

Operator 1: Public Land (Reserve Forest) Operators

Operator 1: Public Land (Reserve Forest) Operators (5 Principles, 10 Criteria, 15 Indicators, 24 Verifiers)

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
P1 Operator Legality (inc. Land)	C1.1: Operator's right to access land	I1.1.1: A person sourcing timber from Reserve Forest holds an appropriate RFD permit.	V1.1.1.1: An RFD Permit of Permission for Utilization of Reserve Forest or Use of Reserve Forest for Livelihood Purposes (Sor Tor Kor), or a Letter of Permission from either the RFD Director General or the Council of Ministers.	National Reserved Forest Act, 1964 Section 16, 16bis, 16 tres, 20		Note: Reference to 'appropriate' removed as per stakeholder request from Indicators wherever possible. General comment on land access: Stakeholder concerns regarding the difficulty of obtaining and renewing rights to land to be followed up in Gap / Issues papers (Refer papers P1.1A-1 and P1.1A-2, P1.1B and P1.1C).
P2 Sourcing and transportation of Timber	C2.2 Traceability (plantation)	I2.2.1: An operator has complied with Plantation Act procedures for harvesting timber on plantations.	V2.2.1.1: Registered seal of the operator (Commercial Forest Entrepreneur) stamped on timber. V2.2.1.1: Acknowledged Certificate from the Registrar of Plantations.	Plantation Act, 1992 Section 11		RFD suggest also referring to Section 9 and Section 13 of the Plantation Act. RFD propose changing V2.2.1.1 to refer to the 'Signature of the Licensed Entrepreneur recorded in the Plantation Timber Register.' RFD also propose adding the Plantation Timber Register as an additional Verifier

Operator 1: Public Land (Reserve Forest) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
	C2.3 Traceability (non-plantation)	I2.3.1: An operator has complied with RFD procedures for the harvesting of trees.	V2.3.1.1: RFD seal on tree.	Forest Act, 1941 Section 12		Propose changing V2.3.1.1 to 'Record of the Seal No. of the RFD Officer on reverse side of Harvesting Permit'.
		I2.3.2: An operator has complied with RFD procedures for the removal of logs from the place of harvest.	V2.3.2.1: Matching RFD stamps on stump and logs. V2.3.2.2: RFD Harvesting Permit	Rule of RFD on stamping of the seal to grant the right to drag the timber, 1961 Clause 5,9,11		Propose changing V2.3.2.1 to 'Record of the Seal No. of the RFD Officer on reverse side of Harvesting Permit'.
P3 Operator's Forest Management, Environment and Har-	C3.1: Right to Harvest (plantation)	I3.1.1: A person harvesting timber on a registered plantation holds a n-appropriate Registrar's Acknowledged Certificate.	V3.1.1.1: Registrar's Acknowledged Certificate.	Plantation Forest Act, 1992 Section 11,12		See Gap / Issues paper P3.1A for consideration of options for repeal of Plantation Act annex to allow for registration of all species.

Operator 1: Public Land (Reserve Forest) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
vesting Obligations and Practices	C3.2 Right to Harvest Unrestricted Species (noting that all species on public land are controlled) (Non-plantation)	I3.2.1: A person harvesting an unrestricted species holds an RFD permit.	V3.2.1.1: An RFD Harvesting Permit.	National reserved forest Act, 1964 Section 15		
	C3.3: Right to Harvest Restricted Species (noting that all species on public land are restricted/controlled) (Non-plantation)	I3.3.1: A person harvesting a restricted species holds an appropriate-RFD permit or Ministerial Authorisation.	V3.3.1.1: For Category A species, an RFD Harvesting Permit. V3.3.1.2: For Category B species, a Ministerial Authorisation.	Forest Act, 1941 Section 6,7 National reserved forest Act, 1964 Section 14,15		
	C3.4 Chainsaw regulation	I3.4.1: A person possessing a chainsaw with a bar length of 12 inches or over has complied with RFD chainsaw licensing requirements.	V3.4.1.1: RFD Chainsaw License.	Chainsaw Act, 1911 Section 4, Ministerial regulation on characteristic of chain saw and		See Gap /Issues paper C3.4A in response to Stakeholder view that (1) Chainsaw regulation should apply to machines with bar length 15 inches or over, (2) restrictions on (geographic) areas of use should be removed.

Operator 1: Public Land (Reserve Forest) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
				chain saw composition, 2012 Clause 2,3 Ministerial Regulation to Determine Criteria, Method and Conditions for Asking Permission and Issuing the Permit for Possession, Manufacturing or Importing of Chainsaws and Modifying Chainsaws including Qualifications and Prohibitions of Licensee, 2008 Clause 11,12		
	C3.5 Ecosystem Management (inc. soil, watershed area etc.)	I3.5.2: A plantation of up to 100 Rai established on Reserve Forest land after 2005 has been planted on	V3.5.1.1: Ministerial Announcement V3.5.1.2: Map.	Reserve forest Act, 1964 Section 20		(1) Civil society request that RFD prioritise applications from community members for use of degraded areas of Reserve Forest,

Operator 1: Public Land (Reserve Forest) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
		land determined by the RFD to be Degraded Land in accordance with the requirements of the Rule of RFD.		Rule of RFD on permission for plantation in Reserve Forest, 2005 Clause 4,6,8, 9		over applications from large operators (See Gap / Issues paper P1.1A-1). (2) Request from Stakeholders (both Government and Civil Society) to change V3.5.1.2 from map to 'RFD Permit'.
		I3.5.2: As well as the requirements specified under I3.5.1 above, the application for a plantation of 101 Rai or more established on Reserve Forest land after 2005 will have included additional requirements outlined in the Rule of RFD.	V3.5.2.1: Project documents including details of start time, objective, goal and costs.	As above		

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PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
P4 Operator's workplace and Social Obligations (including Worker's Rights, Health, Safety & Welfare)	C4.1 Worker's rights	I4.1.1: (For FIO plantations only) An agreement between employer and employees on employment conditions will be in force in accordance with the State Enterprise Labour Relations Act, and observe minimum conditions.	V4.1.1.1: Agreement V4.1.1.2: Minimum conditions are displayed in the workplace in a prominent place.	Announcement of State Enterprise Labour Relations on Commission's minimum standards of employment conditions in state enterprises. Article 53, 55, 58		
		I4.1.2: (For non-FIO enterprises) An operator employing 10 or more employees will comply with the requirements of the Labour Protection Act.	V4.1.2.1: Register of Employee Particulars V4.1.2.2: Contracts that observe Labour Protection Act Minimum Standards V4.1.2.3: Minimum conditions are displayed in the workplace in a prominent place.	Ministerial Regulation on Labour Protection in Agriculture work B.E. 2014 Clause 4 Labour Protection Act, 1998 Section 112,113,114,115		

Operator 1: Public Land (Reserve Forest) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
		I4.1.3: (For non-FIO enterprises) A complaint against an operator (concerning an employee's claim to a sum of money) recorded by the Ministry of Labour will have been processed in accordance with the procedures outlined in the Labour Protection Act.	V4.1.3.1: Order issued by Inspector of Labour.	Ministerial Regulation on Labour Protection in Agriculture work B.E. 2014 Clause 4 Labour Protection Act, 1998 123,124		
		I4.1.4: A case lodged with the Labour Court concerning workplace conditions will have been processed in accordance with procedures outlined in the Labour Courts Act.	V4.1.4.1: Labour Court Decision.	The establishment of Labour Court and procedure Act, 1979 Section 8, 53		Consultants requested to talk to Ministry of Labour to identify other possible Labour Act Verifiers.

Operator 1: Public Land (Reserve Forest) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
	C4.2 Child labour	C4.2.1: The operator employs no children under the age of 15 years.	Refer V4.1.1.1 above.	Labour Protection Act, 1998 Section 44, 112		
		I4.2.2: An operator has complied with Chapter 4 of the Labour Protection Act concerning the employment of children under the age of 18.	V4.2.2.1: Record of Terms of Employment	Labour Protection Act, 1998 Section 45		
P5 Operator's Tax, Fee & Other Payment Obligations	C5.2 Operator's obligations: Forest sector royalties and other payments. (non-plantation)	I5.2.1 An operator has paid harvest royalties on harvested trees in accordance with RFD procedures (either at the specified rate per volume of timber prior to harvest, or at double the specified rate per	V5.2.1.1: RFD receipt RFD royalty collection records. V5.2.1.2: RFD royalty collection records.	Forest Act, 1941 Section 14,15 Rule of Royal Forest Department laying down for checking, sealing, collection the royalty of timber, firewood or charcoal, 1967 Clause 14		

Operator 1: Public Land (Reserve Forest) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps) & Stakeholder Feedback
		volume of transformed timber post-transformation).				
		15.2.2 The operator has paid harvest permit fees in accordance with the fee rates outlined in the Forest Act.	V5.2.2.1: RFD receipt V5.2.2.2: RFD harvest fee collection records.	Forest Act, 1941 Section 75		

Operator 2: Public Land (Other than Reserve Forest and ~~Protection Forest~~National Park) Operators

Operator 2: Public Land (Other than Reserve Forest and National Park) Operators (5 Principles, 9 Criteria, 14 Indicators, 21 Verifiers)

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P1 Operator Legality (inc. Land)	C1.1: Operator's right to access land	I1.1.1: A person sourcing timber from public land (that is neither Reserve Forest or Protected Forest) holds permit documentation from government agency ies as appropriate.	V1.1.1.1: Certificate of Permission for Possession of Land for Activity within Forest Area (under Section 54 of the Forest Act) and/or Certificate of Permission from other government agency	Forest Act, 1941 Section 11 bis Land for the Livelihood Act, 1968 Section 23 Agricultural Land Reform Act, 1975 Section 30 Ministerial Regulations on the criteria and processing for governing, maintaining, using, and providing the benefit of state land B.E. 2545 Section 23		General comment on land access: Stakeholder concerns regarding the difficulty of obtaining and renewing rights to land to be followed up in Gap / Issues papers (Refer papers P1.1A-1 and P1.1A-2, P1.1B and P1.1C).

Operator 2: Public Land (Other than Reserve Forest and ~~Protection Forest~~National Park) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P2 Sourcing and transportation of Timber	C2.2: Traceability (plantation)	I2.2.1: An operator has complied with Plantation Act procedures for harvesting timber on plantations.	V2.2.1.1: Registered seal of the operator (Commercial Forest Entrepreneur) stamped on timber. V2.2.1.2: Acknowledged Certificate from the Registrar of Plantations.	Plantation Act, 1992 Section 11		RFD suggest also referring to Section 9 and Section 13 of the Plantation Act. RFD propose changing V2.2.1.1 to refer to the 'Signature of the Licensed Entrepreneur recorded in the Plantation Timber Register.' RFD also propose adding the Plantation Timber Register as an additional Verifier
		I2.3.1: An operator has complied with RFD procedures for the harvesting of trees.	V2.3.1.1: RFD seal on tree.	Forest Act, 1941 Section 12		Propose changing V2.3.1.1 to 'Record of the Seal No. of the RFD Officer on reverse side of Harvesting Permit'.
	I2.3.2: An operator has complied with RFD procedures for the removal of logs from the place of harvest.	V2.3.2.1: Matching RFD stamps on stump and logs V2.3.2.2: RFD Harvesting Certificate.	Rule of RFD on stamp the seal for granting to drug of timber, 1961 Clause 5, 9, 11		Propose changing V2.3.2.1 to 'Record of the Seal No. of the RFD Officer on reverse side of Harvesting Permit'.	

Operator 2: Public Land (Other than Reserve Forest and ~~Protection Forest~~National Park) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P3 Operator's Forest Management, Environment and Harvesting Obligations and Practices	C3.1: Right to Harvest (plantation)	I3.1.1: A person harvesting timber on a registered plantation holds an appropriate RFD Acknowledged Certificate.	V3.1.1.1 RFD Acknowledged Certificate.	Plantation Forest Act, 1992 Section 11 , 12		See Gap / Issues paper P3.1A for consideration of options for repeal of Plantation Act annex to allow for registration of all species.
	<u>C3.2 Right to Harvest Unrestricted Species (noting that all species on public land are controlled) (Non-plantation)</u>	I3.2.1: A person harvesting an unrestricted species holds an Provincial RFD Permission to Harvest Letter	V3.2.1.1: Provincial RFD Permission to Harvest Letter.	<u>Circular Notice of RFD, No. Gor Sor 0704.3/540 issuing on 23 January 2003</u>		
	C3.3: Right to Harvest Restricted Species (noting that all species on public land are controlled <u>restricted</u>) (Non-plantation)	I3.3.1: A person harvesting a restricted species holds an appropriate RFD permit or Ministerial Authorisation.	V3.3.1.1: For Category A species, a RFD Harvesting Permit. V3.3.1.2: For Category B species, a Ministerial Authorisation.	Forest Act, 1941 Section 6, 7, 11		

Operator 2: Public Land (Other than Reserve Forest and ~~Protection Forest~~National Park) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
	C3.4 Chainsaw regulation	I3.4.1: A person possessing a chainsaw with a bar length of 12 inches or over has complied with RFD chainsaw licensing requirements.	V3.4.1.1: RFD Chainsaw License.	Chainsaw Act, 1911 Section 4, Ministerial regulation on characteristic of chain saw and chain saw composition, 2012 Clause 2,3 Ministerial Regulation to Determine Criteria, Method and Conditions for Asking Permission and Issuing the Permit for Possession, Manufacturing or Importing of Chainsaws and Modifying Chainsaws including Qualifications and Prohibitions of Licensee, 2008 Clause 11,12		See Gap /Issues paper C3.4A in response to Stakeholder view that (1) Chainsaw regulation should apply to machines with bar length 15 inches or over, (2) restrictions on (geographic) areas of use should be removed.

Operator 2: Public Land (Other than Reserve Forest and ~~Protection Forest~~National Park) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P4 Operator's workplace and Social Obligations (including Worker's Rights, Health, Safety & Welfare)	C4.1 Worker's rights	I4.1.1: An operator employing 10 or more employees will comply with the requirements of the Labour Protection Act.	V4.1.1.1: Register of Employee Particulars V4.1.1.2: Contracts that observe Labour Protection Act Minimum Standards, V4.1.1.3: Minimum conditions are displayed in the workplace in a prominent place.	Ministerial Regulation on Labour Protection in Agriculture work B.E. 2014 Clause 4 Labour Protection Act, 1998 Section 112,113,114,115		
		I4.1.2: A complaint against an operator (concerning an employee's claim to a sum of money) recorded by the Ministry of Labour will have been processed in accordance with the procedures outlined in the Labour Protection Act.	V4.1.2.1: Order issued by Inspector of Labour.	Ministerial Regulation on Labour Protection in Agriculture work B.E. 2014 Clause 4 Labour Protection Act, 1998 123,124		

Operator 2: Public Land (Other than Reserve Forest and ~~Protection Forest~~National Park) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		I4.1.3: A case lodged with the Labour Court concerning workplace conditions will have been processed in accordance with procedures outlined in the Labour Courts Act.	V4.1.3.1: Labour Court Decision.	The establishment of Labour Court and procedure Act, 1979 Section 8, 53		Consultants requested to talk to Ministry of Labour to identify other possible Labour Act Verifiers.
	C4.2 Child labour	C4.2.1: The operator employs no children under the age of 15 years.	Refer V4.1.1.1 above.	Labour Protection Act, 1998 Section 44, 112		
		I4.2.2: An operator has complied with Chapter 4 of the Labour Protection Act concerning the employment of children under the age of 18.	V4.2.2.1: Record of Terms of Employment	Labour Protection Act, 1998 Section 45		

Operator 2: Public Land (Other than Reserve Forest and ~~Protection Forest~~National Park) Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P5 Operator's Tax, Fee & Other Payment Obligations	C5.2 Operator's obligations: Forest sector royalties and other payments. (non-plantation)	I5.2.1: An operator has paid harvest royalties on harvested trees in accordance with RFD procedures (either at the specified rate per volume of timber prior to harvest, or at double the specified rate per volume of transformed timber post-transformation).	V5.2.1.1: RFD receipt, V5.2.1.2: RFD royalty collection records.	Forest Act,1941 Section 14,15 Rule of Royal Forest Department laying down for checking, sealing, collection the royalty of timber, firewood or charcoal, 1967 Clause 14		
		I5.2.2: The operator has paid harvest permit fees in accordance with the fee rates outlined in the Forest Act.	V5.2.2.1: RFD receipt V5.2.2.2: RFD harvest fee collection records.	Forest Act,1941 Section 75		

Operator 3: Private Land Operators

Operator 3: Private Land Operators (5 Principles, 10 Criteria, 14 Indicators, 21 Verifiers)

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P1 Operator Legality (inc. Land)	C1.1: Operator's right to access land	I1.1.1: A person sourcing timber from private land holds a Title Deed or Possessor's Right, or a lease agreement.	V1.1.1.1: Title Deed (Chanote Teedin) or Possessor's Right (Nor Sor 3, Nor Sor 3 Gor, Nor Sor 3 Kho, Nor Sor 2), or lease agreement.	Land Code Civil and Commercial Code Book 3 Specific Contracts. Title 4 Hire of Property		
P2 Sourcing and transportation of Timber	C2.2 Traceability (plantation)	I2.2.1: An operator has complied with Plantation Act procedures for harvesting timber on plantations.	V2.2.1.1: Registered seal of the operator (Commercial Forest Entrepreneur) stamped on timber. V2.2.1.2: Acknowledged Certificate from the Registrar of Plantations.	Plantation Act, 1992 Section 11		RFD suggest also referring to Section 9 and Section 13 of the Plantation Act. RFD propose changing V2.2.1.1 to refer to the 'Signature of the Licensed Entrepreneur recorded in the Plantation Timber Register.' RFD also propose adding the Plantation Timber Register as an additional Verifier
	C2.3 Traceability (non-plantation)	I2.3.1: An operator has complied with RFD procedures for the harvesting of trees.	V2.3.1.1: RFD seal on tree.	Forest Act, 1941 Section 12		Propose changing V2.3.1.1 to 'Record of the Seal No. of the RFD Officer on reverse side of Harvesting Permit'.

Operator 3: Private Land Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		I2.3.2: An operator who has removed a log from the place of harvest has complied with RFD procedures.	V2.3.2.1: Matching RFD stamps on stump and logs V2.3.2.2: RFD Harvesting Certificate.	Rule of RFD on stamp the seal for granting to drug of timber, 1961 Clause 5, 9, 11		Propose changing V2.3.2.1 to 'Record of the Seal No. of the RFD Officer on reverse side of Harvesting Permit'.
P3 Operator's Forest Management, Environment and Harvesting Obligations and Practices	C3.1: Right to Harvest (plantation)	I3.1.1: A person harvesting timber on a registered plantation holds an appropriate RFD Acknowledged Certificate.	V3.1.1.1 RFD Acknowledged Certificate.	Plantation Forest Act, 1992 Section 11 , 12		See Gap / Issues paper P3.1A for consideration of options for repeal of Plantation Act annex to allow for registration of all species.
	C3.3: Right to Harvest Restricted Species (noting that all species on public land are controlledrestricted) (Non-plantation)	I3.3.1: A person harvesting a restricted species holds an appropriate -RFD permit.	V3.3.1.1: RFD Harvesting Permit for Restricted Species on Private Land. V3.3.1.2: For Category B species, a Ministerial Authorisation.	Forest Act, 1941 Section 6, 7, 11		

Operator 3: Private Land Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
	C3.4 Chainsaw regulation	I3.4.1: A person possessing a chainsaw with a bar length of 12 inches or over has complied with RFD chainsaw licensing requirements.	V3.4.1.1: RFD Chainsaw License.	<p>Chainsaw Act, 1911 Section 4,</p> <p>Ministerial regulation on characteristic of chain saw and chain saw composition, 2012 Clause 2,3</p> <p>Ministerial Regulation to Determine Criteria, Method and Conditions for Asking Permission and Issuing the Permit for Possession, Manufacturing or Importing of Chainsaws and Modifying Chainsaws including Qualifications and Prohibitions of Licensee, 2008 Clause 11,12</p>		See Gap /Issues paper C3.4A in response to Stakeholder view that (1) Chainsaw regulation should apply to machines with bar length 15 inches or over, (2) restrictions on (geographic) areas of use should be removed.

Operator 3: Private Land Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P4 Operator's workplace and Social Obligations (including Worker's Rights, Health, Safety & Welfare)	C4.1 Worker's rights	I4.1.1: An operator employing 10 or more employees will comply with the requirements of the Labour Protection Act.	V4.1.1.1: Register of Employee Particulars V4.1.1.2: Contracts that observe Labour Protection Act Minimum Standards, V4.1.1.3: Minimum conditions are displayed in the workplace in a prominent place.	Ministerial Regulation on Labour Protection in Agriculture work B.E. 2014 Clause 4 Labour Protection Act, 1998 Section 112,113,114,115		
		I4.1.2: A complaint against an operator (concerning an employee's claim to a sum of money) recorded by the Ministry of Labour will have been processed in accordance with the procedures outlined in the Labour Protection Act.	V4.1.2.1: Order issued by Inspector of Labour.	Ministerial Regulation on Labour Protection in Agriculture work B.E. 2014 Clause 4 Labour Protection Act, 1998 123,124		

Operator 3: Private Land Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		I4.1.3: A case lodged with the Labour Court concerning workplace conditions will have been processed in accordance with procedures outlined in the Labour Courts Act.	V4.1.3.1: Labour Court Decision.	The establishment of Labour Court and procedure Act, 1979 Section 8, 53		Consultants requested to talk to Ministry of Labour to identify other possible Labour Act Verifiers.
	C4.2 Child labour	C4.2.1: The operator employs no children under the age of 15 years.	Refer V4.1.1.1 above.	Labour Protection Act, 1998 Section 44, 112	N/A	
		I4.2.2: An operator has complied with Chapter 4 of the Labour Protection Act concerning the employment of children under the age of 18.	V4.2.2.1: Record of Terms of Employment	Labour Protection Act, 1998 Section 45		

Operator 3: Private Land Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P5 Operator's Tax, Fee & Other Payment Obligations	C5.2 Operator's obligations: Forest sector royalties and other payments. (Non-plantation)	15.2.1: An operator has paid harvest royalties for restricted species in accordance with RFD procedures (either at the specified rate per volume of timber prior to harvest, or at double the specified rate per volume of transformed timber post-transformation).	V5.2.1.1 :RFD receipt V5.2.1.1: RFD royalty collection records.	Forest Act, 1941 Section 14,15 Rule of Royal Forest Department laying down for checking, sealing, collection the royalty of timber, firewood or charcoal,1967 Clause 14		THIS ROW TO BE DELETED, BECAUSE FOUND TO BE INAPPLICABLE TO OPERATOR 3.
		15.2.1: An operator has paid harvest permit fees for restricted species in accordance with the fee rates outlined in the Forest Act.	V5.2.1.1: RFD receipt V5.2.1.2: RFD harvest fee collection records.	Forest Act, 1941 Section 75		THIS ROW ALSO TO BE DELETED FOR SAME REASON AS ABOVE

Operator 4: Imported Timber Operators

Operator 4: Imported Timber Operators (2 Principles, 2 Criteria, 2 Indicators, 3 Verifiers)

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P2 Sourcing and transportation of Timber	C2.1: Operator's right to import	I2.1.1: Any person importing timber and timber products (with the exception of imports from exempt countries) holds appropriate source-of-origin documentation	V2.1.1.1: Certificate of Origin (CoO), Export Permit, or Seal (for logs) issued by Country of Origin	<p>Announcement of Ministry of Commerce (under the Export and Import on Goods Act1979) on importing of goods into Kingdom of Thailand (Issue 92) , 1992</p> <p>Clause 3,4</p> <p>Announcement of Ministry of Commerce on importing of timber, transformed timber, products, equipment or others, made with timber into Kingdom of Thailand by the frontier of Tak and Karnchanaburi province</p> <p>Clause 4</p>		<p>Timber imported into Thailand will need to be accompanied by more robust documentation. A start would be the revision of Clause 4 so that no countries are exempt from CO requirements. Ultimately what may be necessary is the legal requirement for a due-diligence process to be undertaken by importers (refer to the Indonesian example), or another equally effective option. For further details see Gaps/Concerns Issue Paper P2.1A.</p>

Commented [U1]: Note: At the 18 December 2015 meeting, stakeholders pointed out that importers also needed to possess an RFD Transport permit prior to removing imported timber from the port, and suggested that this Indicator and Verifier should be included in Module 5 for Imported Timber Operators. The view of the consultants is that while transporting timber, an operator is a Transport Operator, even if that operator is also an Imported Timber Operator. Additionally, the need for an RFD Transport Permit is already included in the Module for Transport Operators. The consultants recommend against repeating the various requirements in the different modules, in order to preserve the logic and simplicity of the modular system.

Operator 4: Imported Timber Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P5 Operator's Tax, Fee & Other Payment Obligations	C5.3 Operator's obligations: Non Forest sector taxes.	I5.3.1: An operator has paid tax on imported timber in accordance with the requirements of the Customs Act and the Customs Tariff Decree.	V5.3.1.1: Tax receipts V5.3.1.2: Customs records.	Customs Act, 1926 Section 10 The Customs Tariff Decree, 1977 Section 4		Feedback from Customs was received on 18 December 2015 indicating that V5.3.1.2 is not implemented. Consultants to discuss with Customs concerning an alternative Verifier.

Commented [U1]: Note: At the 18 December 2015 meeting, stakeholders pointed out that importers also needed to possess an RFD Transport permit prior to removing imported timber from the port, and suggested that this Indicator and Verifier should be included in Module 5 for Imported Timber Operators. The view of the consultants is that while transporting timber, an operator is a Transport Operator, even if that operator is also an Imported Timber Operator. Additionally, the need for an RFD Transport Permit is already included in the Module for Transport Operators. The consultants recommend against repeating the various requirements in the different modules, in order to preserve the logic and simplicity of the modular system.

Operator 5: Processing and Production Operators

Operator 5: Processing and Production Operators (5 Principles, 11 Criteria, 16 Indicators, 21 Verifiers)

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P1 Operator Legality (inc. Land)	C1.2: Operator's obligations in relation to possession, processing, and trade of timber.	I1.2.1: An operator engaged, on a registered plantation, in the transformation of timber sourced from that same plantation, holds a Registrar of Plantations Transformation of Timber permit.	V.1.2.1.1 Registrar of Plantations Transformation of Timber Permit	Plantation Act, 1992 Section 10, 10/1		Stakeholder feedback proposes changing all 'transformation' references to 'processing and/or production activities' or similar. However, the consultants advise against this in the English version for the following reasons: (1) 'Transformation' is already a generic term that encompasses processing, and (2) Use of such language as 'processing and production activities', or 'processing and/or production activities', will substantially increase the complexity of the Indicators.
		I1.2.2: An operator engaged in the transformation of any timber on land that is not part of a registered plantation, or engaged in the transformation, on a registered plantation, of timber sourced from elsewhere (including	V.1.2.2.1 RFD Transformation of Timber Permit	Forest Act, 1941 Section 48,50,51 Announcement of RFD on granting to the licensee who has a permit for transformation of rubber by machine or trading transformed rubber place entitle to issue		

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		from another plantation), holds an appropriate RFD transformation of timber permit		the Letter of Confirmation.		
P2 Sourcing and transportation of Timber	C2.2 Traceability (plantation)	Already addressed in P1, C1.2, I1.2.1	Already addressed in P1, C1.2, I1.2.1	Plantation Act, 1992 Section 10		
	C2.3 Traceability (non-plantation)	I2.3.1: An operator has complied with RFD requirements for the recording of information on timber flow, transformation, distribution and stocking aspects.	V2.3.1.1: Up-to-date timber purchase, transformation, distribution and stock records.	Ministerial Regulation No. 57, 1976 Clause 6,7 Ministerial Regulation No. 27, 1987 Clause 5.		
P3 Operator's Forest Management, Environment and Har-	C3.4 Chainsaw regulation	I3.4.1: A person possessing a chainsaw with a bar length of 12 inches or over has complied with RFD	V3.4.1.1: RFD Chainsaw License.	Chainsaw Act, 1911 Section 4, Ministerial regulation on characteristic of chain saw and		See Gap /Issues paper C3.4A in response to Stakeholder view that (1) Chainsaw regulation should apply to machines with bar length 15 inches or over, (2) restrictions on (geographic) areas of use should be removed.

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
vesting Obligations and Practices		chainsaw licensing requirements.		<p>chain saw composition, 2012 Clause 2,3</p> <p>Ministerial Regulation to Determine Criteria, Method and Conditions for Asking Permission and Issuing the Permit for Possession, Manufacturing or Importing of Chainsaws and Modifying Chainsaws including Qualifications and Prohibitions of Licensee, 2008 Clause 11,12</p>		
	C3.6 Hazardous Substances	I3.6.1: An operator who holds a Department of Industrial Works Hazardous Substance Posses-	<p>V3.6.1.1: Hazardous Substance Use Guide</p> <p>V3.6.1.2: Hazardous Substance Training Register</p>	<p>Hazardous Substance Act, 1992 Section 16</p> <p>Announcement of Ministry of Industry</p>		

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		sion Permit has complied with the requirements of the Department of Industrial Works Hazardous Substance Handbook.	V3.6.1.3: Material Data Sheets V3.7.1.4: Emergency Plan.	on Storage Hazardous Substance, 2008 Announcement of the Department of Industry Works on Storage Hazardous Substance Handbook.		
	C3.7 Effluent and Emission	I3.7.1: A factory licensed with the Ministry of Industry to produce more than 50 tonnes per day of paper, cardboard, or paper fibre used for the production of construction materials, complies with Department of Industry and Works effluent and emissions regulations.	V3.7.1.1: Six-monthly air and water pollution reports to the Department of Industry and Works.	Announcement of Ministry of Industry on preparing report on the type and amount of pollutants emitted from the plant, 2015 Clause 13		Stakeholders request that the Plantation Act be aligned with the Factory Act with respect to zoning of processing facilities. Consultants to consider means of addressing this request.

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		13.7.2: A factory licensed with the Ministry of Industry to produce more than 50 tonnes of pulp per day has complied with Department of Industry and Work → Ministry of Natural Resources and Environment Environmental Impact Assessment (EIA) requirements.	V3.7.2.1: EIA prepared by a Licensed firm.	<p>The Enhancement and Conservation of National Environmental Quality Act, 1992</p> <p>Section 44</p> <p>Announcement of Ministry of Natural Resources and Environment on setting the type and size of the project or activity must prepare a report on the environmental impact assessment regulations and procedures. And guidelines for the preparation of the environmental impact assessment.</p> <p>Clause 4</p> <p>Regulation No. 2 (BE 2527) issued under</p>		

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
				the Enhancement and Conservation of National Environmental Quality Act, 1975 Clause 3,4		
P4 Operator's workplace and Social Obligations (including Worker's Rights, Health, Safety & Welfare)	C4.1 Worker's rights	I4.1.1 An operator who employs ten or more employees will have declared work rules covering the areas specified in the Labour Protection Act	V4.1.1.1: Work rules displayed in conspicuous position at workplace.	Labour Protection Act, 1998 Section 108		Ministry of Labour to be consulted concerning means of verifying this indicator through documentation.
		I4.1.2: An operator employing 10 or more employees will possess a Register of employee particulars and documents on employment condi-	V4.1.2.1: Register of Employee Particulars V4.1.2.2: Contracts that observe Labour Protection Act Minimum Standards	Labour Protection Act, 1998 Section 112,113,114,115		

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		tions as required under the Labour Protection Act.	V4.1.2.1: Register of Employee Particulars.			
		I4.1.3: A complaint against an operator (concerning an employee's claim to a sum of money) recorded by the Ministry of Labour will have been processed in accordance with the procedures outlined in the Labour Protection Act.	V4.1.3.1: Order issued by Inspector of Labour	Labour Protection Act, 1998 123,124		
		I4.1.4: A case lodged with the Labour Court concerning workplace conditions will have been processed in accordance	V4.1.4.1: Labour Court Decision.	The establishment of Labour Court and procedure Act, 1979 Section 8, 53		Consultants requested to talk to Ministry of Labour to identify other possible Labour Act Verifiers.

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		with procedures outlined in the Labour Courts Act.				
	C4.2 Child labour	I4.2.1: The operator employs no children under the age of 15 years.	Refer V4.1.1.1 above.	Labour Protection Act, 1998 Section 44, 112	N/A	
		I4.2.2: An operator has complied with Chapter 4 of the Labour Protection Act concerning the employment of children under the age of 18.	V4.2.2.1: Record of Terms of Employment	Labour Protection Act, 1998 Section 45		
	C4.3 Alien workers	I4.3.1: An operator has complied with the requirements of the Alien Working Act.	V4.3.1.1: Work permit V4.3.1.2: (For operators employing 10 or more employees) Register of employee	Alien Working Act, 2008 Section 7,9,11		

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
			particulars and documents on employment conditions.			
	C4.4 Workplace health and safety	I4.2.1: An operator will have provided the Ministry of Labour with a Document or Report substantiating compliance with Occupational Safety, Health, and Environment (OSHE) Act.	V4.2.1.1: OSHE Document or Report signed by Licensed Person.	Occupational Safety, Health and Environment Act, 2011 Section 13		
		I4.2.2 An operator will have appointed safety personnel, who shall be registered with the Department of Labor Protection and Welfare.	V4.2.2.1: Department of Labour Protection and Welfare Safety Department Register.	Occupational Safety, Health and Environment Act, 2011 Section 9		

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		I4.2.3 The operator will have delivered training to employees as required under the OSHE Act.	V4.2.3.1: Training Register.	Occupational Safety, Health and Environment Act, 2011 Section 16		
		I4.2.4: The operator has equipped employees with Personal Protective Equipment (PPE) in accordance with OSHE Act requirements.	v4.2.4.1: PPE on site.	Occupational Safety, Health and Environment Act, 2011 Section 19		Ministry of Labour to be consulted concerning means of verifying this indicator through documentation.
		I4.2.5: The operator has complied with OSHE Act requirements concerning OSHE signage.	V4.2.5.1: OHSE signs.	Occupational Safety, Health and Environment Act, 2011 Section 17		Ministry of Labour to be consulted concerning means of verifying this indicator through documentation.
P5 Operator's Tax, Fee & Other Payment Obligations	C5.2 Operator's obligations: Forest sector royalties and other	I5.2.1: An operator has paid the annual fee for an RFD Transformation of Timber	V5.2.1.1: RFD receipt	Forest Act, 1941 Section 75		

Operator 5: Processing and Production Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
	payments. (non-plantation)	permit (as appropriate to class of permit) in accordance with the fee rates outlined in the Forest Act.	V5.2.1.2: RFD Transformation of Timber permit records.			

Operator 6: Transportation Operators

Operator 6: Transportation Operators (2 Principles, 3 Criteria, 4 Indicators, 7 Verifiers)

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P2 Sourcing and transportation of Timber	C2.2 Traceability (plantation)	I2.2.1 A Licensed Entrepreneur (plantation operator) transporting his or her timber outside of the plantation area from which the timber originates, will ensure that the timber is stamped with the operator's seal and accompanied by an Acknowledged Certificate.	V2.2.1.1: Licensed Entrepreneur's Stamp V2.2.1.2: Acknowledged Certificate.	Plantation Act , 1992 Section 13		RFD propose changing V2.2.1.1 to refer to the 'Signature of the Licensed Entrepreneur recorded in the Plantation Timber Register.' RFD also propose adding the Plantation Timber Register as an additional Verifier
	C2.3 Traceability (non-plantation)	I2.3.1: A person transporting timber holds an appropriate RFD transportation permit	V2.3.1.1: RFD Transportation Certificate or Confirmation Letter for Transportation of Transformed Timber	Forest Act, 1941 Section 38,39,40 Ministerial Regulation No. 26 (BE 2528) issued under the Forest Act 2484 with the introduction of		

Operator 6: Transportation Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
				wood or forest movement. Clause 3		
P4 Operator’s workplace and Social Obligations (including Worker’s Rights, Health, Safety & Welfare)	C4.4 Road safety	I4.4.1: The operator will hold a Transport Operators License issued by the Department of Land Transport.	V4.4.1.1: Transport Operators License.	Land Transportation Act, 1979 Section 23,93,94		
		I4.4.2: All personal employed by the operator as drivers will hold licenses of the appropriate category.	V4.4.2.1: Driver's Licence	Land Traffic Act, 1979		

Operator 7: Export & Trade Operators

Operator 7: Export & Trade Operators (3 Principles, 5 Criteria, 6 Indicators, 21 Verifiers)

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P1 Operator Legality (inc. Land)	C1.2: Operator's obligations in relation to possession, processing, and trade of timber.	I1.2.1: An operator engaged in the trading of transformed timber holds an appropriate RFD Trading Place Permit.	V1.2.1.1: RFD Trading Place Permit	Forest Act, 1941 Section 48,53 bis, 53 tres Ministerial Regulation No. 25, 1976 Clause 8 Ministerial Regulation No. 27, 1987 Clause 6 Plantation Act, 1992 Section 10		RFD propose adding Legal Reference to Plantation Act Section 10/1. There is no need for this, however, as Section 10/1 is addressed in the relevant section under Operator 5 C1.2 on Processing and Production Operator's obligations in relation to possession, processing, and trade in timber.
		I1.2.2: A Licensed Trader has prepared a Confirmation Letter for every shipment of	V1.2.2.1: Copy of Confirmation Letter.	Forest Act, 1941 Section 48,53 bis, 53 tres Ministerial Regulation No. 25, 1976 Clause 8		

Operator 7: Export ~~&~~and Trade Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
		timber and retained a copy of same.		Ministerial Regulation No. 27, 1987 Clause 6 Plantation Act, 1992 Section 10		
	C1.3: Operator's right to export timber	I1.2.1: An operator exporting round logs, sawn timber or charcoal derived from any species except those exempted by Ministerial regulations, holds an RFD export permit.	V1.2.1.1: RFD Export Permit	Announcement of Ministry of Commerce on the timber is permitted to export to outside the Kingdom, 2012 Clause 3,4 Announcement of RFD on the approval for the Forest Industry Organisation (FIO) to export teak from plantations for trading abroad, dated November 13, 2000		

Operator 7: Export ~~and~~ Trade Operators

PRINCIPAL	CRITERIA	Indicator	Verifier	Legal reference	Description of Verification Processes, frequency and responsibilities	Notes (on Verification process / Gaps)
P2 Sourcing and transportation of Timber	C2.2 Traceability (plantation)	I2.2.1: An operator in possession of timber sourced from a commercial plantation possesses evidence of legal acquisition.	V2.2.1.1: Receipt or contract.	Plantation Act, 1992 Section 10, 21		
	C2.3 Traceability (non-plantation)	I2.3.1: An operator has complied with RFD requirements for the recording of information on timber flow, transformation, distribution and stocking aspects.	V2.3.1.1: Up-to-date timber purchase, transformation, distribution and stock records.	Ministerial Regulation No. 57, 1976 Clause 6, 7, 8 Ministerial Regulation No. 27, 1987 Clause 6.		
P5 Operator's Tax, Fee & Other Payment Obligations	C5.3 Operator's obligations: Non Forest sector taxes.	I5.3.1: An operator has paid tax on imported exported timber in accordance with the requirements of the Customs Act and the Customs Tariff Decree.	V5.3.1.1: Tax receipts V5.3.1.2: Customs records.	Customs Act, 1926 Section 10 The Customs Tariff Decree, 1977 Section 4		Feedback from Customs was received on 18 December 2015 indicating that V5.3.1.2 is not implemented. Consultants to discuss with Customs concerning an alternative Verifier.

Operator 7: Export &-and Trade Operators