

# PEFC N 01:2022

## Norwegian PEFC certification system for sustainable forestry

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# Preface

## Revision of PEFC Norway's forest certification system

The PEFC forest certification system is revised every 5 years and PEFC Norway started the revision process February 14<sup>th</sup> 2020 with an open invitation for input to the process and participation in the working committee.

In the period June 2020 to June 2022, the working committee has revised the Norwegian PEFC Forest Standard and other standards included in the system.

The working committee has consisted of representatives from the following organizations:

- The United Federation of Trade Unions
- National Association of Outdoor Recreation Councils
- Women in forestry
- Norwegian Association of Heavy Equipment Contractors
- Nature and Youth - Young Friends of the Earth Norway
- Norwegian Forest Owners' Federation
- NORSKOG – forest owner member organization
- The Norwegian Association for Outdoor Organisations
- Statskog SF
- Sabima - umbrella organization for the biological associations in Norway
- Skognæringa Kyst
- Norwegian Pulp and Paper Association
- Norwegian Wood Industry Federation
- WWF Norway
- ZERO - Zero Emission Resource Organisation

In addition, the following have been represented as observers in the working committee:

- The Norwegian Environment Agency
- The Norwegian Agriculture Agency
- NIBIO - Norwegian Institute of Bioeconomy Research
- NINA - Norwegian Institute for Nature Research
- The Forestry Extension Institute
- Statsbygg

Oslo, 30 June 2022

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The official version of the document is Norwegian but is also translated into English. In case of doubt, the Norwegian version takes precedence.

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### 1. Introduction

Sustainable development was launched by the Brundtland Commission in 1987 in the final report *Our Common Future*. The main message of this report is that sustainable use and development must be arranged so that today's use of nature does not take place at the expense of the needs of future generations. This must be achieved by balancing environment, finance and social development.

At the UN Conference on Environment and Development in Rio 1992, the international community for the first time agreed on the principles of sustainable forestry. The principles were based on the recognition that the forest is relevant to a wide range of interests and essential for economic development and safeguarding all forms of life. Therefore, interests related to forests must be treated in a holistic and balanced way.

The international community has developed its ambitions in line with the challenges, and in 2015 the world agreed on the UN Sustainable Development Goals. Sustainable forestry is written directly into target 15.2, but the forest is relevant and contributes to many more. The forest is obviously central to the goals 13 (climate action) and 15 (life on land/biodiversity) as a whole. As an arena for outdoor recreation and recreation, the forest will also be important for goal 3 (good health). Enumeration can continue with goal 6 (clean water), goal 7 (clean energy), and goal 8 (decent work and economic development), among others.

Today's practical understanding of sustainable forestry is that necessary considerations for the environment, outdoor life and climate are planned and implemented so that the forest owner and society benefit as much as possible from the forest. This applies, of course, to wood as renewable, climate-friendly raw materials but also to the other ecosystem services of the forest. The Norwegian PEFC Forest Standard and associated certification system shall ensure that forest owners and associated operators act sustainably when logging or other forestry measures are carried out.

Furthermore, the PEFC system facilitates responsible procurement through the tracking of wood throughout the value chain back to sustainable forest (UN Sustainable Development Goal 12) through the PEFC Tracking Standard.

### 2. History of forest certification in Norway

Over the past ten years, the international market has demanded timber products from environmentally certified forestry. In the early 1990s, Norwegian sawmills, paper mills and wood processing companies received the first inquiries from abroad to document environmental considerations. As a result, in 1995 forestry and the forestry industry jointly established a project with the aim of helping to ensure sustainable Norwegian forestry and develop environmental standard. The project was named Living Forests and was completed in 1998.

As part of the project, the "Living Forest Standard for Sustainable Norwegian Forestry" was developed by a working group with representatives of forestry, forestry, nature conservation organizations, outdoor recreation organizations, the Norwegian Confederation of Trade Unions and the Norwegian Consumer Council. The process was supported by the Ministry of

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the Environment and the Ministry of Agriculture. On 27 March 1998, the parties agreed on the Living Forest Standard for sustainable forestry.

PEFC Norway was established on 21 June 1999 and PEFC Norway had approval from the PEFC Council on 24 May 2000 to use the Living Forest Standard when certifying sustainable forestry in Norway.

In the autumn of 2006, the standard was revised. The 2006 standard specified 25 requirements that were used as the basis for PEFC's forest certification in Norway.

In the summer of 2010, the environmental organizations and outdoor recreation organizations withdrew from the cooperation and agreement on the Living Forests Standard. This was because the parties were unable to agree on the revision of the requirements on afforestation and tree species change, use of foreign tree species and biologically important areas. As a result, PEFC Norway decided to change the name of the Living Forest standard to the Norwegian PEFC Forest Standard for sustainable forestry.

After the first approval of the system in 2000, the Norwegian PEFC forest certification system has undergone 4 revisions/re-approvals; in 2006, 2010, 2016 and the latest in 2022, after work that started in 2020.

The number of organizations that have participated in the revision of the latest version of the Forest Standard is considerably larger than in the previous revisions. Several outdoor and environmental organizations have now participated. The organizations that have participated in the revision of the standard in 2022 are:

- |  |  |
|--|--|
| • The United Federation of Trade Unions                | • The Norwegian Association for Outdoor Organisations                      |
| • National Association of Outdoor Recreation Councils  | • Statskog SF  |
| • Women in forestry                                    | • Sabima - umbrella organization for the biological associations in Norway |
| • Norwegian Association of Heavy Equipment Contractors | • Skognæringa Kyst   |
| • Nature and Youth - Young Friends of the Earth Norway | • Norwegian Pulp and Paper Association                                     |
| • Norwegian Forest Owners' Federation                  | • Norwegian Wood Industry Federation                                       |
| • NORSKOG – forest owner member organization           | • WWF Norway   |
|  | • ZERO - Zero Emission Resource Organisation                               |

In addition, the following have been represented as observers in the working committee:

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| • The Norwegian Environment Agency                   | • NINA - Norwegian Institute for Nature Research |
| • The Norwegian Agriculture Agency                   | • The Forestry Extension Institute               |
| • NIBIO - Norwegian Institute of Bioeconomy Research | • Statsbygg                                      |

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### *Certification throughout the value chain*

PEFC forest certification is by far the dominant certification system in Norwegian forestry, and almost all of the Norwegian forestry is PEFC certified. To ensure that it is certified wood that reaches through the entire value chain and to the end user, we have traceability certification for turnover and industry. Approximately the entire wood processing industry and lumber production in Norway is PEFC traceability certified.

### **3. Forests in Norway**

The total forest area in Norway amounts to 12,2 million hectares, or 38% of the area in Norway. Of this, 8,7 million hectares are productive forest, i.e. forest area which over time can produce more than one cubic meter of timber per hectare and year. With the current operating conditions, operating prices, operating costs and the scope of forest protection, about 6 million hectares of the productive area is used for forestry.

The forest in Norway is divided into approx. 125 000 forest properties larger than 2,5 hectares. Approx. 12 % of the productive forest area is owned by the state, municipality or county. The average private forest property in Norway has 49 hectares productive forest.

Over the past 70-80 years and up to 2013, there has been a steady increase in annual growth. Thereafter, growth has levelled off and slowed. From 1920 to 2013, the annual increment increased from about 10 million m<sup>3</sup> per year in 1920 to approx. 25 million m<sup>3</sup> per year in 2013. The most recent figures from the National Forest Inventory are from 2017 and show a level of 23.8 million m<sup>3</sup> per year. The decrease in annual increment applies to all tree species but is greatest for pine. The harvesting has been almost constant for 100 years and varied around 10 million m<sup>3</sup> per year. Since 1950, we have seen an increasing difference between harvesting and annual increment. As a result, the forest volume in the same period have increased from approx. 310 million m<sup>3</sup> in 1920 to the current level of approx. 970 mill. m<sup>3</sup> without bark. The increase in annual increment and volume is due to the introduction of stand forestry i.e., treating stocks as units with clearcutting and planting. The decline in annual increment over the past 8–10 years is believed to be due to several factors, such as increased logging and development in the forest age distribution, with a reduced share of the forest at the age with largest growth.

The productive forest in Norway consists of 40% spruce-dominated forest, 32% pine-dominated and 28% deciduous dominated forest.

In 2017, the proportion of old forests, defined as forests mature for logging (maturity class 5), was registered at 40.9%. The proportion of old forests has successively increased from 34.8% in 2002. In 2017, the oldest forest, designated as forest older than 160 years, represented 3.6% of the area with productive forest. In 2002, this share was equivalent to 1.6%. The spruce-dominated forests have the lowest proportion of old forests (maturity class 5), which in 2017 was 29.3%. There has also been an increase in the proportion of old forests for the spruce-dominated forest, but the increase here has been less pronounced than for pine and deciduous dominated forests.

18 % of the forest area are clearcut areas (maturity class 1) or young forest (maturity class 2), younger than approx. 20 - 30 years depending on growth ability. 21 % of the area is young production forest (maturity class 3) which is forest at its most growing age.

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The Norwegian Parliament has adopted a target for forest protection of 10 % of the forest area. Of the total forests in Norway, 5.2% are protected as a national park or nature reserve, of which 3.8% of the productive and 8.0% of the unproductive forest is protected. Before the voluntary protection scheme was introduced in 2005, 1.6 % of the forest in Norway was protected. As of 2021, 3.6 % of the forest is protected through voluntary protection. Voluntary forest conservation is a scheme in which forest owners who have forests worthy of protection voluntarily offer areas for establishment as nature reserves and are paid financial compensation for them.

In addition to public forest protection, forest owners are obliged by the Norwegian PEFC Forest Standard to register and set aside key habitats. As of 2020, more than 70,000 key habitats with a total area of approximately 100 000 hectares have been set aside. These key habitats are important habitats in forests which research has shown are important to species included in the Red List.

Forest is the ecosystem in Norway with the most species, with about 60% of all registered species. The Norwegian Red List for Species from 2021 shows that 1128 of the endangered species live in forests, accounting for about 48 % of all endangered species in Norway.

The forest is an important arena for outdoor activities and is therefore of great importance for people's well-being and health. Hiking in forests and fields is practiced by 2 out of 3 Norwegians at least once a month and is by far the largest recreational activity in Norway (MMI/Norsk monitor). There has been an increased focus on public health and the use of local areas in recent years. Hunting, fishing and picking of berries and mushroom are valuable outdoor activities in forest areas.

### **4. The importance of forests in the context of climate change**

The forest represents a large carbon stock in the soil, the wood and other plant material. The forest's contribution to climate change depends on how we manage the forests and how we use the wood.

The Norwegian Forest sequester 23-30 million tons of CO<sub>2</sub> annually. This is equivalent to about half of the amount of Norwegian greenhouse gas emissions. The large net uptake in forests is the result of targeted efforts to build up forest resources over the past 80 years, and that we are harvesting significantly less than the annual increment.

Norwegian forestry harvests 10 – 14 million m<sup>3</sup> of wood annually. These are renewable raw materials that reduce the need for the use of fossil resources and can contribute to the storage of carbon in wood products.

The forest management is crucial for the contribution of the Norwegian forest in climate change mitigation. The Norwegian authorities pointed out a number of measures in forests to increase forest production and wood quality in the parliamentary notice *Meld. St. 13 (2020–2021) Climate Plan for 2021–2030*. These are measures that could make a significant contribution to Norway achieving its long-term climate targets. Investment in forest resources will also provide the basis for increased green value creation in the future. Forestry activity contributes to greenhouse gas emissions, and it is important to find a balance between climate considerations and biodiversity considerations.



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The forest soil makes up a large part of the carbon stock in the forest and there is uncertainty about how some forestry measures affect the carbon stock in the soil. In the Norwegian PEFC Forest Standard, the consideration of preserving the soil carbon is given weight when designing requirements for forest treatment.

## **5. The forest resource as a basis for value creation**

Annual felling over the past 100 years has been in the interval of approx. 8 - 12 million. m<sup>3</sup> supplied to industry. In addition, home consumption and wood sales that are not captured in the statistics come with approx. 2 million m<sup>3</sup>. In the same period, the annual increment has increased from approximately 10 million m<sup>3</sup> to approximately 24 million m<sup>3</sup>. Recent forecasts for potential harvesting in Norway show a basis for annual harvesting of at least 15 million. m<sup>3</sup> per year. A significant part of the potential for increased harvesting is related to coastal areas. The potential is greatest for deciduous trees and pine, while there is less potential for spruce.

There are 125,000 properties registered with more than 2,5 hectares of productive forest in Norway. However, the properties with less than 1 hectare (34%) own no more than 3.5% of the total productive forest area, while the 13,000 properties with over 100 hectares (10%) own 62% of the land. The property structure has been very stable over time. While timber felling also used to provide an income for forest owners, this work is now mainly done by contractors using mechanical means. Thus, for the majority of forest owners, the forest provides merely a contribution to the total household income

The total added value in forestry is approximately NOK 5 billion. per year. However, value creation in the processing sector is greater. The forest industry's total value creation is approximately NOK 20 billion. In addition, there are significant ripple effects in other sectors.

The forestry industry's added value has been relatively stable for many years. The importance for the Norwegian economy has thus been reduced. The forest industry contribution to GDP is now about 1%.

Historically, added value in the forest industry in total has fallen in line with the significant closure of wood processing companies in the years before 2012. This is due to peculiarly Norwegian high-cost levels, poorer conditions than in important competing countries and the fact that the industry has largely been focusing on declining markets (printing paper). Even so, Norwegian forestry activity has been maintained. Norway has gone from being a net importer of timber to being a significant net exporter. Until 2012, Norway net timber import was approx. 3.3 million m<sup>3</sup>/year. In recent years, the net export has been approximately NOK 3.5 million m<sup>3</sup>/year. It is primarily pulpwood that is exported. 80% of the exports go to Sweden, and parts of the Norwegian Forest area is in the natural supply area to the Swedish wood processing industry.

The forest industry in Norway is export-oriented. Norwegian companies annually export approx. 1 mill. ton of paper products, and 700,000 m<sup>3</sup> of lumber.

Employment in forestry has been greatly reduced over the past 50 years. Approximately 6,000 man-years (full-time work equivalents) are now carried out in forestry. Employment throughout the entire forestry industry is about 30 000 full-time work equivalents.

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## **6. Norwegian Forestry Policy**

Norwegian forest policy aims to reinforce forests' contributions to adding value throughout the country and achieving important energy, climate and environmental targets.

This requires profitable and sustainable managed forestry, good accessibility of forest resources and competitive value chains. Arguments must be made to increase sustainable felling and extraction of forest biomass, and increased accumulation of forests. This must be combined with better knowledge of the environmental values in forests and strengthened environmental considerations in forestry.

The implementation of Norwegian forest policy is based on a range of measures and means. These include legislation, tax policy, financial funding, research and guidance. Norwegian obligations through international agreements are included in Norwegian regulations, including criteria for sustainable forestry negotiated as part of a European forest partnership.

The purpose of the Forestry Act is to promote sustainable management of forest resources aiming for local and national added value, and to ensure biodiversity, landscape consideration, outdoor recreation and cultural values in the forest. The Forestry Act applies to all forests regardless of ownership.

The Act and associated regulations provide a framework with regard to how forestry must take place. Within this framework, forest owners have the freedom to make their own decisions on how they want to manage their forests. However, permits are required for building forest roads, spraying as a silvicultural measure, the use of foreign tree species and felling in special areas, among others.

The resource overviews prepared at regular intervals by the Norwegian National Forest Inventory have been an important foundation for the formulation of forest policy since early last century.

The Forest Fund Scheme has been established to ensure the financing of sustainable management of forest resources. Forest funding is a compulsory fund provision where allocated funds can be used for forest culture, building and maintenance of forest roads, forestry planning and environmental measures, among other things. The Forestry Act requires forest owners to set aside between 4 and 40 per cent of the gross sales value of timber and wood to a separate forest fund account. Forest owners are stimulated to actively use the forest fund scheme by ensuring that only 15 per cent of the funds invested in the property are charged for income tax.

Grants for industrial and environmental measures include grants for silviculture, building forest roads and environmental measures in forests. Grants for forestry planning with environmental registrations are the basic means of ensuring that forestry is carried out within the correct resource and environmental frameworks.

The forest's role in Norwegian climate policy has been given greater weight in recent years.

The UN Intergovernmental Panel on Climate Change (IPCC) highlights three main approaches to how forests can contribute to climate change:

- reduced deforestation, forest degradation and other nature-based solutions
- increased carbon sequestration through forest management and afforestation
- use of forest products that replace fossil raw materials

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These are followed up in Norwegian politics in, among other things, the climate white paper (Report no. 13 – 2020-21) with a focus on:

- Increase CO<sub>2</sub> uptake in forests.
- Cutting emissions from decommissioning green (carbon-rich) areas.
- Cutting emissions from other land use.

## 7. Organization of Norwegian PEFC forest certification

### PEFC Norway

PEFC Norway is organized as a registered organization with annual meeting and a board. As the owner of the certification system, PEFC Norway is responsible for the development and operation of the system. The revision and development of standards must be compliant with the procedures specified in PEFC N 06.

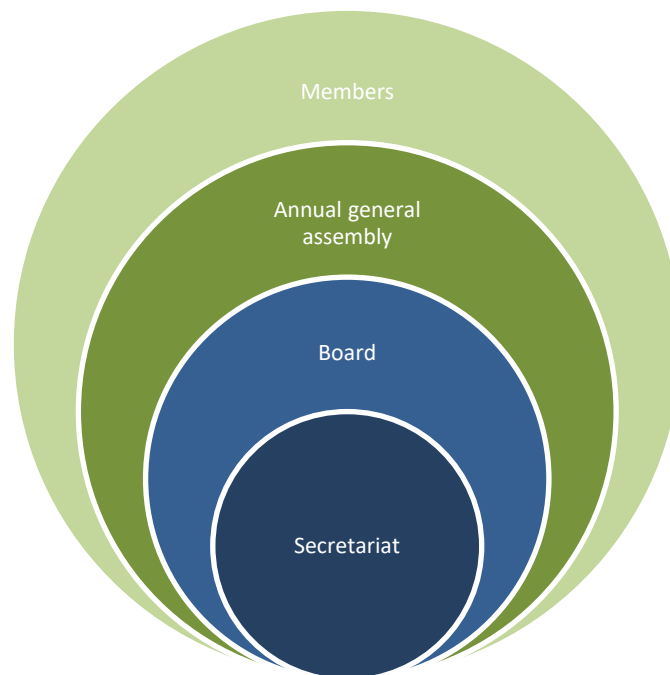


Figure 7.1: Organization of PEFC Norway

### Accreditation body

PEFC is based on an independent system for accreditation and certification. Certification bodies that perform forest or traceability certification shall be accredited by an internationally approved accreditation organization. This means that the accreditation body shall be a member of the European Cooperation for Accreditation (EA) and/or the International Accreditation Forum (IAF). The accreditation body shall also have implemented procedures described in ISO/IEC 17011 and other documents recognized by EA and the IAF. Norwegian

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Accreditation is the official accreditation body in Norway. The requirements for accreditation bodies are specified in PEFC N 04.

### **Certification bodies**

Independent certification bodies accredited and notified by PEFC Norway in accordance with PEFC N 04 and PEFC N 07 are approved to certify and issue certificates. Certification bodies cannot participate in the formulation of the standards included in the certification system. The requirements for certification bodies are specified in PEFC N 04.

### **Certificate holders**

The Norwegian PEFC certification system has two options for certification of forest management: Individual certification and group certification

#### Individual certification

In the case of individual certification of forest properties, the individual forest property is certified directly by the certification body and is issued its own certificate.

Individual forest management certificates are issued on the basis of the requirements of PEFC N 02 - Norwegian PEFC Forest Standard and PEFC N 03 – Requirements for individual and group certification, as well as requirements for management systems specified in Chapter 11.

#### Group certificate holder

A group certificate holder is an organization that organizes and manages group certification of forest owners according to the PEFC Norway certification system. The group certificate holder represents all members of the group in respect of the certification body and is responsible for ensuring compliance with the requirements in the Norwegian PEFC scheme.

The purpose of group certification is to allocate the cost of certification to a group of forest owners. The forest owners are certified under a joint certificate managed by a group certificate holder. In addition to dividing the cost of certification, forest owners become part of a community for information and advice related to the certification.

All forest owners under a group certificate holder must meet the requirements of the Norwegian PEFC Forest Standard – PEFC N 02.

In order to manage group certification of forest owners, a group leader applies for certification of their business. The group leader is termed group certificate holder.

Certification of group leaders takes place in the following PEFC N 03 – Requirements for individual and group certification, as well as requirements for management systems as specified in Chapter 11 of this document.

### **PEFC Norway annual fee**

All certified companies (forest management and/or chain of custody certification) must pay annual certification fees to PEFC Norway. The fee rate is determined by the PEFC Norway Board. The current rate is available on PEFC Norway's website.

## Norwegian PEFC forest certification system for sustainable forestry

### 8. Document structure

The PEFC Norway certification system is based on a number of documents that define the requirements for forest and traceability certification. The document structure is shown in Figure 8.1.

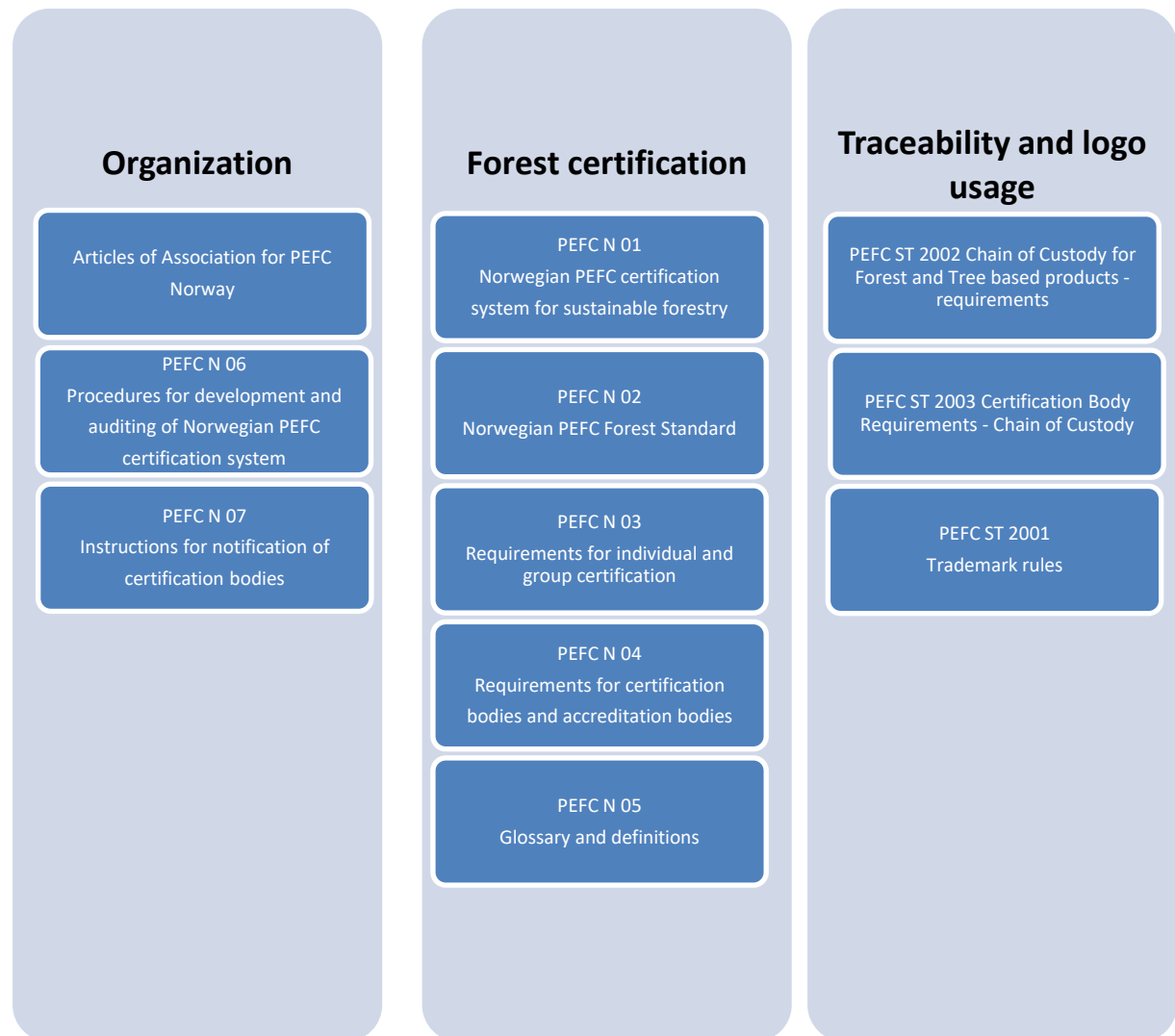


Figure 8.1: Document structure in the PEFC Norway certification system

### 9. Traceability certification

The traceability certification (Chain of Custody) within the framework of the Norwegian PEFC certification system for sustainable forestry is carried out in accordance with the requirements of the applicable PEFC's international standard; PEFC ST 2002 – Chain of Custody of Forest and Tree Based Products – Requirements. There are specified requirements for information to be communicated to the next subsection of the traceability chain, among others.

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When communicating the origin of products from PEFC certified forests to customers with a PEFC tracking certificate, the formal PEFC declaration "100% PEFC certified" shall be used. The declaration shall only be applied to products that come from certified forest properties.

**10. Using the PEFC logo**

Any use of the PEFC trademark or other brands associated with certification of sustainable Norwegian forestry shall comply with applicable PEFC ST 2001 – Trademark rules.

PEFC logo licenses are issued by PEFC Norway on behalf of and subject to contract between the certified entity and PEFC Norway.. The certification bodies control the use of the logo as part of their annual revisions.

**11. The PEFC Norway management system requirements**

PEFC Norway requires that companies to be approved as group certificate holders and forest properties that are directly certified shall be certified according to the environmental management system ISO 14001.

For traceability certification, the requirements for management systems are defined in PEFC ST 2002 – Chain of Custody of Forest and Tree Based Products, Chapter 4.

**12. Processing of complaints about the certification**

If a forest owner or certificate holder receives a complaint about felling or forestry operations, the complainant shall receive confirmation that the complaint has been received and information about further processing of this. The complaint is logged and assessed for appropriate follow-up. If follow-up of the complaint leads to the identification of one or more nonconformities in routines or execution of forestry operations or considerations described in the requirement point in the Norwegian PEFC Forest Standard, this shall be specifically followed up in accordance with the rules for nonconformity treatment. Attempts must essentially be made to deal with complaints and seek to resolve them at the lowest level possible. The complainant shall be informed in an appropriate manner about follow-up, assessment and conclusion in the case.

The group certificate holder shall have routines in accordance with ISO 14001 requirements for receiving complaints and processing these. See PEFC N 03. Certification bodies and accreditation bodies must have such procedures. See PEFC N 04.

**13. Disputes**

Dispute issues related to certification in accordance with the Norwegian PEFC Forest Certification System for Sustainable Forestry shall be dealt with by the certification bodies in compliance with ISO 17021 and the standards by which they are accredited to carry out

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certification in compliance with PEFC technical documents for international forest certification.

Complaints about compliance with the Norwegian PEFC Forest Standard with the forest owner with a group certification agreement shall be dealt with by the certificate holder, and eventually a certification body where the case is not clarified by the certificate holder.

Forest owners may raise disputes with PEFC Norway which are linked to suspension or termination of certification agreements leading to forest owners losing their right to supply certified timber in Norway. Please see PEFC N 03, chapter 5.4.

PEFC Norway shall deal with dispute issues as follows:

- a) Sign that the complaint has been received.
- b) Collect and verify the necessary information, validate the information and make an impartial assessment before making a decision in the form of a decision.
- c) Decisions related to the complaint are made by the board of PEFC Norway;
  - 1) Consensus decision: The result is notified to the parties as a basis for any reactions from the certificate holder, certification body or accreditation body.
  - 2) In the event of disagreement or dispute between the organizations of PEFC Norway, a voluntary arbitration board is established. Decisions in voluntary arbitration are notified to the parties as a basis for any reactions from the certificate holder, certification body or accreditation body.
- d) Formally report the result of the complaint and the appeal process to the complainant.
- e) Based on the results, take appropriate corrective and/or preventive actions.

Decisions on disputes and complaints shall be complied with by everyone covered by PEFC Norway's certification system.

If the dispute resolution requires clarification of procedures and requirement, this will be treated by PEFC Norway pursuant to Chapter 14 of this document.

Errors that are detected by anyone other than the forest owner and group certificate holder and reported as a complaint shall be dealt with in the same routines.

Complaints relating to PEFC Norway's management of the certification system shall be treated in the same way as when dealing with dispute issues.

## **14. Specifications and guidelines**

### **Specifications**

A specification is a minor change, clarification or description of tolerance limits for routines or requirements in the PEFC Norway documents for forest certification or traceability certification.

Decisions on specifying routines and requirements in the PEFC Norway documents for forest certification and traceability certification are made by PEFC Norway. A decision on specification is approved by the Board of PEFC Norway.

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Prior to decision, specifications of the requirements in the Norwegian PEFC Forest Standard (PEFC N 02) shall be heard by the parties of the working committee responsible for the development of the standard. Adopted specifications must be submitted to the PEFC Council for approval.

In the decision, specification shall always have a specific date from which they are valid. The date shall be in the future, so that group certificate holders have sufficient time to inform group certificate members and establish necessary routines.

Questions about specification can be raised by the board of PEFC Norway, group certificate holders, properties with individual certification, certification bodies, accreditation bodies and participating organizations in the working committee responsible for the development of the PEFC Norway forest certification system. Questions from the general public about specification must be addressed via one of the mentioned companies or organizations.

**Guidelines**

Guidelines are clarification or description of requirements in the standard and associated documents. The Board of PEFC Norway may adopt guidelines if there is a need to clarify and ensure a mutual understanding of how requirements should be practiced.

Questions about guidelines can be raised by the board of PEFC Norway, group certificate holders, properties with individual certification, certification bodies, accreditation bodies and participating organizations in the working committee responsible for the development of the PEFC Norway forest certification system. Questions from the public about guidelines must be addressed via one of the above companies or organizations.

**15. Public access of information**

PEFC Norway supports the principle of public disclosure related to information that is of public interest. Emphasis must be placed on providing correct information in compliance with provisions in laws and regulations which regulate which types of information are to be made public.

In Norway, the right to environmental information forms part of the Constitution (Section 110b). This is a follow-up to the Aarhus Convention, ratified by Norway in 2003 (*The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters*).

The Aarhus Convention in Norway forms the basis of the Environmental Information Act, which in Norway places public and private enterprise on an equal footing as regards provision of environmental information to the general public. In private enterprise, the obligation is limited to environmental information for which the enterprise has knowledge obligations.

**Publication of information from certified forest owners**

According to Requirement 10 Transparency concerning environmental information, the forest owner shall provide environmental information to the general public in compliance with the Environmental Information Act.

The Forestry Act's provision on forest registration and forestry plans states that overviews of the environmental values that emerge through forestry planning shall be publicly available, and also refers to the Environmental Information Act. In the Regulations on sustainable



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forestry, this is also regulated through the provision on environmental documentation and environmental registrations in section 4, which requires the forest owner to account for the environmental considerations that form the basis for planned or executed measures in the forest.

The obligation to provide information about the environment related to logging occurs no later than when a contract has been signed with a certified timber buyer to sell timber. Where felling has taken place and where felling is to take place is environmental information. Data on the forest's growing stock and timber quality is not environmental information.

All the information about environmental data in a forestry/landscape plan or environmental plan is environmental information. If the general public request environmental information, forest owners must provide such information from the forestry plan. If information is available from publicly accessible databases such as Kilden, the forest owner or certificate holder may refer to it.

**Publication of information from certified organizations**

After each certification, recertification and follow-up audits, a summary of the certification body's audit report shall be prepared and published. The summary shall be prepared by the certification body and contain:

1. A description of the organization and business certified.
2. The scope and date of the completed audit.
3. A general description of conclusions and improvement points.
4. An overview of non-conformances and observations related to the practicing of the Norwegian PEFC Forestry Standard for sustainable forestry as well as ISO 14001.
5. A description of how relevant information from external parties is handled.
6. The summary shall not contain tasks of an internal nature or of significance to the business activities of the certified organization.

The certificate holder shall make the summary publicly available and post it on a website if it has one. The certification body or certificate holder shall submit the summary to the PEFC Norway for publication on the PEFC website. See also PEFC N 04, chapter 7.3.

**16. The objectives of the Norwegian PEFC Forest Standard**

Sustainable forestry entails that both economic, ecological and social considerations shall be safeguarded in the management of forest resources. To achieve this, a trade-off was made between the interests when the requirements of the Norwegian PEFC Forest Standard were established. The requirements are established based on current knowledge and reflect the challenges one currently believes to be the most important.

The requirements in the Norwegian PEFC Forest Standard shall not prevent experimental fields and testing within the Norwegian forest research.

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The Norwegian PEFC Forest Standard shall safeguard the following:

### Financial interests

The standard shall provide a basis for active utilization of forest resources and for maintaining profitability and value creation in the industry at a satisfactory level. It will also contribute to ensuring the provision of Norwegian forest products on the international market. The requirements in the standard shall also ensure that future generations have at least as good a resource base as today and also allow for a continued build-up of the resource base in terms of both volume and timber quality.

### Ecological/environmental interests

The requirements in the standard shall safeguard the qualities of forests and ensure the diversity of ecosystems and species in Norwegian forests. The requirements shall also ensure that the forest in Norway, in the short and long term, provides a basis for viable populations of species that are naturally native to the country.

The requirements are intended to ensure that the forest's importance in the context of climate change mitigation is maintained and provide the opportunity to increase the forest's contribution to climate change mitigation. The requirements shall also ensure that contaminants from forestry are reduced. The requirements for the standard shall also contribute to preserving cultural heritage and to preserving and developing the cultural landscape.

### Social interests

The requirements shall ensure the opportunities to maintain and further develop the contribution of forestry to living communities and ensure that the forest in Norway provides the basis for a varied outdoor recreation with rich nature experiences. Furthermore, the requirements shall ensure that Sami rights are safeguarded where forestry is executed. The requirements shall also contribute to ensuring that those working in the industry have working conditions where health and safety are safeguarded, and also to safeguard consumers' interests.

Human rights are rights of all people, regardless of gender, age, orientation, beliefs, nationality or where in the world they live. This is a fundamental principle. Norway has ratified the UN Universal Declaration of Human Rights and these rights must be respected in all contexts.

## **17. Development in the forest since the introduction of forest certification**

The Living Forest project (1995 –1998) examined the basis for the consensus on the "Living Forest Standard" adopted on 27 March 1998. These investigations were published in Living Forest reports 9 A, B, C and D, Standard investigations from Living Forest. These reports describe, among other things, development in forest status and the foundation for selection of levels for consideration or implementation of measures.

As part of the efforts to revise the "Living Forest standard" (2004 2006), as adopted in autumn 2006, the Norwegian Forest and Landscape Institute evaluated the following "standards" in order to illustrate status and any changes:

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- Areas of biological importance
- Old, large trees and dead wood
- Felling forms
- Wetlands and swamp forest
- Water protection

This evaluation shows that the qualities to be safeguarded by the standards were stable or increasing. Source: *Hobbelstad, K., Godbakken, T. and Swärd, J. Evaluering av Levende Skog, Tilstand og utvikling i norsk skog vurdert i forhold til enkelte standarder. Nijos Rapport 19/04.*

When revising the Norwegian PEFC Forest Standard, the Norwegian Forest and Landscape Institute has worked on behalf of the Norwegian Forest Owners' Association and NORSKOG to examine "Status and development in Norwegian forests, 1994-2012, for selected environmental properties" on the basis of data from the Norwegian National Forest Inventory and annual results control for forestry/the environment.

A similar report was ordered by PEFC Norway as a basis documentation for the revision work started in 2020 and led up to the revised standard from 2022. The report "State and development in Norwegian forests 2002-2017 for some selected environmental characteristics" is based on data from the Norwegian National Forest Inventory.

The report shows developments that reflect how Norwegian forestry is practiced in regard to environmental criteria enshrined in the environmental standard Living Forest, which from 2011 was continued through the Norwegian PEFC Forest Standard. The report is a follow-up of the corresponding statistics for the period 1994-2012 published in 2014. The area documented is mainly productive forests that are not protected under the Nature Diversity Act, i.e., the areas where Norwegian forestry is managed under the Forestry Act.

The area of old forest is documented with three criteria: maturity class 5, two high age classes (120-159 years, 160 years or older) and biologically old forest. The area of old forest is steadily increasing nationwide throughout the period for all three age criteria. The same tendency applies to most subgroups, but some subgroups have a stable proportion of old forests throughout the time period. The area of the two highest age classes has increased throughout the time period – mostly on low site index, somewhat on medium site index, and marginally on good site index. At the same time, the proportion of forests aged 80-119 years and the proportion of young forests (<40 years) have decreased.

Mountain forests have a significantly higher proportion of old forests than the country as a whole. At the beginning of the time period (2002), 52 per cent of the mountain forest was in maturity class 5. This share has increased to 65 per cent at the end of the time period (2017). The increase has been quite evenly distributed between regions and forest types, with the greatest increase in deciduous-dominated forests.

Area deciduous -dominated forest ( $\geq 50\%$  share of deciduous trees) has had small changes, with a marginal increase. There has been a corresponding marginal decrease in the area with high deciduous mixture (25-49%). The share of deciduous trees varies significantly between geographical regions and local habitat conditions (vegetation type, site index), which is due to nature-given conditions, but likely also forest management.

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A separate statistic is presented for all rich deciduous trees combined. This shows minor changes, but still a marginal increase, both of areas dominated ( $\geq 50\%$ ) of rich deciduous trees and areas with a modest proportion (1-9%) of rich deciduous trees.

Forests in maturity class 3-5 are assessed in terms of layering and density (light-open-shaded, and the potential for semi-shaded plants that provide "green" forest floor). For the total forest area, there has been a slight development towards more layered forests. Blueberries are used as an indicator species for semi-shade plants and the proportion of forest with optimal density for blueberries in maturity class 3-5 on vegetation types of "berry heather" and "blueberry forest" has been stable, or slightly improved, over the period.

In connection with the revision of Living Forest in 2007, a definition of biologically important areas was developed. Statistical assessments show that these areas increased from 17.1 to 19.9 per cent of the productive forest from 2014 to 2020. At the end of the period, there was a variation from 13.7 to 29.1 per cent between regions.

Standing volume has shown rapid growth throughout the time period. This applies to all tree species and diameter classes. The greatest relative growth has taken place for the diameter class "over 40 cm", which can be attributed to development among coniferous trees. The number of trees with a diameter of "over 40 cm" has also shown a significant increase over the period. The tree species aspen has shown a similar increase in volume in the period 1998 to 2017, and the increase has been greatest for the diameter class "over 30 cm".

In marsh and swamp forests, an increase in the volume of spruce and pine has been documented for the diameter class "over 40 cm", while deciduous trees have had some decrease in the volume of coarse trees.

Volume of dead wood has shown an increase from 1996 to 2017, and this development has taken place in all regions and for all main tree species (spruce, pine, deciduous trees). The increase has been slightly increasing over this time period, which can be attributed to an increasing addition of new dead wood from windfalls, dry trees and logging waste. The volume of dead wood is greatest in maturity class 5 which also have had an increase over the period of time.

Different types of felling forms are used in regeneration felling, with clear cutting and seed tree stand felling as the two most common. The use of selective felling forms appears to have been declining since the beginning of the 2000s, while the proportion of clear cutting has increased.

The number of retention trees left behind after clear cutting has shown a declining trend throughout the period but has always been above 10 trees per hectare on average. It is noted that retention trees are difficult to document since this is only captured by what the National Forest Inventory inventors can observe in the field and from aerial images. This means that the development trends referred to only cover retention trees that have been left as single trees or groups of trees out on the felling area. However, the standard also allows the forest owner to choose to leave retention trees at an edge towards neighboring stands. Since the National Forest Inventory cannot know the forest owner's plans, they must base their registrations on

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what can be seen in the field or in the aerial pictures. It is therefore likely that in some cases they register missing retention trees, even if it is taken into account in accordance with the requirements of the standard.

Buffer zones wetlands, lakes and waterways (rivers and streams with a width of at least 1 m) are documented in relation to the type of edge and maturity class. In such buffer zones, logging activity has decreased and the share of maturity class 5 has increased from 39.5 to 50 per cent in the period. Consideration for buffer zones in the case of regeneration felling involves leaving an buffer zone with forest. Such considerations have increased significantly in buffer zones to wetlands. There have also been increasing considerations in buffer zones to lakes and rivers, but not in buffer zones to streams.

Source: J. Stokland, Eriksen, R., Granhus, A. 2020. *State and development in forests 2002-2017 for some selected environmental characteristics*.

## 18. Changing the requirements of the forest standard

### *Revision in 2015*

The revised Norwegian PEFC Forest Standard 2015 has 27 requirements. This chapter discusses why two requirements have been removed and four new ones have been included.

#### Requirements removed

The requirement **Mountain Forest** has been removed, but the requirement to use a selective felling form in mountain forests has been moved to the requirement *Felling*. The *Mountain Forest* requirements focused on maintaining forest area with the character of old forest and using the harvesting form "mountain forest felling", small-scale clear cutting or seed-tree stand felling as far as possible. There is not much forestry activity in the mountain forest and data from *Case Report 03/14 from Forests and Landscapes* show that the proportion of forests older than 120 years in the northern boreal vegetation zone has increased from 21.1% to 24.4% of the productive area in the period 1996 to 2010. Of this, forests older than 160 years accounts for 2.5%, which is an increase from 1.9% in 1996.

In 2002, the National Forest Inventory showed that the percentage of forests in maturity class 4 and 5 in the northern boreal vegetation zone was 69%. This has increased to 72.7% for the land forest period 2009 to 2013. Taking into view that the Norwegian National Forest Inventory now includes all mountain forest and Finnmark, the percentage of forest of maturity classes 4 and 5 is no less than 74.5%.

The purpose and focus of the use of selective felling forms is continued in the requirement *Felling*. Monitoring of this item continues. See Chapter 17.

This requirement related to monitoring and did not involve direct requirements for forest owners. This requirement aimed to monitor development in forest structure, i.e., density and layering. Data from the Norwegian National Forest Inventory presented in *Case report 03/14 from Forest and Landscape* on blueberry coverage on vegetation types berry heather and blueberry forest and forest structure in the form two-layer and multi-layer forest shows that more than 50% of the forest in maturity classes 4 and 5 is two-layer or multi-layer and that the area containing blueberries is stable even though the forest has become somewhat denser. Here, the data show that previously very sparse forests have become slightly denser and

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provided better conditions for blueberries. The monitoring of the item shall be continued, see Chapter 17.

### Requirement included

Requirement 1 **Administrator responsibility and forest certification agreements** is new and has been included in the standard in order to clarify the fact that forest owners are responsible for planning and implementation of forestry operations and that this must be done in compliance with legislation regulating forestry. Further, there is a requirement which states that the sale of timber to PEFC-certified timber buyers must take place in compliance with a signed agreement. Parts of this are required by the Norwegian PEFC Forest Standard 2006. Other parts of this requirement are continued in requirement 2 **Workforce and safety**.

Requirement 3 **Use of foreign tree species** is a new requirement. In the Norwegian PEFC Forest Standard 2006, the use of foreign tree species is part of the requirement Afforestation and tree species replacement.

Requirement 22 **Consideration for owls and birds of prey** and requirement 23 **Consideration for capercaillie leks** are new requirements. Consideration for birds of prey, owls and capercaillie leks are part of the requirement Landscape plan in the Norwegian PEFC Forest Standard 2006. Specification of how such consideration should be given has been advice which each individual certified timber buyer has clarified as part of their procedures pursuant to ISO 14001. These have been included as separate requirements in the Norwegian PEFC Forest Standard 2015 so as to achieve a more uniform application of such consideration.

### ***Revision in 2022***

The revised Norwegian PEFC Forest Standard 2022 has 30 requirement points, which is 3 more than the standard from 2015. This chapter discusses why three new requirements are included.

The original requirement from 2015 for planning was extensive and covered several related topics. This is now divided into three new requirement points:

3 – Planning in forestry.

4 – Landscape plan

23 – Biologically important areas

The planning requirement has essentially retained the requirements from 2015 on planning in general and is added some clarifications regarding operational planning. The requirement for a Landscape Plan covers the same requirements for landscape planning that applied in 2015 but has some extensions in the list of topics the plan will show or discuss. The requirement for biologically important areas specifies requirements for mapping biologically important areas on 5% of the productive area, for properties larger than 150 hectares productive area. Previously, this requirement was related to requirements of a landscape plan.

In 2022, the standard has also received a new requirement (26) for consideration of breeding birds. This type of consideration was previously given as a specification to the forest standard. The topic has now been further specified and included as a separate requirement.

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**19. Monitoring**

In some areas, there is a need to monitor developments to ensure that it is acceptable. The monitoring results shall provide a basis for assessing the need for changes in the forest standard at the next revision of the standard.

**Requirement 6. Outdoor recreation**

Important outdoor recreation areas are understood to be areas that, pursuant to the Planning and Building Act, are delimited by a land boundary or equivalent or are marked with a consideration zone for outdoor recreation, and other urban areas and areas with similar use or outdoor recreation value.

PEFC Norway shall monitor how areas marked as a consideration zone for outdoor recreation "hit" with regard to the areas where forestry need to be especially considerate of outdoor recreation.

**Requirement 11. Felling**Old forest percentage in mountain forest

At least 50% of the mountain forest shall have an old forest character.

PEFC Norway will monitor the development of the old forest share. This shall be based on the data basis available from the National Forest Inventory for the individual county. The old forest share is measured as forests in maturity classes 4 and 5. All land allocated as key habitats and forest areas protected under the Nature Diversity Act is regarded as old forests.

If the monitoring shows a development that threatens the goal of old forest share, the need for a change in the forest standard shall be assessed especially at the next revision of the standard.

Forest structure

It is important to maintain a forest structure with a significant element of two-layer or multi-layer forests and that a significant part of the forest in question has a density suitable for blueberries.

PEFC Norway shall therefore monitor the development of

1. Two-layer and multi-layer forest in maturity class 4 and 5
2. The density of berry heather and blueberry forests in maturity class 3-5 suitable for blueberries

**Requirement 16. Distribution of tree species**

This requirement does not demand a specific percentage of deciduous forest at property level. The deciduous forest percentage will necessarily vary to an enormous degree with the natural conditions. The deciduous forest percentage is generally considered to be at a satisfactory level. However, PEFC Norway must monitor this development so that data is available for assessment of the need for amendment of the requirement during future revisions of the forest standard.

**Requirement 20. Use of foreign tree species**

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The aim is to limit the use of foreign tree varieties and to keep the spread of foreign tree varieties under control. The Council of PEFC Norway must therefore monitor development of the use of foreign tree species for forestry purposes.

The use of foreign tree species and afforestation/tree species replacement touch upon some very current issues linked with climate changes, for instance. The significance of increased growth, the risk of new pests and altered conditions for ecosystems may alter the criteria for use of foreign tree species and afforestation/tree species replacement. The requirements "Use of foreign tree species" and "Afforestation and tree species replacement" shall therefore be taken up for special consideration at the next revision and assessed in particular in light of the importance of the tree species for climate change mitigation and use in climate adaptation.

### **Requirement point 21 Afforestation and tree species replacement**

Reference is made to requirement point 20. Use of foreign tree species.

### **Requirement point 23. Biologically important areas**

At least 5% of the productive forest area should be managed as biologically important areas.

For forest properties over 150 hectares of productive forest, 5% of the forest must be set aside and mapped as biologically important areas at the latest in connection with the first forestry plan project.

For forest properties less than 150 hectares, safeguarding biologically important areas must be documented through statistics from the National Forest Inventory at the minimum possible level, which provides representative statistical basis. If the monitoring shows that there are less than 10% biologically important areas in the monitoring area, measures shall be taken to reach 10 % cf. requirements for the certificate holders (PEFC N 03 – Requirements for group certification). PEFC Norway will monitor developments.

The same methodology that was developed when revising the forest standard in 2007 shall be used as the basis for the county statistics.

## **20. Forestry plans**

Forestry planning goes back a long way in Norway. Since 1954, giving all forest owners offers for forestry plans has been a priority. Since 1973, public funding has been allocated to the preparation of forestry plans. Many forest owners have audited their forestry plans several times. Normally, an audit of the forestry plan is offered every 10– 15 years.

In the period from 2002 to 2020, 62,699 forestry plans have been completed, covering an area of 6,2 million hectares. Given the fact that in Norway there are 85,173 forest properties with a forest area greater than 10 hectares and 8,3 million hectares of productive forest for forestry, there is very high coverage on properties and area with an updated forestry plan. *Source: Norwegian Agriculture Agency.*

There is no public requirement in Norway to have a forestry plan. In the Norwegian PEFC Forest Standard, properties larger than 1000 hectares of productive forest land are required to have a landscape plan and properties larger than 5 hectares are required to have an environmental plan (registration of key habitats) before timber can be felled and sold via a



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certified timber buyer. In addition, all properties larger than 150 hectares productive area must have mapped 5% area of the property with biologically important areas, which must be set aside untouched or managed in a way that maintains or improves conditions for biodiversity. The registration of biologically important areas shall at the latest be implemented in connection forestry plan projects.

Forestry planning in Norway is far ahead technically. Remote sensing is widely used, and more forest owners are now being able to arrange their forestry plan on reading boards and mobile phones. The public sector receives copies of forestry plan data for which public funding has been provided, and all environment-related data from the forestry plans which constitute public environmental information is made accessible in an open database. See Kilden.

In addition to the fact that many forest owners have updated forestry plans, Norway has annual measurements of the state of forests carried out through the National Forest Inventory. It has been going on since 1919 and we have now reached the 11<sup>th</sup> National Forest Inventory . From the 7th National Forest Inventory 1994-1998, data has been collected using the same inventory level. This provides very good data, especially for monitoring changes in the forest. Data from the Norwegian National Forest Inventory and other databases on site index, age, tree species, growing stock and habitats/key habitats together with property boundaries are now available to the forest owner and the general public in the Kilden database. The quality of forest information in the publicly available databases is constantly evolving and has precision approximately on a par with ordinary forestry plans. The good coverage of forestry plans combined with that all properties should have an environmental plan (key habitat registration) and that all properties larger than 1000 hectares have an updated land management plan, plus all relevant data for sustainable management are available in the public database, as well as the quality development of the available information, allows all forest owners to meet requirements for sustainable forest management.

Kilden has a map of forest properties and an overview of site index, tree species, age, standing volume (SR16) and areas with weak bearing capacity (due to field moisture). In the database there is also a link to cultural monuments, species information and areas that are managed under the Nature Diversity Act. There are separate databases for landslide risk and geology for use planning roads and felling.

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### 21. The relationship between laws and certification requirements

The Norwegian PEFC Forest Standard is based on laws and regulations regulating business activity in the forest. Regulatory provisions take precedence over the Norwegian PEFC Forest Standard where laws and regulations regulate commercial activity in forests.

Laws and regulations are binding for all who have their work in forestry. The authorities are responsible for ensuring that there is compliance with the legislation. If the requirements of the standard are used as a basis for implementing forestry measures, one can be sure of fulfilling the legal requirements. However, the requirements do not set aside the law. Even if they are followed, municipal approval of new forest roads, logging in protected forests and the similar measures are still required.

Should situations arise with different interpretations between legislation and forest standards, it shall always be the strictest interpretation to be used as a basis in relation to certified forestry.

#### Forestry Act and Regulations on sustainable forestry

The Forestry Act (Act of 27 May 2005 no. 31 concerning forestry) is an industry law regulating forestry activity. The law gives a lot of authority and freedom to the business practitioner.

#### Purpose

Both the Forestry Act and the Regulation on sustainable forestry aim to promote sustainable forestry. This means that both forestry and environmental values in the forest shall be safeguarded by forestry measures.

In the Norwegian PEFC Forest Standard, this is reflected in several specific requirements that will in total ensure that forestry is carried out in a sustainable manner. The requirements have requirements and rules for forestry measures that can individually or together secure the resource base, biodiversity and also take into account the landscape, outdoor recreation interests and cultural values in forests.

There may seem to be a conflict between the Regulation on sustainable forestry's chapter on measures against damage to forests and requirements with rules on leaving trees and forests for free development, e.g. the requirement Key habitats and Retention trees and dead wood. However, it is in the Regulation provided that biodiversity is taken into account. Thus, the requirements do not violate the general rules of the Regulation on felling and clearance in damaged forests. However, if specific orders are issued pursuant to the Regulations on clearance of a particular area, this order takes precedence over requirements for the reset of trees and forests.

#### The forest owners' administrator responsibility

Section 4 of the Forestry Act states that it is the forest owner's responsibility that what is done in the forest is in accordance with the legislation. The section specifies the authority and freedom of forest owners by saying that forest owners can freely manage the forest based on the framework set by the law. At the same time, the forest owner is required to have a knowledge by having an overview of the environmental values in the forest and that they are taken into account when implementing forestry measures. There is also a requirement that, if

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necessary, one should refrain from felling if necessary to ensure biodiversity.

### Environmental considerations

Section 4 of the Forestry Act also includes the authority to establish the Regulation on sustainable forestry that specify environmental considerations, requirements for active rejuvenation and the construction of new forests and good health conditions in the forest. Chapter 2 of the Regulation discusses environmental considerations, and in particular section 5 of the Regulation specifies the environmental considerations one is obliged to take when implementing measures in the forest.

The regulation is linked directly to the Norwegian PEFC Forest Standard's requirement for key habitats.

### Forest registration and forestry plan

The Forestry Act's provision on forest registration and forestry plan states that overviews of the environmental values that emerge through forestry planning shall be publicly available, and also refers to the Environmental Information Act. In the Regulation on sustainable forestry, this is also regulated through the provision on environmental documentation and environmental registrations in section 4, which requires the forest owner to account for the environmental considerations that form the basis for planned or carried out measures in the forest.

The same provision in the Regulation states that felling can normally only take place in areas where environmental registrations have been carried out. In the case of felling in areas where such registrations have not yet been carried out, the precautionary measures enshrined in the Norwegian PEFC Forest Standard shall be used as a basis.

### Rejuvenation, care and felling of forests

The Forestry Act stipulates when felling, consideration shall be given to the forest's future production and rejuvenation, while at the same time taking environmental considerations into account (Section 8). The importance of satisfactory rejuvenation is further emphasized in Section 6 of the Forestry Act and in Chapter 3 of the Regulation.

### Road construction in forests

The Forestry Act stipulates that the construction of forest roads can only be done by permission from the municipality. There are separate regulations on planning, approval and construction of forest roads. In the Forestry Act, the authorities require that planning, construction and renovation must take place in a manner which takes important environmental assets into account. At the same time, such measures shall be implemented in such a way that it ensures agricultural overall solutions, where emphasis shall be placed on achieving a rational road system. The Norwegian PEFC Forest Standard has its own requirement for forest roads.

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### Nature Diversity Act

The Act relating to the management of biological, geological and landscape diversity (the Nature Diversity Act, dated 19 June 2009, no. 100) shall operate in parallel with sectoral laws such as the Forestry Act. In other words, the Nature Diversity Act with regulations is also applicable where forestry takes place in compliance with the Forestry Act with the regulation.

The Act has general provisions on sustainable use where it is a goal that the diversity of habitat types, species diversity and ecological processes shall be safeguarded as far as considered reasonable. In order to achieve this, there is a general duty of care that everyone should act with care and do what is reasonable to avoid harm to biodiversity.

The Nature Diversity Act stipulates that species and habitat types that need special protection can be selected as priority species, Section 23, and that habitat types can be selected, Section 52, and managed in their own regulations. Where regulations have been adopted for a priority species or selected nature type, the rules for public administration apply before regulations pursuant to the Forestry Act.

The Act has separate sections for the protection of forests in reserves, protected landscape conservation areas and national parks.

## **22. Overview of relevant laws and regulations for sustainable forestry.**

Below is a list of the relevant laws and regulations of significance to sustainable forestry. The laws are sorted into:

1. Laws and regulations which are relevant in respect of forestry and with regard to safeguarding environmental considerations.
2. Laws and regulations which are relevant for other conditions linked with the practice of forestry, for all parties or for individual parties with special needs.

All laws and regulations are available on Lovdata ([www.lovdata.no](http://www.lovdata.no)) and can be downloaded or printed from here.

**The following laws and associated regulations are relevant in relation to sustainable forestry with regard to safeguarding the external environment.**

Law	Scope	Applicable regulations.
Forestry Act of 27 May 2005. (Forestry Act) Last modified on June 19, 2015.	Describes the main lines and framework within which forestry shall be operated, with the responsibility and rights of the forest owner. The Act provides legal basis for, among other things, forest supervision, environmental regulations and forestry funds.	<ul style="list-style-type: none"> <li>• Regulation on planning and approval of agricultural roads (2015).</li> <li>• Regulation relating to forest seeds and forest saplings (1996).</li> <li>• Regulation on forest management and forestry operations for forest areas in Oslo and nearby areas. (Marka Regulations) (1993)</li> <li>• Regulation on forest funds (2006).</li> <li>• Regulation on sustainable forestry (2006)</li> <li>• Regulation on subsidies for industrial and environmental measures in forestry (2004)</li> <li>• Regulation on subsidies for planning with environmental registration (2004)</li> <li>• Regulations relating to the sale of timber (2015)</li> </ul>

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Law	Scope	Applicable regulations.
The Act concerning outdoor recreation of 28. June 1957. (Outdoor Recreation Act) Last modified on 19.06.20	Mentions the right of public access related to free travel, picking of berries and mushrooms on uncultivated land. Plantations are no longer included as cultivated land, but traffic there can be prohibited if it is suitable to do significant damage.	
Act concerning cultural remains of 9 June 1978. (Cultural Heritage Act) Last modified on 12/20/18	Securing and protecting cultural monuments and cultural environments, including automatically protected cultural monuments, cf. Section 4. Regulates, among other things, the possibilities of field preparation in the immediate vicinity of ancient monuments.	
Act concerning wildlife May 29, 1981. (Wildlife Act) Last modified 11/18/16	Management of wildlife and wildlife habitats, both wildlife suitable for hunting and other wildlife. Legal basis for public wildlife administration. Protection of wildlife habitats and regulation of movement on uncultivated land. This Act provides authority for central and local regulations.	<ul style="list-style-type: none"> <li>• Regulation on management of predators. (2005)</li> <li>• Regulation on management of deer game. (2016).</li> <li>• Regulation on hunting and trapping (2002).</li> <li>• Regulation on hunting and hunting times (2017).</li> <li>• Regulation on implementation of the provisions on common game area (cf. Section 12 of the Regulation on implementation of the provisions on common game area) Section 37 of the Game Act). (1984)</li> <li>• Regulation on merging in order to achieve minimum area for deer hunting (cf. Section 38 of the Game Act) (1984)</li> <li>• Regulation on the management of beavers (2017)</li> <li>• Regulation on the use of bate for feeding of game. (2019)</li> <li>• Regulation relating to felling of harmed game, etc. (Game Regulation) 2020</li> </ul>
Act on salmon fish and fresh water fish, etc., of 15 May 1992. (Fresh-water Fish Act) Last modified on 19.06.2020	Describes, among other things, the management of lakes and waterways in relation to fishing (Chapters 1 and 2), fishing rights (Chapter 4) and the protection and development of fish stocks and habitats (Chapter 4). 3). Also describes the landowner's right to fish, as well as the public's right to fish, including children's right to free fishing. The act provides legal basis for central and local regulations. In the latest edition, the law has changed somewhat throughout the text of the act.	<ul style="list-style-type: none"> <li>• Regulation on physical measures in watercourses (2004)</li> <li>• The freshwater fish regulation (2009)</li> <li>• Regulation on fishing times (2012)</li> <li>• Regulation on the organization and operation of salmon rivers. (2013).</li> <li>• Regulation on calcification as an environmental measure (2014).</li> </ul>
Act concerning protection against pollution and waste, of 13 March 1981. (Pollution Act) Last modified on 12/18/20	Discusses, among other things, rules on leaving litter and other waste in nature Section 28, handling of special waste section 31, and treatment of acute pollution/emissions in nature § 39.	<ul style="list-style-type: none"> <li>• Regulation on to internal inspection (1996)</li> <li>• Regulation on recycling and processing of waste (Waste Regulation) (2004)</li> <li>• Regulation on limiting pollution (pollution regulation) (2004).</li> <li>• Regulation on reporting of acute pollution (1992)</li> </ul>

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Law	Scope	Applicable regulations.
Act relating to the control of products and consumer services, of 11 June 1976. (Product Control Act) Last modified on 19.06.20	Purpose to prevent a product from causing health damage or environmental disturbances. The Act places responsibility, among other things, on the person using a product, when it comes to taking measures to prevent the product from causing environmental disturbances, as well as requirements for due diligence (§ 2, and 3).	<ul style="list-style-type: none"> <li>• Waste Regulation (2004).</li> <li>• Pollution Regulation (2004).</li> <li>• Regulation on pesticides (2015)</li> </ul>
Act concerning environmental information and participation in public decision-making processes of importance to the environment, of 09.05.2003 (Environmental Information Act) Last modified on 5/19/06	Describes the general public's right to environmental information from public and private enterprises (§ 1)  Anyone requested to submit information can themselves decide on the form in which the information can be made available. (§ 18)	<ul style="list-style-type: none"> <li>▪ Regulation on complaints concerning environmental information (2003)</li> </ul>
Act on river systems and groundwater. By November 24, 2000. (Water Resources Act) Last modified on 6/21/17	Discusses, among other things, requirements for buffer zones (Section 11) and permanently protected waterways (Chapter 5), public rights in and on lakes (Section 16) and the rights for maintenance of trenches in agriculture and forestry (Section 12). Also indicates responsibility for the follow-up and maintenance of dams. The latest change applies in particular to hydropower.	<ul style="list-style-type: none"> <li>• Regulation on frameworks for water management (Water Regulation) (2006).</li> <li>• Regulation on safety at watercourse facilities (Dam Safety Regulations) (2009)</li> <li>• Instructions from NVE; Buffer vegetation along waterways. (<a href="https://www.nve.no/nytt-fra-nve/nyheter-skred-og-vassdrag/ny-veileder-om-vegetasjonen-langs-vassdrag/">https://www.nve.no/nytt-fra-nve/nyheter-skred-og-vassdrag/ny-veileder-om-vegetasjonen-langs-vassdrag/</a>)</li> </ul>
Act relating to motor transport on uncultivated land and watercourses, 10 June 1977. (Motor Transport Act) Last modified on 6/16/17	Regulation of motor transport in the uncultivated land with the intention of promoting the natural environment and well-being. Includes vehicles, boats and aircraft landings. Does not restrict motor transport related to the practice of forestry industry. (§ 4) The municipality has permission authority. (§§ 5 and 6) The landowner can refuse. (§ 10)	<ul style="list-style-type: none"> <li>• Municipal regulations.</li> <li>• Regulation on the use of motor vehicles on uncultivated land and on frozen waterways (1988 – amended in 2019).</li> <li>• Regulation on the prohibition against the use of tracked vehicles (snow scooters) on public roads (2001).</li> </ul>
Act concerning planning and building applications (Planning and Building Act) 27/06/2008.  Last modified on 12/18/20	The Act regulates public and private spatial planning and building applications. Among other things, the Act provides legal basis for expropriation and for municipal decisions on special restrictions on the practice of industry in special areas, which may affect forestry. The Act requires an impact assessment of all major interventions in nature. Forest road systems more than 15 km long are covered by this requirement. The latest amendment applies in particular to regulation plans.	<ul style="list-style-type: none"> <li>• Municipal regulations based on the National Policy Guidelines for permanently protected watercourses, related to the zone division of the 100m belt along these waterways. Zone 1 is the strictest zone with restrictions on road construction, among other things.</li> <li>• Municipal regulations based on the National Policy Guidelines for planning in the coastal and sea areas of the Oslofjord region.</li> <li>• Regulation on impact assessment (2017).</li> <li>• National policy guidelines for protected waterways (1994)</li> </ul>

## Norwegian PEFC forest certification system for sustainable forestry

Law	Scope	Applicable regulations.
Act on the management of biodiversity (Nature Diversity Act) of 19.06.2009.  Last modified on 19.06.20	Replaces the Natural Conservation Act of 1970. Reviews protection of natural values in the form of national parks, landscape conservation areas, nature reserves and natural monuments and selected habitats, species conservation of plants and animals, as well as sustainable use. Legal basis for nature management. The latest amendment applies in particular to the release of new species section 30, and the corresponding regulation on foreign tree species.	<ul style="list-style-type: none"> <li>Regulation on fresh-water fishing, etc. and catch of crayfish. (the fresh-water fish regulation) (2009)</li> <li>Regulation on the release of fish and other freshwater organisms (1993).</li> <li>Regulation on priority species (northern dragonhead, lesser white-fronted goose, Sphagnum troendelagicum, Black Vanilla Orchid, dwarf eelgrass, Arctic fox, Cicindela maritima, hermit, musk orchid, chequered blue butterfly, Oxytropis campestris ssp. scotica, red helleborine and black-tailed godwit) (2011-2015)</li> <li>Regulation on selected habitats (2011 - 2020).</li> <li>Regulation on the conservation of endangered species (2001, last amended 2015)</li> <li>Regulation on the use of foreign tree species for forestry purposes (2012)</li> <li>Regulations on Heterodermia speciosa as an endangered species (2020)</li> </ul>
Act relating to food production and food safety, etc., of 19.12.03. (Food Act)  Last modified on 6/15/18	Relevant for forestry in respect to drinking water sources as well as precautions related to the use of pesticides, with requirements for pesticides used and people who use them.	<ul style="list-style-type: none"> <li>Regulation on water supply and drinking water. (2016) (Provides authority for restrictions on forestry activities in the surrounding area to drinking water)</li> </ul>
Act on natural areas in Oslo and nearby municipalities (Marka Act) By 05.06.2009  Last modified on 21.06.19	Describes rules for the management of land within the forest boundary, with strong restrictions on the reallocation of land. Provides authority for the protection of forests for outdoor recreation purposes.	<ul style="list-style-type: none"> <li>Marka Act Regulation (2015, amended 2019)</li> </ul>
Road Act By 21 June 1963 (Road Act)	Regulates both public and private roads (Chapter 7), as well as log dumping next to public roads.	<ul style="list-style-type: none"> <li>Regulation on the placement of forest timber by national roads (1966)</li> </ul>

**In addition, the following laws and associated regulations are relevant in relation to sustainable forestry for all or some property categories as a result of activity area, location, property conditions or other circumstances.**

Law	Scope	Applicable regulations.
Act concerning village commons of June 19, 1992. (Village Commons Act.) Last modified on 24.05.19.	Regulates operations, management and property transactions for village commons, including rights of use, hunting, fishing and forestry.	

## Norwegian PEFC forest certification system for sustainable forestry

Law	Scope	Applicable regulations.
Act concerning land use of May 12, 1995. (Land Act). Last modified on 6/14/19	Describes the main lines of agriculture, and which to some extent the total agriculture must be operated within. Relevant for forestry in relation to provisions on the division of property, and property development, and the reallocation of land into forests, etc.	
Act concerning tax on wealth and income of March 26, 1999. (Tax Law) Last modified on 21.12.20.	Legal basis for significant parts of the Norwegian tax system, where forestry becomes a very limited part of the scope of application.	<ul style="list-style-type: none"> <li>Regulation on forest funds (2006)</li> </ul>
Act concerning allodial rights and qualified right of inheritance of agricultural land,, of 28 June 1974. (Allodial Rights Act.) Last modified on 6/14/19.	Regulates the sale and other transfer of agricultural properties within family, and out of family. This includes terms for allodial rights, allodial succession, residential and operation obligations, allodial release and valuation.	
Act relating to concessions for the acquisition of property, of 28 November 2003. (Concessions Act). Last modified on 6/14/19.	Regulates all sales of agricultural properties outside the family of forest areas larger than 0,2 hectares or properties with buildings larger than 10 hectares where the cultivated area exceeds 3,5 hectares. The assessment includes pricing, requirements for buyer's qualifications, obligation to live and pre-emption rights.	<ul style="list-style-type: none"> <li>Prices for agricultural properties relative to concessions (Circular, The Ministry of Agriculture (2002)).</li> <li>Regulation on concession freedom for certain acquisitions (2003).</li> </ul>
Act relating to working environment and job protection, of 17 June 2005. (Work Environment Act) Last modified on 23.06.20.	<p>Securing the work environment and workers' rights, employer's and employees' duties. The Act applies to any business that employs staff.</p> <p>Change from previous overview: Amendment to section 3 etc. concerning solidarity with the client with regard to wages for hired workforce.</p>	<ul style="list-style-type: none"> <li>Regulation on internal control (1996).</li> <li>Regulation on organizational management and participation (2011).</li> <li>Workplace Regulation (2011).</li> <li>Regulation on the performance of work (2011)</li> </ul>
Act relating to protection against fire, explosion and accidents involving hazardous substances and on the fire service's rescue tasks (Fire and Explosion Act). By 14.06.2002. Last modified on 22.06.18.	Legal basis for the provision on storage of fuel, including storage of gasoline for chainsaws.	<ul style="list-style-type: none"> <li>Regulation on the handling of flammable, reactive and pressurized substances, as well as equipment and facilities used in the handling (2009)</li> <li>Regulation on fire prevention (2015)</li> </ul>
Act relating to the processing of personal data, of 15 June 2018. (Personal Data Act) Last modified on 14.04.2020	Discusses GDPR rules, and requirements for shielding and deleting sensitive personal data.	<ul style="list-style-type: none"> <li>Regulation on the processing of personal data (2018).</li> </ul>
Act relating to strengthening the position of human rights in Norwegian law (Human Rights Act)	The purpose of the Act is to strengthen the position of human rights in Norwegian law.	



