

Implementing Timber Legality Assurance Systems

A guide to comply with timber legality requirements in Ghana and to support due diligence



GHANA



Timber Legality Assurance Systems are being developed in a number of countries. They ensure that wood products conform to national laws and help to prevent the illegal importation of timber. The systems are dependent on governments developing effective control and verification systems and operators complying with legal requirements and conducting due diligence – in this context identifying and minimizing the risks associated with imported timber. By being aware of legal requirements in Ghana and the risks of legal non-compliance, highlighted below, law enforcement agencies and importers can implement control and mitigation measures to prevent timber being illegally harvested, transported and traded.



HARVESTING TIMBER



Assure that harvesting rights have been properly and transparently granted.

CHECK THE FOLLOWING DOCUMENTS:

- Timber Utilization Contract**
Ensure the Contract has a valid date and has been verified by Parliament and signed by a relevant Minister.
- Certificate of Business Registration**
Ensure the Certificate has been signed by the Registrar of Companies, bears the Registrar's seal and displays the company's name, registration number and taxpayer identification number.
- Special Permit**
For restricted timber species companies are expected to obtain a Special Permit signed by the Regional Forest Service Division Manager.
- Salvage Permit**
Ensure Salvage Permits are only used for species that have not been banned from harvesting.



Assure that harvested trees are of allowed species, at or above the minimum diameter and from within permitted boundaries.

CHECK THE FOLLOWING DOCUMENTS:

- Harvesting Permit**
Ensure Permits are only applied to species that are not banned, and check that species specified in the Permits have not been changed or misrepresented.
- Planning documents**
The absence of approved or detailed planning documents are known as risk factors for illegal harvesting activities.



Assure that forest reserves have approved management plans.

CHECK THE FOLLOWING DOCUMENTS:

- Planning documents**
The absence of approved or detailed planning documents are known as risk factors for illegal harvesting activities.



Assure that companies comply with health and safety regulations.

CHECK THE FOLLOWING DOCUMENTS:

- Forest Stewardship Council Audit report**
Contains the details of any company health and safety violations.
- Collective Bargaining Agreement**
Signed Agreement with a trade union that specifies the conditions of employment and confirms whether workers have access to personal protective equipment.



Assure that workers are contracted and receive due entitlements.

CHECK THE FOLLOWING DOCUMENTS:

- Social Security and National Insurance Trust (SSNIT) Clearance Certificate**
Ensure the Certificate has a valid expiry date, an SSNIT logo and the signature of an SSNIT branch manager.
- Collective Bargaining Agreement**
Signed Agreement with a trade union that specifies the conditions of employment and confirms worker entitlements.



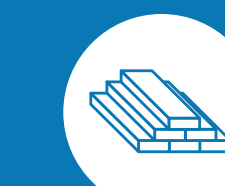
TIMBER TRANSPORT & TRADE



Assure that there is no illegal trade in tree species protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

CHECK THE FOLLOWING DOCUMENTS:

- CITES Export Permit**
A CITES Export Permit should include the scientific and common name of the species, details of the exporter and the signature and stamp of the Wildlife Division of Ghana's Forestry Commission.
- Timber Industries Development Division (TIDD) Export Permit**
Check the Permit is valid and signed and stamped by the TIDD, and ensure the company name on the Permit is the same as the exporter.
- TIDD contract**
A TIDD-approved contract covers the products that are to be produced from the exported timber.



PROCESSING TIMBER



Assure that processors have obtained valid permits.

CHECK THE FOLLOWING DOCUMENTS:

- Environmental Permit**
Issued by the Environmental Protection Authority.
- TIDD Registration Permit**
- Factory Inspection Registration Certificate**
Confirms factories have safeguarded employee health, welfare and safety. It should be signed by the Chief Inspector of Factories and have a valid expiry date.



Assure that processors comply with health and safety regulations.

CHECK THE FOLLOWING DOCUMENTS:

- Collective Bargaining Agreement**
Signed Agreement with a trade union that specifies the conditions of employment and confirms whether workers have access to personal protective equipment.
- Proof of purchasing protective equipment and clothing**
- Official Audit documentation**
Provides evidence that Ghana's Forestry Commission has undertaken an audit of a company's operations.



Assure that workers are contracted and receive due entitlements.

CHECK THE FOLLOWING DOCUMENTS:

- Records of SSNIT contributions**
Employers are required to maintain records of SSNIT contributions.
- Collective Bargaining Agreement**
Signed Agreement with a trade union that specifies the conditions of employment and confirms worker entitlements.



ACTIONS FOR IMPORTERS



Evaluate the validity of documentation with relevant authorities.



Ensure only tree species that are permitted to be harvested and exported are purchased.



Undertake on-site visits to timber harvesting areas and processing centers to investigate whether workers are protected and health and safety requirements are followed.



Undertake on-site visits to timber harvesting areas and processing centers to investigate whether workers are contracted and labor regulations are followed.

Check that each document is up to date, has been signed/stamped by the authorized agencies, and is consistent with other documents and with actual products and volumes being sold/exported.

For more information on the Ghana Timber Legality Risk Assessment: <https://preferredbynature.org/projects/developing-background-analyses-voluntary-partnership-agreement-vpa-support-project>

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