

Queensland



SAWMILLS LICENSING ACT 1936

**Reprinted as in force on 14 July 2000
(includes amendments up to Act No. 26 of 2000)**

Reprint No. 1B

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Information about this reprint

This Act is reprinted as at 14 July 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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SAWMILLS LICENSING ACT 1936

[as amended by all amendments that commenced on or before 14 July 2000]

An Act to make provision for the stabilisation of the timber industry by the licensing of sawmills and veneer and plywood mills and for other purposes

Short title

1. This Act may be cited as the *Sawmills Licensing Act 1936*.

Interpretation

2. In this Act—

“**association**” means any body of persons corporate or unincorporate other than a company.

“**certificate of exemption**” means a certificate of exemption and any renewal thereof issued under this Act and in force at any material time: Any terms and conditions attached under this Act to any certificate of exemption shall be regarded as forming part of that certificate.

“**company**” means every body corporate howsoever incorporated and whether under the laws of Queensland or elsewhere and wherever the head or principal office or principal place of business may be, and without limiting the generality of this definition the term also means and includes any company registered or deemed to be registered under the Corporations Law or any cooperative registered under the *Cooperatives Act 1997*.

“**firm**” means a firm the members of which are carrying on business under a business name registered under the *Business Names Act 1962*.

“**forest officer**” means a forest officer within the meaning of the *Forestry Act 1959*.

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“licence” means a licence and any renewal thereof issued under this Act and in force at any material time: Any terms and conditions attached under this Act to any licence shall be regarded as forming part of that licence and includes a transferred licence.

“licensee” means the holder of a licence.

“log” means any felled tree or part thereof (including the stump of any felled tree), but does not include any piece of timber which has been sawn longitudinally along the full length of 1 or more of its surfaces by a sawmill required to be licensed under this Act.

“maximum productive capacity” means the volume of logs endorsed on the licence issued with respect to a sawmill as the maximum volume of logs to be sawn, cut, peeled, sliced or otherwise processed by the sawmill in each period of 3 calendar months ending on the last day of March, June, September, or December in each year.

“person” includes any individual or firm or company or body or association of persons incorporated or unincorporated.

“sawmill” means any unit of machinery, equipment or plant used or so assembled as to be capable (either with or without the addition of a power supply unit) of being used for any or all of the following, that is to say—

- (a) the sawing or cutting of logs into flitches, planks, boards, scantlings or any other form of sawn or cut timber;
- (b) the peeling or slicing of logs into veneers;
- (c) the processing of logs into woodwool, chipboard, wood pulp or any other form of product whatsoever;

and any land, building, premises or place in or upon which the whole or any part of such unit of machinery, equipment or plant is placed, installed or situated, or which is used for purposes incidental to, consequent upon or connected with the uses abovementioned, but does not include—

- (d) any unit of machinery, equipment or plant used solely for—
 - (i) the dressing, planing, moulding or resawing of timber; or
 - (ii) the sawing or cutting of logs into fuel; or

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- (e) any chainsaw or portable power-driven crosscut or circular saw that is used otherwise than for the sawing of logs across a bench if, when so used—
 - (i) every saw comprised in that unit of machinery is moved through a stationary log solely by manual means; and
 - (ii) the position of every such saw is adjustable, in relation to the stationary log, solely by manual means.

“unrestricted capacity” means that part of the maximum productive capacity of a licensed sawmill which is not the subject of an endorsement on or condition of the licence therefor restricting its use to the sawing, cutting, peeling, slicing or otherwise processing logs of a restricted description or origin or for a specific purpose.

“volume of a log” means the volume of a log calculated in cubic metres expressed to 3 decimal places by multiplying the cross sectional area under bark at the log centre by the log length.

Sawmills to be licensed

3.(1) No person shall, unless the person is the holder of a licence, erect or cause to be erected or utilise or cause to be utilised any sawmill.

Maximum penalty—

- (a) for an offence by a company—200 penalty units;
- (b) in any other case—50 penalty units.

Daily penalty—

- (a) for an offence by a company—50 penalty units; and
- (b) in any other case—5 penalty units;

for each day during which an offence continues after the offender’s conviction thereof.

(2) Where a forest officer is of opinion that an offence against subsection (1) is being committed the forest officer may by notice in writing require the person concerned to cease committing such offence, and any person so required shall, on conviction for such offence, be liable, in addition to the penalties provided in subsection (1), to the appropriate daily penalty provided in that subsection for each and every day during which

such offence was continued after the receipt of such notice and prior to the conviction for such offence.

Licences

5.(1) An application for a licence to erect and utilise, or to erect, or to utilise a sawmill shall be made to the chief executive and shall be accompanied by the prescribed fee.

(1A) Any applicant for a licence as aforesaid shall furnish such information as the chief executive may consider necessary and relevant to the application.

(2) The chief executive may, in the chief executive's absolute discretion, grant or refuse any application for a licence under this section and, if the chief executive grants such application, may grant the same subject to such terms and conditions (if any) as the chief executive sees fit.

(2A) Where the chief executive grants an application for a licence under this section, subject to any terms and conditions, such terms and conditions shall be attached to the licence.

(2B) The chief executive may, during the currency of a licence, revoke or vary any terms and conditions to which the licence is subject, or may subject the licence to any terms or conditions, whether as addition to or substitution for the terms and conditions (if any) to which the licence is already subject.

(2C) The chief executive shall, by notice in writing, inform the licensee concerned of any such revocation, variation or new terms and conditions.

(2D) Any such revocation or variation, and any such new terms and conditions shall take effect as and from the date of the receipt by such licensee of such notice.

(3) Any licence granted under this section shall be subject to such terms and conditions as are attached to such licence.

(5) Any licensee who erects, or causes to be erected, or utilises, or causes to be utilised, any sawmill contrary to any term or condition attached or deemed to be attached to the licence granted with respect to that sawmill shall be guilty of an offence and shall be liable to a penalty not exceeding 25 penalty units.

Duration of licence

6.(1) Subject to this Act, any licence granted by the chief executive shall take effect from the date of the issue thereof and shall expire on 30 September next following.

Renewals

(2) Every licensee who desires to obtain a renewal of a licence shall lodge with the chief executive an application for such renewal.

(2A) Such application shall be accompanied by the prescribed fee.

(2B) Any applicant for renewal of a licence as aforesaid shall furnish such information as the chief executive may consider necessary and relevant to the application.

(3) The chief executive may grant or refuse an application.

(4) Except as hereinafter provided, the renewal of a licence shall take effect on and from the date of expiry of the licence and shall, subject to this Act, expire on 30 September next following.

(5) Where an application for renewal of a licence is received by the chief executive after the date of the expiry thereof, the application shall be dealt with in accordance with the provisions of subsection (3) of this section.

(5A) However, if such application is granted the renewal of such licence shall take effect on and from the date of the grant of such application, and the applicant therefor shall be deemed to be unlicensed with respect to the period following the date of expiry of the licence and prior to the date of the grant of such application, but any such renewal shall expire on 30 September next following.

(6) A licence may from time to time be further renewed in like manner as hereinbefore provided in this section, and the provisions of this section shall apply with respect thereto.

Endorsement of licence

9.(1) Every licence shall have endorsed thereon—

- (a) the site of the sawmill with respect to which the licence is granted; and
- (b) the maximum productive capacity of such sawmill.

Alteration of site or maximum productive capacity

(2) The chief executive, may from time to time approve of—

- (a) the removal of such sawmill to any other site; or
- (b) any increase in the maximum productive capacity of such sawmill.

(3) In the event of any such approval as aforesaid, the chief executive shall, by notice in writing, inform the licensee concerned of such approval.

(4) Any such approval shall take effect as and from the date of the receipt by the licensee of such notice, and the licence in question shall, as and from such date and until the same is re-endorsed in accordance with such approval, be deemed for all the purposes of this Act to be endorsed in all respects in accordance with such approval.

Penalty for unauthorised removal from site or increase in maximum productive capacity

10.(1) Any person who—

- (a) at any time utilises or causes to be utilised any sawmill upon any site other than the site endorsed or deemed to be endorsed on the licence granted with respect to that sawmill; or
- (b) in respect of any period of 3 calendar months ending on the last day of March, June, September, or December in any year utilises or causes to be utilised any sawmill to saw, cut, peel, slice or otherwise process a volume of logs greater than the maximum productive capacity endorsed or deemed to be endorsed on the licence granted with respect to that sawmill;

shall be guilty of an offence.

Maximum penalty—

- (a) for an offence by a company—100 penalty units;
- (b) in any other case—50 penalty units.

Daily penalty in respect of an offence referred to in paragraph (a)—

- (a) for an offence by a company—50 penalty units; and
- (b) in any other case—5 penalty units;

for each day during which an offence continues after the offender's conviction thereof.

(2) Where a forest officer is of opinion that an offence referred to in subsection (1)(a) is being committed the forest officer may by notice in writing require the person concerned to cease committing such offence, and any person so required shall, upon conviction for such offence, be liable, in addition to the penalties provided in subsection (1), to the appropriate daily penalty provided in that subsection for each and every day during which such offence was continued after the receipt of such notice and prior to the conviction for such offence.

Licence or certificate of exemption to be produced etc.

12.(1) Any licensee and any holder of a certificate of exemption, and any person who has in the person's possession a licence or a certificate of exemption shall—

- (a) upon demand produce such licence or certificate, as the case may be, to a forest officer;
- (b) where such licence or certificate has expired or been cancelled, or such licence requires re-endorsement consequent upon any approval of the chief executive under section 9(2), upon demand made by notice in writing by the chief executive, deliver up to the chief executive such licence or certificate, as the case may be, within such period and at such place as the chief executive may specify in such notice.

(2) Any person who contravenes or fails to comply with the provisions of this section shall be guilty of an offence and shall be liable to a penalty not exceeding 25 penalty units.

Transfer of licences

13.(1) A licence may be transferred by the licensee upon the licensee's lodging the transfer for registration with the chief executive within 30 days after the date of such transfer.

(1A) However—

- (a) where the proposed transferee is a person who previously held a

licence at the time when such licence was cancelled; or

- (b) where the chief executive is not satisfied that the machinery, equipment or plant to which the licence relates is being bona fide transferred to the transferee;

the chief executive may refuse to register such transfer.

(2) A transfer of a licence shall be accompanied by the prescribed fee.

(3) A licensee who lodges a transfer of a licence under this section shall furnish such information as the chief executive may consider necessary and relevant to the transfer, or for the purpose of enabling the chief executive properly to consider whether or not the chief executive should refuse to register such transfer.

(4) A transfer of a licence shall be of no effect whatsoever unless and until the same is registered by the chief executive.

Returns

14.(1) Every licensee and every person to whom a certificate of exemption has been issued under this Act shall keep or cause to be kept such books and records as may from time to time be prescribed, and shall furnish to the chief executive such returns as may from time to time be prescribed.

(2) Any person who fails duly to furnish any return as aforesaid shall be guilty of an offence and shall be liable to a penalty not exceeding 25 penalty units.

Exemptions

15.(1) The chief executive may, exempt from any of the provisions of this Act any person who satisfies the chief executive that no part of any timber to be sawn, cut, peeled, sliced or otherwise processed by such person upon any land, building, premises, or place, is intended for sale.

(1A) An application for exemption under this section shall be accompanied by the prescribed fee.

(1B) Any applicant for exemption as aforesaid shall furnish such information as the chief executive may consider necessary and relevant to

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the application.

(2) The chief executive may grant an exemption under this section subject to such terms and conditions (if any) as the chief executive sees fit.

(2A) Where the chief executive grants an exemption under this section subject to any terms and conditions, such terms and conditions shall be attached to the certificate of exemption.

(2B) The chief executive may, during the currency of a certificate of exemption, revoke or vary any terms and conditions attached to such certificate, or attach new terms and conditions to such certificate.

(2C) The chief executive shall, by notice in writing, inform the holder of the certificate of exemption of any such revocation, variation or new terms and conditions.

(2D) Any such revocation or variation and any such new terms and conditions shall take effect as and from the date of the receipt by such holder of such notice.

(3) Any certificate of exemption granted under this section shall specify the site of the sawmill in question, and shall be subject to such terms and conditions as are attached to such certificate.

(4) Subject to this Act, any certificate of exemption granted by the chief executive shall take effect as from the date of the issue thereof and shall expire on 31 December next following.

(5) Every holder of a certificate of exemption who desires to obtain a renewal of such certificate shall lodge with the chief executive an application for such renewal.

(5A) Such application shall be accompanied by the prescribed fee.

(5B) Any application for renewal of a certificate of exemption as aforesaid shall furnish such information as the chief executive may consider necessary and relevant to the application.

(6) The chief executive may grant or refuse an application.

(7) Except as hereinafter provided, the renewal of a certificate of exemption shall take effect on and from the date of expiry of such certificate and shall, subject to this Act, expire on 31 December next following.

(8) Where an application for renewal of a certificate of exemption is

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received by the chief executive after the date of the expiry thereof, the application shall be dealt with in accordance with the provisions of subsection (6).

(8A) However, if such application is granted, the renewal of such certificate shall take effect on and from the date of the grant of such application, and the applicant therefor shall be deemed not to be exempted from any of the provisions of this Act with respect to the period following the date of expiry of such certificate and prior to the date of the grant of such application, but any such renewal shall expire on 31 December next following.

(9) A certificate of exemption may from time to time be further renewed in like manner as hereinbefore provided in this section and the provisions of this section shall apply with respect thereto.

(10) Any person to whom a certificate of exemption has been granted under this Act who—

- (a) during the currency of such certificate (including any renewal thereof) utilises or causes to be utilised the sawmill referred to in such certificate—
 - (i) for the purpose of sawing, cutting, peeling, slicing, or otherwise processing any timber for or in expectation of any fee or reward; or
 - (ii) at any place other than the site of such sawmill specified in such certificate; or
- (b) at any time sells any timber which was, during the currency of such certificate (including any renewal thereof), sawn, cut, peeled, sliced, or otherwise processed at the sawmill referred to in such certificate;

shall be guilty of any offence.

Maximum penalty—

- (a) for an offence by a company—100 penalty units;
- (b) In any other case—50 penalty units in each case.

Daily penalty in respect of an offence referred to in paragraph (a)—

- (a) for an offence by a company—50 penalty units; and

(b) in any other case—5 penalty units;

for each day during which an offence continues after the offender's conviction thereof.

(11) Any person to whom a certificate of exemption has been issued under this Act who, during the currency of such certificate (including any renewal thereof), utilises or causes to be utilised the sawmill referred to in such certificate contrary to any term or condition attached or deemed to be attached to such certificate shall be guilty of an offence and liable to a penalty not exceeding 25 penalty units.

(12) Where a forest officer is of opinion that an offence referred to in subsection (10)(a) is being committed the forest officer may by notice in writing require the person concerned to cease committing such offence, and any person so required shall, on conviction for such offence, be liable, in addition to the penalties provided in subsection (10), to the appropriate daily penalty provided in that subsection for each and every day during which such offence was continued after the receipt of such notice and prior to the conviction for such offence.

Replacement of lost or destroyed licence or certificate of exemption

15A.(1) A licensee or the holder of a certificate of exemption may, on application made to the chief executive and on payment of the prescribed fee, receive from the chief executive a duplicate or certified copy of the licence or certificate of exemption if the chief executive is satisfied that the licence or certificate of exemption has been lost or destroyed.

(2) A duplicate or certified copy of a licence or certificate of exemption referred to in subsection (1) shall be endorsed with a memorandum setting out the reasons for its issue, and thereafter shall be available for all purposes as if it were the original licence or certificate of exemption.

Inspection of sawmills etc.

16.(1) Any forest officer may at any time enter upon any sawmill and inspect same together with any plant, machinery, or equipment thereon, and for the purposes of this Act may do and execute all such acts, matters, and things as may be necessary to ascertain the volume of logs sawn, cut, peeled, sliced, or otherwise processed at such sawmill in any period or

periods of 3 calendar months ending on the last day of March, June, September, or December, in any year, and may inspect all books and records as shall be prescribed by this Act to be kept, and may take possession of such books and records or may take notes, copies, or extracts thereof or therefrom.

(2) Any person who hinders or obstructs any forest officer in the exercise of any power conferred by this section, or who refuses or unduly delays to a forest officer entrance to any sawmill, or refuses or fails to produce to such forest officer any of the books and records as aforesaid, or to answer any question relating to such sawmill or any plant, machinery, or equipment thereon, or the volume of logs sawn, cut, peeled, sliced, or otherwise processed at such sawmill in any period or periods of 3 calendar months ending on the last day of March, June, September, or December, in any year, or such books or records, or who wilfully give any false answer to any such question shall be guilty of an offence.

Cancellation of licence or certificate of exemption

16A.(1) If the chief executive is at any time of the opinion that any person who holds a licence or a certificate of exemption is not a fit and proper person to hold such licence or certificate, or that for any other reason such licence or certificate should be cancelled, the chief executive may give notice in writing to the said person requiring the person, within the period stated in the notice, to show cause why such licence or certificate should not be cancelled.

(2) If upon the expiration of the period stated in the notice to show cause or such further period as the chief executive may allow, the chief executive is satisfied that the person is not a fit and proper person to hold such licence or certificate, or that for any other reason such licence or certificate should be cancelled, the chief executive may cancel such licence or certificate, and thereupon such person shall cease to be so licensed or so exempted.

Service of notice in writing

16B.(1) Any notice of writing authorised or permitted by this Act to be given to any person may be given personally or sent by registered post or, where the whereabouts of the person concerned are unknown to the person giving the notice, by notice published in some newspaper circulating in the

locality wherein the sawmill in question is situated, or wherein is situated the last known place of residence of the person concerned.

(2) Where the notice is sent by registered post it shall be deemed to have been received by the person to whom it was addressed at the time when it would have been delivered at the place to which it was addressed in the ordinary course of post.

(3) Where the notice is published in a newspaper it shall be deemed to have been received by the person concerned when that newspaper is published notwithstanding that such newspaper may be circulated in the locality aforesaid at some later time.

Refusal to furnish information

16C. Any person who, when required by or under this Act to furnish any information—

- (a) fails to furnish such information; or
- (b) furnishes any information which is, to the person's knowledge, false or misleading in any respect;

shall be guilty of an offence, and shall be liable to a penalty not exceeding 100 penalty units.

General penalty

17. Any person committing a breach of or neglecting or contravening or failing to comply with any of the provisions of this Act shall, where no other penalty is expressly provided, be liable on conviction to a penalty not exceeding 50 penalty units.

Proceedings in summary way

18.(1) All proceedings in respect of offences against this Act shall be heard and determined in a summary way by complaint under the *Justices Act 1886*, and may be instituted by any forest officer or by any other person who is authorised in that behalf by the chief executive.

(2) Any such proceeding may be instituted within 1 year after the offence is committed or within 6 months after the discovery of the offence,

whichever is the later period.

Evidence

(3) In any proceedings under or for the purposes of this Act—

- (a) any allegation or averment in any information, complaint, pleading, summons, or writ that any person does not hold a licence as prescribed or is not exempted from the requirements of this Act, as the case may be, need not be proved, and such person shall be deemed not to hold such licence or not to be so exempted, as the case may be, until the contrary is proved by the production by the person of the proper licence or certificate of exemption or otherwise;
- (b) such proceedings shall in the absence of evidence to the contrary be deemed to have been instituted by the authority of the chief executive;
- (c) the production of any letter or telegram purporting to be signed by the chief executive, and purporting to authorise any person to institute any legal proceedings shall be admissible in evidence of the proceedings, and shall be accepted as evidence of the authority of the person to institute and prosecute the proceedings;
- (d) the averment in any complaint of the date of discovery of any offence under this Act shall be prima facie evidence thereof;
- (e) a document purporting to be a duplicate or a copy of a licence or certificate of exemption issued under this Act shall, upon its production in evidence, be sufficient evidence of that licence or certificate as the case may be;
- (f) a certificate signed by the chief executive that on any date or during any period mentioned in the certificate any person was the holder of a licence or a certificate of exemption or that certain terms and conditions were attached to a licence or a certificate of exemption shall, upon its production in evidence and until the contrary is proved, be sufficient evidence of the matters stated therein.

Regulations

19.(1) The Governor in Council may from time to time make regulations providing for all or any purposes, whether general or to meet particular cases, that may be convenient for the administration of this Act or that may be necessary or expedient to carry out the objects and purposes of this Act, and where there may be in this Act no provision or no sufficient provision in respect of any matter or thing necessary or expedient to give effect to this Act providing for and supplying such omission or insufficiency.

(2) Without limiting the generality of these provisions, such regulations may provide for all or any of the following matters—

- (a) applications under this Act, and the registration of transfers of licences;
- (b) the fees payable under this Act (which fees may differ with respect to different matters or things or classes of matters or things) and the classes of matters or things in respect of which such fees shall be paid; the persons by whom and the places and times where and when such fees shall be paid;
- (c) the forms under this Act and the purposes respectively for which such forms shall be used;
- (d) the production by a licensee or holder of a certificate of exemption upon demand made by the chief executive of such licence or certificate for the purpose of any endorsement to be made thereon;
- (e) the method and procedure in respect of the grant of licences for the erecting of new sawmills, including the determination when more than 1 applicant of the applicants to be preferred;
- (f) all matters required or permitted by this Act to be prescribed;

Penalties

- (g) penalties for offences against the regulations not exceeding in any case the sum of 100 penalty units.

Orders in council

20. Section 28A of the *Acts Interpretation Act 1954* (Regulations) applies to an order in council made under this Act as if it were a regulation.

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 14 July 2000. Future amendments of the Sawmills Licensing Act 1936 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 15 of 1992	28 July 1994
1A	to Act No. 39 of 1997	14 November 1997

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Changed citations and remade laws	1
Changed names and titles	1
Corrected minor errors	1
Obsolete and redundant provisions	1
Renumbered provisions	1

6 List of legislation

Sawmills Licensing Act 1936 1 Edw 8 No. 2

date of assent 24 September 1936

commenced on date of assent

as amended by—

Sawmills Licensing Acts Amendment Act 1965 No. 11

date of assent 21 April 1965

commenced on date of assent

Metric Conversion Act 1972 No. 31 Pt 2 Sch 1

date of assent 21 December 1972

commenced 1 July 1974 (proc publ gaz 29 June 1974 p 1213)

Forestry Act and Another Act Amendment Act 1974 No. 33 s 23

date of assent 2 May 1974

commenced on date of assent

Sawmills Licensing Act Amendment Act 1976 No. 65

date of assent 29 November 1976

commenced on date of assent

Sawmills Licensing Act Amendment Act 1979 No. 55

date of assent 30 November 1979

commenced on date of assent

Sawmills Licensing Act Amendment Act 1990 No. 62

date of assent 18 September 1990

ss 1–2 commenced on date of assent

remaining provisions commenced 16 March 1992 (SL No. 48 gaz 13 March 1992 p 1473)

Statute Law (Miscellaneous Provisions) Act 1991 No. 97 s 3 Sch 1

date of assent 17 December 1991

commenced on date of assent

Primary Industries Corporation Act 1992 No. 15 s 13 Sch

date of assent 13 May 1992

commenced 30 September 1992 (1992 SL No. 271)

Cooperatives Act 1997 No. 39 ss 1–2, 472 sch 7

date of assent 25 August 1997

ss 1–2 commenced on date of assent

remaining provisions commenced 1 September 1997 (1997 SL No. 286)

Primary Industries and Natural Resources Legislation Amendment Act 2000 No. 26 ss 1, 12 sch 1

date of assent 27 June 2000

commenced on date of assent

7 List of annotations

Interpretation

- s 2** def **“Board”** om 1965 No. 11 s 3(a)
 def **“certificate of exemption”** ins 1965 No. 11 s 3(a)
 def **“company”** amd 1997 No. 39 s 472 sch 7
 def **“Conservator of Forests”** ins 1965 No. 11 s 3(b)
 om 1992 No. 15 s 13 sch
 def **“Corporation”** ins 1992 No. 15 s 13 sch
 om 2000 No. 26 s 12 sch 1
 def **“firm”** sub R1 (see RA s 23)
 def **“forest officer”** sub 1965 No. 11 s 3(c); 1990 No. 62 s 4(a)
 def **“Fuel mill”** om 1965 No. 11 s 3(d)
 def **“licence”** sub 1965 No. 11 s 3(e)
 def **“licensee”** ins 1965 No. 11 s 3(e)
 def **“log”** ins 1965 No. 11 s 3(e)
 amd 1974 No. 33 s 23(1)(a)
 def **“maximum productive capacity”** sub 1965 No. 11 s 3(f)
 amd 1979 No. 55 s 2
 def **“Minister”** sub 1965 No. 11 s 3(g)
 om 1990 No. 62 s 4(b)
 def **“Prescribed”** om 1965 No. 11 s 3(h)
 def **“Regulation”** om 1965 No. 11 s 3(i)
 def **“sawmill”** sub 1965 No. 11 s 3(j)
 amd 1974 No. 33 s 23(1)(b)
 def **“This Act”** om 1965 No. 11 s 3(k)
 def **“unrestricted capacity”** ins 1965 No. 11 s 3(j)
 def **“volume of log”** ins 1965 No. 11 s 3(j)
 sub 1972 No. 31 s 6 sch 1

Sawmills to be licensed

- s 3** sub 1965 No. 11 s 4
 amd 1976 No. 65 s 2; 1990 No. 62 s 13; 1992 No. 15 s 13 sch

Fuel mills need not be licensed

- s 4** om 1965 No. 11 s 5

Licences

- s 5** sub 1965 No. 11 s 6
 amd 1976 No. 65 s 3; 1990 No. 62 ss 5, 13; 1991 No. 97 s 3 sch 1; 1992
 No. 15 s 13 sch; 2000 No. 26 s 12 sch 1

Duration of licence

- s 6** amd 1965 No. 11 s 7; 1990 No. 62 s 6; 1991 No. 97 s 3 sch 1; 1992 No. 15
 s 13 sch; 2000 No. 26 s 12 sch 1

Existing mills

- s 7** om 1965 No. 11 s 8

Maximum productive capacity

- s 8** om 1965 No. 11 s 9

Endorsement of licence

- s 9** sub 1965 No. 11 s 10
 amd 1979 No. 55 s 3; 1990 No. 62 s 7; 1992 No. 15 s 13 sch; 2000 No. 26
 s 12 sch 1

Penalty for unauthorised removal from site or increase of maximum capacity

- s 10** sub 1965 No. 11 s 11
 amd 1976 No. 65 s 4; 1990 No. 62 s 13

Provisions of licence

- s 11** om 1965 No. 11 s 12

Licence or certificate of exemption to be produced etc.

- s 12** sub 1965 No. 11 s 13
 amd 1976 No. 65 s 5; 1990 No. 62 ss 8, 13; 1992 No. 15 s 13 sch;
 2000 No. 26 s 12 sch 1

Transfer of licences

- s 13** sub 1965 No. 11 s 14
 amd 1991 No. 97 s 3 sch 1; 1992 No. 15 s 13 sch; 2000 No. 26 s 12 sch 1

Returns

- s 14** sub 1965 No. 11 s 15
 amd 1976 No. 65 s 6; 1990 No. 62 s 13; 1992 No. 15 s 13 sch; 2000 No. 26
 s 12 sch 1

Exemptions

- s 15** sub 1965 No. 11 s 16
 amd 1976 No. 65 s 7; 1990 No. 62 ss 9, 13; 1991 No. 97 s 3 sch 1;
 1992 No. 15 s 13 sch; 2000 No. 26 s 12 sch 1

Replacement of lost or destroyed licence or certificate of exemption

- s 15A** ins 1979 No. 55 s 4
 amd 1992 No. 15 s 13 sch; 2000 No. 26 s 12 sch 1

Inspection of sawmills etc.

- s 16** amd 1965 No. 11 s 17

Cancellation of licence or certificate of exemption

- s 16A** ins 1965 No. 11 s 18
 amd 1990 No. 62 s 10; 1992 No. 15 s 13 sch; 2000 No. 26 s 12 sch 1

Service of notice in writing

- s 16B** ins 1965 No. 11 s 18

Refusal to furnish information

- s 16C** ins 1965 No. 11 s 18
 amd 1976 No. 65 s 8; 1990 No. 62 s 13

General penalty

- s 17** amd 1976 No. 65 s 9; 1990 No. 62 s 13

Proceedings in summary way

- s 18** amd 1965 No. 11 s 19; 1990 No. 62 s 11; 1992 No. 15 s 13 sch;
 2000 No. 26 s 12 sch 1

Regulations

s 19 amd 1965 No. 11 s 20; 1976 No. 65 s 10; 1990 No. 62 ss 12, 13;
1992 No. 15 s 13 sch; 2000 No. 26 s 12 sch 1

Orders in council

s 20 amd 1965 No. 11 s 21
sub 1992 No. 15 s 13 sch