

4A. Regulations and soil conservation notices do not apply to prevent commercial harvest of plantation products

- (1) In subsection (2) —
- “**code of practice**” means a code of practice approved by the Commissioner and published in the *Gazette*;
 - “**commercial purpose**” means the purpose of sale or any other purpose that is directed to financial gain or reward;
 - “**notice**” means a soil conservation notice as defined in section 31;
 - “**plantation**” means one or more groups of planted trees;
 - “**product**”, in relation to a tree, includes the whole tree, a part of the tree or a thing produced by the tree whether or not the part of the tree or the thing produced by the tree is above or below the ground or has become separated from the tree before being harvested;
 - “**regulation**” means a regulation made under section 22(2) or 48;
 - “**tree**” means a perennial plant having one or more woody, self-supporting trunks and includes a tree seedling and a sapling.
- (2) A regulation or notice is of no effect to the extent to which it purports to prevent the harvest for a commercial purpose of a product of a tree in a plantation if the harvest is being done, or is intended to be done, in accordance with a code of practice that applies at the time the harvest is being done, or is intended to be done.

[Section 4A inserted by No. 56 of 2003 s. 7.]