

Council Regulation (EC) No 2173/2005 of 20 December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community

COUNCIL REGULATION (EC) No 2173/2005
of 20 December 2005

on the establishment of a FLEGT licensing scheme
for imports of timber into the European Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council and the European Parliament welcomed the Communication from the Commission to the Council and the European Parliament on an EU Action Plan for Forest Law Enforcement, Governance and Trade (FLEGT) as a first step towards tackling the urgent issue of illegal logging and associated trade.
- (2) The Action Plan puts emphasis on governance reforms and capacity building, supported by actions aimed at developing multilateral cooperation and complementary demand-side measures designed to reduce the consumption of illegally harvested timber and contributing to the wider objective of sustainable forest management in timber-producing countries.
- (3) The Action Plan identifies the setting up of a licensing scheme as a measure to ensure that only timber products that have been legally produced in accordance with the national legislation of the producing country may enter the Community, and emphasises that that licensing scheme should not impede legitimate trade.
- (4) Implementation of the licensing scheme requires that imports of relevant timber products into the Community be made subject to a system of checks and controls seeking to guarantee the legality of such products.
- (5) To this end the Community should conclude voluntary Partnership Agreements with countries and regional organisations, which are to place a legally binding obligation on a partner country or regional organisation to implement the licensing scheme within the schedule stipulated in each Partnership Agreement.
- (6) Under the licensing scheme, certain timber products exported from a partner country and entering the Community at any customs point designated for release for free circulation should be covered by a licence issued by the partner country, stating that the timber products have been produced from domestic timber that was legally harvested or from timber that was legally imported into a partner country in accordance with national

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laws as set out in the respective Partnership Agreement. Compliance with those rules should be subject to third-party monitoring.

- (7) The competent authorities of the Member States should verify that each shipment is covered by a valid licence prior to releasing the shipment covered by that licence for free circulation in the Community.
- (8) Each Member State should determine the penalties applicable in the event of infringements of this Regulation.
- (9) The licensing scheme should initially cover a limited range of timber products. When agreed, the range of products could be extended to other product categories.
- (10) It is important to revise the Annexes specifying the countries and products covered by the licensing scheme promptly. Those revisions should take into account the progress in implementation of Partnership Agreements. A partner country may be added to Annex I after it has notified the Commission and the Commission has confirmed that this partner country has put in place all the controls needed to be able to issue licences for all the products listed in Annex II. A partner country may be removed from Annex I either when it has given one year's notice of its intention to terminate its Partnership Agreement or with immediate effect, in the case of suspension of its Partnership Agreement.
- (11) Annex II may be amended after the Commission and all partner countries have agreed to such amendment. Annex III may be amended after the Commission and the partner country concerned have agreed to such amendment.
- (12) The amendments to Annexes I, II and III would be implementing measures of technical nature and in order to simplify and expedite the procedure, their adoption should be entrusted to the Commission. Such amendments should comprise commodity codes, at four-digit heading level or six-digit subheading level of the current version of Annex I to the Harmonised Commodity Description and Coding System.
- (13) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽¹⁾ with a distinction being made between those measures which are subject to the regulatory committee procedure and those which are subject to the management committee procedure, the management committee procedure being in certain cases, with a view to increased efficiency, the more appropriate,

HAS ADOPTED THIS REGULATION:

CHAPTER I

SUBJECT MATTER AND DEFINITIONS

Article 1

1 This Regulation establishes a Community set of rules for the import of certain timber products for the purposes of implementing the FLEGT licensing scheme.

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2 The licensing scheme shall be implemented through Partnership Agreements with timber producing countries.

3 This Regulation shall apply to imports of timber products set out in Annexes II and III from partner countries listed in Annex I.

Article 2

For the purposes of this Regulation the following definitions shall apply:

1. 'Forest Law Enforcement, Governance and Trade licensing scheme' (hereinafter referred to as FLEGT licensing scheme) means the issuing of licences for timber products for export to the Community from partner countries and its implementation in the Community, in particular in Community provisions on border controls;
2. 'partner country' means any State or regional organisation that enters into a Partnership Agreement, as listed in Annex I;
3. 'Partnership Agreement' means an agreement between the Community and a partner country by which the Community and that partner country undertake to work together in support of the FLEGT Action Plan and to implement the FLEGT licensing scheme;
4. 'regional organisation' means an organisation consisting of sovereign states that have transferred competence to that organisation, granting it the capacity to enter into a Partnership Agreement on their behalf, in respect of matters governed by the FLEGT licensing scheme, as listed in Annex I;
5. 'FLEGT licence' means a shipment-based or market participant-based document of a standard format which is to be forgery-resistant, tamper-proof, and verifiable, and which refers to a shipment as being in compliance with the requirements of the FLEGT licensing scheme, duly issued and validated by a partner country's licensing authority. Systems for issuing, recording and communicating licences may be paper-based or based on electronic means, as appropriate;
6. 'market participant' means an actor, private or public, involved in forestry or transformation or trade of timber products;
7. 'licensing authority(ies)' means the authority(ies) designated by a partner country to issue and validate FLEGT licences;
8. 'competent authority(ies)' means the authority(ies) designated by Member States to verify FLEGT licences;
9. 'timber products' means the products set out in Annexes II and III, to which the FLEGT licensing scheme applies, and which, when imported into the Community, cannot be qualified as 'goods of a non-commercial nature' as defined in point 6 of Article 1 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽²⁾;
10. 'legally produced timber' means timber products produced from domestic timber that was legally harvested or timber that was legally imported into a partner country in accordance with national laws determined by that partner country as set out in the Partnership Agreement;

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11. 'imports' means the release for free circulation of timber products within the meaning of Article 79 of Council Regulation (EEC) No 2913/1992 of 12 October 1992 establishing the Community Customs Code⁽³⁾
12. 'shipment' means a shipment of timber products;
13. 'export' means the physical leaving or taking out of timber products from any part of the geographical territory of a partner country to bring them into the Community;
14. 'third-party monitoring' means a system through which an organisation that is independent of a partner country's government authorities and its forest and timber sector monitors and reports on the operation of the FLEGT licensing scheme.

CHAPTER II

FLEGT LICENSING SCHEME

Article 3

- 1 The FLEGT licensing scheme shall apply only to imports from partner countries.
- 2 Each Partnership Agreement shall specify an agreed schedule for implementing the commitments entered into by that Agreement.

Article 4

- 1 Imports into the Community of timber products exported from partner countries shall be prohibited unless the shipment is covered by a FLEGT licence.

[^{F12} In order to provide the necessary assurance as to the legality of the timber products concerned, the Commission shall assess existing schemes that guarantee the legality and reliable tracking of timber products exported from partner countries, and adopt implementing acts to approve them. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(3).]

The schemes approved by the Commission may form the basis of a FLEGT licence.

- 3 Timber products of species listed in Annexes A, B and C to Council Regulation (EC) No 338/97⁽⁴⁾ shall be exempt from the requirement laid down in paragraph 1 of this Article.

The Commission shall review that exemption, taking into account market developments and the experience gained in the implementation of this Regulation, shall report on its findings to the European Parliament and to the Council and, if necessary, shall come forward with appropriate legislative proposals.]

Textual Amendments

- F1** Substituted by [Regulation \(EU\) No 657/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation \(EC\) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.](#)

Article 5

- 1 A FLEGT licence covering each shipment shall be available to the competent authority at the same time as the customs declaration for that shipment is presented for release for free circulation in the Community. The competent authorities shall keep a record — in electronic

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or paper format — of the original FLEGT licence together with the corresponding customs declaration.

Import of timber products under a FLEGT licence issued to a market participant shall be accepted as long as the market participant's licence remains valid.

2 The competent authorities shall provide the Commission, or persons or bodies designated by the Commission, with access to the relevant documents and data, should problems arise which impair the effective operation of the FLEGT licensing scheme.

3 The competent authorities shall grant to the persons or bodies designated by partner countries as being responsible for the third party monitoring of the FLEGT licensing scheme access to the relevant documents and data, but the competent authorities shall not be required to provide any information which they are not permitted to communicate pursuant to their national law.

4 The competent authorities shall decide on the need for further verification of shipments using a risk-based approach.

5 In case of doubt as to the validity of the licence, the competent authorities may ask the licensing authorities for additional verification and seek further clarification, as set out in the Partnership Agreement with the exporting partner country.

6 Member States may collect fees to cover the necessary expenses arising from official acts by competent authorities required for control purposes under this Article.

7 Customs authorities may suspend the release of or detain timber products where they have reason to believe that the licence may not be valid. Costs incurred while the verification is completed shall be at the expense of the importer, except where the Member State concerned determines otherwise.

8 Each Member State shall determine the penalties to be imposed where the provisions of this Regulation are infringed. Such penalties shall be effective, proportionate and dissuasive.

[^{F19} In order to ensure uniform conditions for the implementation of this Article, the Commission shall, by means of implementing acts, adopt the procedural modalities and the documents of a standard format, including their possible means. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(3).]

Textual Amendments

- F1** Substituted by [Regulation \(EU\) No 657/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation \(EC\) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.](#)

Article 6

1 If competent authorities establish that the requirement laid down in Article 4(1) is not fulfilled, they shall act in accordance with national legislation in force.

2 Member States shall notify the Commission of any information suggesting that the provisions of this Regulation are being, or have been, circumvented.

Article 7

1 Member States shall designate the competent authorities responsible for implementing this Regulation and for communicating with the Commission.

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2 The Commission shall provide all competent authorities of the Member States with the names and other relevant details of the licensing authorities designated by partner countries, authenticated specimens of stamps and signatures attesting that a licence has been legally issued, and any other relevant information received in respect of licences.

[^{F2}Article 8

1 Member States shall make available to the public and to the Commission, at the latest by 30 April of each year, information on the application of this Regulation during the previous calendar year.

2 The Commission shall establish, by means of implementing acts, the format and the procedure for Member States to make available the information referred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(3).

3 Based on the information referred to in paragraph 1, the Commission services shall make publicly available, on an annual basis, a Union-wide overview on the basis of the data submitted by Member States.]

Textual Amendments

F2 Substituted by [Regulation \(EU\) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations \(EC\) No 166/2006 and \(EU\) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations \(EC\) No 338/97 and \(EC\) No 2173/2005, and Council Directive 86/278/EEC \(Text with EEA relevance\).](#)

CHAPTER III

GENERAL PROVISIONS

[^{F2}Article 9

By December 2021 and every five years thereafter, the Commission shall, on the basis of information, in particular the information referred to in Article 8(1), and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation. In doing so, it shall take into account the progress on implementation of the voluntary Partnership Agreements. The Commission shall report to the European Parliament and to the Council on the result of the review every five years and accompany such reports where appropriate, by proposals for improvement of the FLEGT licensing scheme.]

Textual Amendments

F2 Substituted by [Regulation \(EU\) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations \(EC\) No 166/2006 and \(EU\) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations \(EC\) No 338/97 and \(EC\) No 2173/2005, and Council Directive 86/278/EEC \(Text with EEA relevance\).](#)

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[^{F1}Article 10

- 1 The Commission shall be empowered to adopt delegated acts in accordance with Article 11a to amend the list of partner countries and their designated licensing authorities as set out in Annex I.
- 2 The Commission shall be empowered to adopt delegated acts in accordance with Article 11a to amend the list of timber products as set out in Annex II to which the FLEGT licensing scheme applies. In adopting those amendments, the Commission shall take into account the implementation of the FLEGT Partnership Agreements. Such amendments shall comprise commodity codes, at four-digit heading level or six-digit subheading level of the current version of Annex I to the Harmonised Commodity Description and Coding System.
- 3 The Commission shall be empowered to adopt delegated acts in accordance with Article 11a to amend the list of timber products as set out in Annex III to which the FLEGT licensing scheme applies. In adopting those amendments, the Commission shall take into account the implementation of the FLEGT Partnership Agreements. Such amendments shall comprise commodity codes, at four-digit heading level or six-digit subheading level of the current version of Annex I to the Harmonised Commodity Description and Coding System and shall only apply in relation to the corresponding partner countries as set out in Annex III.]

Textual Amendments

- F1 Substituted by [Regulation \(EU\) No 657/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation \(EC\) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.](#)

Article 11

- [^{F1}1 The Commission shall be assisted by the Forest Law Enforcement Governance and Trade (FLEGT) Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁽⁶⁾.]
- ^{F3}2
- [^{F1}3 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.]
- ^{F3}4

Textual Amendments

- F1 Substituted by [Regulation \(EU\) No 657/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation \(EC\) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.](#)
- F3 Deleted by [Regulation \(EU\) No 657/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation \(EC\) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.](#)

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^{F4}Article 11a

Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Article 10(1), (2) and (3) shall be conferred on the Commission for a period of five years from 30 June 2014. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 10(1), (2) and (3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5 A delegated act adopted pursuant to Article 10(1), (2) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by four months at the initiative of the European Parliament or of the Council.]

Textual Amendments

- F4** Inserted by [Regulation \(EU\) No 657/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation \(EC\) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.](#)

Article 12

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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ANNEX I

PARTNER COUNTRIES AND THEIR DESIGNATED LICENSING AUTHORITIES

[^{F5} Partner country	Designated licensing authorities
THE REPUBLIC OF INDONESIA	Licence Information Unit (LIU) ^a Ministry of Environment and Forestry Gedung Manggala Wanabakti Blok I Lantai 2 Jln. Gatot Subroto — Senayan Jakarta — Pusat — Indonesia — 10270 Phone: +62 21 5730268/269 Fax +62 21 5737093 Email: subditivlk@gmail.com; marianalubis1962@gmail.com
a According to Article 4(4) of the VPA, a Licence Information Unit (LIU) has been established by Indonesia to serve as a contact point for communications between EU Member States competent authorities and the Indonesian Licensing Authorities. The LIU is an information management unit which validates information concerning V-Legal Document/ FLEGT licence issuance. The LIU is also responsible for general information exchange on the TLAS, and receives and stores relevant data and information on the issuance of certificates of legality and FLEGT licences. It also responds to queries from competent authorities of trading partners and stakeholders. Some of the verification bodies, which are conformity assessment bodies accredited by the Indonesian National Accreditation Body (KAN), are authorized and overseen by the Indonesian Ministry of Forestry and Environment to act as licensing authorities. An updated list of authorized licensing authorities is available through the LIU and also at the link: http://silk.dephut.go.id/index.php/info/ivlk .]	

Textual Amendments

- F5** Inserted by [Commission Delegated Regulation \(EU\) 2016/1387 of 9 June 2016 amending Annexes I and III to Council Regulation \(EC\) No 2173/2005 following a Voluntary Partnership Agreement with Indonesia for a FLEGT licensing scheme for imports of timber into the European Union.](#)

ANNEX II

TIMBER PRODUCTS TO WHICH THE FLEGT LICENSING SCHEME APPLIES IRRESPECTIVE OF THE PARTNER COUNTRY

HS heading	Description
4403	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared
4406	Railway or tramway sleepers (cross-ties) of wood
4407	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4408	Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for other similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded,

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	spliced or end-jointed, of a thickness not exceeding 6 mm
4412	Plywood, veneered panels and similar laminated wood

ANNEX III

**TIMBER PRODUCTS TO WHICH THE FLEGT LICENSING SCHEME APPLIES
ONLY IN RELATION TO THE CORRESPONDING PARTNER COUNTRIES**

^{F6} Partner country	HS heading	Description
THE REPUBLIC OF INDONESIA	CHAPTER 44	
		Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms.
	4401 21	– Wood in chips or particles – – coniferous
	ex 4401 22	– Wood in chips or particles – – non coniferous (not from bamboo nor rattan)
	4403	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared. (Prohibited from export under the Indonesian law. In line with Article 3(3) of the Voluntary Partnership Agreement between the European Union and the Republic of Indonesia on forest law enforcement, governance and trade in timber products into the European Union (hereinafter referred to as the 'EU-

a OJ L 150, 20.5.2014, p. 252.

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

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	Indonesia VPA ^a), products under this HS code may not be FLEGT licensed and therefore may not be imported into the Union).
ex 4404 10	Chipwood and the like – coniferous
ex 4404 20	Chipwood and the like – non coniferous – – Chipwood
ex 4404	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed, but not turned, bent or otherwise worked, suitable for the manufacture of walking sticks, umbrellas, tool handles or the like. (Prohibited from export under the Indonesian law. In line with Article 3(3) of the EU-Indonesia VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the Union).
4406	Railway or tramway sleepers (cross ties) of wood. (Prohibited from export under Indonesian law. In line with Article 3(3) of the EU-Indonesia VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the Union).
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, planed, sanded or end jointed, of a thickness exceeding 6 mm.
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, not planed, not sanded or not end jointed, of a thickness

^a OJ L 150, 20.5.2014, p. 252.

^b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

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	exceeding 6 mm. (prohibited from export under Indonesian law. In line with Article 3(3) of the EU-Indonesia VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the Union).
	Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end jointed, of a thickness not exceeding 6 mm
4408 10	– Coniferous
4408 31	Dark Red Meranti, Light Red Meranti, and Meranti Bakau
4408 39	Other, except coniferous, Dark Red Meranti, Light Red Meranti, and Meranti Bakau
ex 4408 90	Other, except coniferous and tropical wood specified in Subheading Note 2 to this chapter (not from bamboo nor rattan)
	Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end jointed.
4409 10	– Coniferous
ex 4409 29	– Non coniferous – other (not from rattan)

a [OJ L 150, 20.5.2014, p. 252.](#)

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

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	Particle board, oriented strand board (OSB) and similar board (for example, waferboard) of wood or other ligneous materials, whether or not agglomerated with resins or other organic binding substances
ex 4410 11	– Of wood – – Particle board (not from bamboo nor rattan)
ex 4410 12	– Of wood – – Oriented strand board (OSB) (not from bamboo nor rattan)
ex 4410 19	– Of wood – – Other (not from bamboo nor rattan)
ex 4411	Fibreboard of wood or other ligneous materials, whether or not bonded with resins or other organic substances (not from bamboo nor rattan)
	Plywood, veneered panels and similar laminated wood
4412 31	– Other plywood, consisting solely of sheets of wood (other than bamboo), each ply not exceeding 6 mm thickness: – – With at least one outer ply of tropical wood specified in Subheading Note 2 to this Chapter
4412 32	– Other plywood, consisting solely of sheets of

a OJ L 150, 20.5.2014, p. 252.

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

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		wood (other than bamboo), each ply not exceeding 6 mm thickness: – – Other, with at least one outer ply of non-coniferous wood
4412 39	–	Other plywood, consisting solely of sheets of wood (other than bamboo), each ply not exceeding 6 mm thickness: – – Other
ex 4412 94	–	Other: – – Blockboard, laminboard and battenboard (not from rattan)
ex 4412 99	–	Other: – – Other: – – – Barecore (wood waste glued together) (not from rattan) and – – – Other (not from rattan)
ex 4413		Densified wood, in blocks, plates, strips or profile shapes (not from bamboo nor rattan)
ex 4414		Wooden frames for paintings, photographs, mirrors or similar objects (not from bamboo nor rattan)
ex 4415		Packing cases, boxes, crates, drums and similar packings, of wood; cable drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood (not from bamboo nor rattan)
ex 4416		Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood,

a [OJ L 150, 20.5.2014, p. 252.](#)

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		including staves (not from bamboo nor rattan)
ex 4417		Tools, tool bodies, tool handles, broom or brush bodies and handles, of wood; boot or shoe lasts and trees, of wood (not from bamboo nor rattan)
ex 4418		Builders' joinery and carpentry of wood, including cellular wood panels, assembled flooring panels, shingles and shakes (not from bamboo nor rattan)
ex 4419		Tableware and kitchenware, of wood (not from bamboo and rattan)
		Wood marquetry and inlaid wood; caskets and cases for jewellery or cutlery, and similar articles, of wood.
ex 4420 90		<p>– Other – – Wood in the form of logs or squared logs with simple process in the surface, carved or finely threaded or painted, does not have significant added-value and no significant change in shape (HS ex 4420 90 90 00 in Indonesia) (Prohibited from export under Indonesian law. In line with Article 3(3) of the EU-Indonesia VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the Union).</p>

a [OJ L 150, 20.5.2014, p. 252.](#)

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	Other articles of wood
ex 4421 90	– Other – – Match splints (not from bamboo nor rattan) and – – Other – – – Wooden paving blocks (not from bamboo nor rattan)
ex 4421 90	– Other – – Other – – – Wood in the form of logs or squared logs with simple process in the surface, carved or finely threaded or painted, does not have significant added-value and no significant change in shape (HS ex 4421 90 99 00 in Indonesia) (Prohibited from export under the Indonesian law. In line with Article 3(3) of the EU-Indonesia VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the Union).
CHAPTER 47	
	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard:
4701	Mechanical wood pulp
4702	Chemical wood pulp, dissolving grades

a [OJ L 150, 20.5.2014, p. 252.](#)

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

4703	Chemical wood pulp, soda or sulphate, other than dissolving grades.
4704	Chemical wood pulp, sulphite, other than dissolving grades
4705	Wood pulp obtained by a combination of mechanical and chemical pulping processes
CHAPTER 48 ^b	
ex 4802	Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes, and non-perforated punch cards and punch tape paper, in rolls or rectangular (including square) sheets, of any size, other than paper of heading 4801 or 4803; hand-made paper and paperboard (not from non-wooden nor recycled material)
ex 4803	Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibres, whether or not creped, crinkled, embossed, perforated, surface coloured, surface decorated or printed, in rolls or sheets (not from non-wooden nor recycled material)
ex 4804	Uncoated kraft paper and paperboard, in rolls or sheets, other than that of heading 4802 or 4803 (not from non-wooden nor recycled material)
ex 4805	Other Uncoated paper and paperboard, in rolls or

a OJ L 150, 20.5.2014, p. 252.

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	sheets, not further worked or processed than as specify in Note 3 to this chapter (not from non-wooden nor recycled material)
ex 4806	Vegetable parchment, greaseproof papers, tracing papers and glassine and other glazed transparent or translucent papers, in rolls or sheets (not from non-wooden nor recycled material)
ex 4807	Composite paper and paperboard (made by sticking flat layers of paper or paperboard together with an adhesive), not surface coated or impregnated, whether or not internally reinforced, in rolls or sheets (not from non-wooden nor recycled material)
ex 4808	Paper and paperboard, corrugated (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets, other than paper of the kind described in heading 4803 (not from non-wooden nor recycled material)
ex 4809	Carbon paper, self-copy paper and other copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), whether or not printed, in rolls or sheets (not from non-wooden nor recycled material)
ex 4810	Paper and paperboard, coated on one or both sides with kaolin (China clay) or other inorganic substances, with or without binder, and with no other coating, whether or not surface coloured, surface

a [OJ L 150, 20.5.2014, p. 252.](#)

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

	decorated or printed, in rolls or rectangular (including square) sheets, of any size (not from non-wooden nor recycled material)
ex 4811	Paper, paperboard, cellulose wadding and webs of cellulose fibres, coated, impregnated, covered, surface coloured, surface decorated or printed, in rolls or rectangular (including square) sheets, of any size, other than goods of the kind described in heading 4803, 4809 or 4810 (not from non-wooden nor recycled material)
ex 4812	Filter blocks, slabs and plates, of paper pulp (not from non-wooden nor recycled material)
ex 4813	Cigarette paper, whether or not cut to size or in the form booklets or tubes (not from non-wooden nor recycled material)
ex 4814	Wallpaper and similar wall covering; window transparencies of paper (not from non-wooden nor recycled material)
ex 4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes (not from non-wooden nor recycled material)
ex 4817	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paper board; boxes, pouches, wallets

a [OJ L 150, 20.5.2014, p. 252.](#)

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	and writing compendiums, of paper or paperboard, containing an assortment of paper stationery (not from non-wooden nor recycled material)
ex 4818	Toilet paper and similar paper, cellulose wadding or webs of cellulose fibres, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 cm, or cut to size or shape; handkerchief, cleansing tissues, towels, tablecloths, serviettes, napkins for babies, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibres (not from non-wooden nor recycled material)
ex 4821	Paper or paperboard labels of all kinds, whether or not printed (not from non-wooden nor recycled material)
ex 4822	Bobbins, spools, cops and similar support of paper pulp, paper or paper board whether or not perforated or hardened (not from non-wooden nor recycled material)
ex 4823	Other paper, paperboard, cellulose wadding and webs cellulose fibres, cut to size or shape; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibres (not from non-wooden nor recycled material)
CHAPTER 94	

a OJ L 150, 20.5.2014, p. 252.

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	Seats (other than those of heading 94 02), whether or not convertible into beds, and parts thereof
9401 61	– Other seats, with wooden frames: – – Upholstered
9401 69	– Other seats, with wooden frames: – – Other
	Other furniture and parts thereof
9403 30	– Wooden furniture of a kind used in offices
9403 40	– Wooden furniture of a kind used in the kitchen
9403 50	– Wooden furniture of a kind used in the bedroom
9403 60	– Other wooden furniture
ex 9403 90	– Parts: – – Other (HS 9403 90 90 in Indonesia)
	Prefabricated buildings
ex 9406 00	– Other prefabricated buildings: – – Of wood (HS 9406 00 92 in Indonesia)
CHAPTER 97	
	Original engravings, prints and lithographs.
ex 9702 00	Wood in the form of logs or squared logs with simple process in the surface,

a [OJ L 150, 20.5.2014, p. 252.](#)

b Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	carved or finely threaded or painted, does not have significant added-value and no significant change in shape (HS ex 9702 00 00 in Indonesia) (Prohibited from export under Indonesian law. In line with Article 3(3) of the EU-Indonesia VPA, products under this HS code may not be FLEGT licensed and therefore may not be imported into the Union).
a	OJ L 150, 20.5.2014, p. 252.
b	Paper products originating from non-wooden or recycled material are accompanied by a formal letter from the Indonesian Ministry of Industry validating the use of non-wooden or recycled materials. Such products will not be FLEGT licensed.]

Textual Amendments

F6 Substituted by [Commission Delegated Regulation \(EU\) 2016/1387 of 9 June 2016 amending Annexes I and III to Council Regulation \(EC\) No 2173/2005 following a Voluntary Partnership Agreement with Indonesia for a FLEGT licensing scheme for imports of timber into the European Union.](#)

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) [OJ L 184, 17.7.1999, p. 23.](#)
- (2) [OJ L 253, 11.10.1993, p. 1.](#) Regulation as last amended by Regulation (EC) No 883/2005 ([OJ L 148, 11.6.2005, p. 5.](#))
- (3) [OJ L 302, 19.10.1992, p. 1.](#) Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council ([OJ L 117, 4.5.2005, p. 13.](#));
- (4) [^{F1}Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade ([OJ L 61, 3.3.1997, p. 1.](#))]
- (5) [^{F1}Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13.](#))]

Textual Amendments

- F1** Substituted by [Regulation \(EU\) No 657/2014](#) of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 2173/2005 as regards the delegated and implementing powers to be conferred on the Commission.

Changes to legislation:

There are outstanding changes not yet made to Council Regulation (EC) No 2173/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Annex 1 inserted by [S.I. 2021/2 reg. 3\(4\)](#)
- Annex 1 omitted by [S.I. 2018/1025 reg. 4\(10\)](#)
- Art. 1(1) word omitted by [S.I. 2018/1025 reg. 4\(2\)\(a\)\(i\)](#)
- Art. 1(1) words inserted by [S.I. 2018/1025 reg. 4\(2\)\(a\)\(ii\)](#)
- Art. 1(1) words substituted in earlier amending provision S.I. 2018/1025, reg. 4(2)(a)(ii) by [S.I. 2020/1315 reg. 2\(3\)\(a\)](#)
- Art. 1(3) words inserted by [S.I. 2021/2 reg. 3\(2\)](#)
- Art. 1(3) words omitted by [S.I. 2018/1025 reg. 4\(2\)\(b\)](#)
- Art. 4(1) words substituted by [S.I. 2018/1025 reg. 4\(4\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4)(a) substituted immediately before IP completion day by S.I. 2020/1315, regs. 1(2), 2(3)(c))
- Art. 4(1) words substituted by S.I. 2018/1025, reg. 4(4)(a) (as substituted) by [S.I. 2020/1315 reg. 2\(3\)\(c\)](#)
- Art. 4(2) words substituted by [S.I. 2019/473 reg. 3\(2\)\(a\)\(i\)](#)
- Art. 4(2) words substituted by [S.I. 2019/473 reg. 3\(2\)\(a\)\(ii\)](#)
- Art. 4(2) words substituted by [S.I. 2019/473 reg. 3\(2\)\(b\)](#)
- Art. 4(3) words omitted by [S.I. 2018/1025 reg. 4\(4\)\(b\)](#)
- Art. 5(1) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(5)(a)(i) substituted immediately before IP completion day by S.I. 2020/1315, regs. 1(2), 2(3)(d))
- Art. 5(1) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(a\)\(ii\)](#)
- Art. 5(1) words substituted by S.I. 2018/1025, reg. 4(5)(a)(i) (as substituted) by [S.I. 2020/1315 reg. 2\(3\)\(d\)](#)
- Art. 5(2) omitted by [S.I. 2018/1025 reg. 4\(5\)\(b\)](#)
- Art. 5(3) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(c\)\(i\)](#)
- Art. 5(3) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(c\)\(ii\)](#)
- Art. 5(3) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(c\)\(iii\)](#)
- Art. 5(4) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(d\)](#)
- Art. 5(5) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(d\)](#)
- Art. 5(6) omitted by [S.I. 2018/1025 reg. 4\(5\)\(e\)](#)
- Art. 5(7) words substituted by [S.I. 2018/1025 reg. 4\(5\)\(f\)](#)
- Art. 5(8) omitted by [S.I. 2018/1025 reg. 4\(5\)\(g\)](#)
- Art. 5(9) substituted by [S.I. 2019/473 reg. 3\(3\)](#)
- Art. 6 omitted by [S.I. 2018/1025 reg. 4\(6\)](#)
- Art. 7 omitted by [S.I. 2018/1025 reg. 4\(6\)](#)
- Art. 8(1) word substituted by [S.I. 2018/1025 reg. 4\(7\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(7)(a) substituted immediately before IP completion day by S.I. 2020/1315, regs. 1(2), 2(3)(e)(i))
- Art. 8(1) words substituted by [S.I. 2018/1025 reg. 4\(7\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(7)(a) substituted immediately before IP completion day by S.I. 2020/1315, regs. 1(2), 2(3)(e)(i))
- Art. 8(1) words substituted by S.I. 2018/1025, reg. 4(7)(a) (as substituted) by [S.I. 2020/1315 reg. 2\(3\)\(e\)\(i\)](#)
- Art. 8(2) substituted by [S.I. 2018/1025 reg. 4\(7\)\(b\)](#)
- Art. 8(2) word substituted in earlier amending provision S.I. 2018/1025, art. 4(7)(b) by [S.I. 2020/1315 reg. 2\(3\)\(e\)\(ii\)](#)
- Art. 8(3) omitted by [S.I. 2018/1025 reg. 4\(7\)\(c\)](#)
- Art. 9 omitted by [S.I. 2018/1025 reg. 4\(8\)](#)
- Art. 10(1) substituted by [S.I. 2019/473 reg. 3\(4\)\(a\)](#)
- Art. 10(2) words substituted by [S.I. 2019/473 reg. 3\(4\)\(b\)\(i\)](#)

- Art. 10(2) words substituted by [S.I. 2019/473 reg. 3\(4\)\(b\)\(ii\)](#)
- Art. 10(3) words substituted by [S.I. 2019/473 reg. 3\(4\)\(b\)\(i\)](#)
- Art. 10(3) words substituted by [S.I. 2019/473 reg. 3\(4\)\(b\)\(ii\)](#)
- Art. 11 omitted by [S.I. 2019/473 reg. 3\(5\)](#)
- Art. 11a substituted by [S.I. 2019/473 reg. 3\(6\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2018/1025 reg. 4\(9\)](#)
- Art. 2(1) word omitted by [S.I. 2018/1025 reg. 4\(3\)\(a\)\(ii\)](#)
- Art. 2(1) word substituted by [S.I. 2018/1025 reg. 4\(3\)\(a\)\(iii\)](#)
- Art. 2(1) words substituted by [S.I. 2018/1025 reg. 4\(3\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(3)(a)(ii) substituted immediately before IP completion day by [S.I. 2020/1315, regs. 1\(2\), 2\(3\)\(b\)\(i\)](#))
- Art. 2(1) words substituted by [S.I. 2018/1025, reg. 4\(2\)\(a\)\(ii\)](#) (as substituted) by [S.I. 2020/1315 reg. 2\(3\)\(b\)\(i\)](#)
- Art. 2(2) words inserted by [S.I. 2021/2 reg. 3\(3\)\(a\)](#)
- Art. 2(2) words omitted by [S.I. 2018/1025 reg. 4\(3\)\(b\)](#)
- Art. 2(3) words omitted by [S.I. 2018/1025 reg. 4\(3\)\(c\)\(ii\)](#)
- Art. 2(3) words substituted by [S.I. 2018/1025 reg. 4\(3\)\(c\)\(i\)](#)
- Art. 2(4) words inserted by [S.I. 2021/2 reg. 3\(3\)\(b\)](#)
- Art. 2(4) words omitted by [S.I. 2018/1025 reg. 4\(3\)\(d\)](#)
- Art. 2(8) substituted by [S.I. 2018/1025 reg. 4\(3\)\(e\)](#)
- Art. 2(9) words omitted by [S.I. 2018/1025 reg. 4\(3\)\(f\)\(ii\)](#)
- Art. 2(9) words substituted by [S.I. 2018/1025 reg. 4\(3\)\(f\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(3)(f)(i) substituted immediately before IP completion day by [S.I. 2020/1315, regs. 1\(2\), 2\(3\)\(b\)\(ii\)](#))
- Art. 2(9) words substituted by [S.I. 2018/1025, reg. 4\(2\)\(a\)\(ii\)](#) (as substituted) by [S.I. 2020/1315 reg. 2\(3\)\(b\)\(ii\)](#)
- Art. 2(11) words substituted by [S.I. 2018/1025 reg. 4\(3\)\(g\)](#)
- Art. 2(11) words substituted in earlier amending provision [S.I. 2018/1025, reg. 4\(3\)\(g\)](#) by [S.I. 2020/1315 reg. 2\(3\)\(b\)\(iii\)](#)
- Art. 2(13) words substituted by [S.I. 2018/1025 reg. 4\(3\)\(h\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(3)(h) substituted immediately before IP completion day by [S.I. 2020/1315, regs. 1\(2\), 2\(3\)\(b\)\(iv\)](#))
- Art. 2(13) words substituted by [S.I. 2018/1025, reg. 4\(3\)\(h\)](#) (as substituted) by [S.I. 2020/1315 reg. 2\(3\)\(b\)\(iv\)](#)
- Art. 2(15)(16) inserted by [S.I. 2018/1025 reg. 4\(3\)\(i\)](#)
- Art. 2(15) words substituted in earlier amending provision [S.I. 2018/1025, reg. 4\(3\)\(i\)](#) by [S.I. 2020/1315 reg. 2\(3\)\(b\)\(v\)](#)
- Art. 8(1)(a) words substituted by [S.I. 2018/1025 reg. 4\(7\)\(a\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(7)(a) substituted immediately before IP completion day by [S.I. 2020/1315, regs. 1\(2\), 2\(3\)\(e\)\(i\)](#))
- Art. 8(1)(c) words substituted by [S.I. 2018/1025 reg. 4\(7\)\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(7)(a) substituted immediately before IP completion day by [S.I. 2020/1315, regs. 1\(2\), 2\(3\)\(e\)\(i\)](#))