

FLEGT Regulation Report

Fields marked with * need to be filled in before the form can be submitted to the next level.

Competent Authority

* 1 Competent Authority/Authorities (CA) for FLEGT?

Please specify, if different to reporting authority

Tax and Customs Board, Ministry of Environment

* 2 Is the customs authority the CA, or one of the CAs for FLEGT?

- ☐ Customs authority is the CA
☒ Customs authority is one of the CAs
☐ Customs authority is not the CA or one of the CAs

* 3 Which national legislation designates the CA?

Please also provide a hyperlink to the document (if available) or upload a PDF

No national provision, Ministry of Environment designated based on article 7 of regulation 2173/2005. Some responsibilities of CA delegated to Tax and Customs Board according to article 12 of regulation 1024/2008.

4 Please upload your file

The maximum file size is 1 MB

Only files of the type pdf are allowed

Interaction of Competent Authority and customs

* 5 Is there an agreement with customs, so that the CA can delegate certain tasks to customs?

- ☒ Yes
☐ No

* 6 Please select the option which best describes this arrangement:

- ☐ Based on legislation
☒ Memorandum of Understanding
☐ Informal arrangement

☐ Other arrangement

*9 Please specify the arrangements for the exchange of customs data between the CA(s) and customs. Please select all that apply:

- ☐ CA has free access to customs data
- ☒ CA must request customs data and does so
- ☐ Customs submits customs data to the CA

*10 Please select frequency for CA customs data requests:

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ Twice a year
- ☐ Annually
- ☐ As needed, in addition to regular requests
- ☒ As needed, exclusively
- ☐ Other (please specify)

*14 Please specify the arrangements for the exchange of other information (other than customs data) between the CA(s) and the customs department. Please select all that apply:

- ☐ The CA and customs have access to a shared national electronic system
- ☐ The CA informs customs once a FLEGT licence has been validated
- ☒ The CA requests customs to verify specific shipments against FLEGT licences
- ☒ Customs informs the CA of checks they perform
- ☐ Regular meetings between the CA and customs (please specify the frequency)
- ☐ Other (please specify)

*17 Does your national legislation specify the actions that customs should take when shipments from countries and of products covered by the FLEGT licensing scheme arrive at the border?

- ☐ Yes
- ☒ No

20 Does your Member State permit the retrospective submissions of customs declarations for FLEGT licenced shipments by selected importers?

- ☒ Yes
- ☐ No

FLEGT Licences and shipments

*21 Does the CA use FLEGIT for the processing of FLEGT licences or a national electronic system?

- ☒ FLEGIT
- ☐ National system

*22 Do both the CA and customs use FLEGIT?

'Partly used' could be e.g.: where customs uses FLEGIT and the CA uses a national system, where only some of the customs authorities use FLEGIT, or where only some of the CAs use FLEGIT (where there is more than one CA)

- ☐ Only the CA
- ☒ Only customs
- ☐ CA and customs
- ☐ Partly used (please specify)

*24 How are FLEGT licences submitted in your country? Please select all that apply.

- ☒ Paper licences
- ☒ Via FLEGIT
- ☐ Via national electronic system
- ☐ Via email
- ☒ Other electronic system (please specify)

* 25 Please specify other electronic system:

Customs declaration system - FLEGT licence uploaded to box 44 of import declaration. Original licence stored by importer and requested by CAs if needed (due to COVID-19)

* 26 Have any FLEGT licences or FLEGT-licensed shipments been received by your country in the reporting period?

- ☒ Yes
☐ No

27 Please provide details of the FLEGT licences received, their status (validated, pending, rejected) and quantities of timber actually imported under the FLEGT licensing scheme in the reporting year, by using the Excel template provided below and upload the completed file. Further **detailed guidance on how to compile and format this data is provided within the Excel template provided. Please also refer to the 'Preliminary checks' tab** for some guidance for the verification of your data before uploading the completed file.

Please note that this information can be extracted from FLEGIT as an Excel file, in the same format as the template provided below. The reporting authority can then complete and verify the dataset as required, by editing the generated Excel sheet.

The maximum file size is 1 MB

Only files of the type xls,xlsx are allowed

cf77df34-6fe8-4bfa-9e19-599c25c81c28/FLEGT_report_Estonia_2019.xlsx
f640a1df-48ee-4e94-8622-9271282dbabb/FLEGT_report_Estonia_2020.xlsx

28 Download template:

[FLEGT licences and actual imports data template v2.xlsx](#)

Provision for penalties

* 29 Are there provisions for administrative fines?

- ☒ Yes
☐ No

Provisions for administrative fines

* 30 Minimum level of penalty:

No mandatory minimum, penalty decided case by case

* 31 Maximum level of penalty:

For natural person: fine of up to 1200 euros or detention.
For legal person: fine of up to 3200 euros

* 32 Legal basis

Customs Act, article 70. URL: <https://www.riigiteataja.ee/en/eli/ee/504062018001/consolide/current>

33 Comments:

An attempted misdemeanour is punishable.

* 34 Are there provisions for criminal fines?

- ☒ Yes
☐ No

Provisions for criminal fines

* 35 Minimum level of penalty:

No mandatory minimum, penalty decided case by case

* 36 Maximum level of penalty:

A pecuniary punishment or up to four years' imprisonment
If committed by an official taking advantage of his or her official position or by a group - one to five years' imprisonment.
If committed by a legal person - a pecuniary punishment.

* 37 Legal basis

Penal code § 391 # URL: <https://www.riigiteataja.ee/en/eli/ee/504022019008/consolide/current>

38 Comments:

A court may apply confiscation of a substance or object which was the direct object of the commission of an offence. The court may impose extended confiscation of assets or property acquired by the criminal offence

* 39 Are there provisions for imprisonment?

- ☒ Yes
☐ No

Provisions for imprisonment

*40 Minimum level of penalty:

No mandatory minimum, penalty decided case by case

*41 Maximum level of penalty:

Up to five years' imprisonment

*42 Legal basis

Penal Code § 391 RL: <https://www.riigiteataja.ee/en/eli/ee/504022019008/consolide/current>

43 Comments:

No comments

*44 Are there provisions for suspension of the authority to trade?

- ☐ Yes
☒ No

*49 Are there provisions for notices of remedial action or warning letters?

- ☐ Yes
☒ No

*54 Are there provisions for other types of penalties?

- ☐ Yes
☒ No

*56 Do penalties include seizure or confiscation of timber shipments?

- ☒ Yes
☐ No

*57 Is disposal of the confiscated timber foreseen in the national legislation?

- ☒ Yes
☐ No

*58 Which institution is responsible for disposal of confiscated timber?

- ☒ Customs

- ☐ CA
- ☐ Court
- ☐ Police
- ☐ Other

Penalties applied

*60 How many FLEGT licences were rejected?

0

*61 Has Article 6(1)[1] been applied for any shipments in the reporting period, i.e. were there any penalties or seizures in the reporting period?

[1] 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.

- ☐ Yes
- ☒ No

63 Download template:

[Penalties_applied_template.XLSX](#)

*64 Has Article 6(2)[1] been applied for any shipments in the reporting period?

[1] Article 6.2: Member States shall notify the Commission of any information suggesting that the provisions of this Regulation are being, or have been, circumvented.

- ☐ Yes
- ☒ No

Provisions for additional verification of FLEGT licences and shipments

*66 Does your country carry out additional verification checks on FLEGT licences?

‘Additional’ verification of FLEGT licences is understood as the Competent Authority requesting additional information from the licensing authority of the partner country.

- ☒ Yes
- ☐ No

*67 Which agency carries out these additional FLEGT licence verification checks?

- ☒ Customs
- ☐ CA
- ☐ Customs or CA
- ☐ Customs and CA
- ☐ Other

*69 What criteria are used to determine whether additional verification of a FLEGT licence is required? Please select all that apply:

- ☐ Species
- ☐ Operator
- ☐ Volume/weight of shipment
- ☒ HS codes
- ☐ Country of origin
- ☒ Mismatch of information on FLEGT licence and other shipment documents
- ☐ Mismatch with information in SILK database

- ☐ Licence is missing a stamp and/or signature
- ☐ Licence is no longer valid
- ☒ Other issues with FLEGT licence (please specify)
- ☐ Other (please specify)

* 70 Please specify other issues with FLEGT licence:

Data from paper based licences are entered into FLEGIT with typos

* 72 Does your country carry out additional verification checks on FLEGT-licensed shipments?

- ☒ Yes
- ☐ No

* 73 Which agency carries out these additional shipment verification checks?

- ☒ Customs
- ☐ CA
- ☐ Customs or CA
- ☐ Customs and CA
- ☐ Other (please specify)

* 75 What criteria are used to determine whether additional verification of a FLEGT shipment is required? Please select all that apply:

- ☒ Species
- ☐ Operator
- ☐ Volume/weight of shipment
- ☒ HS codes
- ☐ Country of origin
- ☒ Mismatch of information on FLEGT licence and other shipment documents
- ☐ Other issues with FLEGT licence (please specify)
- ☒ Random spot-checks
- ☐ Other (please specify)

* 78 How does the CA obtain information to verify that a shipment declared for release for free circulation matches the information provided in the FLEGT licence (e.g. HS codes, volume etc.)? Please select all that apply.

- ☒ Customs checks shipment documentation (where customs is also the CA)
- ☐ The CA requests shipment documents directly from customs for every shipment
- ☐ The CA requests shipment documents from importer for every FLEGT licence he/she submits
- ☐ The CA uses FLEGIT to check customs documents
- ☐ The CA can request customs to perform physical checks on the shipment
- ☒ Customs informs the CA if there are any mismatches between the FLEGT licence and customs data, on a case-by-case basis
- ☐ Other (please specify)

Verifications of FLEGT licences and shipments carried out

* 80 Did you carry out any additional verification checks of FLEGT licences or shipments (including exchange of information with e.g. Indonesia's Licence Information Units (LIU), physical inspections etc.) in the reporting period?

- ☐ Yes
☒ No

87 Download template:

[FLEGT_additional_verification_checks.xlsx](#)

Fees for the processing of the FLEGT licences

*88 Do importers need to pay fees for the processing of the FLEGT licences?

- ☐ Yes
☒ No

Other Implementing measures

92 Please provide feedback on your collaboration with other CAs and the European Commission.

Very good

93 Please provide any other information, implementing measures or open issues that you consider that may be of interest to other Member States and/or the Commission.

Users can attach files and URLs to this question.

94 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

95 Please indicate if there are specific issues that proved, or are proving, difficult when developing and/or applying national legislation to implement the FLEGT Regulation.

Users can attach files and URLs to this question.

96 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

97 Any other relevant information?

Users can attach files and URLs to this question.

Species list on FLEGIT could be linked to CITES annexes - every time when FLEGT licence is verified or cleared FLEGTIT will show a warning that CITES licence may be needed.
Administrators need to see full name of users who verified, cleared or modified licences.
FLEGIT could warn users before clearing licence that +-10% rule is violated

98 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

Contact

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