



30 September 1993

DENR ADMINISTRATIVE ORDER

No. 59
SERIES OF 1993

SUBJECT : **REVISED RULES AND REGULATIONS GOVERNING THE TRANSPORT/SHIPMENT OF LOGS, LUMBER, PLYWOOD, VENEER, NON-TIMBER FOREST PRODUCTS AND OTHER FOREST-BASED PRODUCTS/COMMODITIES.**

Pursuant to *PD No. 705, as amended*, and *EO No. 192 dated 10 June 1987*, the following revised rules and regulations governing the transport or shipment of logs, lumber, plywood, veneer, non-timber forest products, including finished or semi-finished wood and non-wood based forest products and commodities are hereby issued for the information and guidance of all concerned.

SECTION 1. Basic Policy and Objectives.

Pursuant to sustainable forest resource development agendum of the government, effective monitoring of the movement of timber and other forest products from the resource base shall be put in place without unnecessarily impeding their transport from the point of origin to final destination or point of discharge.

Towards this end, the necessity of providing transport documents covering the said forest commodities becomes imperative, not only as a basis for determining the resource drain but also in providing a control mechanism against the unauthorized movement and disposition of contraband forest products. In addition, the data generated from this activity also provides information essential to policy formulation and/or decisions.

SECTION 2. Definitions of terms.

The following terms used in this Order are defined:

- 2.1 **Certificate of Lumber Origin (CLO)** - refers to the document issued by *DENR Local Official (CENRO)* to accompany the shipment (transport) of lumber, showing the number of pieces, species volume, place of loading, conveyance used, date of transport, its source and its consignee.
- 2.2 **Certificate of Non-Timber Forest Products Origin (CNFPO)** - refers to the document issued by the *DENR Local Official at the CENRO level* to accompany the transport of non-timber forest products, showing the volume, type of product, place of loading, conveyance used, date of transport, source and destination/consignee, of the products to be transported.
- 2.3 **Certificate of Plywood Origin** - refers to the document issued by the *DENR Local Official at the CENRO level* to accompany the transport/shipment of plywood, showing thereof the number of pieces and sizes, place of loading, conveyance used, date of transport, its source and its destination/consignee.

- 2.4 **Certificate of Timber Origin (CTO)** - refers to the document issued by *DENR* Local Official *at the CENRO level* to accompany the transport of logs, showing the number of pieces, species, volume in cu.m., place of loading, conveyance used, date of transport, source (name of *TLA-holder*, *AAC*, expiry date, location or area) and destination/consignee.
- 2.5 **Certificate of Veneer Origin (CVO)** - refers to the document issued by *DENR* Local Official *at the CENRO level* to accompany the transport/shipment of veneer, showing the number of pieces and sizes, place of loading, conveyance used, date of transport, its source and its destination/consignee.
- 2.6 **Certificate of Verification (CV)** - refers to document issued by *DENR* Local Official *at the CENRO level* to show that the logs, lumber or any non-timber forest products come from either private lands or *A and D* lands.
- 2.7 **Certificate of Transport Agreement (CTA)** - refers to the joint declaration made by the shipper and the owner of the conveyance used in the transport, shipment or movement of forest products *that* both parties are aware of the documents required by forestry laws and regulations, *and that* the conveyance used in the transport/shipment/movement of forest products may be subject of confiscation/forfeiture if the forest products sought to be transported/shipped/moved are not covered by the required/requisite documents.
- 2.8 **Defective Certificate of Origin** - means any document with *erasures or tampering* of vital information such as number of pieces, species, volume, place of loading, conveyance used, date of transport/loading, source, and name and address of shipper/owner/consignee as the case may be.
- 2.9 **Finished Products** - products derived from the manufacture or conversion of forest products into forms which can be readily used without further processing, or end-products ready for use without need of further manufacturing such as, but not limited to doors, door jambs, picture frames, toolhandles, wooden shoes, mouldings, toothpicks, chopsticks, boxes, plywood, toys, drawers, pallets (*assembled*) and other similar products.
- 2.10 **Greater Manila Area (GMA) or Metro Manila Area (MMA)** - pertains to the sixteen (16) municipalities around the City of Manila which are Quezon City, Makati, Kalookan, Valenzuela, Malabon, Navotas, Marikina, San Juan, Mandaluyong, Pasig, Pateros, Pasay City, Taguig, Parañaque, Las Piñas and Muntinlupa.
- 2.11 **Knock-down products** - refer to end products (*either finished or semi-finished*) whose components or parts are taken apart for ease in packing, handling and transporting to the market or the end-user such as, cabinets, tables, chairs and other similar products.
- 2.12 **Semi-finished products** - refer to whole-end products requiring final stages of manufacture and/or assembly *such as* window components, table tops, veneer and other similar products.

SECTION 3. **Documents Required.**

Consistent with the policy stated above, the movement of logs, lumber, plywood, veneer, non-timber forest products and wood-based or nonwood-based products/commodities shall be covered with appropriate *Certificates of Origin*, issued by authorized *DENR* officials, as specified in the succeeding sections.

- 3.1 **Pre-issuance Requirement.** In all instances, a Certificate of Origin for logs, lumber, plywood, veneer or non-timber forest products whether from natural forests or forest plantations within forestlands, shall be issued only upon prior *written* request by the licensee/permittee or shipper concerned.

The request should indicate the following information:

- a) Number of pieces/volume;
- b) Date of transport/loading;
- c) Point of loading;
- d) Mode of transport/type of conveyance and *CTA*;
- e) name and address of consignee; *and*,
- f) point of destination.

In no case shall a *Certificate of Origin* be issued unless the licensee/permittee is able to present all the required documents/papers showing *that* the forest products are from legitimate sources, *that* the required forest charges or other government fees have been paid, *and that* the forest products are marked according to that which is prescribed under *Department Memorandum Circular No. 13, Series of 1990*.

- 3.2 **Logs.** Unless otherwise provided herewith, the transport of logs, including flitches, shall be covered by a CERTIFICATE OF TIMBER ORIGIN (*CTO*), issued by the *CENRO* or his duly wauthorized representative having jurisdiction over the area from where the subject commodities were cut/gathered, and attested by the concerned Community Environment and Natural Resources Officer (*CENRO*), using the form prescribed for the purpose.

The *CTO* shall be accompanied by the corresponding tally sheet or delivery receipt of the licensee/permittee, provided, that for logs sold to second parties, same shall be accompanied with the corresponding sales invoice in addition to the aforesaid requirements.

For timber which is transported to destinations other than the shipper's log ponds or processing plants outside of the boundaries of its concession area and then sold to an authorized log buyer or processing plants, the shipment must be accompanied by a Sales Invoice.

A *CTO* is not required in the case of timber transported within the concession or licensed area of timber licensees/permittees. In such a case, the company's Delivery Receipt must accompany the transport to logponds or processing plants situated within the company's concession area.

In case of imported logs, a CERTIFICATE OF VERIFICATION from the port of entry to the point of destination shall accompany the shipment. This certificate shall be issued by the *CENRO* which has jurisdiction over the area where the port of entry is located.

- 3.3 **Lumber.** Unless otherwise herein provided, the transport of lumber shall be accompanied by a CERTIFICATE OF LUMBER ORIGIN (*CLO*) issued by the *CENRO* or his duly authorized representative which has jurisdiction over the processing plant producing the said lumber or the lumber firm authorized to deal in such commodities. In order to be valid, the *CLO* must be supported by the company tally sheet or delivery receipt, and in case of sale, a lumber sales invoice.

- 3.4 **Non-Timber Forest Products.** A CERTIFICATE OF NON-TIMBER FOREST PRODUCTS ORIGIN (*CNFPO*) issued by the *CENRO* concerned shall accompany the transport of said forest products. The *CNFPO* shall be supported by the shipper's tally sheet to be considered valid.
- 3.5 **Plywood.** Unless otherwise herein provided, the transport of plywood shall be accompanied by a CERTIFICATE OF PLYWOOD ORIGIN (*CPO*) issued by the *CENRO* or his duly authorized representative which has jurisdiction over the processing plant producing said plywood or plywood firm authorized to deal in such commodity. The *CPO*, to be valid, must be supported by a Delivery Receipt, and in case of sale, a Sales Invoice.
- 3.6 **Veneer.** Unless otherwise herein provided, the transport of veneer shall be accompanied by a CERTIFICATE OF VENEER ORIGIN (*CVO*) issued by the *CENRO* or his duly authorized representative which has jurisdiction over the processing plant producing said veneer or veneer firm authorized to deal in such commodity. The *CVO*, to be valid, must be supported by a Delivery Receipt, and in case of sale, a Sales Invoice.

SECTION 4. **Exemptions.**

The following shall be exempted from the foregoing rules and regulations:

- 4.1 Imported logs, lumber, and unprocessed rattan canes/poles, being transhipped from the local port of entry to final domestic destination *provided that* the same shall be accompanied by a CERTIFICATE OF VERIFICATION issued by the *CENRO* concerned.
- 4.2 Logs, fuelwood and derivatives, and non-timber forest products planted inside private land and/or tax-declared alienable or disposable (*A or D*) lands; provided, that said commodities are certified to, prior to shipment, by the *CENRO* concerned as coming from such lands; provided further, that a copy of the official receipt of payment of taxes levied under *RA 7161* shall accompany the *CENRO* certification.
- 4.3 Logs transported from the cutting area to the licensee's processing plant(s), or logpond(s)/log storage area(s), provided, that the same is accompanied by a duly issued delivery receipt.
- 4.4 Lumber being transported within the metes and bounds of a Province, or within the Greater Manila Area (*GMA*), provided, that the commodities being transported are accompanied by a sales invoice and/or delivery receipt.
- 4.5 Finished, semi-finished, or knock-down wood and non-wood forest products, but which should invariably be covered by corresponding sales invoices and/or delivery receipts.

SECTION 5. **Issuance, Validity period and Distribution of copies of Certificates of Origin.**

All certificates of origin shall be issued by the concerned *CENRO* or in case of his absence, his duly authorized representative. The *CTO* shall be issued on a per-truck basis for land transport to be valid only for fifteen (15) days from date of issuance. In case of domestic water transport, the *CTO* shall be issued on a per-shipment basis to be valid only for a period of thirty (30) days from date of issuance *or* upon discharge at the point of destination, whichever comes first.

If, for any valid reason or eventuality the said certificate expires before the cargo reaches destination or consignee, the same shall be extended by the nearest *CENRO* upon application.

Copies of the *Certificates of Origin* shall be distributed as follows:

<i>Original</i>	-	Consignee/buyer
<i>Duplicate</i>	-	<i>CENRO</i>
<i>Triplicate</i>	-	Licensee/permittee
<i>Quadruplicate</i>	-	<i>CENRO</i> Forestry Specialist
<i>Quintuplicate</i>	-	Regional Executive Director
<i>Sextuplicate</i>	-	Forest Management Bureau


SECTION 6. **Penal Provisions.**

Any log, lumber, plywood, veneer, non-timber forest products and other wood- or nonwood-based products covered by these regulations which are transported without the prescribed documents shall be considered illegal and, therefore, subject to confiscation in favor of the government and shall be disposed in accordance with laws, rules and regulations governing the matter.

Forest Officers found issuing defective certificates of origin required in this Order shall be suspended immediately without prejudice to the imposition of other penalties as may be warranted by extant Civil Service laws, rules and regulations. Provided moreover, that any defective certificate of origin issued shall be considered null and void, and therefore ineffective.

SECTION 7. **Effectivity.**

This Order shall take effect immediately upon acknowledgement by the *UP* Law Center and fifteen (15) days after its publication in a newspaper of general circulation. All orders, circulars, memoranda and instructions inconsistent herewith are revoked or amended accordingly.


ANGEL C. ALCALA

 Secretary 