

Frequently Asked Questions on New Planting Procedure (NPP) 2021



Which version of the RSPO NPP may I use if my NPP submission falls within the 6-month grace period of the NPP 2021 effective date?

For any NPP submission that falls within the 6-month grace period of the NPP 2021 effective date, the company can choose to use either the NPP 2015 or NPP 2021.

I have initiated a relevant assessment for the NPP submission based on NPP 2015. Can I still make my own management decision to submit my NPP based on NPP 2021 during the grace period?

Yes. RSPO members can make their own management decisions regarding the submission of the relevant NPP documentations. If the management decides to follow the requirements of the NPP 2021, please ensure that the assessments are undertaken and documentation are updated according to the NPP 2021 requirements.

I have initiated relevant assessments for NPP submission based on the NPP 2015 but these will not be completed by 14 January 2021 (after the grace period). What should I do?

You would need to register your case with the RSPO Secretariat by sending an email along with supporting documents (e.g., contract with the assessor) to nppsubmission@rspo.org. Registered NPP cases are then to be completed in compliance with NPP (2015), otherwise NPP (2021) is to be applied.

Is there a template to be filled for registering the NPP process that has been initiated, but will only be completed for submission after the grace period?

There is no template for registering such cases. You will just need to send an email stating your case with supporting documents (e.g., contract with the assessor) to nppsubmission@rspo.org.

Regarding the sanction for the area that was developed without the NPP, can it be concluded that the area is part of a certified area, but the Fresh Fruit Bunch (FFB) produced cannot be claimed as certified FFB?

Correct. Areas cleared without going through the NPP process will be subject to sanctions, which means that the area is part of the certified area, however, FFB produced from this sanctioned area cannot be claimed as certified fruit (certified FFB) during the sanction period (first 3 years of certification).

My company has undertaken new development for oil palm and associated developments after 2010, which did not go through the NPP process, as my company is not an RSPO member yet. How does the NPP sanction apply in this situation?

The NPP does not apply to non-RSPO members. The NPP sanction will not be applied retrospectively, meaning no NPP sanction will be applied for land development that took place prior to obtaining RSPO membership. However, if the area was cleared without an High Conservation Value (HCV)/High Carbon Stock (HCS) assessment, the company (as an RSPO member) will need to go through the RSPO Remediation and Compensation Procedure.

New land clearing and planting was conducted by a non-RSPO member in 2011. Three years later, my company, an RSPO member, acquired the concession area. In this case, does the 3-year sanction apply to my company?

The sanction will not apply if an RSPO member company acquires a developed area that was planted by a non-RSPO member, even if the new planting occurred after the cut-off date of 1 January 2010.

However, if land clearing continued under the management control of the RSPO member, post-acquisition and without undergoing the NPP process, the sanction will be applied.

*If land clearing is still actively taking place **now** under the management control of the RSPO member, all operations related to the development must cease immediately, and the NPP requirements are to be complied with for any area that has not yet been converted/cleared.*

Does the definition of Land Re-clearing apply to all types of cultivation and would the re-clearing be exempted from NPP submission?

The definition of Land Re-clearing is the clearing of land previously converted/developed which is neither a new development, nor new land clearing (please refer to Table 1). Such Land Re-clearing refers to all types of cultivation that are under active management (not abandoned for > 3 years) at the time of commencement of oil palm planting or development. This is exempted from NPP submission.

Is there any size threshold for development planned on areas of Land Re-clearing of actively managed areas that would need an NPP submission?

Development planned on areas of Land Re-clearing of actively managed areas is exempted from NPP, regardless of size.

Is there any size threshold for new development planned on abandoned (>3 years) Land Re-clearing, which is exempted from the NPP 2021?

For new development planned on Land Re-clearing of abandoned areas (not actively managed for more than 3 years), NPP is needed, regardless of size at the time of NPP submission.

According to NPP 2021, conversion from rubber to oil palm is now exempted from NPP submission. What assessments are still required for the area before any land activities can start?

All assessments outlined in P&C 2018 (as highlighted in Annex 4 of the RSPO NPP 2021) need to proceed with the conversion of Land Re-clearing of actively managed areas (e.g., rubber) during the certification audit process. However, NPP submission is not required.

Referring to Annex 4 of the RSPO NPP 2021 document, there is a list of assessments required before proceeding with Land Re-clearing scenarios. Do these assessments need to be submitted to RSPO or do they need to be checked or verified by auditors before proceeding with land activities on the ground?

All assessments outlined in the Principles & Criteria (P&C) 2018 (as highlighted in Annex 4 of the RSPO NPP 2021) are to be checked and verified by auditors during the certification process.

Is an approved NPP older than 3 years still valid? Is an approved HCV assessment approved but older than 3 years still valid?

Approved NPP remains valid as long as the findings are still valid. Similarly, an HCV assessment that has obtained a 'satisfactory' status by a HCV Resource Network (HCVN) Quality Panel remains valid.

In the case of Indonesia, are the AMDAL and SIA reports acceptable for NPP submission?

In the case of Indonesia, AMDAL and SIA reports (as required by laws) are acceptable.

Is a completed socio-economic impact assessment (SEIA) older than 3 years acceptable as outlined in the RSPO NPP 2021?

Any SEIA conducted in accordance with national regulations or in compliance with Section 2.1 of the RSPO NPP 2021 is valid (even if the assessment was done longer than 3 years) as soon as the findings are still valid.

Does the threshold of 500 ha, to determine whether the relevant assessment can be done by a competent internal assessor or an independent assessor, only apply to SEIA assessments? What about the High Carbon Value (HCV)-High Carbon Stock Approach (HCSA) assessment?

The threshold of 500 ha applies to SEIA assessment only. All HCV and/or HCV-HCSA assessments are to be led by an HCVN Assessor Licensing Scheme (ALS) Licensed Assessor (Assessor to ensure compliance to HCVN ALS Code of Conduct for Licensed Assessors), and standalone HCSA assessments are to be conducted by registered practitioners affiliated with HCSA registered organisations, regardless of size. Please refer to Section 2 of the RSPO NPP 2021 document for more information.

Does the threshold of 500 ha refer to the total supply base? Does it apply to the entire estate or just the planned new development area?

The threshold of 500 ha refers to the total area covered under the single NPP submission. As outlined in the RSPO NPP 2021 document, the area to which the NPP applies must be calculated based on the development permit or land deed. This includes scenarios where planned new development may cover only a portion of the land areas of the land deed or development permit, the NPP submission is to cover the whole land areas of the single land deed or development permit.

Can the current simplified HCV Approach for Independent Smallholders and the Independent Smallholder - Land Use Risk Identification (IS-LURI) tools for NPP submission be used by smallholders? Where can I get access to both tools?

The current simplified HCV Approach for Independent Smallholders and the IS-LURI can be used for NPP submission by smallholders ONLY. Both tools can be found through:

<https://rspo.org/certification/new-planting-procedure/supporting-documents-for-smallholders>.

Is there an updated version of the RSPO Greenhouse Gas (GHG) Assessment Procedure for New Development (Reference Tool for Smallholders), which is aligned with the RSPO P&C 2018 and is applicable for NPP submission by smallholders?

The updated version of the RSPO Greenhouse Gas (GHG) Assessment Procedure for New Development (Reference Tool for Smallholders), aligned with the P&C 2018 and applicable to NPP submission by smallholders will be made available early next year (2022) at this link:

<https://rspo.org/certification/new-planting-procedure/supporting-documents-for-smallholders>. The current version of the tool is still available and applicable for NPP submissions by smallholders.

Is there an updated version of the RSPO Simplified SEIA Tool (SH-SEIA), which is aligned with the RSPO P&C 2018 and is applicable to NPP submissions by smallholders?

The RSPO SH-SEIA Tool will be updated to be aligned with the P&C 2018 and made available early next year (2022). Current version of the tool is still available and acceptable for NPP submissions by smallholders.

In my country, there are existing national regulations on SEIA, which apply to all land development, including land development by smallholders. In this case, do I still need to conduct an additional SEIA assessment using the RSPO Simplified SEIA tool?

In a country where there are existing national regulations on SEIA for any new development, a SEIA conducted in accordance with national regulations is accepted. There is no need for an additional assessment done using the RSPO Simplified SEIA tool. In the case of Indonesia, AMDAL and SIA reports (as required by laws) are acceptable.

Where can I access the simplified tools for NPP submission by smallholders?

All simplified tools for NPP submission by smallholders can be found at this link: <https://rspo.org/certification/new-planting-procedure/supporting-documents-for-smallholders>. To get access to use the Simplified HCV Approach for Independent Smallholders and the Simplified SEIA tool (SH-SEIA tool), kindly send a request email to smallholder@rspo.org.

If the finding of the Simplified HCV Approach indicates the area proposed for new planting as a 'RISK' area, what should I do next?

If the planned new development area be categorised as 'RISK' based on the Simplified HCV Approach, a comprehensive HCV or HCV-HCSA assessment led by an HCVN licensed assessor is needed. Please refer to Section 2.2 of the RSPO NPP 2021 document.

Is the NPP applicable to new development by Scheme Smallholders?

Yes, any new development planned by Scheme Smallholders or smallholders pursuing P&C certification will need to adhere to full compliance with the NPP 2021 after the 6-month grace period.

Do I need to submit an NPP for new development planned on existing certified areas?

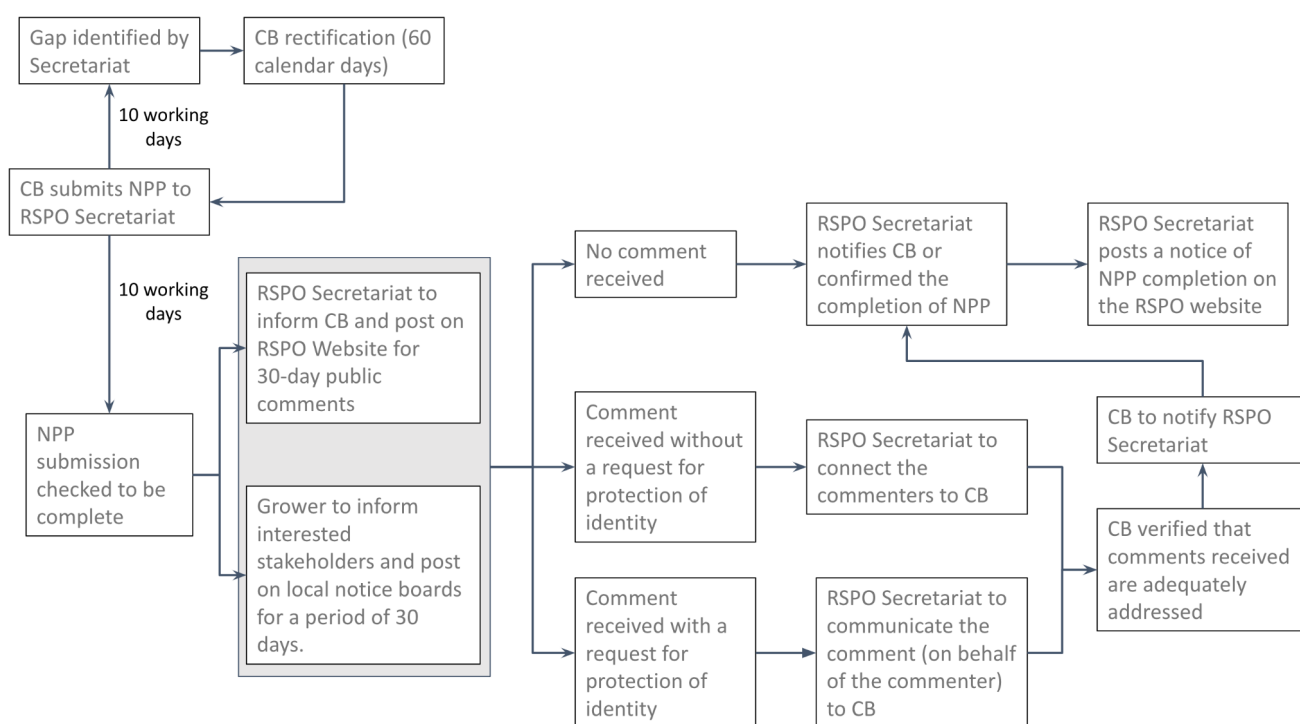
New developments planned on existing certified areas are exempted from NPP submissions. However, relevant assessments are required to proceed with certification (please refer to Annex 4 of the RSPO NPP 2021 document).

Are there any requirements or guidelines to assist the Certification Bodies (CBs) in determining the risk factors during the NPP verification, and to decide if on-site verification is required?

The CBs should identify risk based on their expertise and by also considering factors as stipulated in the certification system. Factors to consider in the risk assessment include geographic locations and distance of estates, land size, complexity of the labour force, landscape setting and presence of HCV and/or peat areas, complexity of supply sheds, number of communities and known conflicts, and legality.

Who verifies that the 30-day public consultation has been made? What information is posted during the public consultation/notification period? Who reviews the comment(s) received and how are the comments to be addressed?

Kindly refer to chart below (copied from Chart 2 of the RSPO NPP 2021)



Must all NPP submissions strictly follow Templates 1, 2 and 3 as per the RSPO NPP 2021 document?

It is highly suggested that Template 1, 2 and 3 be used for any submission of NPP. In any case, a customised template is preferred by the company or CB, the RSPO Templates should serve as the guidance of the minimum data and information needed for any NPP submission.

What should I do if I have identified misalignment between the HCV assessment (led by HCVN licensed assessor) and national or local laws (e.g., the suggested width of buffer is smaller compared to what is required under law)?

Any misalignment identified between the HCV assessment (led by an HCVN licensed assessor) and national or local laws should be reported to HCVN at qualitymanager@hcvnetwork.org.

Find out more at rspo.org