Date: 22/03/2022 14:52:41

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 dutyholders (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	V	V	V	
*DD obligation (operators and monitoring organisations)	V	V	V	V	V	
* Traceability obligation (operators/ traders)	V	V	V	V	V	
* Reporting obligation (monitoring organisations)	V	V			V	

*2 Does the same legislation apply for infringements relating to domestic timber and for imported ti	* 2	Does th	e same	legislation.	apply fo	r infrin	gements	relating	to don	nestic	timber	and fo	r imported	tin	nhe	r?
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Yes
No

*3 Which legislation provides for penalties for infringements of the EUTR?
Please select all that apply.
EUTR-specific legislationForest (management) law
General Administrative sanctions law
Penal code
Other
6 Please provide the name(s) and relevant Article numbers for the above-mentioned legislation:
Loi du 21 juillet 2012 concernant certaines modalités d'application et la sanction du règlement (UE) n° 995 /2010 du Parlement européen et du Conseil du 20 octobre 2010 établissant les obligations des opérateurs qui mettent du bois et des produits dérivés sur le marché - Art. 7
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 <i>not set</i> . Examples: 45000 for 45.000,00 EUR; not set if not prescribed.
250000
*10 Which authority can impose this penalty?
Please select all that apply.
Competent authority/ies
Police
Court
Fine imposing agency
Other
Criminal fines in cases of breaches of prohibition
*12 Fine is expressed as:
specific monetary value
r,
*13 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.
250000
*15 Which authority can impose this penalty? Please select all that apply.

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/ies
Prosecutor
Police
▼ Court
Seizure imposing agency
Other
*19 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?
Competent authority/ies
Customs
Police
▼ Court
Other
Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of prohibition
*21 For how long can the suspension of the authorisation to trade be imposed? Please enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. It is not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed.
not set
222 Which and arise and increase this grantles?
*22 Which authority can impose this penalty? Please select all that apply.
Competent authority/ies
Customs
Police
▼ Court
Business inspectorate
Other
Imprisonment in cases of breaches of prohibition
*24 What is the maximum duration of imprisonment?
Please enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. It is not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed.
1m
*25 Which authority can impose this penalty?

Competent authority/ies

Please select all that apply.

Police

Competent authority/ies	
Police	
▼ Court	
Other	
Danalties in cases of breaches of DD obligation	
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	
	_
*22 What is the maximum fine in EUD? (Places convert to EUD if the MC augments)	
*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.	
	٦
250000	
	_
*34 Which authority can impose this penalty?	
Please select all that apply.	
Competent authority/ies	
Police	
Court	
Fine imposing agency	
Other	
Other	
- Other	
Criminal fines in cases of breaches of DD obligation	
Criminal fines in cases of breaches of DD obligation *36 Fine is expressed as:	
Criminal fines in cases of breaches of DD obligation	
Criminal fines in cases of breaches of DD obligation *36 Fine is expressed as: specific monetary value	
Criminal fines in cases of breaches of DD obligation *36 Fine is expressed as: specific monetary value *37 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different)	
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*36 Fine is expressed as: specific monetary value *37 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. 250000 *39 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Police	
Criminal fines in cases of breaches of DD obligation *36 Fine is expressed as: specific monetary value *37 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. 250000 *39 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Police Court Fine imposing agency	
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*36 Fine is expressed as: specific monetary value *37 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. 250000 *39 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	
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 □ 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
Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of DD obligation
*45 For how long can the suspension of the authorisation to trade be imposed? Please enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. If it is not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed. not set
*46 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Customs Police Court Business inspectorate Other
Imprisonment in cases of breaches of DD obligation
*48 What is the maximum duration of imprisonment? Please enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. If it is not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed.
1m
*49 Which authority can impose this penalty? Please select all that apply. Competent authority/ies 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:

specific monetary value
*56 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.
250000
*58 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Police
 ✓ Court ☐ Fine imposing agency ☐ Other
Criminal fines in cases of breaches of traceability obligation
*60 Fine is expressed as:
specific monetary value
*61 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. 250000
*63 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 traceability obligation
*65 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Prosecutor Police Court Seizure imposing agency Other
*67 Which authority/ies is/are responsible for disposal of confiscated timber/timber products? Competent authority/ies Customs Police Court Other

Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of traceability obligation

*69 For how long can the suspension of the authorisation to trade be imposed? Please enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. If it is not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed.
not set
*70 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Customs Police Court Business inspectorate Other
Imprisonment in cases of breaches of traceability obligation
*72 What is the maximum duration of imprisonment? Please enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. If it is not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed.
1m
*73 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Police Court Other
Penalties in cases of breaches of reporting obligation (monitoring organisations)
Administrative fines in cases of breaches of reporting obligation
*79 Fine is expressed as:
specific monetary value
*80 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. 250000
*82 Which authority can impose this penalty? Please select all that apply. Competent authority/ies Police

• 2/1 Fi	ne is expressed as:
	pecific monetary value
	that is the maximum fine in EUR? (Please convert to EUR if the MS currency is different) the 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.
	250000
	hich authority can impose this penalty? the select all that apply. Competent authority/ies Police
	Court Fine imposing agency Other
Impi	risonment in cases of breaches of reporting obligation
*92 W	hat is the maximum duration of imprisonment?
*92 W Pleas	That is the maximum duration of imprisonment? Some enter a whole number followed by a unit of time without spaces. Use either d for days or y for years or m for months. If
*92 W Pleas it is r	That is the maximum duration of imprisonment? The enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. If not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed. Im
*92 W Pleas it is r	That is the maximum duration of imprisonment? The enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. If not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed.
*92 W Pleas it is r *93 W Pleas	that is the maximum duration of imprisonment? The enter a whole number followed by a unit of time without spaces. Use either <i>d</i> for days or <i>y</i> for years or <i>m</i> for months. If not prescribed use <i>not set</i> . Examples: 45d for 45 days; 18m for 18 months; 5y for 5 years; not set if not prescribed. The chich authority can impose this penalty? The select all that apply. Competent authority/ies Police Court

Fine imposing agency

no comment		

Contact

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