

Draft

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Terms of Reference of the PEFC Chain of Custody Working Group



PEFC Council

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Document name: Terms of Reference of the PEFC Chain of Custody Working Group - Draft

Approved by: PEFC Board of Directors **Date:** 2020-0X-xx

1 Establishment

The PEFC Council's Chain of Custody Working Group (hereafter, the WG) was established by the PEFC Council's Board of Directors (the Board), based on *PEFC GD 1003:2009, PEFC Council technical documents development procedures - requirements*.

The WG is established as a permanent WG and its composition should be reviewed every two years.

2 Normative basis

The work of the WG is based on and follows:

- The approval by the PEFC Board of Directors (XX-XX-XX)
- *GD 1003 PEFC Council technical documents development procedures - requirements*

3 Scope

The scope of the WG's work comprises the continued development and maintenance of the PEFC chain of custody, including:

- the provision of guidance on the implementation of the following standards, according to the PEFC interpretation procedures:
 - *PEFC ST 2001, PEFC Trademarks Rules – Requirements,*
 - *PEFC ST 2002, PEFC Chain of Custody of Forest and Tree Based Products – Requirements,*
 - *PEFC ST 2003, Requirements for Certification Bodies operating Certification against the PEFC International Chain of Custody Standard;*
- the development of new tools and technical documentation related to the PEFC chain of custody;
- ensuring the PEFC chain of custody is up-to-date regarding stakeholders needs, technology developments and certification demand.

The WG is advisory to the PEFC Board of Directors.

4 Members

The Board has authorised the PEFC Council Secretary General (the Secretary General) to appoint members of the WG based on nominations submitted by PEFC members, Board of Directors and other stakeholder groups.

The Secretary General can revoke the appointment of WG members at any time, e.g. if the Secretariat has the view that a WG member is not actively participating in the WG.

Seats in the WG can be appointed to individuals as well as to organisations. The decision whether the membership status is with an individual or an organisation is made by the Secretary General, who can change this decision at any time. If not specified otherwise, members are holding a seat as individual.

Members can apply to the Secretariat for the designation of a second, representing the member at WG meetings on the member's behalf. To ensure a balanced representation of stakeholders and to avoid that the discussion is dominated by a few parties, member and representative should not participate in a WG meeting at the same time, unless approved by the Secretariat.

In addition to appointed WG members, the Secretariat may provide PEFC members with the opportunity to participate in WG meetings as observers without voting rights.

5 Stakeholder groups

To ensure a balanced representation of stakeholders' interests, the WG consists of the following stakeholder groups, with the advisory amount of seats indicated for each group in brackets:

- a) **Certified PEFC scheme users:** forest owners and managers; forest based industry (processing and trade); (max. 5)
- b) **Uncertified PEFC scheme users:** PEFC scheme assessors; certification bodies; accreditation bodies; consultants; (max. 5)
- c) **Customers and consumers:** retailer organizations; consumer organizations; institutional consumers of forest based products, including governments, etc.; (max. 5)
- d) **Civil society:** indigenous people, workers and trade unions, scientific and technological community, environmental, social and other interest groups; (max. 5)
- e) **PEFC National Governing Body members;** (max. 5)

In addition, a balanced representation of gender and geographical location is aimed for. Stakeholder groups and amount of seats can be amended by the Secretary General

6 Working style

The WG congregates in meetings convoked by the Chair of the WG or the Secretariat. Meetings can take place in person or via telephone/web conferencing facilities or a combination thereof.

The agenda of an upcoming meeting and related papers should be distributed to the WG about fourteen to seven days before the meeting.

Members can submit to the Secretariat comments, requests for discussions, documents etc. with the request to be considered at the meeting, up to ten days before the meeting.

PEFC's intranet (Podio) will be the main communication platform. It will be used for the provision of documents and organisational information. WG members need to ensure that they have access to the system.

As the WG's work is following the PEFC Council Technical Documents Development Procedures outlined in PEFC GD 1003:2009, the consensus building requirements defined in this document apply.

The WG may establish Task Forces in line with PEFC GD 1003:2009, 4.6.

7 Confidentiality

The Secretariat can inform the PEFC members about the discussions in and the outcome of WG meetings.

WG members can communicate with their own stakeholders on topics arising within the WG, but they are not expected to do so in an inappropriately public manner, such as on websites, in newsletters, etc. Any information which was requested to be kept as confidential by any of the WG members or the Secretariat needs to be kept confidential.

In addition, the following antitrust policy of PEFC applies for all meetings of the WG:

It is the policy of the PEFC Council and its members to comply with laws and regulations applicable to their activities.

The PEFC Council respects antitrust laws that prohibit fixing prices, allocating geographic markets, unfair or deceptive practices, setting profit levels; boycotts, and most other anticompetitive actions. The PEFC Council will neither permit nor condone anti-competitive behaviour, whether wilful or inadvertent, in connection with any PEFC Council meeting or activity.

Conversations involving discussion of matters that may violate applicable laws and regulations should always be avoided, even in private settings, and cannot be tolerated in connection with any PEFC Council meeting or activity. Persons engaging in possible violations of PEFC Council policy during meetings or activities will be required to cease such activities, and if necessary, are subject to ejection by the presiding officer of the meeting.

Questions concerning antitrust or other laws or regulations connected to PEFC Council activities should be referred immediately to the PEFC Council's Secretary General.

8 Costs

Expenses incurred due to a WG member's work within the WG, such as for travelling, accommodation, phone bills, meals and working time, will not be reimbursed by PEFC, unless otherwise agreed with the Secretary General in writing.