

(ACN 000 032 333).

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Milsons Point
NSW

4 May 2011

Committee Secretary
Senate Standing Committees on Rural Affairs and Transport
PO Box 6100
Parliament House
Canberra ACT 2600
Australia
Email: .

Re: Inquiry into Exposure draft and explanatory memorandum of the Illegal Logging Prohibition Bill 2011

Kimberly-Clark Australia Pty Ltd (KCA) is broadly supportive of the thrust of the Illegal Logging Prohibition Bill 2011 and congratulates the Government for this important initiative.

KCA is a signatory to the Common Platform on Eliminating Illegal Forest Products between a range of Companies, NGO's and Industry Bodies (Attachment). This Common Platform clearly describes the result that KCA is looking for from the Legislation and the contents of Legislation that are required for it to be affective and will not be repeated here.

However, there are some specific areas where this Bill should be strengthened if is to be effective in curbing the illegal trading of timber products in Australia that are priority items for KCA.

A Declaration of Timber & Wood Products at Point of Importation is Required
The Legislation should contain a requirement for importers to disclose specified information at the point of importation. Such information would include the species, country of origin, quantity or value and any supporting documentation of legal verification or certification where available. The Bill does not include a declaration provision requiring importers to provide information of the timber products they seek to import into Australia. A declaration or disclosure of information is a fundamental element to both the US and EU regimes and is critical to any effort to control illegal timber imports.

Enforcement & Monitoring Provisions Should be Strengthened.

While the Bill has created a prohibition on the import of illegally logged timber and wood products, there is no provision within the Bill for ongoing enforcement of this prohibition. The only mechanism of enforcement is certification from an approved certifier. Certification is of importers, not of imports, and remains valid for an indeterminate period. There is no requirement that even certification is checked at the point of import.

The Federal Government should enforce the prohibition and due diligence requirements and not leave this responsibility to industry. Enforcement and monitoring should be substantially resourced.

Harmonisation with International Regulation

To the extent possible, the laws should be harmonised with the US Lacey Act and EU Timber Regulations.

As an affiliate of a global Company, Kimberly-Clark Corporation, administration and cost of pulp and paper imports would be simplified if the Australian Legislation was substantially similar to the US Lacey Act or to EU Regulation. Many of the concerns raised in the Common Platform in the Attachment are common to both these sets of Legislation and should therefore be included in Australian Legislation or Regulation to simplify administration and cost.

Unless these issues are addressed effectively then the potential benefits and control of illegal timber product imports in a cost effective manner may not be achieved.

Dr. Ross Hearne
General Manager – Corporate Services
Kimberly-Clark Australia Pty Ltd

Attachment

