Contribution ID: 04a418b4-2b37-415c-b2f6-108ccf2e3d7a

Date: 28/04/2023 12:22:30

III.II Penalties

Fields marked with * need to be filled in before the form can be submitted to the next level.

III. EUTR Enforcement - context and implementation

III.II Penalties (ref. EUTR Article 19)

The enforcement of the EUTR requires Member States to put in place national measures which provide a robust framework to be able to take effective, dissuasive and proportionate enforcement action and sanction different duty-holders (operators, traders and monitoring organisations) for infringements of the Regulation. The information on the legal frameworks used, the range of potential national penalties and their uppermost levels provide valuable information to assess the consistency of potential enforcement actions across the EU. This section is structured by duty-holders' obligations under the EUTR (prohibition to place illegal timber on the market for operators; due diligence and reporting obligations for operators and monitoring organisations; traceability for traders, and reporting obligation for monitoring organisations) and the provisions for penalties which are applicable to infringements to each obligation.

1 Please specify for which breaches **penalties** (ref. EUTR Article 19) are applied in your country:

	Administrative fines in cases of breaches of:	Criminal fines in cases of breaches of:	Seizure of timber or timber products as a penalty in cases of breaches of:	Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of:	Imprisonment in cases of breaches of:	Other penalties in cases of breaches of:
* Prohibition (operators)	V		V			
* DD obligation (operators and monitoring organisations)	▽		V			
* Traceability obligation (operators/ traders)	V		V			
*Reporting obligation (monitoring organisations)						V

^{*2} Does the same legislation apply for infringements relating to domestic timber and for imported timber?

Yes No

Please select all that apply. Perset (management) law General Administrative sanctions law Penal code Other 6 Please provide the name(s) and relevant Article numbers for the above-mentioned legislation: Bundesgesetz über die Überwachung des Handels mit Holz (Holzhandelsüberwachungsgesetz - HolzHÜG) §§ 14, 15 Penalties in cases of breaches of prohibition Administrative fines in cases of breaches of prohibition *7 Fine is expressed as: specific monetary value *8 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different) Please enter a whole number. If it is not prescribed use not set. Examples: 45000 for 45,000,00 EUR; not set if not prescribed. 100000 *10 Which authority can impose this penalty? Please select all that apply. Other Court Fine imposing agency Other Seizure of timber or timber products as a penalty in cases of breaches of prohibition 17 Which authority can impose this penalty? Please select all that apply. Ompetent authority/es Prosecutor Police Court Scizure imposing agency Other	EUTR-specific legislation	*3 Which legislation provides for penalties for infringements of the EUTR?
Forest (management) law General Administrative sanctions law Penal code Other 6 Please provide the name(s) and relevant Article numbers for the above-mentioned legislation: Bundesgesetz über die Übenwachung des Handels mit Holz (Holzhandelsübenwachungsgesetz - HolzHÜG) §§ 14, 15 Penalties in cases of breaches of prohibition Administrative fines in cases of breaches of prohibition *7 Fine is expressed as: specific monetary value *8 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different) Please enter a whole number. If it is not prescribed use not set, Examples: 45000 for 45,000,000 EUR; not set if not prescribed. 100000 *10 Which authority can impose this penalty? Please select all that apply. Competent authority/res Police Court Fine imposing agency Other Seizure of timber or timber products as a penalty in cases of breaches of prohibition *17 Which authority can impose this penalty? Please select all that apply. Competent authority/res Police Court Police Court Police Court Seizure imposing agency	Forest (management) law General Administrative sanctions law Penal code Other 6 Please provide the name(s) and relevant Article numbers for the above-mentioned legislation: Bundesgesetz über die Überwachung des Handels mit Holz (Holzhandelsüberwachungsgesetz - HolzHÜG) §§ 14, 15 Penalties in cases of breaches of prohibition Administrative fines in cases of breaches of prohibition *7 Fine is expressed as: specific monetary value *8 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different) Please enter a whole number. If it is not prescribed use not set. Examples: 45000 for 45 000,00 EUR; not set if not prescribed. 100000 *10 Which authority can impose this penalty? Please select all that apply. © Competent authority/ics Posecutor Hine imposing agency Other Seizure of timber or timber products as a penalty in cases of breaches of prohibition *17 Which authority can impose this penalty? Please select all that apply. © Competent authority/ics Posecutor Police Court Price Court Police Court Seizure imposing agency Other	
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*17 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency	*17 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency Other	Other
Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency	Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency Other	Seizure of timber or timber products as a penalty in cases of breaches of prohibition
Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency	Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency Other	*17 Which authority can impose this penalty?
Competent authority/ies Prosecutor Police Court Seizure imposing agency	Competent authority/ies Prosecutor Police Court Seizure imposing agency Other	
Prosecutor Police Court Seizure imposing agency	Prosecutor Police Court Seizure imposing agency Other	
Police Court Seizure imposing agency	Police Court Seizure imposing agency Other	
Court Seizure imposing agency	Court Seizure imposing agency Other	
Seizure imposing agency	Seizure imposing agency Other	
	Other	
Unier Other		
	*19 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?	Unier Other
*19 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?		*19 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

Competent authority/ies

Customs Police Court Other
Penalties in cases of breaches of DD obligation
Administrative fines in cases of breaches of DD obligation
*31 Fine is expressed as: specific monetary value
*32 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different) Please enter a whole number. If it is not prescribed use <i>not set</i> . Examples: 45000 for 45.000,00 EUR; not set if not prescribed. 25000
*34 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Police Court Fine imposing agency Other
Seizure of timber or timber products as a penalty in cases of breaches of DD obligation
*41 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency Other
*43 Which authority/ies is/are responsible for disposal of confiscated timber/timber products? ☐ Competent authority/ies ☐ Customs ☐ Police ☐ Court ☐ Other
Penalties in cases of breaches of traceability obligation
Administrative fines in cases of breaches of traceability obligation

*55 Fine is expressed as:

	e enter a whole number. If it is not prescribed use <i>not set</i> . Examples: 45000 for 45.000,00 EUR; not set if not prescribe 25000
Ľ	
8 W	hich authority can impose this penalty?
	e select all that apply.
√	Competent authority/ies
	Police
	Court
	Fine imposing agency
	Other
	ure of timber or timber products as a penalty in cases of breaches of traceability gation
5 W	hich authority can impose this penalty?
	e select all that apply.
1	Competent authority/ies
	Prosecutor
	Police
	Court
	Seizure imposing agency
	Other
57 W	hich authority/ies is/are responsible for disposal of confiscated timber/timber products?
1	Competent authority/ies
	Customs
	Police
	Court
] Other
ena	alties in cases of breaches of reporting obligation (monitoring organisations)
Othe	er penalties in cases of breaches of reporting obligation
5 Ple	ease describe the penalty:
'	Nithdrawal of recognition (Art. 8 (6) EUTR)
6 W	hat is the maximum level of this penalty?
	See question 95!
7 W	hich authority can impose this penalty?
	e select all that apply.
	Competent authority/ies
	Police

	Court
	Business inspectorate
	☑ Other
98]	Please specify other:
	European Commission
$\mathbf{C}\mathbf{c}$	omments
00.4	O
99 (Comments:

Contact

ENV-DECLARE@ec.europa.eu