

**NATIONAL VOLUNTARY FOREST CERTIFICATION SYSTEM
TECHNICAL DOCUMENT**

**REGULATIONS FOR NATIONAL VOLUNTARY
FOREST CERTIFICATION SYSTEM
(Second edition)**



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Foreword

This second edition from the date of publication cancels and replaces the first edition UA SFM TD 01. The second edition has minor technical amendments relating to PEFC Endorsement process of National Voluntary Forest Certification System.

1 General Provisions

1.1 These Regulations specify the purpose, principles, structure and rules of National Voluntary Forest Certification System (hereinafter referred to as NVFCS) formed by the Association National Voluntary Forest Certification System (hereinafter referred to as the Association NVFCS). NVFCS was developed with using the principles, criteria and regulations harmonized with the Programme for the Endorsement of Forest Certification schemes (hereinafter referred to as PEFC).

1.2 NVFCS is a voluntary certification system under the conditions of interaction with applicants, principles and rules.

1.3 NVFCS is intended for arrangement and carrying out of certification ensuring independent and qualified evaluation of conformity of forest management and chain of custody with the established requirements in the system.

1.4 NVFCS is fully independent and open for participation by organisations of various forms of ownership, sole proprietors and persons accepting its rules.

1.5 The requirements of these Regulations are binding on all legal entities and natural persons taking part in the work of NVFCS.

2 Normative References

2.1. These Regulations contain references to the following documents:

Annex 1, PEFC Terms and Definitions.

Annex 6, Certification and Accreditation Procedures.

GL5, Interpretation of the PEFC Council Requirements for Consensus in the Standard Setting Process.

GL 7, PEFC Council Procedures for the Investigation and Resolution of Complaints and Appeals.

PEFC Logo Usage Toolkit.

PEFC ST 1001, Standard Setting – Requirements.

PEFC ST 1002, Group Forest Management – Requirements.

PEFC ST 1003, Sustainable Forest Management – Requirements

PEFC ST 2001, PEFC Trademarks Rules – Requirements.

PEFC ST 2002, Chain of Custody of Forest and Tree Based Products – Requirements.

PEFC ST 2003, Requirements for Certification Bodies operating Certification against the PEFC International Chain of Custody Standard.

PEFC GD 1001, Structure of the PEFC Technical Documentation – General Requirements.

PEFC GD 1002, Acceptance of PEFC Members.

PEFC GD 1003, PEFC Council Technical Documents Development Procedures – Requirements.

PEFC GD 1004, Administration of PEFC Scheme.

PEFC GD 1005, Issuance of PEFC Logo use Licenses by the PEFC Council.

PEFC GD 1006 PEFC Notification of Certification Bodies operating Chain of Custody Certification in Countries without Authorised Bodies.

PEFC GD 1007, Endorsement and Mutual Recognition of Certification Systems and their Revision.

PEFC GD 1008, PEFC Information and Registration System – Data Requirements.

PEFC GD 1009, Nomination and Election Procedures for the PEFC Council Board.

PEFC GD 2001, Chain of Custody of Forest-Based Products – Guidance for Use
PEFC ST 2001, PEFC Trademarks Rules – Requirements.

ISO/IEC Guide 2, Standardization and related activities – General vocabulary.

ISO/IEC Guide 17, Guide for writing standards taking into account the needs of micro, small and medium-sized enterprises.

ISO/IEC Guide 59, Code of good practice for standardization.

ISO/IEC Guide 60, Conformity assessment – Code of good practice.

ISO/IEC Directives, Part 1 Procedures for the technical work.

ISO/IEC Directives, Part 2 Rules for structure and drafting of international standards.

ISO 9000, Quality management systems – Fundamentals and vocabulary.

ISO/IEC 17000, Conformity assessment. Vocabulary and general principles.

UA SFM GD 01, Inventory Conduct Procedure for National Voluntary Forest Certification System.

UA SFM GD 02, Stakeholder Engagement of National Voluntary Forest Certification System.

UA SFM ST 01, Procedure for Development, Approval, Revision of the Forest Management Standard.

UA SFM ST 02, Sustainable forest management. General Provisions.

UA SFM ST 03, Group Forest Management. Requirements.

UA SFM ST 04, Procedure for Managing Complaints and Appeals.

UA SFM ST 05, Requirements for Certification Bodies operating Certification against the Forest Management Standard.

UA SFM ST 06, Procedure for Notification of Certification Bodies in National Voluntary Forest Certification System.

UA SFM ST 07, Procedure for Attestation of the Auditors.

UA SFM TD 02, Regulations for the Temporary Working Group on the Development and Implementation of National Voluntary Forest Certification System.

UA SFM TD 03, Regulations for the Working Group on the Development of Forest Management Standard.

UA SFM TD 04, Regulations for the Center of Preparation and Attestation of Experts-Auditors.

UA SFM TD 05, Regulations for Complain and Appeal Committee.

UA SFM TD 06, List of Stakeholders.

UA SFM TD 07, Regulatory and Procedural Base of National Voluntary Forest Certification System.

UA SFM TD 08, Issuance of PEFC Logo usage licences.

UA SFM TD 09, List of WHO Class 1A and 1B pesticides, which are allowed for using in forest management of Ukraine in exceptional cases.

3 Terms and Definitions

3.1 The terms and definitions as per the Guides ISO/IEC 2, ISO/IEC 17000, ISO 9000 and Annex 1 Terms and Definitions PEFC are applied in these Regulations.

4 Purpose, principles and rules of National Voluntary Forest Certification System

4.1 The main purpose of NVFCS is:

a) to inspect and confirm the compliance of forest management and/or chain of custody with the certification requirements (UA SFM ST 02, UA SFM ST 03 – if applicable and / or PEFC ST 2002);

b) to create conditions for informing the stakeholders on the certificate holders, certification requirements and NVFCS documents;

c) to create conditions for labelling the products meeting the certification requirements with the PEFC trademark;

d) to assist the consumers in conscious choice of the products meeting the requirements of sustainable forest management;

e) to increase the competitiveness of the products in the Ukrainian and international markets;

f) to create conditions for ensuring export of the products and international cooperation, international trade, etc.

4.2. Principles and rules of NVFCS certification are established in accordance with general rules and recommendations for certification in Ukraine, ISO/IEC Directives and PEFC Regulations.

4.3. The key principles stipulated in clauses 4.3.1 – 4.3.8 of these Regulations shall be ensured during certification.

4.3.1. Voluntariness

Certification is carried out on a voluntary basis on the applicant's initiative subject to a written application for certification.

4.3.2. Non-discrimination

Any organisation that has applied for certification and accepts the NVFCS principles, rules and requirements irrespective of the organisation's level, its membership in any association, location, etc., is allowed to be NVFCS-certified. The applicant has the right to choose the certification body at its discretion.

4.3.3. Impartiality or objectiveness

Impartiality or objectiveness is ensured by (UA SFM ST 05):

- a) independence of the certification body and auditors and other specialists involved by it from the applicant or other parties interested in the certification results;
- b) competence of auditors and completeness of the audit team.

4.3.4. Reproducibility of the evaluation results

Reproducibility of the evaluation results is ensured by:

- a) application of unified rules and procedures during certification (UA SFM ST 05);
- b) use of actual data;
- c) documentation of the evaluation results;
- d) strict system of accounting and keeping of documents by the certification body.

4.3.5. Confidentiality

Confidentiality i.e. non-disclosure of the information received in the course of certification by all the members of the audit team and employees of the certification body.

4.3.6. Information value or openness

Information value or openness is ensured by access for all stakeholders to the information on the certification process, as well as the certificate status (e.g. issue, confirmation, suspension, termination of the certificate and extension or narrowing of its scope).

The official source of information on the above issues is an open base of PEFC Council (<https://pefc.org>) and NVFCS (<http://woodcertification.com.ua/>)

4.3.7. Specification of the certification bodies

Specification of the certification bodies is ensured by their work performed only in the spheres covered by the scope of their accreditation depending on whether the certification body has auditors and experts competent in the relevant spheres.

4.3.8. Responsibility

The certification body is responsible for evaluation of credibility and sufficiency of the applicant's evidence, and the applicant is responsible for compliance with certification requirements.

4.4. The purpose of forest management certification is to confirm that the quality of management on a certain forest area transferred in sustained use or owned by the applicant for certification meets the requirements of UA SFM ST 02, UA SFM ST 03 – if applicable, covering various activities, in particular timber harvesting, reforestation, preservation of biodiversity, protection of labour, social policy, interaction with stakeholders, financial stability and other requirements.

4.5. The purpose of chain of custody certification is to confirm that the certificate holder used certified and acceptable raw materials on each stage of production chain from the harvesting area to the consumer (acceptance, drying, storage, transportation, primary processing and recycling, etc.). Requirements to the chain of custody (PEFC ST 2002) include the requirements to determination of the certification scope, management system, DDS, PEFC claim verification system, incoming raw material control, protection of labour, labelling and other requirements.

4.6. The companies having completed the certification are entitled to use the certificate for promotional purposes to increase their competitiveness and capitalization, as well as to show legal origin of timber and implement the principles of sustainable forest management, etc.

4.7. Certification is carried out by PEFC notified certification bodies. The powers of the certification bodies are confirmed by a valid accreditation for compliance with UA SFM ST 05 requirements and listing in PEFC notified certification bodies (UA SFM ST 06).

4.8. Surveillance audit of the certificate holders is conducted by the body which completed their certification.

4.9. The applicant pays for certification based on the contract with the certification body.

4.10. NVFCS maintains the System Inventory (UA SFM GD 01) where certificates, certification bodies, attested auditors and other information are registered.

4.11. NVFCS has the right to interact with international, regional and national certification systems of other countries regarding confirmation of compliance, including acknowledgment of the certificates and trademarks.

5. Structure of National Voluntary Forest Certification System and Functions of Its Members

5.1. The structure of NVFCS includes:

a) the NVFCS governing body – the Association NVFCS;

- b) the working group on the development of forest management standard;
- c) the center of preparation and attestation of experts-auditors;
- d) the complaint and appeal committee;
- e) forest certification bodies;
- f) applicants for certification and certificate holders.

5.2. The NVFCS governing body, the Association NVFCS, performs the following functions:

- a) to develop NVFCS General Policy and Rules;
- b) to form NVFCS and improve it;

Note: The Association NVFCS has the right to create work groups to solve specific tasks. For example, a Temporary working group on the development of NVFCS was formed to develop the system, which acted in accordance with UA SFM TD 02.

- c) to carry out general management of NVFCS;
- d) to collect and generalize the information on the NVFCS activity;
- e) to monitor the NVFCS activity, in particular financial control of the NVFCS activity, control of the PEFC trademark use (PEFC ST 2001);
- f) to develop, approve and update the NVFCS documents;
- g) to notify the certification bodies (UA SFM ST 06);
- h) to maintain the NVFCS Inventory (UA SFM GD 01);
- i) to take part in the work of the Complaint and Appeal Committee (when applicable);
- j) to make decisions presented by the Complaint and Appeal Committee (UA SFM ST 04), the working group on the development of forest management standard (UA SFM ST 01), the center of preparation and attestation of experts-auditors (UA SFM ST 07);
- k) to promote and disseminate information and knowledge in the field of forest certification;
- l) to inform the certification bodies and stakeholders (UA SFM TD 06) of NVFCS documents and information materials in the field of forest certification;
- m) to interact with stakeholders (UA SFM TD 06), in particular with executive authorities, other certification systems, national and international organisations for standardization and certification.

5.3. The working group on the development of forest management standard (UA SFM TD 03) performs the following functions:

- a) to develop and update the forest management standard (UA SFM ST 02) in accordance with UA SFM ST 01;

b) to collect feedback on the forest management standard and its implementation in the country;

c) to review the content of the forest management standard on a regular basis in order to find the need for its renewal;

d) to maintain documents regarding all issues of its activity;

e) to promote and disseminate knowledge about the forest management standard and its requirements;

f) to take part in resolution of complaints and appeals regarding the forest management standard and the process of its development, approval, updating;

g) to take part in development of training programs for preparation of auditors in NVFCS.

5.4. The center of preparation and attestation of experts-auditors (UA SFM TD 04) performs the following functions:

a) to draw up and update the documents required for preparation of auditors and attestation, to submit them for approval to the NVFCS governing body;

b) to prepare auditors of NVFCS;

c) to carry out attestation of the auditors (UA SFM ST 07) regarding compliance with UA SFM ST 05 requirements and to submit the attestation documents for approval to the NVFCS governing body;

d) to take part in development and updating of the NVFCS documents.

5.5. The Complaint and Appeal Committee (UA SFM TD 05) acts in accordance with UA SFM ST 04 requirements and performs the following functions:

a) to investigate the incoming complaints and appeals;

b) to make decisions on the complaints, appeals and to submit them for approval to the NVFCS governing body;

c) to inform the stakeholders of the decisions made regarding the complaints and appeals;

d) to maintain documents regarding all issues of its activity.

5.6. The certification bodies meeting UA SFM ST 05 requirements perform the following functions:

a) to carry out forest management and/or chain of custody certification;

b) to draw up certificates and issue them to the applicants;

c) to conduct surveillance audit of the certificate holders;

d) to control the PEFC trademark use;

e) to confirm/suspend/terminate the certificates, narrow or expand the scope of the certificates;

f) to investigate complaints and appeals of the applicants and certificate holders;

g) to maintain the register of the certificate holders and provide official information to the NVFCS governing body for recording and publication;

h) to arrange advanced training and attestation of the personnel.

5.7. The certificate holders perform the following functions:

a) to ensure compliance with the certification requirements (UA SFM ST 02, UA SFM ST 03 – if applicable, and / or PEFC ST 2002);

b) to create necessary conditions for certification, surveillance audit, recertification, investigation of complaints and appeals, including access to the documents and to all subdivisions of the organisation, data and personnel;

c) to use the certificates only with regard to the area determined in the certificate;

d) to discontinue the use of all promotional materials containing reference to the certificates in case of suspension or termination of the certificate and to return the certificates to the certification body upon its demand;

e) to provide the certification body with reliable evidence confirming compliance with the certification requirements during certification, surveillance audit and recertification (UA SFM ST 02, UA SFM ST 03 – if applicable, and / or PEFC ST 2002);

f) to inform the certification body of the changes in their organisations that have major influence on fulfilment of the certification requirements (UA SFM ST 02, UA SFM ST 03 – if applicable, and / or PEFC ST 2002);

g) to take corrective and preventive measures, corrections according to the results of the basic evaluation, surveillance audit and recertification;

h) to appoint authorized representatives to solve issues relating to certification, surveillance audit and recertification;

i) to pay all expenses relating to certification, surveillance audit, recertification and PEFC trademark use in due time;

j) to use the certificate and certification documents (reports on the evaluation results, license for PEFC trademark use, etc.), in such a manner that it cannot bring discredit to the certification body and mislead the consumers and other stakeholders.

6 Regulatory and Procedural Base of National Voluntary Forest Certification System

6.1. The regulatory base of the NVFCS system consists of: the legislation of Ukraine, national standards and governing documents establishing the requirements to forest management.

6.2. The procedural base of NVFCS includes:

a) international, national, regulatory and governing documents specifying the rules for certification work;

b) set of the NVFCS documents (UA SFM TD 07, Appendix 1).

7 Certificates and the PEFC Trademark

8.1. The NVFCS certificate of the appropriate content (PEFC ST 2003, UA SFM ST 05) is issued by the certification body based on the results of the decision on its issuance.

A forest management certificate and a chain of custody certificate are valid for 5 years.

8.2. The Association NVFCS provides the certificate holders with a license to use the PEFC trademark on a contractual basis.

8 Confidentiality of Information

8.1. Confidentiality protection is ensured in NVFCS in accordance with the legislation of Ukraine and system documents.

Information constituting a trade secret received in the course of work in NVFCS from the applicants on the basis of a contract or on other legal basis is deemed to be received in a lawful manner.

NVFCS provides for the following measures to protect the confidentiality of information constituting a trade secret:

- a) determination of the list of information constituting a trade secret;
- b) restriction of access to information constituting a trade secret;
- c) recording of persons who gained access to information constituting a trade secret and/or persons to whom such information was provided or transferred;
- d) regulation of relations on the use of information constituting a trade secret by employees on the basis of employment contracts, nondisclosure agreements and job descriptions;
- e) putting a classification mark on physical media containing information constituting a trade secret, or its inclusion in the details of the documents containing such information.

The NVFCS members are responsible for compliance by their employees, as well as the experts involved, with the established regime of trade secret in the course of work in their scope of activity.

Requirements for maintaining the confidentiality of information, as well as responsibility for violation of these requirements, are set out in the documents of the NVFCS members and in accordance with the laws of Ukraine.

8.2. The information received by the certification body during the certification process is confidential, except for that which the applicant or the certificate holder himself makes publicly available.

Confidential information, in particular, includes information:

a) on technologies and manufacturing process management, perspective product development, “know-how”, commercial and any other data that may be of interest to competitors of the applicant for certification or the certificate holder;

b) on the organisation faults, inconsistencies, material, organisational and technical difficulties, as well as any other information that may undermine the reputation and image of the organisation, cause moral and/or material damage;

c) on economic relations between the certification participants;

d) any other information the right holder considers confidential.

For the purpose of confidentiality, no transfer of certification information, including organisation documents, reports, working materials to third parties is allowed without the consent of the applicant for certification or the certificate holder.

The certification body shall notify the certificate holder in advance of provision of information constituting a trade secret to other bodies (e.g. To the accreditation body for accreditation purposes).

Persons who have obtained information constituting a trade secret illegally are obliged to pay the caused damages. The same obligation is imposed on the auditors and staff of the certification body who disclosed trade secrets in violation of the contract, nondisclosure agreement and job descriptions.

9 Complaints and Appeals

9.1 If disputes and conflict situations arise between the NVFCS members, the stakeholder(s) may file a complaint or appeal to the Complaint and Appeal Committee (UA SFM TD 05).

9.2. The complaints and appeals received are investigated in accordance with the requirements of UA SFM ST 04.

9.3. Decisions of the Complaint and Appeal Committee may be appealed in the court in the prescribed manner.

10 Financing of Work in National Voluntary Forest Certification System

10.1. Work in notification of certification bodies, preparation of auditors and their attestation, issuance of licenses for the PEFC trademark use and other activities in NVFCS are carried out on a contractual basis.

Payment for work is effected regardless of the obtained results and is non-refundable.

The funds received from the above work are spent on the maintenance of the NVFCS staff, development and improvement of NVFCS, development of NVFCS

documents and Inventory conduct, automation of work with databases and development of facilities and resources, as well as other purposes for efficient operation of NVFCS.

10.2. All certification work in NVFCS is performed on a contractual basis between the applicant for certification/certificate holder and the certification body, taking into account the requirements set out in UA SFM ST 05 and/or PEFC ST 2003.

In order to ensure the impartiality of the audit results and decision-making, the applicant for certification/certificate holder is obliged to make 100% prepayment of the work of the certification body.

11 Working Language of the System

11.1. The Ukrainian language is the official language of NVFCS. All its documents used, registered and issued within the framework of NVFCS, as well as correspondence, are drawn up in Ukrainian (applications, reports, minutes, certificates, etc.). At the request of the applicant for certification/certificate holder, certificates and other documents may be issued by the certification body in English. At the request of the applicant for certification/certificate holder, certificates and other documents may be issued by the certification body in English.

Appendix 1

Documentation structure of the National Voluntary Forest Certification System

Category of documents	Title of the Document	Name of the Document
Guidance NVFCS	UA SFM GD 01	Inventory Conduct Procedure for National Voluntary Forest Certification System
	UA SFM GD 02	Stakeholder Engagement of National Voluntary Forest Certification System
Standards NVFCS	UA SFM ST 01	Procedure for Development, Approval, Revision of the Forest Management Standard
	UA SFM ST 02	Sustainable Forest Management. General Provisions
	UA SFM ST 03	Group Forest Management. Requirements
	UA SFM ST 04	Procedure for Managing Complaints and Appeals
	UA SFM ST 05	Requirements for Certification Bodies operating Certification against the Forest Management Standard
	UA SFM ST 06	Procedure for Notification of Certification Bodies in National Voluntary Forest Certification System
	UA SFM ST 07	Procedure for Attestation of the Auditors
Adopted PEFC Standards	PEFC ST 2001	PEFC Trademarks Rules – Requirements
	PEFC ST 2002	Chain of custody of forest and tree based products – Requirements
	PEFC ST 2003	Requirements for Certification Bodies operating Certification against the PEFC International Chain of Custody Standard
Technical Documentation NVFCS	UA SFM TD 01	Regulations for National Voluntary Forest Certification System
	UA SFM TD 02	Regulations for the Temporary Working Group on the Development and Implementation of National Voluntary Forest Certification System
	UA SFM TD 03	Regulations for the Working Group on the Development of Forest Management Standard
	UA SFM TD 04	Regulations for the Center of Preparation and Attestation of Experts-Auditors
	UA SFM TD 05	Regulations for Complain and Appeal Committee
	UA SFM TD 06	List of Stakeholders
	UA SFM TD 07	Regulatory and Procedural Base of National Voluntary Forest Certification System.
	UA SFM TD 08	Issuance of PEFC Logo usage licences
	UA SFM TD 09	List of WHO Class 1A and 1B pesticides, which are allowed for using in forest management of Ukraine in exceptional cases