

ANNEX III

CONDITIONS GOVERNING THE RELEASE FOR FREE CIRCULATION INTO THE COMMUNITY OF TIMBER PRODUCTS EXPORTED FROM A PARTNER COUNTRY AND COVERED BY A FLEGT LICENCE*Article 1*

1. The FLEGT licence, hereinafter referred to as 'licence', shall be lodged with the competent authority of the Member State in which the shipment covered by that licence is declared for release for free circulation.
2. The competent authority referred to in paragraph 1 shall, in accordance with the applicable national procedures, inform the customs authorities that a licence has been accepted.
3. A licence shall be considered as void if the date on which it is lodged is later than the date of expiry indicated in the licence.
4. A licence lodged before the arrival of the shipment that it covers may be accepted if the licence meets all the requirements set out in Annex IV to this Agreement and no further verification in accordance with Article 3(1) is deemed necessary.
5. Where further information of the licence or of the shipment in accordance with Articles 3 and 4 is required, the licence shall be accepted only after the submission of information on the validity of the licence.
6. Costs incurred while the verification is completed shall be at the expense of the importer, except where national legislation of Member States concerned determines otherwise.

Article 2

1. Any erasures in or alterations to a licence shall not be accepted unless such erasures or alterations have been validated by the licensing authority.
2. The extension of the validity of a licence shall not be accepted unless that extension has been validated by the licensing authority.
3. A duplicate or replacement licence shall not be accepted unless it has been issued and validated by the licensing authority.
4. A licence shall not be accepted if, where necessary after the provision of additional information in accordance with Article 3 or a further investigation in accordance with Article 4, it has been established that the licence does not correspond to the shipment.

Article 3

1. In case of doubt concerning a licence, a duplicate or a replacement licence the competent authorities may request additional information to the licensing authority of the partner country.
2. A copy of the licence, the duplicate or the replacement licence in question may be forwarded together with the request.

Article 4

1. If further verification of the shipment is considered necessary before the competent authorities can decide whether a licence can be accepted, checks may be carried out to establish whether the shipment in question conforms to the information provided in the licence and to the records relating to the relevant licence which are held by the licensing authority.

2. Where the volume or weight of the timber products contained in the shipment presented for release for free circulation does not deviate by more than 10 % from the volume or weight indicated in the corresponding licence, it shall be considered that the shipment conforms to the information provided in the licence so far as volume or weight is concerned.

Article 5

1. Reference shall be made in box 44 of the Single Administrative Document on which the customs declaration for release for free circulation is made to the number of the licence that covers the timber products subject to the declaration.

Where the customs declaration is made by means of a data-processing technique the reference shall be provided in the appropriate box.

2. Timber products shall only be released for free circulation where the procedure described in Article 1(2) has been completed.
