

United Kingdom Woodland Assurance Standard

Fourth Edition

Appendix

**Main legislation, regulations, guidelines and
codes of practice referred to in the UKWAS**

Version 2.1: April 2016

www.ukwas.org.uk

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1. Introduction

The main legislation, guidelines and codes of practice relevant to the UK Woodland Assurance Standard are shown here.

These are correct and as complete as possible as at April 2016 but should not be treated as an exhaustive list. This document will be revised from time to time but it is important at all times to refer to the most recent and/or new documents and relevant websites should be checked frequently.



Main Reference Documents

Refer to the relevant documents in section 2 of this Appendix.

2. Main Reference Documents

The key main documents are listed below and the other main documents under the five section headings of the certification standard.

2.1 Key Main Documents

Key Legislation

1967: Forestry Act 1967 (as amended)

1967: Plant Health Act 1967

1982: Forestry Commission Bye-laws

1953: Forestry Act (Northern Ireland) 1953

1999: The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999

1999: The Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999

2000: The Environmental Impact Assessment (Forestry) (Northern Ireland) Regulations 2000

2010: Forestry Act (Northern Ireland) 2010

Key Publications

2011: The UK Forestry Standard

2011: UKFS Guidelines series:

- Forests and Biodiversity

- Forests and Climate Change

- Forests and Historic Environment

- Forests and Landscape

- Forests and People

- Forests and Soil

- Forests and Water

See www.forestry.gov.uk/ukfs for further information and to download the UK Forestry Standard and UKFS Guidelines series.

Forestry Grants and Regulations

Information on forestry grant schemes and regulations may be obtained from the relevant forestry authorities. Guidance on environmental regulations is provided for small businesses on www.netregs.gov.uk.

2.2 Other Main Documents

For easy reference, the documents are assigned to the appropriate section headings of the certification standard.

Section 1: Legal compliance and UKWAS conformance

1.1 Compliance and conformance

Legislation:

2010: Bribery Act 2010

Ministry of Justice Quick Start Guide

Undated: Bribery Act 2010

Section 2: Management planning

2.2 Documentation

Forestry Commission Scotland:

2009: The Scottish Government's Policy on Non-Timber Forest Products

2.3 Consultation and co-operation

Forestry Commission UKFS Guidelines series:

2011: Forests and People

Forestry Commission Practice Guide:

1996: No. 10: Involving Communities in Forestry

Forestry Commission Practice Note:

1999: No. 6, Managing Deer in the Countryside

The Deer Initiative (www.thedeerinitiative.co.uk):

Various: Best Practice Guides

Deer Commission for Scotland:

2003: Best Practice Guidance 3.2.1 Deer Management Plan

1999: Collaborative Deer Management, Guidelines for a Deer Management Plan

2.5 Assessment of environmental impacts

Legislation:

1999: The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999

1999: The Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999

2000: The Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2000

Forestry Commission website downloads:

2004: Environmental Impact Assessment of Forestry Projects

2001: Undertaking an Environmental Assessment in Forestry and Preparing an Environmental Statement

Forestry Commission Plant Health Service guidance document:

2012: Biosecurity Guidance

Forestry Commission Practice Notes:

1998: No. 2, The Prevention of Rabbit Damage to Trees in Woodland

The Deer Initiative:

2009-10: Wild Boar Best Practice Guides

England & Wales Fire Forum:

2011: Vegetation Fire Risk Management: Guidance for Land Managers and Advisors

2.6 Woodland creation

Forestry Commission UKFS Guidelines series:

2011: Forests and Biodiversity

2011: Forests and Climate Change

2011: Forests and Historic Environment

2011: Forests and Landscape

2011: Forests and People

2011: Forests and Soil

2011: Forests and Water

Forestry Commission Guideline Notes:

2000: No. 1, Forests and Peatland Habitats

Forestry Commission Practice Guide:

2014: No. 12, Design Techniques for Forest Management Planning

Northern Ireland Department of Agriculture and Rural Development (DARD):

1993: The DARD Statement on Environmental Policy

2.7 Woodland restructuring

Forestry Commission UKFS Guidelines series:

2011: Forests and Biodiversity

2011: Forests and Climate Change

2011: Forests and Historic Environment

2011: Forests and Landscape

2011: Forests and People

2011: Forests and Soil

2011: Forests and Water

Forestry Commission Practice Guide:

2014: No. 12, Design Techniques for Forest Management Planning

2.8 Tree species selection

Forestry Commission UKFS Guidelines series:

2011: Forests and Climate Change

Forestry Commission Bulletins:

2001: No. 124, An Ecological Site Classification for Forestry in Great Britain

2002: No. 125, Climate Change – Impacts on UK Forests

Forestry Commission Practice Guide:

2004: Creating New Broadleaved Woodlands by Direct Seeding

Forestry Commission Practice Note:

1999: No. 8, Using Local Stock for Planting Native Trees and Shrubs

Forestry Commission England Practice Guides:

2010: Managing Ancient and Native Woodland in England

Forest Research:

Online: Ecological Site Classification Decision Support System (ESC –DSS)
(www.forestry.gov.uk/fr/infid-5v8jdg)

2.10 Silvicultural systems

Forestry Commission Information Notes:

2004: No. 40, Transforming Even-aged Conifer Stands to Continuous Cover Management

2002: No. 45, Monitoring the Transformation of Even-aged Stands to Continuous Cover Management

1999: No. 29, What is Continuous Cover Forestry?

Forestry Commission Practice Guides:

2003: The Management of Semi-Natural Woodlands:

No. 1: Lowland Acid Beech and Oak Woods

No. 2: Lowland Beech-Ash Woods

No. 3: Lowland Mixed Broadleaved Woods

No. 4: Upland Mixed Ash Woods

No. 5: Upland Oakwoods

No. 6: Upland Birchwoods

No. 7: Native Pinewoods

No. 8: Wet Woodlands

2.12 Protection

Forestry Commission Practice Notes:

1998: No. 1, Nearest Neighbour Method for Quantifying Wildlife Damage to Woodland

1998: No. 3, Prevention of Mammal Damage to Trees in Woodland

1999: No. 6, Managing Deer in the Countryside

Forestry Commission Information Notes:

2000: No. 35, Natural Regeneration in Broadleaved Woodlands: Deer Browsing and the Establishment of Advance Regeneration

2000: No. 36, The Impact of Deer on Woodland Biodiversity

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Forestry Commission Technical Guide:

2006: Forest Fencing

The Deer Initiative (www.thedeerinitiative.co.uk):

Various: Best Practice Guides

Deer Commission for Scotland:

2003: Best Practice Guidance 3.2.1 Deer Management Plan

1999: Collaborative Deer Management, Guidelines for a Deer Management Plan

Scottish Natural Heritage (and others):

Online: Best Practice Guides (<http://www.bestpracticeguides.org.uk/guides>)

2.13 Conversion

Forestry Commission:

2011: The UK Forestry Standard - The UK governments' approach to sustainable forest management

Scottish Government:

2009: The Scottish Government's Policy on Control of Woodland Removal

Section 3: Woodland operations

3.1 General

Forestry Commission UKFS Guidelines series:

2011: Forests and Biodiversity

2011: Forests and Historic Environment

2011: Forests and Landscape

2011: Forests and People

2011: Forests and Soil

2011: Forests and Water

Forestry Commission Practice Guide:

1995: No. 9, Forest Operations and Badger Setts

3.2 Harvest operations

Legislation:

2010: The Environmental Permitting (England and Wales) Regulations 2010

Forestry Commission Practice Guides:

1995: No. 9, Forest Operations and Badger Setts

1997: No. 11, Whole-Tree Harvesting - A Guide to Good Practice

Forestry Commission Information Notes:

2004: No. 40, Transforming Even-aged Conifer Stands to Continuous Cover Management

2002: No. 45, Monitoring the Transformation of Even-aged Stands to Continuous Cover Management.

1999: No. 29, What is Continuous Cover Forestry?

Forestry Commission Technical Notes:

2002: No. 2, Planning Controlled Burning Operations in Forestry

2000: No. 3, Forest and Moorland Fire Suppression

2000: No. 4, Burning Forest Residues

2005: No. 11, Protecting the Environment during Mechanised Harvesting Operations

Forest Industry Safety Accord Guides:

803 Firefighting

Timber Transport Forum

2012: Road Haulage of Round Timber: Code of Practice. 4th Edition

2012: Managing Timber Transport: Good Practice Guide

2014: Tread Softly: Lower impact vehicles for timber haulage

2016: Loading Timber from Roadside Forests: Good Practice

Northern Ireland Department of Agriculture and Rural Development (DARD):

1999: Northern Ireland Forest Service, Environmental Guidelines for Timber Harvesting

1993: The DARD Statement on Environmental Policy

3.3 Forest roads and associated infrastructure

Forestry Commission UKFS Guidelines series:

2011: Forests and Biodiversity

2011: Forests and Historic Environment

2011: Forests and Landscape

2011: Forests and People

2011: Forests and Soils

2011: Forests and Water

Timber Transport Forum

2012: Road Haulage of Round Timber: Code of Practice. 4th Edition

2012: Managing Timber Transport: Good Practice Guide

2014: Tread Softly: Lower impact vehicles for timber haulage

2016: Loading Timber from Roadside Forests: Good Practice

3.4 Pesticides, biological control agents and fertilisers

Legislation:

1985: Food and Environment Protection Act 1985 (Part III)

1986: Control of Pesticides Regulations 1986 (COPR), as amended by the Control of Pesticides (amended) Regulations 1997 (COP(A)R)

1987: Control of Pesticides Regulations (Northern Ireland) (COPR NI) 1987

1990: Environment Protection Act 1990

1994: Waste Management Licensing Regulations 1994 (plus various amendments)

1996: Waste Management Regulations 1996

2002: Control of Substances Hazardous to Health (COSHH)

2002: Waste Management (Duty of Care) Regulations 2002

Forestry Commission UKFS Guidelines series:

2011: Forests and Soil

2011: Forests and Water

Forestry Commission Bulletin:

1995: Forest Fertilisation in Britain

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Forestry Commission Field Book:

1995: No. 8, The Use of Herbicides in the Forest

1996: No. 14, Herbicides for Farm Woodlands and Short Rotation Coppice

Forestry Commission Practice Guide:

2004: No. 15, Reducing Pesticide Use in Forestry

Forestry Commission Practice Notes:

1988: No. 2, The Prevention of Rabbit Damage to Trees in Woodland

1988: No. 3, The Prevention of Mammal Damage to Trees in Woodland

2003: No. 4, Controlling Grey Squirrel Damage to Woodlands

British Crop Protection Council:

1999: The British Crop Protection Council (BCPC) Guide

British Crop Protection Council and CAB International:

2006: The UK Pesticide Guide 2006

Pesticides Safety Directorate (Defra):

2006: Pesticides: Code of Practice for use of Plant Protection Products Local Environmental Risk Assessment for Pesticides

Scottish Executive Environment & Rural Affairs Department:

2006: Pesticides: Code of Practice for use of Plant Protection Products in Scotland

Soil Association Technical Guides:

2002: Organic Weed and Scrub Control on Nature Conservation Sites

2003: Woodland Management on Organic Farms

3.5 Fencing

Forestry Commission Technical Guide:

2006: Forest Fencing

3.6 Waste

Legislation:

2002: Waste Management (Duty of Care) Regulations 2002

1996: Waste Management Regulations 1996

1994: Waste Management Licensing Regulations 1994 (and amendments)

3.7 Pollution

Forestry Commission Field Book:

1995: No. 8, The Use of Herbicides in the Forest

Forestry Commission Forest Research Technical Development Report:

1993: No. 7/93, Oil and Chemical Spillages

Section 4: Natural, historical and cultural environment

Legislation:

2000: Countryside and Rights of Way Act 2000

2004: Nature Conservation (Scotland) Act 2004

1981: Wildlife and Countryside Act 1981 (as amended)

1985: The Wildlife (Northern Ireland) Order 1985 (as amended)

2002: The Environment (Northern Ireland) Order 2002

1995: The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended)

1994: The Conservation (Natural Habitats, etc.) Regulations 1994

4.1 Statutory designated sites and protected species

IUCN:

2010: IUCN Red List of Threatened Species. Version 2010.4

4.2 Conservation of ancient semi-natural woodlands (ASNW)

Forestry Commission:

2010: Managing Native Broadleaved Woodland

Forestry Commission England Practice Guides:

2010: Managing Ancient and Native Woodland in England

Forestry Commission Practice Guides:

2003: The Management of Semi-Natural Woodlands:

No. 1: Lowland Acid Beech and Oak Woods

No. 2: Lowland Beech-Ash Woods

No. 3: Lowland Mixed Broadleaved Woods

No. 4: Upland Mixed Ash Woods

No. 5: Upland Oakwoods

No. 6: Upland Birchwoods

No. 7: Native Pinewoods

No. 8: Wet Woodlands

Forestry Commission Practice Note:

1999: No. 8, Using Local Stock for Planting Native Trees and Shrubs

4.3 Management of plantations on ancient woodland sites (PAWS)

Forestry Commission Practice Guides:

2003: No. 14, Restoration of Native Woodland on Ancient Woodland Sites

2013: No. 21, Choosing Stand Management Methods for Restoring Planted Ancient Woodland Sites

Woodland Trust Practical Guidance:

2015: Module no. 1, Ancient woodland restoration: An introductory guide to the principles of restoration management

4.4 Protection of conservation values in other woodlands and semi-natural habitats

Forestry Commission Guideline Note:

2000: No. 1, Forests and Peatland Habitats

Forest Service:

1993: Afforestation - The DANI Statement on Environmental Policy

Forestry Commission Practice Guide:

2014: No. 24, Managing Open Habitats in Upland Forests

Forestry Commission Scotland Practice Guide:

2015: No. 104, Deciding future management options for afforested deep peatland

4.5 Watershed management and erosion control

Forestry Commission UKFS Guidelines series:

2011: Forests and Soil

2011: Forests and Water

4.6 Maintenance of biodiversity and ecological functions

English Nature Research Reports:

2001: No. 384, Natural Reserves in English Woodlands

2001: No. 385, A Provisional Minimum Intervention Woodland Reserve Series for England with Proposals for Baseline Recording and Long-term Monitoring Therein

English Nature Report:

2000: Veteran Trees – A Guide to Good Management by Read H

The Tree Council:

2013: Ancient and other veteran trees: further guidance on management

Forestry Commission Practice Guide:

2012: Managing Deadwood in Forests and Woodlands

Forestry Commission Forest Enterprise Report:

2002: Life in the Deadwood – A guide to Managing Deadwood in Forestry Commission Forests

Quarterly Journal of Forestry:

2002: There's Life in That Deadwood by Kirby K, Currie F and Butler J. Q Jnl For Vol 96 No 2

European Forestry Institute Proceedings:

2004: Deadwood as an Indicator of Biodiversity in European Forests: From Theory to Operational Guidance by Humphrey JW, Sippola A-L, Lemperiere G, Dodeline B, Alexander KNA and Butler J

4.7 Maintenance of local native seed sources

Legislation:

2002: Forest Reproductive Materials Regulations 2002

2002: Forest Reproductive Materials Regulations (Northern Ireland) 2002

Forestry Commission Information Note:

2003: No. 53, Recent Changes to the Control of Forest Reproductive Material

4.8 Cultural and historical features/sites

Forestry Commission UKFS Guidelines series:

2011: Forests and Historic Environment

4.9 Game and fisheries management

Legislation:

1981: Wildlife and Countryside Act 1981 (and Amendments)

2004: Nature Conservation (Scotland) Act 2004

Forestry Commission Practice Notes:

1998: No. 3, Prevention of Mammal Damage to Trees in Woodland

2004: No. 4, Controlling Grey Squirrel Damage to Woodlands

Fishing, Hunting, Game and Shooting Codes of Practice:

Association of Stillwater Game Fishery Managers (www.troutfisheries.co.uk):

Undated: Code of Conduct

British Association for Shooting and Conservation (www.basc.org.uk):

2010: Snaring in Scotland, A practitioners' guide (Third edition)

British Association for Shooting and Conservation (and others)

(www.codeofgoodshootingpractice.org.uk):

2012: Code of Good Shooting Practice

Deer Initiative (www.thedeerinitiative.co.uk):

2010: Best Practice Guides

Department of Environment, Food & Rural Affairs (Defra):

2010: Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes (applies to England)

Game and Wildlife Conservation Trust (www.gwct.org.uk):

2007: Guidelines for Sustainable Gamebird Releasing

Masters of Foxhounds Association and other hunting organisations (www.mfha.co.uk):

Undated: A Code of Good Hunting

Hawk Board (www.hawkboard-cff.org.uk):

2007: Code of Welfare and Husbandry of Birds of Prey and Owls (Appendix 2 of Falconry in the United Kingdom: An audit of the current position)

Scottish Government:

2011: Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes (applies to Scotland)

Welsh Assembly Government:

2011: Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes (applies to Wales)

Section 5: People, communities and workers

5.1 Woodland access and recreation including traditional and permissive use rights

Legislation:

2000: Countryside & Rights of Way Act 2000

2003: Land Reform (Scotland) Act 2003

Department for Food and Rural Affairs:

2010: Authorising structures (gaps, gates & stiles) on rights of way: Good practice guidance for local authorities on compliance with the Equality Act 2010

2015: The Guide to Cross Compliance in England.

English Nature:

1998: Wild Mushroom Pickers' Code of Practice

Forestry Commission Scotland Practice Note:

2013: No. 104, Managing Woodland Access and Forest Operations in Scotland

Natural England:

Online: Public rights of way: landowner responsibilities (www.gov.uk/guidance/public-rights-of-way-landowner-responsibilities)

Online: Open access land: management, rights and responsibilities (www.gov.uk/guidance/open-access-land-management-rights-and-responsibilities)

Scottish Outdoor Access Code (www.outdooraccess-scotland.com):

2005: Scottish Outdoor Access Code

5.2 Minimising adverse impacts

Forestry Commission Practice Guide:

2000: No. 13: Hazards From Trees: A General Guide

Health and Safety Executive:

Managing Health and Safety in Forestry– see 5.4 below

Timber Transport Forum:

Agreed Routes Maps for Timber Transport. See www.timbertransportforum.org.uk

2012: Road Haulage of Round Timber: Code of Practice. 4th Edition

2012: Managing Timber Transport: Good Practice Guide

2014: Tread Softly: Lower impact vehicles for timber haulage

2016: Loading Timber from Roadside Forests: Good Practice

5.4 Health and safety

Legislation:

1974: Health and Safety at Work etc Act 1974 (and Amendments)

2009: Health and Safety (First Aid) Regulations

Health and Safety Executive (HSE):

1999: Simple guide to the Lifting Operations and Lifting Equipment Regulations 1998

1999: Simple guide to the Provision and Use of Work Equipment Regulations 1998

2009: First Aid at Work – Your Questions Answered

2012: A guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

2013: Chainsaws at Work

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General publications, refer to www.hse.gov.uk/pubns

Forestry publications, refer to www.hse.gov.uk/pubns/forindex.htm

HSE Leaflets on Forestry:

General:

Tree Work Accidents: An Analysis of Fatal and Serious Injuries

PUWER 98: How the Regulations apply to Agriculture and Forestry

Forest Industry Safety Accord Guides:

General:

2014: Guidance on Managing Health and Safety in Forestry

Establishment:

102 Pre-Planting Spraying of Container-Grown Seedlings

103 Planting

104 Fencing

Lifting and Handling:

LOLER: How the Regulations apply to Forestry

LOLER: How the Regulations apply to Arboriculture

Maintenance:

203 Clearing Saw

204 Flails and Mulchers in Tree Work

Chainsaws:

301 Using Petrol-Driven Chainsaws

302 Basic Chainsaw Felling and Manual Takedown

303 Chainsaw Snedding

304 Chainsaw Cross-Cutting and Manual Stacking

306 Chainsaw Clearance of Windblow

307 Chainsaw Felling of Large Trees

310 Use of Winches in Directional Felling and Takedown

Extraction:

501 Tractors Units in Tree Work

502 Extraction by Skidder

503 Extraction by Forwarder

504 Extraction by Cable Crane

506 Extraction by Horse

Processing:

601 Mobile Circular Saw Bench

602 Mobile Peeling Machine

603 Mechanical Harvesting

604 Wood Chippers

605 Mechanical Roadside Processing

607 Firewood Processors

Vehicles:

701 ATV Quad Bikes

702 All-Terrain Vehicles

703 Debugging and Recovery of Forestry Machines

704 Excavators in Tree Work

705 Steep Slope Working in Forestry

General Safety (800 Series):

802 Emergency Planning

803 Firefighting

804 Electricity at Work: Forestry

805 Training and Certification

Forestry Commission Practice Note:

2013: No. 19, Managing public safety on harvesting sites

5.6 Workers' rights

The ILO Conventions represent the consensus by representatives of 170 member countries of the International Labour Organisation (ILO) and all have been adopted and/or endorsed by the International Labour Conference or the Governing Body of ILO. They include Conventions and Recommendations which are formal legal instruments.

ILO Conventions:

- 1930: 29: Forced Labour Convention
- 1948: 87: Freedom of Association and Protection of the Right to Organise Conventions
- 1949: 97: Migration for Employment (Revised) Convention
- 1949: 98: Right to Organise and Collective Bargaining Convention
- 1951: 100: Equal Remuneration Convention
- 1957: 105: Abolition of Forced Labour Convention
- 1958: 111: Discrimination (Occupation and Employment) Convention
- 1970: 131: Minimum Wage Fixing Convention
- 1973: 138: Minimum Age Convention
- 1975: 141: Rural Workers' Organizations Convention
- 1975: 142: Human Resources Development Convention
- 1975: 143: Migrant Workers (Supplementary Provisions) Convention
- 1981: 155: Occupational Safety and Health Convention
- 1989: 169: Indigenous and Tribal Peoples Convention
- 1998: 182: Worst Forms of Child Labour Convention

Other ILO Documents:

- 1998: ILO Code of Practice on Safety and Health in Forestry Work
- 1970: Recommendation 135: Minimum Wage Fixing Recommendation

Refer also to www.ilo.org

Note: Convention numbers 29, 87, 98, 100, 105, 111, 138 and 182 are Core Standards covered by the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its follow up. ILO member states are expected to promote and realise these principles, even if they have not ratified the Conventions. The ILO Code of Practice is not a legal instrument, but it provides authoritative guidance on forest work. The UK Government has ratified the 8 Core Standards and also the following ILO Conventions: 97, 141 and 142.

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Legislation:

1998: National Minimum Wage Act 1998

2015: Modern Slavery Act 2015

2016: National Minimum Wage (Amendment) Regulations 2016

Advisory, Conciliation and Arbitration Service (ACAS) statutory Code of Practice:

2009: No. 1, Disciplinary and grievance procedures

Advisory, Conciliation and Arbitration Service (ACAS) Guides:

2015: Equality and discrimination: understand the basics

2015: Prevent discrimination: Support equality

2015: Discrimination: What to do if it happens

3. Availability of documents

The main documents are available from the following organisations:

Legislation

www.hse.gov.uk

www.opsi.gov.uk

www.netregs.gov.uk

British Crop Protection Council and CAB International

www.bcpc.org

The Deer Initiative

www.thedeerinitiative.co.uk

www.wild-boar.org.uk

Forestry Commission

www.forestry.gov.uk/publications

Health and Safety Executive

www.hse.gov.uk

Natural England (incorporates English Nature)

www.naturalengland.org.uk

Northern Ireland Forest Service

www.forestserviceni.gov.uk/publications/publications.htm

Pesticides Safety Directorate

www.pesticides.gov.uk

Scottish Natural Heritage (incorporates Deer Commission Scotland)

www.snh.gov.uk

Soil Association

www.soilassociation.org

UK Woodland Assurance Standard

www.ukwas.org.uk

Information on certification scheme requirements

Additional information relating to the specific requirements of the certification schemes which use the UK Woodland Assurance Standard as a basis for certification in the UK is available from the schemes:

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Forest Stewardship Council (FSC)

www.fsc.org

www.fsc-uk.org

Programme for the Endorsement of Forest Certification schemes (PEFC)

www.pefc.org

www.pefc.co.uk

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