

BIENNIAL REPORT

Completion date: **24.4.2015**

INTRODUCTORY LETTER

Article 20, paragraph 1 of the Regulation (EU) No 995/2010 (EUTR) requires each Member State to submit a biennial report on the application of this Regulation during the previous two years. On the basis of those reports the Commission shall draw up a report to be submitted to the European Parliament and the Council every two years. This report will help the Commission in analysing the progress made in respect of the conclusion and operation of FLEGT VPAs pursuant to Regulation (EC) No 2173/2005 and their contribution to minimising the presence of illegally harvested timber and products derived from such timber on the internal market.

The biennial report will also help the EC in reviewing the functioning and effectiveness of the Regulation. It provides an opportunity for the Member States to share information regarding their overall implementation of the Regulation and can serve as a tool for self-assessment through which the Member States can identify achievements, significant developments or trends, gaps or problems and possible solutions. At the international level, the comparison and synthesis of information in biennial reports can support policy and decision-making.

The format is divided into seven parts:

- A. General Information
- B. National Legislation for Implementation of EUTR
- C. Implementation and Enforcement
- D. Cooperation on Implementation and Enforcement of EUTR
- E. Resources
- F. Technical Assistance and Capacity Development
- G. Communication Methods

Each biennial report should cover the period from March 2013 to February 2015 and shall be submitted in electronic form to the European Commission (ENV-TIMBER-REG@ec.europa.eu) no later than by 30 April 2015.

The report should be prepared in one of the 24 official working languages of the European Union.

Specific instructions

- Parties are encouraged to respond to all questions. Inputs can be made in spaces highlighted in grey.
- Unless otherwise indicated, responses should reflect measures taken during the reporting period.
- This reporting format is intended to be completed by making use of tick boxes and expandable space.
- The format is designed so that a reporting agency can take as much space as required to give a full answer. Use Appendix 2 with appropriate references in case additional space is needed.
- Please contact the European Commission (ENV-TIMBER-REG@ec.europa.eu) if any clarification in the preparation of the report is required.

List of abbreviations

CA	Competent Authority
DD	Due Diligence
DDS	Due Diligence System
EUTR	European Union Timber Regulation
MO	Monitoring Organisation

A. GENERAL INFORMATION

A1 Respondent

Name of the Organisation	Ministry of the Environment
Member State	Poland
Period covered in this report	March 2013-February 2015

A2 Contact information of National Contact Point

Address	52/54 Wawelska Street
City	Warsaw
Zip code	00-922
Phone number	+48 22 36 92 663
Fax number	+48 22 36 92 290
Email address	lukasz.wrobel@mos.gov.pl

A3 Contact information of Competent Authority (if other than Respondent)

Name of the Organisation	Click here to enter text.
Address	Click here to enter text.
City	Click here to enter text.
Zip code	Click here to enter text.
Phone number	Click here to enter text.
Fax number	Click here to enter text.
Email address	Click here to enter text.

A4 Contributing agencies, organizations

	Yes	No
Has the information already been provided in the previous biennial report? (if "no" please provide the information below)	<input type="checkbox"/>	<input type="checkbox"/>
Contributing organization	Click here to enter text.	
Country	Click here to enter text.	

See Appendix 1 for additional fill-in forms for contributing parties.

B. NATIONAL LEGISLATION FOR IMPLEMENTATION OF EUTR

B1 Penalties for infringement of EUTR (ref. EUTR Articles 10 (5), 19):

Penalty	Resulting from:	Organization with the authority to issue the penalty	The penalty is issued based on the law ¹ of	Range of penalties (min and max) provided for infringements of the EUTR ²
Notice of remedial Actions	Prohibition	Click here to enter text.	Click here to enter text.	Click here to enter text.
	DD obligation	Click here to enter text.	Click here to enter text.	Click here to enter text.
	Traceability	Click here to enter text.	Click here to enter text.	Click here to enter text.
Fines to operator	Prohibition	Voivodship Inspectorates for Environmental Protection	Administrative	20 000 – 200 000 PLN
	DD obligation	Voivodship Inspectorates for Environmental Protection	Administrative	500- 200 000 PLN (there are specific fines for regulary evaluation of DDS (art 4 para 3 EUTR) in range 500 – 20 000 PLN)
	Traceability	Voivodship Inspectorates for Environmental Protection	Administrative	500 – 2 000 PLN
Seizure of timber/ product	Prohibition	Click here to enter text.	Click here to enter text.	Click here to enter text.
	DD obligation	Click here to enter text.	Click here to enter text.	Click here to enter text.
	Traceability	Click here to enter text.	Click here to enter text.	Click here to enter text.
Suspension of authorisation to trade	Prohibition	Click here to enter text.	Click here to enter text.	Click here to enter text.
	DD obligation	Click here to enter text.	Click here to enter text.	Click here to enter text.
	Traceability	Click here to enter text.	Click here to enter text.	Click here to enter text.
Other penalty, specify below Click here to enter text.	Prohibition	Click here to enter text.	Click here to enter text.	Click here to enter text.
	DD obligation	Click here to enter text.	Click here to enter text.	Click here to enter text.
	Traceability	Click here to enter text.	Click here to enter text.	Click here to enter text.

¹ e.g., based on criminal law, forest and/or environmental legislation, trade laws, or other relevant piece of legislation

² please, specify the variable as appropriate, e.g., currency: xx euros (or other currency), volume: m³, weight: ton (1000 kg), or time: weeks/ months/ years

B2 Level of penalties in comparable legal offences (ref. EUTR Articles 19 (2)):

Please note that the provision of information for table B2 is not compulsory. Penalties that can be imposed under other legislation for comparable and proportionate infringements:

Comparable legislation ¹	Types of penalties and maximum level of the penalties	Due diligence system required by the comparable legislation		Other relevant information
		Tick if "Yes"	Additional information on the DDS in place	
Example 1, Click here to enter text.	Click here to enter text.	<input type="checkbox"/>	Click here to enter text.	Click here to enter text.
Example 2, Click here to enter text.	Click here to enter text.	<input type="checkbox"/>	Click here to enter text.	Click here to enter text.
Example 3, Click here to enter text.	Click here to enter text.	<input type="checkbox"/>	Click here to enter text.	Click here to enter text.

¹Please specify examples of relevant and comparable legislation (e.g. CITES, FLEGT Regulation, national forest and environmental laws) that stipulates legal sourcing and/or trade.

¹ In force at the time of submitting the report.

C. IMPLEMENTATION AND ENFORCEMENT

C1 Responsibility to Check Operators Placing Timber and Timber Products on the Market (ref EUTR Article 10 (4)):

C1.1 Specify the authority who checks documentation and procedures of operators for:

i) Domestic timber:	Voivodship Inspectorates for Environmental Protection
If other than CA, please provide details on the organisation and relations with CA:	Click here to enter text.
ii) Imported timber and timber products:	Voivodship Inspectorates for Environmental Protection
If other than CA, please provide details on the organisation and relations with CA:	

C1.2 Access to documentation and procedures of operators:

	Yes	No
i) Authority has a free access to operators' DDS	X	<input type="checkbox"/>
If i) "no", please specify (e.g. if checks require operators' consent, warrant etc.):	Click here to enter text.	

C2 Checks on Operators

C2.1 Identification of operators (ref. EUTR Article 10)

The following sources of information are used for identification of operators:

Source	Tick if applicable	Additional information (where appropriate)
Own register	<input type="checkbox"/>	Click here to enter text.
Registers of other authorities	X	The information on importers will be provided for CA by Custom Service in quarterly reports. Additionally the information about domestic operators are available for the CA in the local authorities.
Registers of private sector (e.g. industry associations)	<input type="checkbox"/>	Click here to enter text.
Other	<input type="checkbox"/>	Click here to enter text.

C2.2 Plan for checking operators (ref. EUTR Article 10(2))

C2.2.1 Time schedule for planning checks on operators and the main criteria used (i.e. what is the basis for the planning of checks on operators, how the plan is developed and reviewed etc.):

The checks are planned for a one year. The main criteria used for planning is risk of placing illegal timber. The plan is developed and reviewed by the Chief Inspectorate of Environmental Protection in cooperation with Voivodship Inspectorates for Environmental Protection..

C2.2.2 Risk factors applied to the preparation and review of the check plan:

RISK FACTOR		Tick if applicable	Additional information (where appropriate)
1	Type of products	X	Click here to enter text.
2	Type of business (operator)	X	Click here to enter text.
3	Type of suppliers	X	Click here to enter text.
4	Country of harvest of timber/timber products	<input type="checkbox"/>	Click here to enter text.
5	Species of timber and timber products	<input type="checkbox"/>	Click here to enter text.
6	Information provided by other CAs	<input type="checkbox"/>	Click here to enter text.
7	Concerns provided by third parties	<input type="checkbox"/>	Click here to enter text.
8	Other, Click here to specify.	<input type="checkbox"/>	Click here to enter text.
9	Other, Click here to specify.	<input type="checkbox"/>	Click here to enter text.
10	Other, Click here to specify.	<input type="checkbox"/>	Click here to enter text.
11	Other, Click here to specify.	<input type="checkbox"/>	Click here to enter text.
12	Other, Click here to specify.	<input type="checkbox"/>	Click here to enter text.

C2.2.3 Check plan for March 2013-February 2015 indicating whether the checks focus on desktop review (**Desk**), document review on site (**Doc**), product inspection on site (**Prod**) or combined check including both document review on site and product inspection on site (**Comb**):

	Desk	Doc	Prod	Comb	Other comments
	Number of operators				
TOTAL	0	0	0	0	There wher no legail basis for the develop a check plan.

C2.2.4 Specify if the plan includes check(s) on domestic timber supplies:

Click here to enter text.

C2.3 Checks undertaken on operators

C2.3.1 Number of checks (ref. EUTR Articles 10, 11):

Checks carried out between March 2013-February 2015 indicating

- a. type of checks: desktop review (**Desk**), document review on site (**Doc**), product inspection on site (**Prod**) or combined check including both document review on site and product inspection on site (**Comb**):
- b. whether the checks were included in the planned sampling (plan) or were due to information received from other authorities or third parties:

	Desk	Doc	Prod	Comb	Comments according to b.
	Number of operators				
TOTAL	0	0	0	0	There were no legal basis for the checks

Other relevant information for section C2.3.1 based on the risk observations mentioned in C2.2.2 (e.g. risks related to type of products, type of business, type of suppliers, country of harvest of timber, species of timber, information provided by other CAs or third parties) :

Click here to enter text.

C2.3.2 Results of checks and penalties issued (ref. EUTR Articles 10, 11, and 19)

- i) Number of checks undertaken between March 2013-February 2015 having resulted in notices of remedial actions (RA), remedial actions that led to a penalty (RALP) and/or total penalties (P) and/or other action (OA):

	RA	RALP	P	OA	Specify here "other action"
	Number of operators				
TOTAL	#	#	#	#	Click here to enter text.

- ii) Describe type of penalties and bodies imposing penalties between March 2013-February 2015:

Types of penalties and body imposing the penalty (e.g. fines, seizure, suspension of authorization to trade and other penalties)
Click here to enter text.

Other relevant information for section C2.3.2 based on the risk observations mentioned in C2.2.2 (e.g. risks related to type of products, type of business, type of suppliers, country of harvest of timber, species of timber, information provided by other CAs or third parties):

Click here to enter text.

C3 Checks on Monitoring Organizations (MO)

C3.1 Number of checks per MO carried out between March 2013-February 2015 (ref. EUTR Article 8 (4)):

Name of each MO checked	MO registered in the MS		Number of checks undertaken per MO	Resulting in notifications ¹ to the EC	Other comments, notify here if the checks were according to plan
	Yes	No			
i) Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	No. of checks	No. of checks	Click here to enter text.
ii) Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	No. of checks	No. of checks	Click here to enter text.
iii) Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	No. of checks	No. of checks	Click here to enter text.
iv) Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	No. of checks	No. of checks	Click here to enter text.
v) Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	No. of checks	No. of checks	Click here to enter text.
vi) Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	No. of checks	No. of checks	Click here to enter text.

¹ for withdrawal of recognition.

Main criteria for selecting MOs to be checked and other relevant information for section C3.1:

Click here to enter text.

D. COOPERATION ON IMPLEMENTATION AND ENFORCEMENT OF EUTR

D1 Cooperation with Authorities in EUTR Enforcement

D1.1 List of government agencies your country's CA has cooperated with during 2013-2015 on EUTR implementation and enforcement and description of the main areas of cooperation (*ref. EUTR Article 12*):

Agency	Area ¹ of cooperation
Custom Service	Sharing inforamtions
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

¹ Area of cooperation ie joint enforcement actions, joint investigation, technical support

D1.2 List of CAs and other authorities in other EU countries your country's CA has cooperated with during 2013-2015 (*ref. EUTR Article 12*):

CA or other authority	Area ¹ of cooperation
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

¹ Area of cooperation ie joint enforcement actions, joint investigation, technical support

D1.3 List of agencies in non-EU countries the CA has cooperated with during 2013-2015:

Agency in producing country	Area ¹ of cooperation
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

¹ Area of cooperation ie joint enforcement actions, joint investigation, technical support, sharing of intelligence etc.

D2 Substantiated Stakeholder Concerns Received on Implementation and Enforcement of EUTR

D2.1 Total number of operators about whom concerns were received (CR) from third parties and MOs, number of cases resulted in checks on operators (C) and number of cases resulted in penalties (CP) between March 2013-February 2015 (*ref. EUTR Article 8 (4)*):

Concerns received from:	CR	C	CP	Please specify type of concerns received and/or provide other relevant information e.g. applicable HS codes
	Number of operators			
Third parties	0	0	0	There were no concerns recived.
MOs	0	0	0	
TOTAL	0	0	0	

D2.2 Stakeholder concerns about operations of MOs (ref. EUTR defining recital 21):

Type of concern	Type of stakeholder ¹ and if possible, name	CA Action
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.

¹ Please specify the name and type of stakeholder group e.g., environmental/ social NGO, consumer group, industry, certification organisation

Other relevant information for section D2.2:

Click here to enter text.

E. RESOURCES

E1 Resources Available in CA for Implementation and Enforcement of EUTR

E1.1 Human resources

- i) Human resources available for implementation and enforcement, person months/a: 12 (24-month appointment)

E1.2 Financial resources (if the information is available to the respondent)

- ii) Total annual budget for EUTR implementation, e.g., cooperation, training, reporting, EUR/a: Enter EUR/a here.
- iii) Total annual budget for EUTR enforcement, e.g., checks, remedial actions, issuance of penalties, EUR/a: Enter EUR/a here.

Other relevant information for section E1.2:

[Click here to enter text.](#)

F. TECHNICAL ASSISTANCE AND CAPACITY DEVELOPMENT

F1 Technical Assistance Provided to Operators

F1.1 Assistance and training provided by any Member State government organisations to operators during March 2013-February 2015 (*ref. EUTR Article 13*):

Organisation providing assistance/training	Types of organisations receiving assistance/training	Type of assistance/training provided
Ministry of the Environment	Operators, MO	Prelections and individual assistance.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.

F1.2 If the information is available to the respondent, please provide a general description of training/assistance provided to operators by other parties (*ref. EUTR Article 13*):

Bodies providing assistance/training	Types of organisations receiving assistance/training	Type of assistance/training
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.

F1.3 Please provide an estimate of the number of operators who received assistance/training between 2013-2015:

350

F2 Other Technical Assistance Provided

F2.1 Other assistance and training provided in March 2013-February 2015:

Organisation/body providing the training/assistance	List of organisations/bodies receiving training/assistance	Type of assistance/training
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.

G. COMMUNICATION METHODS

G1 CA communication with stakeholders

G1.1 Methods of CA communication and concerns and complaints received from stakeholders during March 2013-February 2015:

Purpose of communication	Communication methods¹	Target groups
Dissemination of information, awareness raising	Conferences and meetings	MO and operators
Reception of concerns	Emails, phone calls and letters	Operators
Responses to concerns received	Emails, phone calls and in writing	Operators
Reception of complaints and appeals	Click here to enter text.	Click here to enter text.
Responses to complaints and appeals received	Click here to enter text.	Click here to enter text.
Other	Click here to enter text.	Click here to enter text.

¹e.g. website, emails, phone calls, meetings, newsletters, conferences or other.

Appendix 1

Additional contact information forms:

A4 Contributing agencies, organizations or individuals

Contributing organization	Click here to enter text.
Country	Click here to enter text.

Contributing organization	Click here to enter text.
Country	Click here to enter text.

Contributing organization	Click here to enter text.
Country	Click here to enter text.

Contributing organization	Click here to enter text.
Country	Click here to enter text.

Contributing organization	Click here to enter text.
Country	Click here to enter text.

Contributing organization	Click here to enter text.
Country	Click here to enter text.

Appendix 2

Comments and/or other relevant information:

Poland are still in process of the implementation of EUTR. The Amendment of the Forest Act is at the end of the legislation process. The parliament has accepted it and now it is waiting for the President's signature.
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