

SUMMARY OF CHANGES IN THE MC&I FOREST PLANTATION.V2

Introduction

The *Malaysian Criteria and Indicators for Forest Management Certification (Forest Plantations)* [MC&I(Forest Plantations)] which is the standard used for assessing the management practices of plantation forests under the Malaysian Timber Certification Scheme (MTCS) had undergone a review process from January 2013 to October 2014. As a result of the review process, a revised standard, the MC&I Forest Plantation.v2 has been formulated and adopted by the Standards Review Committee on 31 October 2014. The MC&I Forest Plantation.v2 was subsequently adopted by the MTCC Board of Trustees as the new forest management certification standard under the MTCS during its 61st Meeting held on 19 December 2014.

This document provides a summary of the main changes in the MC&I Forest Plantation.v2 as compared to the MC&I(Forest Plantations). It highlights the general changes to the content that are applicable to the whole standard and specific changes based on a principle by principle basis.

Structural Changes

There were no structural changes to the standard with the exception of the inclusion of three new Indicators, with the new MC&I Forest Plantations.v2 now containing 10 Principles, 55 Criteria and 108 Indicators.

General Changes

1. Amendment of terms used throughout the standard, which includes the following:
 - (i) “Free, prior and informed consent” replacing “free and informed consent” in line with the terminology used in the United Nations Declaration of Rights for Indigenous Peoples 2007 (UNDRIP)
 - (ii) “forest plantation managers” in place of “forest managers”
 - (iii) “High Conservation Value areas” in place of “High Conservation Value Forests”
2. The segregation of the Verifiers from national level into regional basis, if there are differences as a result of the amendment or inclusion of new Verifiers at the regional level.
3. The layout of the standard has been changed from a landscape to a portrait format, for ease of reference in the field.

Specific Changes to the Standard

This section highlights the specific changes at the Principle, Criterion or Indicator level.

Principle	Changes to the Standard
1	<p>The major changes in Principle 1 are the amendment to existing Verifiers and inclusion of new or additional national/state laws and policies (under Indicator 1.1.1) as well as deletion of irrelevant Verifiers as follows:</p> <p>(i) <u>Amendment of Verifiers</u></p> <p>Peninsular Malaysia</p> <p>a) Federal Laws</p> <ul style="list-style-type: none"> • Environmental Quality Act 1974 <ul style="list-style-type: none"> ▪ Environmental Quality (Scheduled Wastes) Regulations 2005 • Malaysian Quarantine Inspection Services Act 2011 • Wildlife Conservation Act 2010 <p>Sabah</p> <p>a) Federal Laws</p> <ul style="list-style-type: none"> • Environmental Quality Act 1974 <ul style="list-style-type: none"> ▪ Environmental Quality (Scheduled Wastes) Regulations 2005 <p>b) Policies</p> <ul style="list-style-type: none"> • Sabah Forestry Policy, 2005 <p>Sarawak</p> <p>a) Federal Laws</p> <ul style="list-style-type: none"> • Environmental Quality Act 1974 <ul style="list-style-type: none"> ▪ Environmental Quality (Scheduled Wastes) Regulations 2005 <p>(ii) <u>Addition of Verifiers</u></p> <p>Peninsular Malaysia</p> <p>a) Federal Laws</p> <ul style="list-style-type: none"> • Biosafety Act 2007 • Employees Provident Fund Act 1991 • Immigration Act 1959/63 • International Trade in Endangered Species Act 2008 • Malaysian Quarantine Inspection Services Act 2011 • Minimum Retirement Age Act 2012 • National Wages Consultative Council Act 2011 <ul style="list-style-type: none"> ▪ Minimum Wages Order 2012 • Wildlife Conservation Act 2010 <p>b) Policies</p> <ul style="list-style-type: none"> • National Elephant Conservation Action Plan • National Physical Plan-2, 2010 • National Policy on Climate Change, 2009 • National Tiger Conservation Action Plan, 2008-2020 • National Timber Industry Policy, 2009-2020 <p>Sabah</p> <p>a) Federal Laws</p> <ul style="list-style-type: none"> • Biosafety Act 2007

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	<ul style="list-style-type: none"> • Employees Provident Fund Act 1991 • Immigration Act 1959/63 • International Trade in Endangered Species Act 2008 • Minimum Retirement Age Act 2012 • National Wages Consultative Council Act 2011 <ul style="list-style-type: none"> ▪ Minimum Wages Order 2012 <p>b) Policies</p> <ul style="list-style-type: none"> • Elephant Action Plan, 2012-2016 • National Policy on Climate Change, 2009 • Orangutan Action Plan, 2012-2016 • Rhinoceros Action Plan, 2012-2016 <p>Sarawak</p> <p>a) Federal Laws</p> <ul style="list-style-type: none"> • Biosafety Act 2007 • Employees Provident Fund Act 1991 • Immigration Act 1959/63 • International Trade in Endangered Species Act 2008 • Minimum Retirement Age Act 2012 • National Wages Consultative Council Act 2011 <ul style="list-style-type: none"> ▪ Minimum Wages Order 2012 <p>b) Policies</p> <ul style="list-style-type: none"> • A Master Plan for Wildlife in Sarawak • Orangutan Strategic Action Plan: Trans-boundary Biodiversity Conservation Area <p>(iii) <u>Deletion of Verifiers</u></p> <p>Peninsular Malaysia / Sabah / Sarawak</p> <p>a) Federal Laws</p> <ul style="list-style-type: none"> • Human Rights Commission of Malaysia Act 1999 • Pesticides Act 1974 <p>b) Policies</p> <ul style="list-style-type: none"> • National Agricultural Policy, 1992-2010
2	<p><u>Addition of Verifiers</u></p> <p>(i) Under Indicator 2.2.1</p> <p>Peninsular Malaysia</p> <ul style="list-style-type: none"> • Wildlife Conservation Act 2010 <p>(ii) Under Indicator 2.2.2</p> <p>Peninsular Malaysia / Sabah</p> <ul style="list-style-type: none"> • Records of consultations held with the local communities / indigenous peoples to identify and document areas traditionally used and sites of significant importance to them, if any (e.g. cultural, religious sites, water intake point) • Records of actions taken to protect the identified sites of significant importance, if any (e.g. cultural, religious sites, water intake point) <p>Sarawak</p> <ul style="list-style-type: none"> • Interpretation Ordinance (Cap. 61) • Records of consultations held with the local communities / indigenous peoples to

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	<p>identify and document areas traditionally used and sites of significant importance to them, if any (e.g. cultural, religious sites, water intake point)</p> <ul style="list-style-type: none"> Records of actions taken to protect the identified sites of significant importance, if any (e.g. cultural, religious sites, water intake point)
3	<p>(i) <u>Amendment of Verifiers</u></p> <p>Under Indicator 3.1.3</p> <p>Peninsular Malaysia</p> <ul style="list-style-type: none"> Records of conflicts and grievances between parties involved concerning their legal and customary rights within the Forest Plantation Management Unit Records of decisions of Civil Courts concerning their legal and customary rights within the Forest Plantation Management Unit Records of direct negotiations or arbitration concerning their legal and customary rights within the Forest Plantation Management Unit and outcomes <p>Sabah / Sarawak</p> <ul style="list-style-type: none"> Records of conflicts and grievances between parties involved concerning their legal and customary rights within the Forest Plantation Management Unit Records of decisions of Civil Courts / Native Courts concerning their legal and customary rights within the Forest Plantation Management Unit Records of outcomes of direct negotiations or arbitration concerning their legal and customary rights within the Forest Plantation Management Unit and outcomes <p>Under Indicator 3.3.2</p> <p>Peninsular Malaysia</p> <ul style="list-style-type: none"> Decision of Civil Court Records of arbitration Records of dialogue and consultation held with indigenous people and relevant stakeholders, if any <p>Sabah / Sarawak</p> <ul style="list-style-type: none"> Decisions of Native Courts and Civil Courts Records of arbitration Records of dialogue and consultation held with natives and relevant stakeholders, if any <p>(ii) <u>Addition of Verifiers</u></p> <p>Under Indicator 3.1.1</p> <p>Peninsular Malaysia</p> <ul style="list-style-type: none"> Decisions of the Civil Courts pertaining to legal or customary tenure or use rights Records of consultation with the aborigines <p>Sabah</p> <ul style="list-style-type: none"> Records of consultation with the natives <p>Sarawak</p> <ul style="list-style-type: none"> Interpretation Ordinance (Cap. 61) Records of consultation with the natives

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	<p>Under Indicator 3.2.1</p> <p>Peninsular Malaysia / Sabah / Sarawak</p> <ul style="list-style-type: none"> • List of species / resources used by indigenous peoples within the Forest Plantation Management Unit as identified through the Environmental Impact Assessment (EIA) and High Conservation Value (HCV) assessment process • Preventive and mitigation measures incorporated into Forest Plantation Management Plan
4	<p>(i) The inclusion of a new Indicator 4.1.3 – <i>Forest plantation managers shall not employ or be involved in the employment of illegal immigrants</i> and the corresponding Verifiers for Peninsular Malaysia, Sarawak and Sabah to ensure no illegal immigrants enter the workforce in forest plantations i.e.</p> <ul style="list-style-type: none"> • Immigration Act 1959/63 • Employment Records <p>(ii) The inclusion of new Verifiers under Indicator 4.2.2</p> <p>Peninsular Malaysia / Sabah / Sarawak</p> <ul style="list-style-type: none"> • Establishment of Safety and Health Committees in accordance with Occupational Safety and Health Act 1994 – Sections 30 and 31 • Employment of Safety and Health Officer in accordance with Occupational Safety and Health Act 1994 – Section 29 • Statement of policy on occupational safety and health in accordance with Occupational Safety and Health Act 1994 – Section 16 <p>(iii) The inclusion of new Verifier under Indicator 4.2.3</p> <p>Peninsular Malaysia / Sabah / Sarawak</p> <ul style="list-style-type: none"> • Minutes of Safety and Health Committee meetings
5	<p><u>Addition of Verifiers</u></p> <p>Under Indicator 5.6.2</p> <p>Peninsular Malaysia / Sabah / Sarawak</p> <ul style="list-style-type: none"> • Records of measures taken to sustain the provision of non-timber forest products • Records of plantation timber and non-timber forest products and quantity harvested under license in the Forest Plantation Management Unit
6	<p>(i) The inclusion of a new Indicator 6.4.3 – <i>Where the forest plantation is located adjacent to an environmentally sensitive area, adequate buffer zone shall be established and maintained</i> and the adoption of a new set of Verifiers for Peninsular Malaysia, Sabah and Sarawak to ensure buffer zones are established and maintained</p> <p>(ii) The merging of Indicators 6.5.1 and 6.5.2 in MC&I(Forest Plantations) resulted in the current Indicator 6.5.1 – <i>Availability and implementation of forest plantation establishment and harvesting procedures to protect the soil from compaction by harvesting machinery and erosion during harvesting operations</i> due to the similarities of the Indicators</p>
7	Minor editorial changes

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8	<p>The inclusion of a new Indicator 8.1.3 – <i>Forest plantation managers shall undertake annual internal audit and management review of forest plantation management</i> and the corresponding Verifiers for the three regions, i.e.:</p> <ul style="list-style-type: none"> • Report of annual internal audit of forest plantation management • Report of management review
9	<p>(i) The title of Principle 9 had been amended to “Maintenance of High Conservation Value (HCV)”</p> <p>(ii) Minor editorial changes had been made throughout the Principle</p>
10	<p>(i) The title of Principle 10 had been amended to Forest Plantation Development and Management</p> <p>(ii) Inclusion of an additional Verifier under Indicator 10.4.3 for Peninsular Malaysia / Sabah / Sarawak:</p> <ul style="list-style-type: none"> • Records of action taken to control the spread of invasive exotic species <p>(iii) Deletion of Indicator 10.8.3 as the requirement has already been covered under Principle 2</p>

List of Definitions

- (i) Five new definitions were included in the list of definitions under MC&I Forest Plantation.v2 i.e.: “*Consensus*”, “*Environmentally sensitive area*”, “*Free, prior and informed consent*”, “*Rare, threatened or endangered (RTE)*” and “*Scale*”.
- (ii) The terms removed from the list of definitions are: “*Encroachment*”, “*Long term*” and “*Threatened species*”.