

29 September 2021

Attention: Emma McCormack
Assistant Director
International Forest Policy
Department of Agriculture, Water & the Environment

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Illegal Logging Laws Review

Dear Emma

Thank you for the opportunity to provide input into the review of the *Illegal Logging Prohibition Regulation 2012* and the wider reforms to the illegal logging laws. Private Forests Tasmania (PFT) staff attended your information webinar on 30 August 2021 and have read the consultation paper.

PFT is an independent statutory authority established under the Tasmanian *Private Forests Act 1994*. We work to facilitate and expand the sustainable growth and development of the private forest resource in Tasmania. Under our recently approved Corporate Plan 2021-24 one of our four goals is to work with policy makers and regulators to improve regulatory efficiency and practical policy settings for private forestry.

Under the current Regulations (Reg.18) processors are required to have a due diligence system in place before processing a raw log. We understand the focus of the reforms regarding due diligence is on importers, and at present does not propose to change the requirements for Australian processors of local Australian raw logs. PFT supports this position particularly in regard not increasing the regulatory burden on local processors of local logs.

While we acknowledge there is some level of illegal logging in our State, most of the wood from this activity ends up in the unregulated domestic firewood market. Increasing the due diligence requirements for our domestic processors of legally sourced wood would not have any impact on this illegal activity. Tasmania's independent regulator, the Forest Practices Authority, works continuously with the various forest managers to address illegal logging and clearing using the compliance and enforcement provisions in the *Forest Practices Act 1985* and other state legislation.

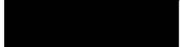
PFT also notes the proposal to add definitions of 'processing', 'raw log' and 'timber' to the Act. No proposed definitions are included in the consultation material, however PFT is concerned that, depending on the definitions chosen, this could potentially lead to significant regulatory overreach. For example, defining 'processing' to include in field stripping of branches of a felled tree would mean harvesting contractors are suddenly captured by the due diligence requirements of the legislation. This would result in the ludicrous situation of these mostly small family run businesses required to perform a risk assessment process on their own legal compliance. Caution should be applied to these definitions so the laws target the areas of highest risk and do not result in overreach.

PFT also support the maintenance or extension of the deemed to comply arrangements. The two frameworks recognised under the Regulation, the Forest Stewardship Council and Programme for the Endorsement of Forest Certification systems have rigorous illegal logging provisions and it would be unnecessary and counterproductive to require processors to duplicate their illegal logging due diligence requirements.

If you have any queries on the points we have raised, please contact myself on 03 6165 4070 or Murray Root, Policy & Data Officer on 03 6165 4072.

I look forward to further collaboration on the illegal logging laws review.

Yours sincerely,

A black rectangular redaction box covering the signature of Penny Wells.

Penny Wells
CEO Private Forests Tasmania