

RESPONSIBLE WOOD CERTIFICATION SCHEME

**Australian Forestry Standard Limited
Trading As Responsible Wood
ACN 105 321 702**

The Responsible Wood Scheme and Logo Usage



October 2018

TRADE MARKS ACT 1995

IN THE MATTER OF

Certification Trade Mark
1886864 in the name of
Australian Forestry Standard
Limited

Rules Governing the Use of a Certification Mark

1. Definitions

In these Rules, unless the context otherwise requires:

AFS means *The Australian Forestry Standard* [AS 4708-2013] or subsequent versions of AS 4708.

For further information refer to <https://www.responsiblewood.org.au/>.

AFSL means Australian Forestry Standard Limited ACN 105 321 702.

Application Form means the form that must be duly completed and provided to Responsible Wood by a prospective User in order for Responsible Wood to consider providing it with a Licence, which as at the date of these Rules is in the form contained in Annexure A.

Certification Body means an independent, third-party organisation accredited by JAS-ANZ or otherwise being an IAF member which provides certifications to AS 4707, the PEFC-CoC Standard and/or AS 4708.

Details of accredited Certification Bodies can be found on the JAS-ANZ Register at www.jas-anz.com.au.

Claim means any form of representation to the market and or stakeholders used with the Mark by a User as detailed under heading 9.3.

CoC means *chain of custody*, which relates to the supply chain extending between timber production from forests and end users of wood products manufactured from timber harvested from these forests.

CoC Standard means the *chain of custody for certified wood and forest products* [AS 4707-2014] or subsequent versions.

For further information refer to <https://www.responsiblewood.org.au/>.

Controversial Source has the meaning given in the CoC Standard.

Fee has the meaning given under heading 10.1.

FM means *forest management*, which encompasses all activities involved in the establishment or regeneration of forests, silvicultural tending and other management for a range of forest values, and harvesting of forest products.

Group means a group that is a legal entity representing growers that are collectively maintaining certification under the RWCS (either FM or CoC) or progressing towards it.

IAF Member means an accreditation body from a country that is a member of the International Accreditation Forum Inc.

For further information refer to www.iaf.nu.

JAS-ANZ means the *Joint Accreditation System of Australia and New Zealand*.

For further information refer to www.jas-anz.com.au.

Licence means a trade mark licence agreement enabling a User to use the Marks, which at the date of these Rules is in the form contained in Annexure B.

Mark means the Responsible Wood certification trade mark as detailed in Schedule 1.

Marks mean the Mark and the PEFC Mark.

Mark Usage Flowchart means the usage process overview detailed in Schedule 3.

Mark Usage Toolkit means the reproduction requirements document published on the Responsible Wood website (<https://www.responsiblewood.org.au/>) or provided to a User upon request.

PEFC means the Programme for the Endorsement of Forest Certification Schemes.

For further information refer to www.pefc.org.

PEFC-CoC means the PEFC's International Chain of Custody Standard (PEFC ST 2002:2013 CoC Standard) or subsequent versions.

PEFC Marks means the PEFC trade marks specified as such in Schedule 1.

Rules mean this document and include any annexure, schedule and appendix to it.

Responsible Wood is a registered trading name of AFSL and is used to refer to AFSL in these Rules.

RWCS means the Responsible Wood Certification Scheme, which is based on the AFS and CoC Standards in conjunction with accreditation programs and independent third-party certification.

User means a legal entity that satisfies the requirements of a User Group and is therefore capable of using the Mark after it has been granted a Licence.

User Group means a category of Users as stipulated under heading 9.1.

2. Introduction

Responsible Wood manages the implementation of the RWCS.¹ To ensure the RWCS endures as a credible and robust certification framework, the authority and integrity of the Mark must be understood and used correctly. These Rules are designed to provide the authoritative basis for Responsible Wood to manage the use of the Mark in Australia, and to guide RWCS certified organisations and individuals seeking to use the Mark.

The Mark may be used in conjunction with goods originating and services relating to forests certified to the RWCS. Responsible Wood seeks to *'distil from community values and the science of forest management those economic, social, environmental and cultural criteria that are considered to be most important for ensuring that a forest is well managed'*.² It specifies criteria and

¹ The RWCS comprises the AFS and CoC Standards as the FM and CoC standards; accreditation programmes offered by JAS-ANZ for FM and product (CoC) certification to Certification Bodies and the independent, third-party Certification Bodies who have as a component of their scope of accreditation, the capacity to offer certification to the two standards.

² The Australian Forestry Standard (AS 4708), which can be accessed at: <https://www.responsiblewood.org.au/>.

requirements for wood production that support continual improvement towards sustainable FM. It is intended for voluntary application and will assist with promoting to both domestic and international markets.

The RWCS has been endorsed by the PEFC as conforming to its certification requirements for FM and PEFC-CoC. This endorsement confers mutual recognition to the RWCS with other endorsed PEFC national schemes and provides a framework that establishes recognition of all its endorsed schemes as substantively equivalent to the RWCS. The PEFC's mutual recognition framework enables those with RWCS certification for their FM and forest and wood products to use the PEFC Marks and related PEFC claims in their marketing and communications with stakeholders.

3. Objectives

These Rules have the objective of:

- (a) establishing rules for the use of the Mark;
- (b) assuring the protection of ownership rights in the Mark;
- (c) ensuring clear and credible communication of Claims connected with certification under the RWCS; and
- (d) authorising and administering the usage of the PEFC Marks in Australia on the basis of RWCS certification as a mutually recognised forest certification scheme under the PEFC system.

4. Scope

The scope of these Rules is to specify the:

- (a) owner of the Mark and governing body behind the RWCS (headings 6, 7 and 8);
- (b) parties that can use the Mark (heading 9);
- (c) type of Claims that are to be, and can additionally be, included with the Mark (heading 9);
- (d) type of on product and off product communication that can be associated with the Mark (heading 9);
- (e) specifications for reproduction of the Mark in printed and published form (heading 9 and Schedule 1); and
- (f) process for issuance of a Licence enabling use of the Mark (heading 9).

5. Mark Coverage

The RWCS is a single-issue labelling scheme, the Claims of which only concern sustainable FM, as defined and embraced by the AFS.³ Consequently, the RWCS does not make any claims on raw

³Responsible Wood acknowledges a definition of sustainable FM as: "*The integration of commercial and non-commercial values of forests so that both the material and non-material welfare of society is improved, whilst ensuring that the values of forests, both as a resource for commercial use and for conservation, are not lost or degraded for current and future generations*" based on the Forestry Working Group on Ecologically Sustainable Development (1991) and the National Forest Policy Statement (1992). Responsible Wood also notes the three key principles of ecological, social and economic sustainability.

materials other than those that are wood or wood based. The RWCS does not include any multi-issue or lifecycle analysis claims.

6. Ownership and Usage of the Mark

The Mark is copyrighted material and is a registered certification trade mark owned by Responsible Wood.

Unauthorised use is prohibited and may lead to legal action being taken. The use of the Mark and Claims in Australia is regulated and governed by Responsible Wood under the RWCS and these Rules.

7. Role of National Governing Body

Responsible Wood is a not-for-profit, public company which manages the implementation of the RWCS. This includes providing a contact point for queries and comments on the AFS and CoC Standard along with promoting mutual recognition for the RWCS with compatible forest certification schemes.

Responsible Wood as part of its charter to manage the implementation of the RWCS will use the Mark and Claims for educational and other communication purposes, and will be responsible for issuing and controlling Licences to other parties.

8. Role of Certification Body

The Certification Body which undertakes the verification audit of an organisation to a standard and grants a FM or CoC certification is responsible for controlling the use of the Mark and Claims by the relevant User as a part of the FM or CoC certification audit conducted under the RWCS.

Certification Bodies and nominated agents are required to report unapproved non-conforming uses of the Mark to Responsible Wood. Responsible Wood will evaluate the material to determine whether further action, including legal action, is required.

9. Mark Usage

9.1 User Groups

Four User Groups exist. The User Groups comprise both certification certificate holders and also non-certification certificate holders. The User Groups are:

- (a) Group A: National governing body (non-certification certificate holder)

Group A comprises Responsible Wood, as the governing body for the RWCS. Responsible Wood is permitted to use the Mark for educational purposes. It is also able to issue Licences to other parties within Australia.

- (b) Group B: FM (RWCS certification certificate holders)

Group B comprises forest owners and managers who have a valid RWCS certification and all eligible entities participating in group FM that hold a valid RWCS group certification. The FM certificate is issued by an independent third-party Certification Body meeting the most current issue of the JAS-ANZ Forest Management Scheme Rules - "Forest Management Systems Scheme Australia and New Zealand: Requirements for Bodies Providing Audit and Certification of Forest Management Systems" and will state, the compliance with the requirements of the RWCS.

Under Group B, the following entities can be Users:

- (i) Individual forest owners (as holders of individual certificate or members in regional or group certification);
- (ii) Holders of a group certificate (group of forest owners); and
- (iii) Other entities participating in the group forest certification (e.g. contractors).

Under Groups of forest owners, participating individual forest owners/managers/other entities can get an individual approval by obtaining a Licence that is linked to the Group Licence. This must be obtained from Responsible Wood.

Each User under Group B must with respect to their FM certification prepare summary reports of independent certification and surveillance audits which must be made publicly available to stakeholders.

- (c) Group C (CoC certification certificate holders)

Group C comprises forest related industries (e.g. wood or wood-based procurement organisations, wood processing industries, manufacturing industries, timber traders, distributors and retailers) being holders of CoC certificates or participating in a Group with a valid Group CoC certificate.

The CoC certificate is issued by an independent third-party Certification Body meeting ISO 17065 and CoC scheme accreditation requirements of JAS-ANZ or the appropriate accreditation programme for product certification incorporating CoC by an IAF Member as recognised by JAS-ANZ under IAF mutual recognition treaties.

The CoC certification certificate will state, in the scope of certification, the compliance with either the CoC Standard or where recognised in Australia by JAS-ANZ via IAF mutual recognition, the PEFC-CoC for Forest Based Products – Requirements [ST 2002:2013] or subsequent versions.

Under Group CoC certification, participating individual companies can obtain individual approval for the usage of the Mark. This requires a Licence which is linked to the Group Licence which must be obtained from Responsible Wood.

- (d) Group D: Those outside Groups B and C (non-certification certificate holders)

Group D comprises legal entities that wish to promote or advertise forest certification and their compliance with sustainable FM and CoC. Group D entities are not independently certified. They also, in their representation of any wood or wood product, do not transform the product in anyway. For a statement of CoC certification, the product will have the Group C's User's certification identification and label.

This category requires a self-declaration and a free form report on the organisations practices and their supplier list. There is an annual review for monitoring and policing use of the Mark which requires a new report and updated suppliers list be provided before a new Licence is re-issued.

9.2 Usage

The Mark conveys information to consumers that wood and wood-based raw material used in designated products come from sustainably managed forests, as defined within the RWCS.

If the content of the RWCS recycled wood based raw material is verified by a CoC certification certificate, the Mark will be used together with the Mobius Loop symbol. The usage of the Mobius Loop symbol must follow the requirements of Chapter 7.8 of ISO 14021.⁴

When the Mark is used, the following essential criteria must be followed:

- (a) the Mark shall be reproduced strictly in accordance with the Mark Usage Tool Kit;
- (b) a licence registration number provided by Responsible Wood must be included; and
- (c) the Mobius Loop symbol must be used together with the Mark if any goods to which the Mark is affixed contain recycled raw material of the minimum percentage threshold specified in the RWCS.

A RWCS certified good in some circumstances can carry the Mark without a Claim (heading 9.3). The Mark can be used with or without Claims in two different ways: on product usage and off product usage.

The Mark can also be used in off product applications to promote the usage of RWCS-labelled products, or to increase the general awareness about the Responsible Wood's goals and purposes in terms of sustainable FM.

Please see the Mark Usage Flowchart (Schedule 3) for an overview of the steps to be followed in order for a User to start using the Mark.

9.3 Claims

- (a) Minimum requirements

The Mark may only be applied to forest products originating from forests certified to the AFS.

Whilst mixing of certified and non-certified content is permitted under the percentage method, the Mark may only be applied to goods where the combined RWCS and PEFC certified content is a minimum of 70%, and the content originating from RWCS forests is a minimum of 50%. The non-certified component must have passed the due diligence process defined in the CoC Standards or PEFC-CoC, and not contain any material from a controversial source.

In all cases where the Mark is used "on product" and there is less than 100% certified wood content and the CoC certification is based on the percentage based method, a Claim underneath the Mark **must** be included and read:

"This product is from sustainably managed forest and controlled sources. [insert website]"

Note: In circumstances where the claim cannot be made legible due to size or substrate quality, information confirming the certified and controlled source content shall be provided in association with the product.

- (b) Additional voluntary information

All Users may make use of additional voluntary information as described in headings 9.3(b)(i) and 9.3(b)(ii) below. Responsible Wood intends for Claims under the RWCS to conform with those set out by the PEFC. Principally, the Claim can be either 'from

⁴ ISO 14021:1999 Environmental labels and declarations – Self declared environmental claims (Type II environmental labelling).

sustainably managed forests or *'promoting sustainable forest management'*, with rights to use these Claims dependent on whether it is for on product or off product usage, and whether the Claim relates to goods with 100% certified wood content.

(i) Off product use – additional voluntary information

In off product use, Users may attach additional voluntary information. This information may include the following element:

Element 1 – The appropriate Claim is used in conjunction with the Mark and would read as follows:

"Enabling sustainable forest management. [insert website]"; or "Enabling sustainable forest management and recycling. [insert website]"

(ii) On product use – additional voluntary information

In on product use, Users may attach additional voluntary information on the labels. This information may include the following elements:

Element 1 – The FM or CoC certificate number issued by the Certification Body may be included. This does not substitute for the mandatory use of the licence registration number (outlined in heading 9.2).

Element 2 – The appropriate Claim is included:

In cases where the wood either comes from a forest covered by a valid FM certificate or where CoC certification is based on physical segregation with all previous stages of the CoC also being based on physical segregation, and there is 100% certified wood content,⁵ then the Claim would read:

"This product is from sustainably managed forests. [insert website]" or,

" 100% Certified Content. [insert website]"

In cases where the goods includes RWCS recycled wood based raw materials with a CoC certificate, the Claim underneath the Mark would read:

"This product is from sustainable managed forests and recycled sources. [insert website]"

Element 3 – The name or designatory letters of the accredited Certification Body which issued the CoC certificate.

Element 4 – The User may also choose to use the Certification Body's own trade mark in addition to the Mark.

Element 5 – A producer of a certified good may add a voluntary description to inform about other raw material properties such as the origin of uncertified raw material used. It is recommended that the management of origin-related claims is based on both quality management systems such as ISO 9002 and

⁵ For further information on CoC, refer to the Australian Standard, *Chain of custody for certified wood and forest products*, AS 4707—2014 or subsequent versions of AS 4707, at: www.forestrystandard.org.au

environmental management systems such as ISO 14001. The content of a product description may include:

- (A) wood-based raw material/s certified under RWCS or other certification schemes recognised under the RWCS or by Responsible Wood;
- (B) other compatible primary wood fibres/wood;
- (C) recycled wood fibres; and
- (D) total wood raw material content.

10. Licences for Mark Usage Rights

10.1 Licence Arrangements

(a) General conditions

Any prospective User applying for use of the Mark must:

- (i) be a legal entity, such as a company, cooperative or incorporated association; and
- (ii) sign the Licence which provides Responsible Wood the right to publicly present the User's relevant information including its:
 - (A) contact and location details;
 - (B) certificate number and expiry date;
 - (C) Certification Body's contact details; and
 - (D) area of forest holding under relevant forest type and/or the number of facilities covered by the certificate.⁶

(b) Process for issuing Licences

A prospective User has to obtain a Licence before using the Mark and making Claims regardless of their User Group or usage (off product or on product usage). Applicants need to submit a completed Application Form along with evidence that the Fee (**Fee**) has been paid.

Responsible Wood reviews each completed Application Form to determine whether the applicant has delivered all the required documents for scrutiny and that all the preliminary requirements of usage and reproduction are fulfilled:

(i) **Group B Applicants**

Prospective FM Users must submit a copy of the valid and accredited FM certificate (i.e. bearing the accreditation symbol of a recognised national accreditation body) and evidence that summary reports of independent

⁶ Responsible Wood is required by the PEFC Council to provide data in accordance with its *Internal Rules for the PEFC Registration System*.

certification and surveillance audit results have been made publicly available to stakeholders.

For Group FM certification, when a Licence is granted to a participant in a FM group, it has to be clearly demonstrated in the application that the applicant is participating within a defined group with a valid FM certificate. If any verification is needed, the group list of participants must be made available by the Certification Body that certified the certificate holder.

(ii) **Group C Applicants**

Prospective CoC Users must submit a copy of the valid CoC certificate (i.e. bearing the accreditation symbol of a recognised national accreditation body) and where wood or wood based raw materials are sourced other than from entities that hold a valid PEFC or Licence, evidence that the forest manager has made summary reports of independent certification and surveillance audit results publicly available to stakeholders.

For Group CoC certification, when a Licence is granted to a participant in a COC Group, it has to be clearly demonstrated in the application, that the applicant is participating within the defined Group which holds a valid CoC certificate. If any verification is needed, the group list of participants must be made available by the Certification Body that certified the certificate holder.

FM and CoC - where an applicant is both an FM and CoC User, only one Licence shall be issued. The Licence will be based on Group C status. The requirements of heading 10.1(b) relating to Group B and Group C shall also be fulfilled in terms of the Licence between the applicant and Responsible Wood.

(c) **Licence**

If the applicant is approved, Responsible Wood prepares a Licence for the applicant. This Licence enters into force once signed by both parties.

If the application is declined, Responsible Wood must provide reasons for their decision to allow the applicant the opportunity to provide further information in support or to appeal the decision. In the case of an appeal, heading 10.3 describes the procedures to be followed.

Responsible Wood will maintain communication with the applicant's designated contact to ensure use is carried out according to the set principles and guidelines contained in the Mark Usage Tool Kit.

(d) **Suspension of Licence**

Responsible Wood reserves the right to suspend the Licence if the User is suspected of misusing the Mark, not complying with all the principles, rules, values and requirements of the RWCS or bringing the Mark, RWCS or Responsible Wood into disrepute. If, after investigation, the suspicion is proven to be founded, the Licence will be cancelled.

10.2 Fees

Fees have been established for the following purposes. These are to:

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- (a) register a newly certified organization on the RWCS (national) and PEFC (international) register⁷ along with administering and servicing these databases with updates and amendments;
 - (b) ensure the highest level of control over the use of the Marks; and
 - (c) deliver and offer support services to certified organisations.

The Fee is invoiced annually and collected by the relevant Certification Body on behalf of Responsible Wood. If a Licence is terminated by Responsible Wood due to violation of these Rules by the User, the Fee for the current year will not be refunded.

The Fee is at the discretion of Responsible Wood and can be changed by it at any time. Responsible Wood publishes their current Fees on their website (www.responsiblewood.org.au).

In the case of Users that can be classified under more than one User Group, the User is only required to pay one Fee.

10.3 Dispute settlement

Responsible Wood will make suitable arrangements for an independent dispute settlement body that meets on an ad hoc basis and takes care of complaints arising from RWCS implementation or certification procedure that cannot be addressed in the dispute settlement procedures of the relevant Certification Body. Responsible Wood provides guidance on dispute resolution in its 'Complaints and Grievances Procedure' available at: www.responsiblewood.org.au.

Appeals, disputes and complaints concerning the certification process or the certification results are dealt with by the Certification Body according to the requirements covered by their accreditation. The relevant accreditation body, whose accreditation covers the certification, deals with disputes and complaints concerning observance of the accreditation requirements.

11. Registration and Coding System

11.1 Register of Users

- (a) Responsibilities of the National Governing Body:
 - (i) issue Licences;
 - (ii) keep an up-to-date register of:
 - (A) FM certificate holders;
 - (B) CoC certificate holders; and
 - (C) all the on product and off product Users by User Group,in an electronic format.

The range of minimum data elements to be kept by Responsible Wood is set by the PEFC Internal Rules for the PEFC Registration System. The registration of certificate holders and Users can only be done in agreement with the forest owner, organisation or company

⁷ Responsible Wood pays an annual fee to PEFC for the recognition of Australian certified organisations.

being recorded, and has to be in compliance with effective regulations regarding security of individual data in information systems.

(b) Responsibility of Group organisations

In the case of Group certification, the holder of the Group FM certificate or the holder of a Group CoC certificate has to keep an up-to-date register of all participants in the Group certification. The minimum data elements are not prescribed at this stage, and should be determined by liaison between the group manager and Responsible Wood. If any verification is required, the register of individual participants held by the group certification manager must be made available by the Certification Body that certified the certificate holder.

11.2 Coding system

A Mark usage registration coding system has been developed to support a register of Licences consistent with the PEFC Marks usage coding system. The RWCS coding system is specified in Schedule 2 (Coding System). RWCS Licence registration numbers shall be issued by Responsible Wood as per the Coding System.

11.3 Monitoring and reporting

Mark usage is subject to monitoring carried out by accredited Certification Bodies, Responsible Wood and its appointed agents. Responsible Wood will provide periodic report summaries based on its electronic registers of the number of RWCS FM and CoC certificate holders and Users by User Group and type of Mark usage (on product or off product).

Changes to these certification mark rules

These certification mark rules may change from time to time. This manual was approved in October, 2018 as Issue 1.

Schedule 1

Marks

Responsible Wood Certification Trade Mark

Trade Mark No:	1886864	
Trade Mark:	 <p data-bbox="483 577 805 689">Responsible Wood</p>	
Goods and Services:	Class 16:	<p>Articles of cardboard for office purposes; Articles of cardboard for packaging; Articles of cardboard for stationery purposes; Articles of cardboard for use in packaging; Articles of cardboard for wrapping; Articles of cardboard in the form of boxes; Articles of cardboard in the form of cartons; Articles of paper for wrapping; Articles of paper in the form of boxes; Articles of paper in the form of cartons; Articles of paper in the form of containers; Articles of paper stationery; Cardboard; Cardboard boxes; Cardboard carrying cases; Cardboard cartons; Cardboard cases; Cardboard folders; Cardboard gift bags; Cardboard goods for packaging; Cardboard household storage boxes; Cardboard materials for use in packaging; Cardboard mounts; Cardboard packaging; Cardboard pasteboards (other than for use in building); Cardboard sheets; Cardboard shipping containers; Cardboard storage organisers; Cardboard tubes; Cartons made from corrugated paper; Corrugated cardboard containers; Corrugated cardboard; Corrugated packaging materials of card; Corrugated packaging materials of paper; Corrugated paper; Corrugated paperboard containers for bulk products; Corrugated paperboard; Drip mats of cardboard; Drip mats of paper; Drying reels of paper; Drying towels of paper; Envelopes (stationery); Filter paper; Fine paper; Folders made of cardboard; Napery (paper); Note pads; Notebooks; Packing paper; Packing tissue; Paper; Paper adhesive tape for household purposes; Paper adhesive tape for stationery purposes; Paper bags (wrapping materials); Paper boards (stationery); Paper bows for wrapping; Paper boxes for wrapping; Paper for use in manufacture; Paper for use in printing; Paper hand towels; Paper handkerchiefs; Paper rolls for drying purposes; Paper table linen; Paper table mats; Paper table napkins; Paper tablecloths; Paper tablecovers; Paper tags; Paper tissues; Paper towels; Paper wipes; Paper wiping cloths; Plain paper; Toilet paper; Toilet rolls; Toilet tissues</p>
	Class 19:	<p>Acoustic panels of wood for ceilings; Acoustic panels of wood for walls; Articles of wood for building purposes; Articles of wood for carpentry; Articles of wood for joinery; Balsa wood for use in building and construction; Beams made of timber; Beams made of wood; Boards made of wood particles; Boards of wood; Boards</p>

	<p>of wood fibre; Building boards made from wood and waterproof resins; Building components of wood; Building elements made of wooden materials; Building timber; Carved wood articles for the interior decoration of buildings; Cladding sheets being finished articles of wood; Cladding sheets of wood; Construction elements of timber; Facing elements made of wood for ceilings; Facing elements made of wood for floors; Fibre boards of wood fibre bonded with resin and particle boards; Floor coverings of wood; Flooring made of wood; Insulating boards for building purposes made from wood pulp; Joinery products of timber for use in buildings; Laminated wood; Manufactured fibreboard panels of pressed wood fibre and resins; Manufactured timber; Mouldable wood; Mouldable wood compositions; Moulded wood; Mounts of wood for roof windows; Movable partitions of wood (other than furniture); Partitions of wood (other than furniture); Planar panels made of fibre-reinforced wood; Planar panels made of wood; Planks (wood for building); Prefabricated wooden carports; Prefabricated wooden fences; Prepared wood; Rough (semi-worked) timber; Rough sawn timber; Sawn timber; Sawn timber for building purposes; Sawn wood; Shaped sections of wood for the production of doors; Shaped sheets of wood for use in the construction of doors; Shaped sheets of wood for use in the construction of windows; Shuttering made of wood; Signs made of wood; Structural timber products; Timber (other than unsawn timber); Timber building boards; Timber building products; Timber for building; Timber laminated particle boards; Timber laminates; Timber mouldings; Timber panels; Timber particle boards; Timber products for use in building; Veneer wood; Wall decorations of wood (parts of buildings); Wall panelling made of wood; Wall plaques of wood (parts of buildings); Wood; Wood agglomerate lined with melamine sheet; Wood agglomerate lined with natural sheet; Wood chipboard; Wood fibre boards; Wood fibre boards having a surface treatment; Wood fibre mats for building; Wood for building; Wood for construction purposes; Wood for making household utensils; Wood for use in building; Wood laminates; Wood moulding compounds; Wood panelling; Wood paving; Wood pulp board for building; Wood sections; Wood sheeting; Wood veneers; Wood window frames; Wooden articles for use in construction; Wooden building materials in fabricated form; Wooden door frames; Wooden doors; Wooden floor boards; Wooden grates; Wooden panels for the interior decoration of rooms; Wooden profiles; Wooden racks (structures); Wooden shelving (structures); Wooden shutters</p>
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	Class 20:	Adhesive wall decorations of wood; Articles of wood for decorative purposes; Articles of wood for ornamental purposes; Bedsteads of wood; Bottle casings of wood; Boxes made of paper coated wood; Boxes made of wood; Carvings of wood; Caskets made of wood; Containers in the form of boxes made of wood; Decorations made of wood; Decorative edging strips of wood for use with fitted furniture; Decorative edging strips of wood for use with furniture; Decorative edging strips of wood for use with window fittings; Decorative objects (ornaments) made of wood; Domestic furniture made of wood; Door furniture made of wood; Doors made of wood for furniture; Figures made of wood; Figurines made of wood; Furniture made of wood; Furniture partitions of wood; Garden furniture manufactured from wood; Household articles made of wood for decoration purposes; Moulded furniture parts made of wood fibre mats; Mouldings made of wood for picture frames; Objects made of wood for decoration; Ornaments made of wood; Packaging boxes in collapsible form (wood); Packaging boxes in flat form (wood); Packaging boxes in made-up form (wood); Partitions of wood (furniture); Partitions of wood for furniture; Photograph frames of wood; Placards of wood or plastics; Plaques made of wood; Sculptures made from wood; Sections of wood for beehives; Step ladders made of wood; Storage chests made of wood; Street furniture made of wood (other than structures); Table centres (ornaments) made of wood; Wall decorations of wood (other than parts of buildings); Window blinds made of wood (indoor); Wood carvings
	Class 31:	Decorative woodchip mulch; Round timber; Undressed timber; Unsawn timber; Wood chips for the manufacture of wood pulp; Wood chips
	Class 44:	Forestry services

PEFC Trade Marks

Trade Mark Nos:	1702197 and 1710014	
Trade Marks:	<p>PEFC; and</p> 	
Goods and Services:	Class 4:	Fuel
	Class 16:	Paper, cardboard and goods made from these materials; stationery and printed matter
	Class 19:	Building materials
	Class 20:	Furniture; goods (not included in other classes) of wood, cork, reed, cane and wicker
	Class 31:	Agricultural, horticultural and forestry products; natural plants and flowers, seeds
	Class 35:	Marketing and advertising related to wood and treatment of wood, public relations
	Class 41:	Education; training, teaching; arranging and conducting of education, training and teaching courses; correspondence courses and teaching; arranging and conducting of competitions (education or entertainment); arranging and conducting of conferences, congresses, colloquiums, seminars
Class 42:	Research services in the field of sustainable forest management; drawing up and testing of standards, certification criteria and certification guidelines; services relating to the implementation of certification schemes, including granting certification, monitoring compliance of standards; auditing and evaluating participants in the certification scheme; giving participants information and advice on the certification scheme; quality management, quality control and quality assurance; design of packaging; technical project studies; feasibility studies, and technical services relating to sustainable forest management	

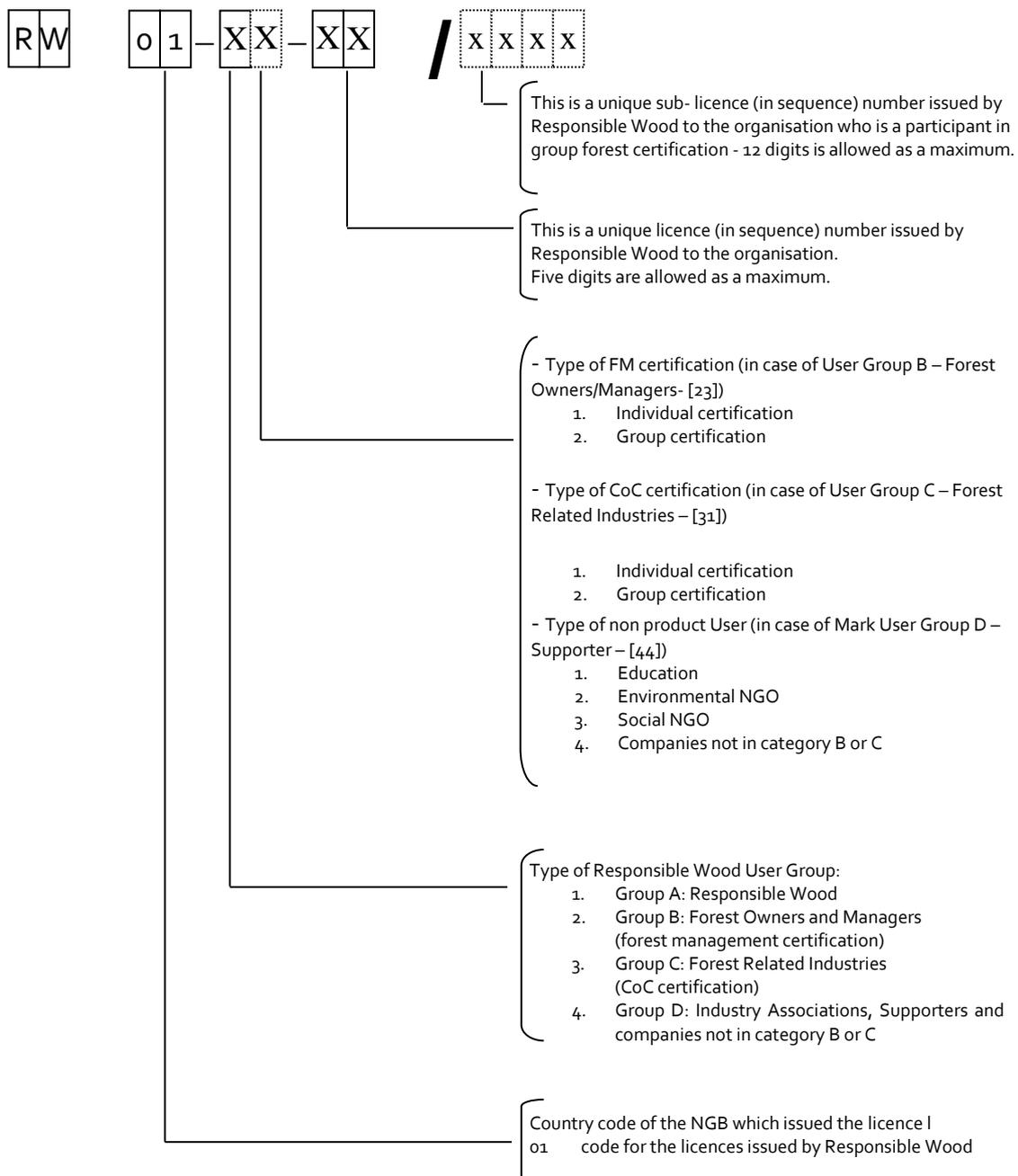
Schedule 2

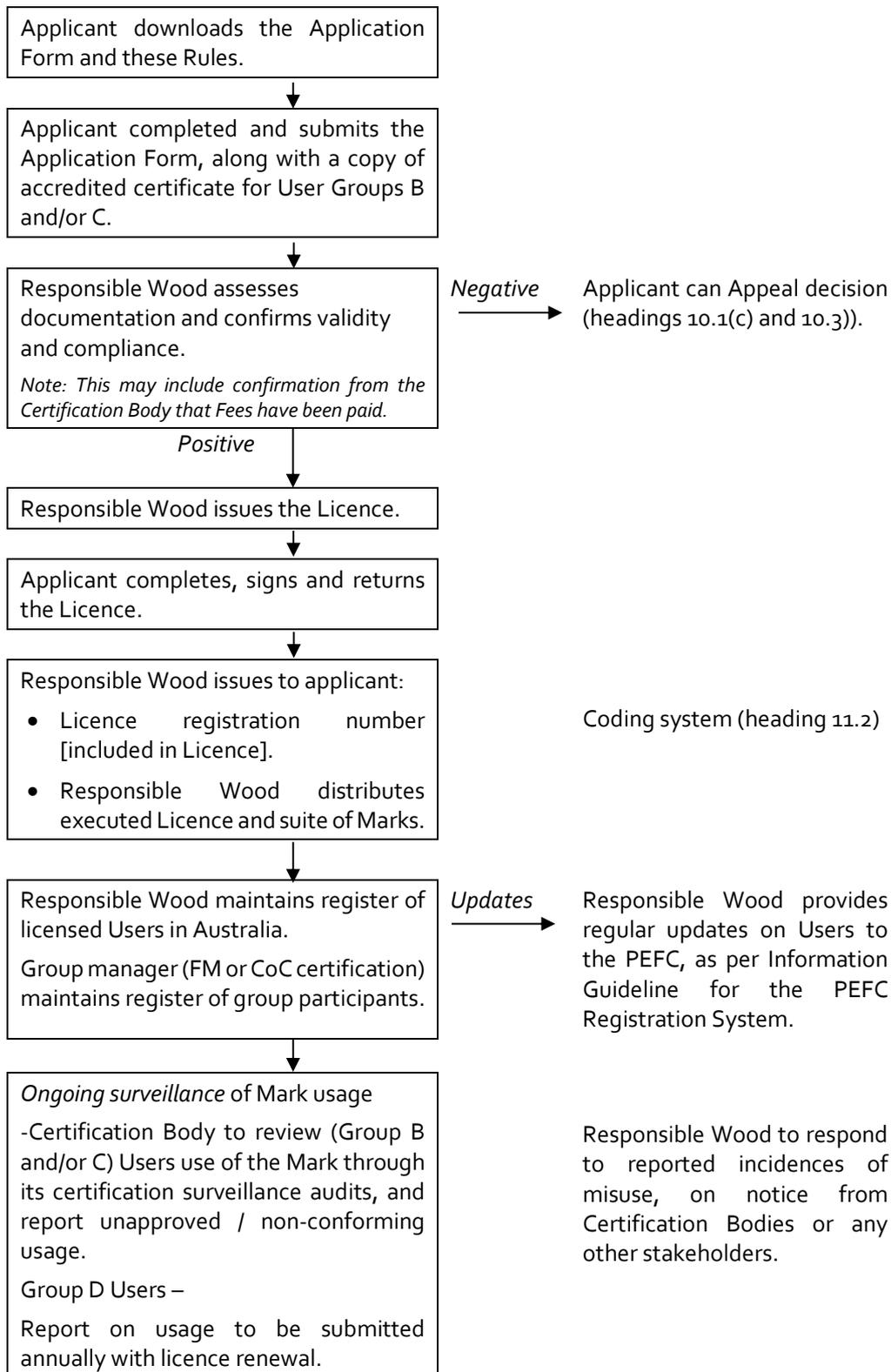
RWCS Mark Usage Registration Coding System

The RWCS Mark Usage Registration Coding System is based on the coding system and format developed by the PEFC Council. Conformance with this system will support the broader RWCS conformance with the PEFC requirements, and also support rapid interpretation of registration numbers by industry members and customers familiar with the PEFC system.

Responsible Wood will issue approved Users with an RWCS Mark usage licence registration number, in the format set out in Figure 2 below.

Figure 2. Mark Usage Registration Coding System





Annexure A Application Form

1. Certification Mark	
<input type="checkbox"/> Responsible Wood	<input type="checkbox"/> PEFC
2. Applicant's Identification Data	
Organisation name	
Registration number (Office use)	
Organisation's representative	
Address – Street, Number or PO Box	
City, State Post Code	
Country	Australia
Telephone / Fax	
Email / Http	
3. Applicant's User Group – (Only one category can be marked in single application)	
(a) National Governing Body	In Australia, Responsible Wood
(b) Forest owner or manager	<input type="checkbox"/> FM Certification holder <input type="checkbox"/> Participation in group FM certification
(c) Forest Industry, Trade, Distributors	<input type="checkbox"/> CoC Certification holder <input type="checkbox"/> Participant in group CoC certification
(d) Other Users	<input type="checkbox"/>
4. Information and Documents for Application Processing (For certificate holders only)	
Certificate number / Expiry date	
Participation in Group Certification Number / Expiry date	<input type="checkbox"/>
Certification Body Name	<input type="checkbox"/>
Accreditation Body Name	<input type="checkbox"/>
Accreditation Number	
Turnover for the last year in AUD	
Documents provided for the application Processing <input type="checkbox"/> Copy of the certificate <input type="checkbox"/> Copy of the Confirmation of participation in Group Certification <input type="checkbox"/> Document confirming the turnover for the last year <input type="checkbox"/> Free-form explanation of the intended use of the Mark	
5. Self-Declaration	
I hereby confirm that: <ul style="list-style-type: none"> • I have read Responsible Wood Mark Use Rules Manual concerning the Responsible Wood / PEFC Usage and accept the; and • the data included in the application are complete and truthful. 	
Signature of applicant's representative	
Date	

Annexure B Trade Marks Usage Licence

Between

Australian Forestry Standard Ltd ACN 105 321 702 (hereinafter "Responsible Wood") having its registered office at: 30 Boothby Street, Kedron, QLD 4031 AUSTRALIA (ABN 34 105 321 702)

And

[Insert] (ACN Insert) Applicant, (hereinafter the "User"), having its registered office at [Insert] Address (ABN Insert)

Recitals:

- A. The User is within a User Group and wishes to have the right to use the Marks in the course of its business.
- B. Responsible Wood owns the intellectual property rights in the Mark and has been granted, under licence from the PEFC Council, the right to license the use of the PEFC Marks.
- C. Responsible Wood agrees to grant a licence to enable the User to use the Marks with registration number [RW/01-31-XX and PEFC/21-31-XX] in accordance with the Rules and on the terms of this Agreement.

It is agreed:

1. Definitions

Agreement means this document and includes any annexure, schedule and appendix to it.

AFS means the Australian Forestry Standard [AS 4708: 2013] or subsequent versions of AS 4708 and/or NZS 4708 or subsequent versions of NZS 4708.

Certification Certificate means certificates issued a Certification Body to entities for Forest Management or CoC certification recognised under the Certification Scheme. Recognised certificates include those issued by bodies accredited or recognised by JAS-ANZ under the International Accreditation Forum mutual recognition treaty.

Certification Body means an independent, third-party organisation accredited by JAS-ANZ or otherwise being an IAF Member which provides certifications to AS 4707, the PEFC's International Chain of Custody Standard (PEFC ST 2002:2013) or subsequent versions and/or AS 4708.

Certification Scheme means the Responsible Wood Certification Scheme, which is based on the AFS and CoC Standards in conjunction with accreditation programs and independent third-party certification.

CoC means *chain of custody*, which relates to the supply chain extending between timber production from forests and end users of wood products manufactured from timber harvested from these forests.

CoC Standard means the *chain of custody for certified wood and forest products* [AS 4707-2014] or subsequent versions.

Fee means for User Groups B and C an annual notification fee payable to the notified Certification Body and for User Group D an annual usage fee payable by the User to Responsible Wood. The amount of the fees are published at www.responsiblewood.org.au.

User Group means the user categories defined in the Rules, relevantly being:

- (a) Group B - Forest owners and managers;
- (b) Group C - Processors and manufacturers of wood products; and
- (c) Group D - Industry Associations, supporters and companies not in B or C.

IAF Member means an accreditation body from a country that is a member of the International Accreditation Forum Inc.

For further information refer to www.iaf.nu.

JAS-ANZ means the *Joint Accreditation System of Australia and New Zealand*.

For further information refer to www.jas-anz.com.au.

Mark means the Australian certification trade mark 1886864.

Marks mean the Mark and the PEFC Marks.

PEFC means the *Programme for Endorsement of Forest Certification schemes* – a global umbrella initiative for forest certification schemes.

PEFC Marks means the PEFC Council word and logo trade marks (TM 1702197 and 1710014 respectively) managed in Australia and New Zealand by Australian Forestry Standard Ltd ACN 105 321 702.

Rules mean the Responsible Wood Scheme document that outlines the rules for use of the Mark.

RWCS means the Responsible Wood Certification Scheme, which is based upon the Australian Forestry Standard AS 4708 and COC Standard AS 4707 in conjunction with accreditation programs and independent third-party certification.

2. Intellectual Property Rights in the Responsible Wood Logo

The Parties agree that Responsible Wood owns the intellectual property rights including the copyright in the Mark. For the avoidance of doubt, this Agreement does not confer on the User any rights of ownership in the Mark.

3. Responsibilities of the User

- (a) The User must use the Marks in accordance with the Rules, and with the Registration Number issued to it to ensure that the User is readily identifiable.
- (b) The User must at all times act in a manner that supports the principles of sustainable forest management. The User must act with integrity and in good faith in accordance with the Responsible Wood general code of values. The User must make no false and misleading claims regarding certification or the certified status of forests or products under their control. The User must not take any actions or make any statements which have potential to bring the Marks, the Certification Scheme or Responsible Wood into disrepute.

- (c) The Certification Body is responsible for verifying the use of Mark by the User and ensuring its use complies with the Rules. The User agrees to cooperate with the Certification Body by allowing the auditing of its use of the Mark and the making of all necessary and relevant records available upon request.
- (d) Users must pay the relevant Fee for use of the Marks on receipt of a tax invoice either from Responsible Wood or the User's Certification Body.
- (e) Responsible Wood reserves the right on written notice to increase or decrease the amount of the Fees.
- (f) The User must inform Responsible Wood immediately and truthfully of any changes concerning the User's identification data and certified status.

4. Responsibilities of Responsible Wood Limited

- (a) Responsible Wood will use every reasonable endeavour to provide the User with high quality electronic versions of the Marks within two weeks of execution of this Agreement and receipt of payment of the required Fee.
- (b) Responsible Wood is obliged to inform the User of any changes to Responsible Wood regulations and documentation that concern the Marks and their usage.

5. Misuse of Logo and Penalties

- (a) The User acknowledges and agrees that use of the Marks is regulated and governed by Responsible Wood and is controlled and monitored by Certification Bodies. The User agrees that unauthorised use of the Marks is prohibited and may lead to legal action being taken.
- (b) Responsible Wood reserves the right to carry out an inspection (by itself or to commission a third party) to act on a complaint by a third party or if Responsible Wood has reason to believe that this Agreement is being contravened. The User shall bear responsibility for the costs of said inspection and any other detrimental effects.
- (c) Responsible Wood may impose a contractual penalty for unauthorised on- or off-product use of the Marks. The amount of the penalty will be set by Responsible Wood, subject to the following considerations:
 - (i) In the case of Group B the contractual penalty that may apply is *five times the annual fee applicable to the User*, unless the User proves that such unauthorised use was unintentional. In the latter case the penalty will be limited to AU\$10,000.
 - (ii) In the case of Group C the contractual penalty that may apply is *one-fifth of the market value of the products to which the unauthorised use relates*, unless the User proves that such unauthorised use was unintentional. In the latter case the penalty will be limited to AU\$10,000.
 - (iii) In the case of Group D, the contractual penalty that may apply is *one-fifth of the market value of the products to which the unauthorised use relates*, unless the User demonstrates that such unauthorised use was unintentional. In the latter case the penalty will be limited to AU\$1,000.

- (d) Responsible Wood has discretion to reasonably alter the amount of a penalty for misuse of the Marks. Any change to the amount of a penalty shall come into effect three months and five days after notification in writing by Responsible Wood.

6. Suspension and Termination

- (a) Responsible Wood is granted a licence for the usage of the PEFC Marks in Australia. PEFC reserves the right to withdraw the licence with immediate effect if there are reasons to believe that any of the terms of that licence or the PEFC scheme are not being adhered to, or otherwise if the User brings the Mark, the Certification Scheme or Responsible Wood into disrepute. Withdrawal of the licence granted by PEFC to Responsible Wood will result in automatic withdrawal of the licence(s) issued by Responsible Wood for use of the PEFC Marks. This will take effect on the same date as the withdrawal of the licence granted to Responsible Wood by PEFC.
- (b) Either party may terminate this Agreement with three months prior written notice by registered letter.
- (c) Responsible Wood may suspend this Agreement temporarily with immediate effect while a suspicion of contravention of the terms of this Agreement or of the Rules is being investigated by Responsible Wood. In case of suspicion, Responsible Wood shall send the User a written request for an explanation and notification of the temporary revocation of the Agreement. The temporary revocation shall remain in effect for a maximum period of one month or if Responsible Wood reasonably determines further investigations are required after the User has provided an explanation concerning the suspected misuse to Responsible Wood the length of those investigations.
- (d) When the User has implemented appropriate corrective measures and met conditions imposed by Responsible Wood and given notification that this has been done, Responsible Wood may agree to the User resuming its rights under this Agreement.
- (e) Responsible Wood may terminate this Agreement with immediate effect if there are reasonable grounds to believe that any of its terms or the Rules have been breached and are not remedied after reasonable notice or where the breach is incapable of being remedied.
- (f) Withdrawal, suspension or the end of the validity of the Certification Certificate will result in automatic termination of this Agreement with effect on the same date as the withdrawal, suspension or the end of the validity of the RWCS certificate.
- (g) Responsible Wood and/or PEFC Logo and notification fees will not be refunded to the User in case of temporary revocation or termination of the Licence Agreement according to Clause 6(b) - 6(d).
- (h) Responsible Wood is not obliged to pay compensation for any costs or other damages which the temporary revocation or termination may cause to the User.
- (i) The User has the right to appeal any decisions of Responsible Wood to suspend or terminate this Agreement. The Agreement will remain under suspension or termination during the period while the appeal is considered.

7. Reporting and Presentation

- (a) Responsible Wood is permitted to present in a public forum (e.g. the Responsible Wood web site) the User's identification data and information concerning the certification status provided by the User or the relevant Certification Body.
- (b) The User, in the case of Group B (forest management) will undertake to provide, immediately after each forest management verification audit, Responsible Wood with a notification, verified by the Certification Body, of the on-product use of the Marks (e.g. broken down by product or product category or similar) to the degree of accuracy that the system used by the User permits. The User will also supply Responsible Wood with a detailed, free form account of any off-product use of the Marks.
- (c) The User, in the case of Group C will undertake to provide, immediately after each CoC verification audit, Responsible Wood with a notification, verified by the Certification Body, of the on-product use of the Marks broken down by product, product category, production unit or similar, to the degree of accuracy that the system used by the User permits. The User will also supply Responsible Wood with a detailed, free form account of any off-product use of the Marks.
- (d) The User, in the case of Group D (supporter user group), will give Responsible Wood an annual report containing an itemised, free form account of the off-product usage of the Marks.

8. Validity of the Agreement

- (a) The terms of this Agreement come into effect when it has been signed by both parties and the User has paid the Fees.
- (b) Subject to clauses 5 and 6 this Licence Agreement remains valid and current between both parties based on payment of the annual Fee to Responsible Wood.

9. Governing Law

This Agreement is governed by Australian law. The Parties submit to the jurisdiction of the courts in the State of Queensland.

Dated:
(to be dated when the last party signs)

Responsible Wood Execution

SIGNED by RESPONSIBLE WOOD)
)
)

Chief Executive Officer

Applicant Execution

EXECUTED AS AN AGREEMENT by [INSERT])
in accordance with section 127 of the)
Corporations Act 2001 (Cth) by:)

Signature of Director

Signature of Director/Secretary

Name of Director

Name of Director/Secretary