



# Illegal Logging Prohibition Regulation 2012

Select Legislative Instrument No. 271, 2012

made under the

*Illegal Logging Prohibition Act 2012*

## Compilation No. 4

**Compilation date:** 8 February 2018

**Includes amendments up to:** F2017L01338

**Registered:** 12 February 2018

**This compilation takes account of the disallowance of amendments by the Senate on 8 February 2018 at 16:13**

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Illegal Logging Prohibition Regulation 2012* that shows the text of the law as amended and in force on 8 February 2018 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## Part 1—Preliminary

### 1 Name of regulation

This regulation is the *Illegal Logging Prohibition Regulation 2012*.

### 3 Definition

In this regulation:

*Act* means the *Illegal Logging Prohibition Act 2012*.

*country specific guideline* means a guideline prescribed in Part 2 of Schedule 2.

Note: See paragraph 12(1)(a).

*State specific guideline* means a guideline prescribed in Part 3 of Schedule 2.

Note: See paragraph 21(1)(a).

*timber legality framework* means a framework prescribed in Part 1 of Schedule 2.

Note: See paragraphs 11(1)(a) and 20(1)(a).

## Part 2—Importing

### Division 1—Importing illegally logged timber

#### 5 Regulated timber products

For subsection 9(3) of the Act, the timber products listed in Schedule 1 are prescribed.

#### 6 Regulated timber products that are exempt

- (1) For paragraphs 12(d) and 13(d) of the Act, the following things, or parts of things, are prescribed as exempt:
  - (a) a regulated timber product that is entirely made from recycled material;
  - (b) if a regulated timber product is partially made from recycled material—the part of the regulated timber product that is made from recycled material;
  - (c) a regulated timber product that is imported as part of a consignment if the combined value of the regulated timber products in the consignment, on import, does not exceed \$1 000.
- (2) In this section, timber in a regulated timber product is recycled material if:
  - (a) the material has been, or has been part of, another product; and
  - (b) at the time the material was removed from that other product, that product was no longer used for its intended purpose and was considered to be waste; and
  - (c) the material has been used as a raw material in the regulated timber product.
- (3) However, material in a regulated timber product is not recycled material if the material is the by-product of a manufacturing process.

Example: Sawdust or off-cuts from sawn timber used to make particle board or medium density fibreboard.

#### 6A Regulated timber products that are partially exempt—due diligence requirements not required

- (1) This section applies in relation to a regulated timber product that is partially made from recycled material.
- (2) The due diligence requirements prescribed in Divisions 2 and 3 do not apply to that part of the regulated timber product that is prescribed by section 6 as exempt.

#### 7 Customs declaration

For paragraph 13(c) of the Act, the form of a declaration to the Customs Minister about a person's compliance with the due diligence requirements for importing a

regulated timber product is a declaration to that effect included in an import entry lodged in accordance with the *Customs Act 1901*.

## **Division 2—Due diligence requirements for importing regulated timber products**

### **8 Purpose of Division 2**

For subsection 14(1) of the Act, this Division prescribes the due diligence requirements for importing regulated timber products.

### **9 Importer to have due diligence system**

- (1) An importer must, before importing a regulated timber product, have a due diligence system.
- (2) For subsection (1), the due diligence system must:
  - (a) be in writing; and
  - (b) set out the process by which the importer will meet the due diligence requirements mentioned in this Division that apply to the import of the regulated timber product; and
  - (c) include the following information:
    - (i) the importer's name, street address, postal address, telephone number and email address;
    - (ii) if the importer is not an individual—information about the person who is responsible for maintaining the system, including the person's name, position and contact details, including telephone number and email address;
    - (iii) if the regulated timber product is to be imported in connection with a business carried on by the importer—the principal business activity conducted by the importer and the importer's ABN or ACN; and
  - (e) include a written record of the system.

#### *Civil penalty provision*

- (3) An importer is liable to a civil penalty if the importer contravenes subsection (1).

Civil penalty:           100 penalty units.

### **10 Due diligence requirements—gathering information**

- (1) An importer must, before importing a regulated timber product, obtain as much of the information about the product mentioned in subsection (2) as it is reasonably practicable for the importer to obtain.
- (2) The information is the following:
  - (a) a description of the regulated timber product, including:
    - (i) the type of product, and the trade name of the product; and
    - (ii) the common name, genus or scientific name of the tree from which the timber in the product is derived;



- (b) the country, the region of the country and the forest harvesting unit in which the timber in the product was harvested;
- (c) the country in which the product was manufactured;
- (d) the name, address, trading name, business and company registration number (if any) of the supplier of the product;
- (e) the quantity of the shipment of the product, expressed in volume, weight or number of units;
- (f) the documentation provided, or that will be provided, by the supplier in relation to the purchase of the product;
- (g) if a timber legality framework applies to the timber in the product, or the area in which the timber is harvested—a copy of the licence or certificate issued to the harvester of the timber, or other relevant person in relation to the timber, that provides evidence of compliance with the standards or requirements of the framework;
- (h) if a country specific guideline applies to the timber in the product, or the place in which the timber is harvested—the information or evidence (such as a certificate, licence or other document) relating to the product that the guideline requires the importer to obtain;
- (i) evidence that the product has not been illegally logged, which, without limiting the evidence, may include evidence about:
  - (i) whether the harvesting of the species of tree from which the timber in the product is derived is prohibited in the place where the timber has been harvested; and
  - (ii) if the harvesting of the timber in the place is authorised by legislation (including regulations)—whether the requirements of the legislation have been met for the harvesting of the timber; and
  - (iii) if payment is required for the right to harvest the timber—whether that payment has been made; and
  - (iv) if a person has legal rights of use and tenure in relation to the place in which the timber is harvested—whether the harvest of the timber is inconsistent with the law establishing or protecting those rights.

*Civil penalty provision*

- (3) An importer is liable to a civil penalty if the importer contravenes subsection (1).

Civil penalty: 100 penalty units.

**11 Due diligence requirements—identifying and assessing risk against timber legality framework (optional process)**

- (1) This section applies to an importer in relation to the importation of a regulated timber product if:
- (a) a timber legality framework prescribed in Part 1 of Schedule 2 applies to the timber in the product, or the area in which the timber is harvested; and
  - (b) the importer elects to use the procedures in subsection (2).
- (2) The importer must, before importing the product:

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**Division 2** Due diligence requirements for importing regulated timber products

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- (a) assess whether the information and evidence obtained by the use of the framework is accurate and reliable; and
- (b) identify and assess, by the use of the framework and consideration of the information gathered in accordance with subsection 10(1), whether there is a risk that the product is, is made from, or includes, illegally logged timber; and
- (c) in the identification and assessment of risk mentioned in paragraph (b), consider any other information the importer knows, or ought reasonably to know, that may indicate whether the product is, is made from, or includes, illegally logged timber; and
- (d) make a written record of the identification and assessment undertaken in accordance with this section.

*Civil penalty provision*

- (3) An importer is liable to a civil penalty if the importer contravenes subsection (2).

Civil penalty: 100 penalty units.

**12 Due diligence requirements—identifying and assessing risk against country specific guidelines (optional process)**

- (1) This section applies to an importer in relation to the importation of a regulated timber product if:
  - (a) a country specific guideline prescribed in Part 2 of Schedule 2 applies to the timber in the product, or the area in which the timber is harvested; and
  - (b) the importer elects to use the procedures in subsection (2).
- (2) The importer must, before importing the product:
  - (a) assess the information gathered in accordance with subsection 10(1), by the use of the guideline; and
  - (b) identify and assess (to the standard set out in subsection (2A)), by the use of the guideline and consideration of the information gathered in accordance with subsection 10(1), whether there is a risk that the product is, is made from, or includes, illegally logged timber; and
  - (c) in the identification and assessment of risk mentioned in paragraph (b), consider any other information the importer knows, or ought reasonably to know, that may indicate whether the product is, is made from, or includes, illegally logged timber; and
  - (d) make a written record of the identification and assessment undertaken in accordance with this section.
- (2A) The identification and assessment of risk mentioned in paragraph (2)(b), and any outcome of that identification and assessment, must be reasonable.

*Civil penalty provision*

- (3) An importer is liable to a civil penalty if the importer contravenes subsection (2).

Civil penalty: 100 penalty units.

**13 Due diligence requirements—identifying and assessing risk (alternative to sections 11 and 12)**

- (1) This section applies to an importer in relation to the importation of a regulated timber product if:
  - (a) the importer does not elect to use the procedures in subsection 11(2) or 12(2); or
  - (b) the importer:
    - (i) elects to use the procedures in subsection 11(2) or 12(2); and
    - (ii) is unable, by the use of those procedures, to identify no risk or a low risk that the regulated timber product is, is made from, or includes, illegally logged timber.
- (2) The importer must, before importing the product:
  - (a) identify and assess (to the standard set out in subsection (2A)) the risk that the regulated timber product is, is made from, or includes, illegally logged timber by:
    - (i) assessing the information gathered in accordance with subsection 10(1); and
    - (ii) considering the factors mentioned in subsection (3); and
  - (b) make a written record of the assessment and risk identification process undertaken in accordance with this section.
- (2A) The identification and assessment of risk mentioned in paragraph (2)(a), and any outcome of that identification and assessment, must be reasonable.
- (3) For subparagraph (2)(a)(ii), the factors are the following:
  - (a) the prevalence of the following:
    - (i) illegal logging in general in the area in which the timber in the product is harvested;
    - (ii) illegal harvesting in the area of the species of tree from which the timber in the product is derived;
    - (iii) armed conflict in that area;
  - (b) the complexity of the product;
  - (c) any other information the importer knows, or ought reasonably to know, that may indicate whether the product is, is made from, or includes, illegally logged timber.

*Civil penalty provision*

- (4) An importer is liable to a civil penalty if the importer contravenes subsection (2).

Civil penalty: 100 penalty units.

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**14 Due diligence requirements—risk mitigation**

- (1) This section applies to an importer in relation to the importation of a regulated timber product if:
  - (a) section 13 applies in relation to the product; and
  - (b) the importer has identified a risk that the product may be, may be made from, or may include, illegally logged timber; and
  - (c) the risk is not a low risk.
- (2) The importer must, before importing the regulated timber product:
  - (a) conduct a risk mitigation process that is adequate and proportionate to the identified risk; and
  - (b) make a written record of the risk mitigation process undertaken in accordance with this section.
- (3) The risk mitigation process may include the following steps:
  - (a) obtain further information about the product, including any certification or independent assessment in relation to the product;
  - (b) reassess the risk that the product may be, may be made from, or may include, illegally logged timber, including by using the procedures in subsection 11(2), 12(2) or 13(2);
  - (c) not import the product.

*Civil penalty provision*

- (4) An importer is liable to a civil penalty if the importer contravenes subsection (2).  
Civil penalty: 100 penalty units.

**15 Due diligence requirements—provision of information to Secretary**

*Secretary may request information*

- (1) The Secretary may request information from an importer about:
  - (a) the importer's due diligence system in place at the time of the import of a regulated timber product; and
  - (b) the importer's compliance with the requirements of the importer's due diligence system in relation to the import of the regulated timber product.
- (2) The request must:
  - (a) be in writing; and
  - (b) include a date for compliance which is at least 28 days after the date of the request.

*Importer to comply with request for information*

- (3) The importer must provide to the Secretary, in writing, the information requested by the date specified in the request.

*Civil penalty provision*

- (4) An importer is liable to a civil penalty if the importer contravenes subsection (3).

Civil penalty: 100 penalty units.

## 16 Due diligence requirements—records

- (1) An importer must keep a record mentioned in the following table for the period specified for the record.

<b>Due diligence records</b>			
<b>Item</b>	<b>Kind of record</b>	<b>Relevant provision</b>	<b>Period for retention of record</b>
1	Written record of importer's due diligence system in place at the time of the import of each regulated timber product	Paragraph 9(2)(e)	5 years from the day the product is imported
2	Information gathered by an importer about a regulated timber product	Section 10	5 years from the day the product is imported
3	Record of the identification of risk against a timber legality framework or a country specific guideline for a regulated timber product	Paragraph 11(2)(d) or 12(2)(d)	5 years from the day the product is imported
4	Record of the assessment and risk identification process undertaken by an importer in relation to a regulated timber product	Paragraph 13(2)(b)	5 years from the day the product is imported
5	Record of the risk mitigation process undertaken by an importer in relation to a regulated timber product	Paragraph 14(2)(b)	5 years from the day the product is imported

*Civil penalty provision*

- (2) An importer is liable to a civil penalty if the importer contravenes subsection (1).

Civil penalty: 100 penalty units.

## Part 3—Processing

### Division 1—Due diligence requirements for processing raw logs

#### 17 Purpose of Division 1

For subsection 18(1) of the Act, this Division prescribes the due diligence requirements for processing a raw log into something other than a raw log.

#### 18 Processor to have due diligence system

- (1) A processor must, before processing a raw log, have a due diligence system.
- (2) For subsection (1), the due diligence system must:
  - (a) be in writing; and
  - (b) set out the process by which the processor will meet the due diligence requirements mentioned in this Division that apply to the processing of the raw log; and
  - (c) include the following information:
    - (i) the processor's name, street address, postal address, telephone number and email address;
    - (ii) if the processor is not an individual—information about the person who is responsible for maintaining the system, including the person's name, position and contact details, including telephone number and email address;
    - (iii) if the raw log is to be processed in connection with a business carried on by the processor—the principal business activity conducted by the processor and the processor's ABN or ACN; and
  - (e) include a written record of the system.

#### *Civil penalty provision*

- (3) A processor is liable to a civil penalty if the processor contravenes subsection (1).

Civil penalty: 100 penalty units.

#### 19 Due diligence requirements—gathering information

- (1) A processor must, before processing a raw log, obtain as much of the information about the raw log mentioned in subsection (2) as it is reasonably practicable for the processor to obtain.
- (2) The information is the following:
  - (a) a description of the raw log, including:
    - (i) the common name, genus or scientific name of the tree from which the raw log is derived; and

- (ii) the area in which the raw log is harvested, including the State or Territory and the forest harvesting unit;
- (b) the name, address, trading name, business and company registration number (if any) of the supplier of the raw log;
- (c) the quantity of raw logs to be processed, expressed in volume, weight or number of units;
- (d) the documentation provided, or that will be provided, by the supplier in relation to the purchase of the raw log;
- (e) if a timber legality framework applies to the raw log, or the area in which the raw log is harvested—a copy of the licence or certificate issued to the harvester of the raw log, or other relevant person in relation to the raw log, that provides evidence of compliance with the standards or requirements of the framework;
- (f) if a State specific guideline applies to the raw log, or the place in which the raw log is harvested—the information or evidence (such as a certificate, licence or other document) relating to the raw log that the guideline requires the processor to obtain;
- (g) evidence that the raw log has not been illegally logged, which may include evidence about:
  - (i) whether the harvesting of the species of tree from which the raw log is derived is prohibited in the place where the raw log has been harvested; and
  - (ii) if the harvesting of the raw log in the place is authorised by legislation (including regulations)—whether the requirements of the legislation have been met for the harvesting of the raw log; and
  - (iii) if payment is required for the right to harvest the raw log—whether that payment has been made; and
  - (iv) if a person has legal rights of use and tenure in relation to the place in which the raw log is harvested—whether the harvest of the raw log is inconsistent with the law establishing or protecting those rights.

*Civil penalty provision*

- (3) A processor is liable to a civil penalty if the processor contravenes subsection (1).

Civil penalty: 100 penalty units.

**20 Due diligence requirements—identifying and assessing risk against timber legality framework (optional process)**

- (1) This section applies to a processor in relation to the processing of a raw log if:
- (a) a timber legality framework prescribed in Part 1 of Schedule 2 applies to the raw log, or the area in which the raw log is harvested; and
  - (b) the processor elects to use the procedures in subsection (2).
- (2) The processor must, before processing the raw log:

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**Division 1** Due diligence requirements for processing raw logs

**Section 21**

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- (a) assess whether the information and evidence obtained by the use of the framework is accurate and reliable; and
- (b) identify and assess, by the use of the framework and consideration of the information gathered in accordance with subsection 19(1), whether there is a risk that the raw log is illegally logged; and
- (c) in the identification and assessment of risk mentioned in paragraph (b), consider any other information the processor knows, or ought reasonably to know, that may indicate whether the raw log is illegally logged; and
- (d) make a written record of the identification and assessment undertaken in accordance with this section.

*Civil penalty provision*

- (3) A processor is liable to a civil penalty if the processor contravenes subsection (2).

Civil penalty: 100 penalty units.

**21 Due diligence requirements—identifying and assessing risk against State specific guidelines (optional process)**

- (1) This section applies to a processor in relation to the processing of a raw log if:
  - (a) a State specific guideline prescribed in Part 3 of Schedule 2 applies to the raw log, or the area in which the raw log is harvested; and
  - (b) the processor elects to use the procedures in subsection (2).
- (2) The processor must, before processing the raw log:
  - (a) assess the information gathered in accordance with subsection 19(1), by the use of the guideline; and
  - (b) identify and assess (to the standard set out in subsection (2A)), by the use of the guideline and consideration of the information gathered in accordance with subsection 19(1), if there is a risk that the raw log is illegally logged; and
  - (c) in the identification and assessment of risk mentioned in paragraph (b), consider any other information the processor knows, or ought reasonably to know, that may indicate whether the raw log is illegally logged; and
  - (d) make a written record of the identification and assessment undertaken in accordance with this section.
- (2A) The identification and assessment of risk mentioned in paragraph (2)(b), and any outcome of that identification and assessment, must be reasonable.

*Civil penalty provision*

- (3) A processor is liable to a civil penalty if the processor contravenes subsection (2).

Civil penalty: 100 penalty units.



## **22 Due diligence requirements—identifying and assessing risk (alternative to sections 20 and 21)**

- (1) This section applies to a processor in relation to the processing of a raw log if:
  - (a) the processor does not elect to use the procedures in subsection 20(2) or 21(2); or
  - (b) the processor:
    - (i) elects to use the procedures in subsection 20(2) or 21(2); and
    - (ii) was unable, by the use of those procedures, to identify no risk or a low risk that the raw log is illegally logged.
- (2) The processor must, before processing the raw log:
  - (a) identify and assess (to the standard set out in subsection (2A)) the risk that the raw log is illegally logged by:
    - (i) assessing the information gathered in accordance with subsection 19(1); and
    - (ii) considering the factors mentioned in subsection (3); and
  - (b) make a written record of the assessment and risk identification process undertaken in accordance with this section.
- (2A) The identification and assessment of risk mentioned in paragraph (2)(a), and any outcome of that identification and assessment, must be reasonable.
- (3) For subparagraph (2)(a)(ii), the factors are the following:
  - (a) the prevalence of illegal logging in general in the area in which the raw log is harvested;
  - (b) the prevalence of illegal harvesting in the area of the species of tree from which the raw log is derived;
  - (c) any other information the processor knows, or ought reasonably to know, that may indicate whether the raw log is illegally logged.

### *Civil penalty provision*

- (4) A processor is liable to a civil penalty if the processor contravenes subsection (2).

Civil penalty: 100 penalty units.

## **23 Due diligence requirements—risk mitigation**

- (1) This section applies to a processor in relation to the processing of a raw log if:
    - (a) section 22 applies in relation to the raw log; and
    - (b) the processor has identified a risk that the raw log may be illegally logged; and
    - (c) the risk is not a low risk.
  - (2) The processor must, before processing the raw log:
    - (a) conduct a risk mitigation process that is adequate and proportionate to the identified risk; and
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**Division 1** Due diligence requirements for processing raw logs

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(b) make a written record of the risk mitigation process undertaken in accordance with this section.

- (3) The risk mitigation process may include the following steps:
- (a) obtain further information about the raw log, including any certification or independent assessment in relation to the raw log;
  - (b) reassess the risk that the raw log may be illegally logged, including by using the procedures in subsection 20(2), 21(2) or 22(2);
  - (c) not process the raw log.

*Civil penalty provision*

- (4) A processor is liable to a civil penalty if the processor contravenes subsection (2).

Civil penalty: 100 penalty units.

**24 Due diligence requirements—provision of information to Secretary**

*Secretary may request information*

- (1) The Secretary may request information from a processor about:
- (a) the processor's due diligence system in place at the time of the processing of a raw log; and
  - (b) the processor's compliance with the requirements of the processor's due diligence system in relation to the processing of the raw log.
- (2) The request must:
- (a) be in writing; and
  - (b) include a date for compliance which is at least 28 days after the date of the request.

*Processor to comply with request for information*

- (3) The processor must provide to the Secretary, in writing, the information requested by the date specified in the request.

*Civil penalty provision*

- (4) A processor is liable to a civil penalty if the processor contravenes subsection (3).

Civil penalty: 100 penalty units.

**25 Due diligence requirements—records**

- (1) A processor must keep a record mentioned in the following table for the period specified in the item.

<b>Due diligence records</b>			
<b>Item</b>	<b>Kind of record</b>	<b>Relevant provision</b>	<b>Period for retention of record</b>
1	Written record of processor's due diligence system in place at the time of processing of each raw log	Paragraph 18(2)(e)	5 years from the day the raw log is processed
2	Information gathered by a processor about a raw log	Section 19	5 years from the day the raw log is processed
3	Record of the identification of risk against a timber legality framework or a state specific guideline for a raw log	Paragraph 20(2)(d) or 21(2)(d)	5 years from the day the raw log is processed
4	Record of the assessment and risk identification process undertaken by a processor in relation to a raw log	Paragraph 22(2)(b)	5 years from the day the raw log is processed
5	Record of the risk mitigation process undertaken by a processor in relation to a raw log	Paragraph 23(2)(b)	5 years from the day the raw log is processed

*Civil penalty provision*

- (2) A processor is liable to a civil penalty if the processor contravenes subsection (1).

Civil penalty:           100 penalty units.

## Part 4—Monitoring, investigation and enforcement

### Division 4—Inspectors

#### 26 Identity cards

For paragraph 20(2)(a) of the Act, an identity card must display the following:

- (a) a statement that the cardholder is an inspector appointed under the Act;
- (b) the unique identifying number assigned to the inspector by the Secretary;
- (c) the date of expiry of the inspector's appointment as an inspector under the Act.

Note: Paragraph 20(2)(b) of the Act requires the card to contain a recent photograph of the inspector.

## **Part 5—Application and transitional provisions**

### **27 Application of amendments relating to regulated timber products**

The amendments made by items 2 and 3 of Schedule 1 to the *Illegal Logging Prohibition Amendment (Harmonized System Changes and Other Measures) Regulations 2017* apply in relation to the importation of a thing on or after the commencement of those items.

## Schedule 1—Regulated timber products

Note: See section 5.

### 1 Regulated timber products

- (1) The following timber products are prescribed:
- (a) if the number for an item in column 1 of the table is a 4-digit number—all of the timber products listed under that heading in Schedule 3 to the *Customs Tariff Act 1995*, as in force from time to time;
  - (b) if the number for an item in column 1 of the table is longer than a 4-digit number—the timber products listed under that heading or subheading in Schedule 3 to the *Customs Tariff Act 1995*, as in force from time to time.
- (2) A reference to a timber product has the meaning that the timber product has in the *Customs Tariff Act 1995*, as in force from time to time.

Regulated timber products		
	Column 1	Column 2
Item	Heading or Subheading	Description
1	4403	WOOD IN THE ROUGH, WHETHER OR NOT STRIPPED OF BARK OR SAPWOOD, OR ROUGHLY SQUARED
2	4407	WOOD SAWN OR CHIPPED LENGTHWISE, SLICED OR PEELED, WHETHER OR NOT PLANED, SANDED OR END-JOINTED, OF A THICKNESS EXCEEDING 6 mm
3	4408	SHEETS FOR VENEERING (INCLUDING THOSE OBTAINED BY SLICING LAMINATED WOOD), FOR PLYWOOD OR FOR SIMILAR LAMINATED WOOD AND OTHER WOOD, SAWN LENGTHWISE, SLICED OR PEELED, WHETHER OR NOT PLANED, SANDED, SPLICED OR END-JOINTED, OF A THICKNESS NOT EXCEEDING 6 mm
4	4409.10.00	WOOD (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, REBATED, CHAMFERED, V-JOINTED, BEADED, MOULDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES, ENDS OR FACES, WHETHER OR NOT PLANED, SANDED OR END-JOINTED: -Coniferous
4A	4409.22.00	WOOD (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, REBATED, CHAMFERED, V-JOINTED, BEADED, MOULDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES, ENDS OR FACES, WHETHER OR NOT PLANED, SANDED OR END-JOINTED: -Of tropical wood

<b>Regulated timber products</b>		
	<b>Column 1</b>	<b>Column 2</b>
<b>Item</b>	<b>Heading or Subheading</b>	<b>Description</b>
5	4409.29.00	WOOD (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, REBATED, CHAMFERED, V-JOINTED, BEADED, MOULDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES, ENDS OR FACES, WHETHER OR NOT PLANED, SANDED OR END-JOINTED: -Non-coniferous--Other.
6	4410	PARTICLE BOARD, ORIENTED STRAND BOARD (OSB) AND SIMILAR BOARD (FOR EXAMPLE, WAFERBOARD) OF WOOD OR OTHER LIGNEOUS MATERIALS, WHETHER OR NOT AGGLOMERATED WITH RESINS OR OTHER ORGANIC BINDING SUBSTANCES
7	4411	FIBREBOARD OF WOOD OR OTHER LIGNEOUS MATERIALS, WHETHER OR NOT BONDED WITH RESINS OR OTHER ORGANIC SUBSTANCES
8	4412	PLYWOOD, VENEERED PANELS AND SIMILAR LAMINATED WOOD
9	4413.00.00	DENSIFIED WOOD, IN BLOCKS, PLATES, STRIPS OR PROFILE SHAPES
10	4414.00.00	WOODEN FRAMES FOR PAINTINGS, PHOTOGRAPHS, MIRRORS OR SIMILAR OBJECTS
11	4416.00.00	CASKS, BARRELS, VATS, TUBS AND OTHER COOPERS' PRODUCTS AND PARTS THEREOF, OF WOOD, INCLUDING STAVES
12	4418	BUILDERS' JOINERY AND CARPENTRY OF WOOD, INCLUDING CELLULAR WOOD PANELS, ASSEMBLED FLOORING PANELS, SHINGLES AND SHAKES
13	4701.00.00	MECHANICAL WOOD PULP
14	4702.00.00	CHEMICAL WOOD PULP, DISSOLVING GRADES
15	4703	CHEMICAL WOOD PULP, SODA OR SULPHATE, OTHER THAN DISSOLVING GRADES
16	4704	CHEMICAL WOOD PULP, SULPHITE, OTHER THAN DISSOLVING GRADES
17	4705.00.00	WOOD PULP OBTAINED BY A COMBINATION OF MECHANICAL AND CHEMICAL PULPING PROCESSES
18	4801	NEWSPRINT, IN ROLLS OR SHEETS
19	4802	UNCOATED PAPER AND PAPERBOARD, OF A KIND USED FOR WRITING, PRINTING OR OTHER GRAPHIC PURPOSES, AND NON PERFORATED PUNCH-CARDS AND PUNCH TAPE PAPER, IN ROLLS OR RECTANGULAR (INCLUDING SQUARE) SHEETS, OF ANY SIZE, OTHER THAN PAPER OF 4801 OR 4803; HAND-MADE PAPER AND PAPERBOARD

**Schedule 1** Regulated timber products

Clause 1

<b>Regulated timber products</b>		
	<b>Column 1</b>	<b>Column 2</b>
<b>Item</b>	<b>Heading or Subheading</b>	<b>Description</b>
20	4803	TOILET OR FACIAL TISSUE STOCK, TOWEL OR NAPKIN STOCK AND SIMILAR PAPER OF A KIND USED FOR HOUSEHOLD OR SANITARY PURPOSES, CELLULOSE WADDING AND WEBS OF CELLULOSE FIBRES, WHETHER OR NOT CREPED, CRINKLED, EMBOSSED, PERFORATED, SURFACE-COLOURED, SURFACE-DECORATED OR PRINTED, IN ROLLS OR SHEETS
21	4804	UNCOATED KRAFT PAPER AND PAPERBOARD, IN ROLLS OR SHEETS, OTHER THAN THAT OF 4802 OR 4803
22	4805	OTHER UNCOATED PAPER AND PAPERBOARD, IN ROLLS OR SHEETS, NOT FURTHER WORKED OR PROCESSED THAN AS SPECIFIED IN NOTE 3 TO THIS CHAPTER
23	4806.20.00	VEGETABLE PARCHMENT, GREASEPROOF PAPERS, TRACING PAPERS AND GLASSINE AND OTHER GLAZED TRANSPARENT OR TRANSLUCENT PAPERS, IN ROLLS OR SHEETS: -Greaseproof papers
24	4806.30.00	VEGETABLE PARCHMENT, GREASEPROOF PAPERS, TRACING PAPERS AND GLASSINE AND OTHER GLAZED TRANSPARENT OR TRANSLUCENT PAPERS, IN ROLLS OR SHEETS: -Tracing papers
25	4806.40.00	VEGETABLE PARCHMENT, GREASEPROOF PAPERS, TRACING PAPERS AND GLASSINE AND OTHER GLAZED TRANSPARENT OR TRANSLUCENT PAPERS, IN ROLLS OR SHEETS: -Glassine and other glazed transparent or translucent papers
26	4807.00.00	COMPOSITE PAPER AND PAPERBOARD (MADE BY STICKING FLAT LAYERS OF PAPER OR PAPERBOARD TOGETHER WITH AN ADHESIVE), NOT SURFACE-COATED OR IMPREGNATED, WHETHER OR NOT INTERNALLY REINFORCED, IN ROLLS OR SHEETS
27	4808	PAPER AND PAPERBOARD, CORRUGATED (WITH OR WITHOUT GLUED FLAT SURFACE SHEETS), CREPED, CRINKLED, EMBOSSED OR PERFORATED, IN ROLLS OR SHEETS, OTHER THAN PAPER OF THE KIND DESCRIBED IN 4803
28	4809	CARBON PAPER, SELF-COPY PAPER AND OTHER COPYING OR TRANSFER PAPERS (INCLUDING COATED OR IMPREGNATED PAPER FOR DUPLICATOR STENCILS OR OFFSET PLATES), WHETHER OR NOT PRINTED, IN ROLLS OR SHEETS



<b>Regulated timber products</b>		
<b>Item</b>	<b>Column 1 Heading or Subheading</b>	<b>Column 2 Description</b>
29	4810	PAPER AND PAPERBOARD, COATED ON ONE OR BOTH SIDES WITH KAOLIN (CHINA CLAY) OR OTHER INORGANIC SUBSTANCES, WITH OR WITHOUT A BINDER, AND WITH NO OTHER COATING, WHETHER OR NOT SURFACE-COLOURED, SURFACE-DECORATED OR PRINTED, IN ROLLS OR RECTANGULAR (INCLUDING SQUARE) SHEETS, OF ANY SIZE
30	4811	PAPER, PAPERBOARD, CELLULOSE WADDING AND WEBS OF CELLULOSE FIBRES, COATED, IMPREGNATED, COVERED, SURFACE-COLOURED, SURFACE-DECORATED OR PRINTED, IN ROLLS OR RECTANGULAR (INCLUDING SQUARE) SHEETS, OF ANY SIZE, OTHER THAN GOODS OF THE KIND DESCRIBED IN 4803, 4809 OR 4810
31	4813	CIGARETTE PAPER, WHETHER OR NOT CUT TO SIZE OR IN THE FORM OF BOOKLETS OR TUBES
32	4816	CARBON PAPER, SELF-COPY PAPER AND OTHER COPYING OR TRANSFER PAPERS (OTHER THAN THOSE OF 4809), DUPLICATOR STENCILS AND OFFSET PLATES, OF PAPER, WHETHER OR NOT PUT UP IN BOXES
33	4817	ENVELOPES, LETTER CARDS, PLAIN POSTCARDS AND CORRESPONDENCE CARDS, OF PAPER OR PAPERBOARD; BOXES, POUCHES, WALLETS AND WRITING COMPENDIUMS, OF PAPER OR PAPERBOARD, CONTAINING AN ASSORTMENT OF PAPER STATIONERY
34	4818	TOILET PAPER AND SIMILAR PAPER, CELLULOSE WADDING OR WEBS OF CELLULOSE FIBRES, OF A KIND USED FOR HOUSEHOLD OR SANITARY PURPOSES, IN ROLLS OF A WIDTH NOT EXCEEDING 36 cm, OR CUT TO SIZE OR SHAPE; HANDKERCHIEFS, CLEANSING TISSUES, TOWELS, TABLECLOTHS, SERVIETTES, BED SHEETS AND SIMILAR HOUSEHOLD, SANITARY OR HOSPITAL ARTICLES, ARTICLES OF APPAREL AND CLOTHING ACCESSORIES, OF PAPER PULP, PAPER, CELLULOSE WADDING OR WEBS OF CELLULOSE FIBRES
35	4819	CARTONS, BOXES, CASES, BAGS AND OTHER PACKING CONTAINERS, OF PAPER, PAPERBOARD, CELLULOSE WADDING OR WEBS OF CELLULOSE FIBRES; BOX FILES, LETTER TRAYS, AND SIMILAR ARTICLES, OF PAPER OR PAPERBOARD OF A KIND USED IN OFFICES, SHOPS OR THE LIKE

**Schedule 1** Regulated timber products

## Clause 1

<b>Regulated timber products</b>		
	<b>Column 1</b>	<b>Column 2</b>
<b>Item</b>	<b>Heading or Subheading</b>	<b>Description</b>
36	4820	REGISTERS, ACCOUNT BOOKS, NOTE BOOKS, ORDER BOOKS, RECEIPT BOOKS, LETTER PADS, MEMORANDUM PADS, DIARIES AND SIMILAR ARTICLES, EXERCISE BOOKS, BLOTTING-PADS, BINDERS (LOOSE-LEAF OR OTHER), FOLDERS, FILE COVERS, MANIFOLD BUSINESS FORMS, INTERLEAVED CARBON SETS AND OTHER ARTICLES OF STATIONERY, OF PAPER OR PAPERBOARD; ALBUMS FOR SAMPLES OR FOR COLLECTIONS AND BOOK COVERS, OF PAPER OR PAPERBOARD
37	4821	PAPER OR PAPERBOARD LABELS OF ALL KINDS, WHETHER OR NOT PRINTED
38	4823	OTHER PAPER, PAPERBOARD, CELLULOSE WADDING AND WEBS OF CELLULOSE FIBRES, CUT TO SIZE OR SHAPE; OTHER ARTICLES OF PAPER PULP, PAPER, PAPERBOARD, CELLULOSE WADDING OR WEBS OF CELLULOSE FIBRES
39	9401.61.00	SEATS (OTHER THAN THOSE OF 9402), WHETHER OR NOT CONVERTIBLE INTO BEDS, AND PARTS THEREOF: -Other seats, with wooden frames-Upholstered
40	9401.69.00	SEATS (OTHER THAN THOSE OF 9402), WHETHER OR NOT CONVERTIBLE INTO BEDS, AND PARTS THEREOF: -Other seats with wooden frames-Other
41	9403.30.00	OTHER FURNITURE AND PARTS THEREOF: -Wooden furniture of a kind used in offices
42	9403.40.00	OTHER FURNITURE AND PARTS THEREOF: -Wooden furniture of a kind used in the kitchen
43	9403.50.00	OTHER FURNITURE AND PARTS THEREOF: -Wooden furniture of a kind used in the bedroom
44	9403.60.00	OTHER FURNITURE AND PARTS THEREOF: -Other wooden furniture
45	9403.90.00	OTHER FURNITURE AND PARTS THEREOF: -Parts
46	9406.10.00	PREFABRICATED BUILDINGS: -Of wood

Note: Items 45 and 46 only apply to products that are made from, or include, timber.

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## Schedule 2—Timber legality frameworks, country specific guidelines and State specific guidelines

Note: See section 3.

### Part 1—Timber legality frameworks

#### 1 Timber legality frameworks

A framework mentioned in the following table is a timber legality framework:

Timber legality frameworks	
Item	Framework
2	Each of the following administered by the Forest Stewardship Council ( <i>FSC</i> ): (a) the FSC forest management certification standard; (b) the FSC chain of custody standard.
3	Each of the following administered by the Programme for the Endorsement of Forest Certification ( <i>PEFC</i> ): (a) the PEFC sustainable forest management certification standard; (b) the PEFC chain of custody standard.

Note 2: Information about the FSC forest management certification standard and the FSC chain of custody standard could in 2014 be viewed on the FSC website (<http://www.ic.fsc.org>).

Note 3: Information about the PEFC sustainable forest management certification standard and the PEFC chain of custody standard could in 2014 be viewed on the PEFC website (<http://www.pefc.org>).

Clause 2

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## Part 2—Country specific guidelines

### 2 Country specific guidelines

A guideline mentioned in the following table is a country specific guideline:

Country specific guidelines	
Item	Guideline
1	Country specific guideline for Canada, co-endorsed by the Government of Australia and the Government of Canada on 25 September 2014.
2	Country specific guideline for Finland, co-endorsed by the Government of Australia and the Government of Finland on 29 August 2014.
3	Country specific guideline for Indonesia, co-endorsed by the Government of Australia and the Government of Indonesia on 21 October 2014.
4	Country specific guideline for Italy, co-endorsed by the Government of Australia and the Government of Italy on 3 October 2014.
4A	Country specific guideline for Malaysia, co-endorsed by the Government of Australia and the Government of Malaysia on 13 February 2015.
5	Country specific guideline for New Zealand, co-endorsed by the Government of Australia and the Government of New Zealand on 7 October 2014.
5A	Country specific guideline for Papua New Guinea, co-endorsed by the Government of Australia and the Government of Papua New Guinea on 20 November 2015.
6	Country specific guideline for Solomon Islands, co-endorsed by the Government of Australia and the Government of the Solomon Islands on 12 May 2014.

Note: The country specific guidelines could in 2014 be viewed on the Department's website (<http://www.agriculture.gov.au>).

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## Part 3—State specific guidelines

### 3 State specific guidelines

A guideline mentioned in the following table is a State specific guideline:

State specific guidelines	
Item	Guideline
1	State specific guideline for New South Wales, co-endorsed by the Commonwealth and New South Wales governments on 24 October 2014.
2	State specific guideline for Victoria, co-endorsed by the Commonwealth and Victorian governments on 15 October 2014.
2A	State specific guideline for Queensland, co-endorsed by the Commonwealth and Queensland governments on 16 June 2015.
3	State specific guideline for Western Australia, co-endorsed by the Commonwealth and Western Australian governments on 10 October 2014.
4	State specific guideline for South Australia, co-endorsed by the Commonwealth and South Australian governments on 23 October 2014.
5	State specific guideline for Tasmania, co-endorsed by the Commonwealth and Tasmanian governments on 1 October 2014.

Note: The State specific guidelines could in 2014 be viewed on the Department's website (<http://www.agriculture.gov.au>).

## Endnotes

Endnote 1—About the endnotes

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## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

**Endnote 2—Abbreviation key**

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

## Endnotes

### Endnote 3—Legislation history

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### Endnote 3—Legislation history

Number and year	FRLI registration	Commencement	Application, saving and transitional provisions
271, 2012	11 Dec 2012 (F2012L02404)	29 Nov 2012 (s 1.2)	
88, 2013	31 May 2013 (F2013L00883)	30 Nov 2014 (s 2)	—
172, 2014	17 Nov 2014 (F2014L01529)	Sch 1: 30 Nov 2014 (s 2(1) item 2)	—

Name	Registration	Commencement	Application, saving and transitional provisions
Illegal Logging Prohibition Amendment (Harmonized System Changes and Other Measures) Regulations 2017	10 Feb 2017 (F2017L00112)	11 Feb 2017 (s 2(1) item 1)	—
Illegal Logging Prohibition Amendment (Due Diligence Improvements) Regulations 2017	10 Oct 2017 (F2017L01338)	1 Jan 2018 (s 2(1) item 1) Note: Sch 1 (items 1, 3–8, 11–13, 16–19, 21–25, 28–30, 33–36) were disallowed by the Senate on 8 Feb 2018 at 16:13	—



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**Endnote 4—Amendment history**

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1</b>	
s 1.1 .....	renum No 88, 2013
s 1 (prev s 1.1)	
s 1.2 .....	rep LIA s 48D
	renum No 88, 2013 (amdt never applied (Sch 1 item 2))
s 1.3 .....	renum No 88, 2013
s 3 (prev s 1.3) .....	am No 88, 2013; F2017L01338 (Sch 1 item 1 disallowed)
<b>Part 2</b>	
Part 2 .....	ad No 88, 2013
<b>Division 1</b>	
s 5 .....	ad No 88, 2013
s 6 .....	ad No 88, 2013
	am No 172, 2014
s 6A .....	ad No 88, 2013
s 7 .....	ad No 88, 2013
<b>Division 2</b>	
s 8 .....	ad No 88, 2013
s 9 .....	ad No 88, 2013
	am F2017L01338
s 9A .....	ad F2017L01338 (Sch 1 item 3 disallowed)
s 10 .....	ad No 88, 2013
	am No 172, 2014; F2017L01338 (Sch 1 items 4–7 disallowed)
s 11 .....	ad No 88, 2013
	rep F2017L01338 (Sch 1 item 8 disallowed)
s 12 .....	ad No 88, 2013
	am F2017L01338
s 13 .....	ad No 88, 2013
	am F2017L01338 (Sch 1 items 11–13 disallowed)
s 14 .....	ad No 88, 2013
	am No 172, 2014; F2017L01338 (Sch 1 item 16 disallowed)
s 15 .....	ad No 88, 2013
s 16 .....	ad No 88, 2013
	am F2017L01338 (Sch 1 items 17–19 disallowed)
<b>Part 3</b>	
Part 3 .....	ad No 88, 2013
<b>Division 1</b>	
s 17 .....	ad No 88, 2013

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## Endnotes

### Endnote 4—Amendment history

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<b>Provision affected</b>	<b>How affected</b>
s 18 .....	ad No 88, 2013 am F2017L01338
s 18A.....	ad F2017L01338 (Sch 1 item 21 disallowed)
s 19 .....	ad No 88, 2013 am No 172, 2014; F2017L01338 (Sch 1 items 22–24 disallowed)
s 20 .....	ad No 88, 2013 rep F2017L01338 (Sch 1 item 25 disallowed)
s 21 .....	ad No 88, 2013 am F2017L01338
s 22 .....	ad No 88, 2013 am F2017L01338 (Sch 1 items 28–30 disallowed)
s 23 .....	ad No 88, 2013 am No 172, 2014; F2017L01338 (Sch 1 item 33 disallowed)
s 24 .....	ad No 88, 2013
s 25 .....	ad No 88, 2013 am F2017L01338 (Sch 1 items 34–36 disallowed)
<b>Part 4</b>	
<b>Division 4</b>	
Division 4.1 .....	renum No 88, 2013
Division 4 (prev Division 4.1)	
s 4.1.1 .....	renum No 88, 2013
s 26 (prev s 4.1.1)	
<b>Part 5</b>	
Part 5.....	ad F2017L00112
s 27 .....	ad F2017L00112
<b>Schedule 1</b>	
Schedule 1.....	ad No 88, 2013
c 1 .....	ad No 88, 2013 am F2017L00112
<b>Schedule 2</b>	
Schedule 2.....	ad No 88, 2013 rs No 172, 2014
<b>Part 1</b>	
Part 1.....	ad No 88, 2013 rs No 172, 2014
c 1 .....	ad No 172, 2014 am F2017L01338
<b>Part 2</b>	
Part 2.....	ad No 88, 2013 rs No 172, 2014

Endnote 4—Amendment history

Provision affected	How affected
c 2 .....	ad No 172, 2014 am F2017L00112
<b>Part 3</b>	
Part 3.....	ad No 88, 2013 rs No 172, 2014
c 3 .....	ad No 172, 2014 am F2017L00112