Second Chamber of the States-General

2

Session 2002–2003

1. ------IND- **2004 0087 NL- EN-** ------ 20040414 --- --- PROJET

28 631 **Bill from Member M. Vos amending for the second time the Bill from Member M. Vos amending the Environmental Management Act (sustainably produced wood)**

No 8 **MEMORANDUM OF AMENDMENT**

Received on 16 April 2003

The bill shall be amended as follows:

The following amendments shall be made to article I:

A

The following shall be inserted before section A:

aA
Article 9.3 shall be amended as follows.

1. In paragraph 1, section f, "article 9.17" shall be replaced by: article 9.16.

2. In paragraph 3 ", 9.14 and 9.24, 3°," shall be amended to: and 9.14.

bA

Article 9.4 shall read:

Article 9.4

1. A body within the meaning of this title shall be a legal entity that:
a. is accredited by the Accreditation Council or an organisation with which the Accreditation Council has an international mutual recognition agreement, in accordance with assessment guidelines approved by Our Minister, for:
1°. the assessment of sustainable forest management, and
2°. the assessment of a tracing system for wood that originates from an area where the forest is sustainably managed, or
b. at least satisfies criteria that apply for accreditation as referred to in section a, and that implements the assessment referred to in that section in accordance with assessment guidelines that are at least equivalent to assessment guidelines approved by Our Minister in accordance with that section.

KST67667
ISSN 0921 - 7371
Sdu Publishers
The Hague 2003

2. Our Minister shall only approve the assessment guidelines:
a. where it is laid down therein how it is guaranteed that the wood production takes place sustainably by describing clearly the process of certification step by step and ensuring that the quality mark system is implemented in a transparent and independent manner, and
b. where the assessment criteria are at least equivalent to the criteria operated by the Forest Stewardship Council.
3. Our Minister shall publish the assessment guidelines in the Official Gazette as soon as he has approved them.

cA

In article 9.5, paragraph 3, section a, "unless permission is granted under article 9.8" shall be amended to: unless this is permitted under article 9.9.

dA

Article 9.6 shall be amended as follows.

1. In paragraph 3 the phrase "for the first time" shall lapse.
2. Paragraph 4 shall lapse.

B

Section A shall read:

A

Articles 9.7 to 9.9 shall read:

Article 9.7

1. Our Minister shall establish a model of a sustainably managed forest certificate, a sustainably produced wood tracing system certificate and a mark, which shows that the wood to which it is applied is produced sustainably.
2. The sustainably managed forest certificate and the mark shall in any event contain an indication that shows that the wood is produced sustainably.
3. The sustainably managed forest certificate shall, moreover, in any event relate to information about the area where the wood is produced. The sustainably produced wood tracing system certificate shall in any event state the name and address of the person who places the wood on the market in the Netherlands.

Article 9.8

1. Permission to use certificates shall be granted on request by a body.
2. An application for a sustainably managed forest certificate shall in any event contain:
a. information about the applicant’s company, insofar as it is relevant to the assessment of the application;
b. the management plans of the areas referred to in the application.
3. An application for a sustainably produced wood tracing system certificate shall in any event contain:
a. information about the applicant’s company, insofar as it is relevant to the assessment of the application;
b. the quantity and types of wood products that the applicant intends to place on the market within the period stated in the application.

4. The body may lay down further requirements in its assessment guidelines regarding the submission of the application and the information and supporting documents to be produced therewith.

Article 9.9

1. Before taking a decision on the application for a sustainably managed forest certificate, in any event or in those areas that are referred to in the application, the body shall examine whether the wood production takes place sustainably. The examination shall be commenced immediately after the application is submitted.
2. The body may as part of its examination have inspections carried out at the expense of the applicant in an area that is referred to in the application, by an organisation whose aim is the promotion of sustainably produced wood and which uses the criteria to be laid down by Our Minister in that regard, unless:
a. the area appears on the review referred to in article 9.12., paragraph 2, or
b. permission granted to a third party to apply the mark that states that the wood is produced sustainably relates to the area.
3. The body shall take a decision on the application within six months of the application being submitted.
4. The holder of a sustainably managed forest certificate may apply the mark referred to in article 9.7 to the wood that originates from the area to which that certificate relates or to documents that are supplied with such wood.
5. The holder of a sustainably produced wood tracing system certificate may apply the mark referred to in article 9.7 to the wood that originates from the area to which a sustainably managed forest certificate relates or to documents that are supplied with such wood.

C

Section B shall read:

B

Articles 9.11 and 9.12 shall be replaced by:

Article 9.11

1. The certificates shall be valid for a period stated on them and for no longer than three years.
2. The body shall refuse permission to use a sustainably managed forest certificate where the wood in the area to which the application relates is not produced sustainably in accordance with the assessment guidelines. It shall refuse permission to use a sustainably produced wood tracing system certificate where the company to which the application relates uses a tracing system that does not comply with the assessment guidelines.
3. It may withdraw permission where in its opinion the criteria of the assessment guidelines are no longer satisfied.

Article 9.12

Each year on 1 January the body shall report to Our Minister on the way in which it has implemented the powers granted to it under this title. It shall in any event state:
a. the essence of the decisions on applications during the previous year,

b. where permission is granted for sustainably managed forest certificates, the management plans of the areas to which the permission relates,

c. a review of the valid certificates.

2. Our Minister shall publish the review referred to in paragraph 1 c, in the Official Gazette.

D

In section C, in the heading to part 9.1.3, the following shall be deleted: for the first time.

E

Section D shall read:

D

In article 9.13 "From the date of entry into force of this article anybody that places a wood product for the first time on the market" shall be amended to read: The person who places a wood product on the market in the Netherlands.

F

In section F, section 1 shall read:

1. In paragraph 1, the preamble shall read: A party who uses a certificate as referred to in article 9.7, shall, with regard to a wood product that he/she places on the market in the Netherlands:.

G

Section H shall be amended as follows:

1. In the preamble after "article 9.17" shall lapse: (old).

2. Section 1 shall read:

1. The preamble shall be replaced by: A management plan shall meet the following requirements:.

3. Section 2 shall be renumbered as section 3, after section 1 a section shall be inserted to read: 2. Section c shall lapse.

4. In section 3 (new) "Specifying sections a to d as sections b to e respectively" shall be amended to: Specifying sections a and b as sections b and c respectively.

H

Sections I to M shall be replaced by:

I

Articles 9.17 (old) to 9.23 shall lapse.

J

Article II shall be amended as follows.
1. In section a "and 9.16" shall lapse.
2. In section b "9.11, paragraph 1, and" shall lapse.

K

Article III shall read:

ARTICLE III

1.This Act shall enter into force with effect from the first day of the second calendar month after the date of publication of the Bulletin of Acts and Decrees in which the order in council referred to in article 9.2, paragraph 1 and article 9.3, paragraph 3, is published.

2. As a departure from paragraph 1, this Act shall enter into force with effect from the day on which two years have elapsed after the date of publication of the Bulletin of Acts and Decrees in which it is published.

Explanatory memorandum

General

With this memorandum of amendment I am implementing a number of amendments that are not so much involved with content but are largely practical in nature, and relate to the management plan and to the types of certificate:

management plan: Separate approval is no longer required in respect of the management plan. The assessment of the management plan forms part of the assessment procedure from the beginning. This leads to fewer administrative burdens.

certificates: In the original bill, mention was made of one certificate on which the name and address were stated of the person who had placed the wood product on the market in the Netherlands, which does not link up so well with the practice of the commercial chains. With the memorandum of amendment there is room for two certificates, one sustainably managed forest certificate and one sustainably produced wood tracing system certificate. The first certificate is intended for the forest manager and the second for the dealers in the chain. With the second type of certificate, among other things, it is guaranteed that sustainably produced wood is properly separated from non (demonstrably) sustainably produced wood. A wood dealer who deals in wood that originates from a forest for which a sustainably managed forest certificate is issued, but to which the mark has not yet been applied, may apply this mark when he is in possession of the tracing system certificate.

With these amendments, the bill links up better with the practice of the commercial chains in sustainably produced wood and the administrative burdens are reduced. For further information please refer to the memorandum on the occasion of the report (28 631 No 7).

There are also a number of smaller amendments, including the lapsing of the requirement to substantiate statements (in order to be able to establish whether they are misleading etc.) and to the requirement for the body to obtain an opinion. This leads to fewer administrative burdens. Furthermore, it is more solidly established that the assessment criteria for sustainability must at least be equivalent to the FSC criteria (up to now this was only stated in the explanatory documents to this bill).

As a service an annex is appended to this memorandum with the integrated text of the three bills on sustainably produced wood.

Article-by-article explanation
Section A

Article 9.4, paragraph 1
The requirement that the body be a corporate body established in the Netherlands lapses because in my opinion there is adequate certainty from the requirement that the body must be recognised by the Accreditation Council or another organisation with which this Council has an international mutual recognition agreement. This concerns an organisation that is linked to the International Accreditation Forum established at Cherrybrook, Australia. Moreover, the basis of the original bill that the body must be a non-profit-making corporate body lapses in view of the fact that article 9.10 already offers sufficient guarantee that the fee that is due for handling the application cannot be higher than the actual costs incurred for dealing with it. The "non-profit-making" requirement leads to unnecessary restrictions.

With the amendments to this paragraph a distinction is also made between the assessment of sustainable forest management on the one hand and the assessment of a tracing system for wood on the other hand. This distinction is necessary because there are separate certificates for both of them.

Art 9.4, paragraph 2
With the amendment to this paragraph, it is established more explicitly than hitherto that the criteria under which forest management and the wood are assessed must at least be the same as the criteria of the Forest Stewardship Council. Hitherto this was only mentioned in the written explanatory memoranda and in the oral dealings of this bill. Moreover, for the national assessment guidelines under development (based on the minimum requirements from 1997) the basis that the criteria must at least be equal to the FSC criteria also applies.

Art 9.4, paragraph 3
The field of activity of the body is already set out in its assessment guidelines and therefore does not have to be mentioned separately

Art 9.6, paragraph 4 (old)
This section was originally intended to ensure that the ban on incorrect, unreliable and misleading statements and designations can be maintained. However, the possibility exists already: the Ministry of Housing, Planning and the Environment Inspectorate can maintain this order on the basis of the Environmental Management Act by means, among other things, of administrative measures. In that context the Inspectorate may demand further information. In addition, complaints against misleading etc. statements by any party are submitted to the Advertising Standards Committee. It is for this reason that this paragraph has been deleted.

Section B

Art 9.7, paragraphs 1 to 3

With reference to the national system of wood certification under development, a distinction is made between a sustainably managed forest certificate and a sustainably produced wood tracing system certificate. For further details, see the memorandum following the report (28 631, No 7).

Art 9.8, paragraph 1

In article 9.4 it has already been stated what a corporate body is within the meaning of this title, so that this does not have to be mentioned separately.

The permission to carry the mark on the basis of the certificates has been moved to article 9.9.

Art 9.8, paragraph 4 (old)

The old paragraph 4 lapses because the requirement for a body to be established in the Netherlands has lapsed.

Art 9.8, paragraph 5 (old)

This lapses because the assessment of the management plan immediately after the entry into force of this bill forms part of the assessment.

Art 9.9, paragraph 2 (old)

The requirement for certification bodies to obtain an opinion has lapsed. Further details are given in the memorandum following the report (28 631, No 7).

Art. 9.9, paragraph 5

For the decision on the application a period of six months is given, instead of the original 16 weeks provided, because information is often required from abroad.

Section C

Art 9.11, paragraph 2

The original wording gave the body room to determine itself the grounds under which permission to carry certificates could be refused. This can give rise to arbitrariness. The reason for refusal has now been set out unambiguously: the body must refuse approval where the wood is not produced in a sustainable manner. The assessment guidelines that require the permission of the Minister develop this in further detail. For the certificate tracing system the body must also refuse approval where the tracing system does not comply with the assessment guidelines.

Art 9.12

The requirement for the body to make a report is described in further detail.

Sections D and E

The heading to part 9.1.3 and articles 9.13 and 9.15 "for the first time" is omitted because the rules do not only apply to the placing on the market for the first time.

Section G

Art 9.16

Requirements of the management plan apply immediately on the entry into force of this bill.

Section H

The old articles 9.17 to 9.23 relate to the approval of the management plan that was provided for separately in the original bill. This is now integrated with the permission to be able to carry certificates.

Article III

It is desired that the Act enter into force as quickly as possible. In view of the fact that it is no longer a matter of a mandatory mark, there is no longer any reason to postpone this entry into force until four months after publication of the orders in council. There is a period of two years to draw up the orders in council. In view of the state of affairs regarding its preparation this must be considered achievable.

M. Vos

Integrated text of the bills on sustainably produced wood (parliamentary papers 23 982, 26 998 and 28 631 including this memorandum of amendment).

We Beatrix, by the grace of God, Queen of the Netherlands, Princess of Orange Nassau, etc. etc. etc.

Know all men by these presents:
Thus We have considered that it is desirable to draw up rules on the trade in sustainably and non-sustainably produced wood and thereby to extend the Environmental Management Act;
We, having heard the opinion of the Council of State and in concert with the States-General, have approved and understood, in the same way as we approve and understand the following:

ARTICLE I

The Environmental Management Act shall be amended as follows.

A

Chapter 9 shall read:

CHAPTER 9. MATERIALS, PRODUCTS AND SUSTAINABLY PRODUCED WOOD

TITLE 9.1. THE TRADE IN SUSTAINABLY PRODUCED WOOD

PART 9.1.1. GENERAL

Article 9.1

In this title and the provisions based upon it the terms below shall have the following meanings:
wood products:
a. felled, pollarded or lopped wood, whether or not sawn, whether or not processed;
b. products other than those referred to under a, in which wood is processed;
area: part of the territory of a state that wholly or partly consists of forest and for which an authority of this state has granted a concession to chop wood;
auditor’s report: report issued by a chartered accountant as referred to in article 58a of the Chartered Accountants Act or an Accounting Consultant as referred to in article 39 of the Accounting Consultants Act;
Forest Stewardship Council: Forest Stewardship Council, established at Oaxaca in Mexico.

Article 9.2

1. This title shall not apply to:
a. transactions concerning wood products that take place outside the practice of a profession or business of a company;
b. wood products that are designated by order in council by way of their minor importance for the sustainable production of wood.

2. Parts 9.1.3, 9.1.4 and 9.1.5 shall not apply to wood products that are placed on the market in the Netherlands by a company that annually does not place more than 50 m 3 in wood products on the market in the Netherlands, provided that in the negotiations the wood products are provided with a designation comprising the name and address of the company concerned.

Article 9.3

1. For the application of the provisions by or pursuant to this title, the area where the wood production takes places sustainably shall be designated an area where:

a. the management and the use of the forest takes place in accordance with the statutory provisions of the state in which the area is situated and the treaties and decisions of international organisations that are binding for this state;

b. the rights regarding the management and the use of the forest for several years are established and monitored;

c. the rights of the indigenous people, where they live in the area, are laid down and observed;

d. the rights of the employees involved in the wood production and the communities living in the area are guaranteed;

e. the ecological functions of the forest and particularly the biological diversity are protected;

f. the wood production takes place in accordance with a previously established management plan as referred to in article 9.16;

g. the forest and other parts of the area with great significance for the environment, culture or social situation are maintained, and

h. plantations do not serve to replace natural forests, but as a supplement to natural forests to reduce pressure on them.

2. An area as referred to in paragraph 1, shall not be a primary forest, that consists of an original ecosystem, in view of its complexity, structure and biological diversity, which ecosystem for the issue of the logging concession was not disturbed or only slightly disturbed by human intervention. Our Minister may, in the event of non-industrial logging, grant an exemption from the provisions of the first sentence. Rules may be attached to the exemption. Our Minister shall draw up rules concerning the information that is provided with an application for an exemption.

3. By means of an order in council further rules may be established concerning areas where the wood is sustainably produced. This order in council may also designate areas that are considered as areas where the wood production takes place sustainably. Articles 9.8 to 9.12 and 9.14 shall not apply to wood that is produced in areas referred to in the second sentence.

Article 9.4

1. A body within the meaning of this title shall be a corporate body that:

a. is accredited by the Accreditation Council or an organisation with which the Accreditation Council has an international mutual recognition agreement, in accordance with assessment guidelines approved by Our Minister, for:

1°. the assessment of sustainable forest management, and

2°. the assessment of a tracing system for wood that originates from an area where the forest is sustainably managed, or

b. at least satisfies criteria that apply for accreditation as referred to in section a, and that implements the assessment referred to in that section in accordance with assessment guidelines that are at least equivalent to assessment guidelines approved by Our Minister in accordance with that

section.
2. Our Minister shall only approve the assessment guidelines:
a. where it is laid down therein how it is guaranteed that the wood production takes place sustainably by describing clearly the process of certification from step to step and ensuring that the quality mark system is implemented in a transparent and independent manner, and
b. where the assessment criteria are at least equivalent to the criteria operated by the Forest Stewardship Council.
3. Our Minister shall publish the assessment guidelines in the Official Gazette as soon as he has approved them.

PART 9.1.2. GENERAL RULES

Article 9.5

1. In placing on the market or further dealing with wood products it shall not be permitted to use statements or terms that aim to inform the customer about the method of production of the wood of which these products consist or that is processed in these products, unless the provisions of this title are satisfied.
2. Paragraph 1 shall apply, among other things, to statements or terms:
a. that are applied to the product itself or to its packaging;
b. that are applied to documents that are intended to be supplied together with the product;
c. in commercials for the product, or
d. on other written or electronic information that is provided by or on behalf of the party that makes the product with regard to the product.
3. The following shall, moreover, not be permitted on a wood product or on the packaging thereof:
a. to apply the mark that states that the wood has been sustainably produced for which the model is established under article 9.7, unless this is permitted under article 9.9;
b. to use a label or another designation that strongly resembles the mark that states that the wood is sustainably produced, for which the model is established under article 9.7.

Article 9.6

1.The statements and terms referred to in article 9.5, paragraph 1, must be correct and reliable and may not be misleading.
2. Misleading shall be taken to mean a statement or term that:
a. ascribes a particular origin to a wood product that the product does not possess;
b. is biased or unbalanced with regard to the method of production because certain important information is omitted.
3. The person that places the wood product on the market in the Netherlands shall ensure that paragraph 1 is observed.

Article 9.7

1. Our Minister shall establish a model of a sustainably managed forest certificate, a sustainably produced wood tracing system certificate and a mark, that shows that the wood to which it is applied has been produced sustainably.
2. The sustainably managed forest certificate and the mark shall in any event contain an indication that shows that the wood has been produced sustainably.
3. The sustainably managed forest certificate shall, moreover, in any event relate to information about the area where the wood is produced. The

sustainably produced wood tracing system certificate shall in any event state the name and address of the person who places the wood products on the market in the Netherlands.

Article 9.8

1. Permission to use certificates shall be granted on request by a body.
2. The application for a sustainably managed forest certificate shall in any event contain:
   a. information about the applicant's company, insofar as it is relevant to the assessment of the application;
   b. the management plans of the areas referred to in the application.
3. The application for a sustainably produced wood tracing system certificate shall in any event contain:
   a. information about the applicant's company, insofar as it is relevant to the assessment of the application;
   b. the quantity and types of wood products that the applicant intends to place on the market within the period stated in the application.
4. The body may lay down further requirements in its assessment guidelines regarding the submission of the application and the information and supporting documents to be produced therewith.

Article 9.9

1. Before taking a decision on the application for a sustainably managed forest certificate, in any event or in those areas that are referred to in the application, the body shall examine whether the wood production takes place sustainably. The examination shall be commenced immediately after the application is submitted.
2. The body may as part of its examination have inspections carried out at the expense of the applicant in an area that is referred to in the application, by an organisation whose aim is the promotion of sustainably produced wood and which operates the criteria to be laid down by Our Minister in that regard, unless:
   a. the area appears on the review referred to in article 9.12. paragraph 2, or
   b. permission granted to a third party to apply the mark that states that the wood is produced sustainably relates to the area.
3. The body shall take a decision on the application within six months of the application being submitted.
4. The holder of a sustainably managed forest certificate may apply the mark referred to in article 9.7. to the wood that originates from the area to which that certificate relates or to documents supplied with such wood.
5. The holder of a sustainably produced wood tracing system certificate may apply the mark referred to in article 9.7. to the wood that originates from the area to which a sustainably managed forest certificate relates or to documents supplied with such wood.

Article 9.10

1. For handling the application the applicant shall pay a fee that may not be higher than the necessary costs actually incurred for handling the application.
2. The amount of the fee shall be established by ministerial regulation; this amount may differ per body and per category of applicant.

Article 9.11

1. The certificates shall be valid for a period that is stated on them and for no longer than three years.
2. The body shall refuse permission to carry a sustainably managed forest certificate where the wood in the area to which the application relates is not produced sustainably in accordance with the assessment guidelines. It shall refuse permission to carry a sustainably produced wood tracing system certificate where the company to which the application relates uses a tracing system that does not comply with the assessment guidelines.
3. It may withdraw permission where in its opinion the criteria of the assessment guidelines are no longer satisfied.

Article 9.12

Each year on 1 January the body shall report to Our Minister on the way in which it has implemented the powers granted to it under this title. It shall in any event state:
a. the essence of the decisions on the applications given during the previous year,
b. where permission is granted for sustainably managed forest certificates, the management plans of the areas to which the permission relates,
c. a review of the valid certificates.
2.Our Minister shall publish the review referred to in paragraph 1 c, in the Official Gazette.

PART 9.1.3. RULES FOR PLACING A WOOD PRODUCT ON THE MARKET IN THE NETHERLANDS

Article 9.13

1. Any person who places wood products on the market in the Netherlands shall, at the appropriate request, provide information that shows in which area the wood of which this product consists or that is processed in this product is produced.
2. The information referred to in paragraph 1 shall comprise:
a. a declaration by an authority of the state where the wood is produced; this declaration shall be accompanied by an auditor's report that shows that the wood to which the authority's declaration relates has been delivered to the person referred to in paragraph 1;
b. a statement by a body, or
c. other information to be specified by ministerial regulation, that shows the origin and the identity of wood.

Article 9.14

The application referred to in article 9.13, paragraph 1, may be made by:
a. Our Minister in the interests of the implementation of this title;
b. an official designated under article 18.4, paragraph 1, responsible for the supervision of the provisions by or pursuant to this Act.

Article 9.15

1. Any person who uses a certificate as referred to in article 9.7, shall, with regard to a wood product that he/she places on the market in the Netherlands:

a. keep a record from which the following can be easily established:
1°. the quantity and nature of the wood products placed by him/her on the market;
2°. the origin of these products;
3°. the area of production of the wood of which these products consist or that is processed in these products, and
4°. the types of wood from which these products are made or that is processed in these products, and
b. the wood products present on his/her premises to be stored separately according to their origin unless a body grants him/her permission in writing wholly or partly to waive this requirement, and
c. each year to issue a report to a body on the information referred to in section a, 1° to 4° with regard to the wood products placed on the market by him in that year; this report shall contain an auditor's report, issued after checking the information in the report against this title.
2. Paragraph 1, preamble and sections a and b, shall apply accordingly to the person who uses a certificate as referred to in article 9.7, with regard to a wood product that he/she works or processes, provided that:
a. the provisions of section b only apply before the working or processing takes place;
b. he/she ensures that the origin of the wood products that are worked or processed can also be easily checked after the working or processing.
3. By means of a ministerial regulation further rules can be established regarding the subjects referred to in paragraph 1.

PART 9.1.4. ADDITIONAL RULES

Article 9.16

A management plan shall meet the following requirements:
a. it shall relate to the area where the wood is produced of which the respective product consists or that is processed in it;
b. it shall be drawn up by or on behalf of the person to whom the concession for the logging of wood is granted;
c. it contains a well-founded explanation regarding the matter of whether the area can be deemed an area where wood production takes place sustainably;
d. it shall as far as possible be based on factual information and supported by declarations by independent experts.

Article 9.17 (lapsed)
Article 9.18 (lapsed)
Article 9.19 (lapsed)
Article 9.20 (lapsed)
Article 9.21 (lapsed)
Article 9.22 (lapsed)
Article 9.23 (lapsed)

PART 9.1.5. EVALUATION

Article 9.24

Our Minister shall, in agreement with Our Minister of Agriculture, Nature Conservation and Fisheries, within four years of the time when section 9.1.4 enters into force, send to the States-General a report on the effectiveness and the effects of this title of the Act in practice, in which it shall be stated particularly which percentage of the wood dealt with in the Netherlands is produced sustainably.

B

In article 21.6, paragraph 4, after "8.45" the following shall be inserted: , 9.3, paragraph 3.

ARTICLE II

Article 1a of the Economic Offences Act shall be amended as follows:
a. under 1° in the list that begins with the Environmental Management Act after "8.44, paragraphs 1 and 6," the following shall be inserted: 9.5, paragraphs 1 and 3, 9.6, paragraph 3, 9.15, paragraph 1,;
b. under 2° in the list that begins with the Environmental Management Act after "8.44, paragraph 5," the following shall be inserted: 9.13, paragraph 1.

ARTICLE III

1. This Act shall enter into force with effect from the first day of the second calendar month after the date of publication of the Bulletin of Acts and Decrees in which the order in council referred to in article 9.2, paragraph 1, and article 9.3, paragraph 3, is published.
2. As a departure from paragraph 1, this Act shall enter into force with effect from the day on which two years have elapsed after the date of publication of the Bulletin of Acts and Decrees in which it is published.

Order and decree that this text be published in the Bulletin of Acts and Decrees and that all ministries, authorities, boards and officials as they are concerned shall enforce these rules carefully.