Korea Customs Service).



Submitted document inspect by the Inspection agency which is designated by the Minister. When the result of the document inspection is appropriate, the Minister issue a certificate of import declaration.

※ Without this certificate, customs clearance is not possible.



If the import declaration is accepted conditionally, the importer must submit supplementary documents within 30 days from the completion of customs clearance to the inspection agency.

※ The Sales or distribution of the relevant timber or timber products is prohibited until supplementary documents are confirmed.



# 3

## Requirements for Submission of Documents

- Importers shall submit any of the documents specified in the “Detailed Standards for Determining the Legality of Imported Timber and Timber Products.” Detailed Standards for determining are as follows.

- 1 A permit for felling issued pursuant to the statutes of the country of origin.
- 2 A document which is widely used internationally to certify that the relevant timber or timber product has been legally felled.

A. A Forest Management certificate or a Chain of Custody Certificate (including Controlled Wood Certificate) issued by the Forest Stewardship Council (FSC);

B. A Forest Management certificate or a Chain of Custody Certificate issued by the Programme for Endorsement of Forest Certification (PEFC);

C. A certificate issued according to the certification system mentioned in the attached Table hereof, which is mutually recognized through bilateral consultation between countries and the PEFC;

D. A document issued in accordance with international certification systems (including a third party certification under ISO 17065) for sustainable use of biomass, which verifies whether timber has been legally felled.

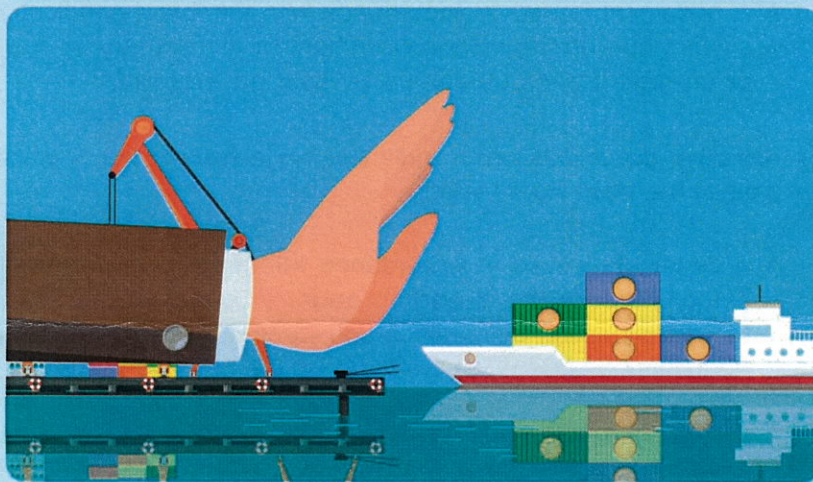




# 4

## Penalty Mechanisms embedded in the Act

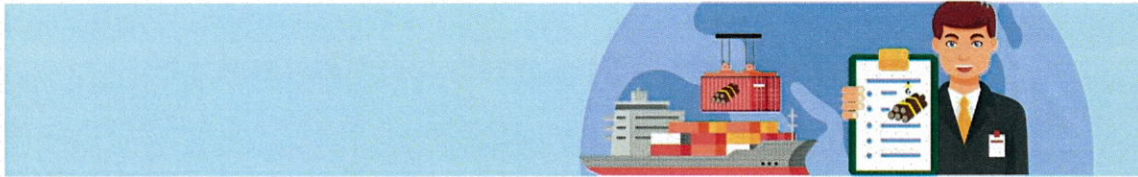
- 1 When the importer have failed to verify legality of imported timber
  - ➔ Issuance of Order to suspend sales of, return or destroy timber and timber products



- 2 When the producer fails to retain the relevant documents
  - ➔ Revocation of timber production registration or suspension of business activity
- 3 When the administrative order is not complied with
  - ➔ Violators may be fined up to \$30,000 or imprisonment up to three years

For more information, please contact Ms Soo-ji Oh  
(email : [osj118@korea.kr](mailto:osj118@korea.kr)), program officer of the  
Forestry Trade Division of KFS.





- 3** A document which is mutually recognized in accordance with bilateral consultations between the Republic of Korea and the country of origin.

  - A. A document issued in accordance with the forest certification system operated by the government of the country of origin or an organization delegated by said government.
  
- 4** Any other documents which verify that the relevant timber or timber product has been legally felled.

  - A. A certificate issued in accordance with management systems established by the exporting country based on the Forest Law Enforcement, Governance and Trade–Voluntary Partnership Agreement (FLEGT–VPA) operated by the European Union;
  - B. An export permit which verifies that timber or timber products have been legally felled in accordance with the statutes of the exporting country;
  - C. A document with an official seal or a signature from the government of the exporting country or an agency delegated thereby that verifies the relevant timber or timber product has been legally felled, including a transportation permit and a packing list;
  - D. A document written and signed by an exporter in accordance with Attached Form 1 where the exporting country has laws and systems in place to restrict illegal logging and associated trade;
  - E. Any other document that can verify the legality and sustainability of timber through mutual consultation between the Republic of Korea and the exporting country.