

**FORESTS.**

13° Elizabeth II., No. VI.

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No. 6 of 1964.

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**AN ACT to amend sections eight, twelve and twenty  
of the Forests Act, 1918-1954.**

[Assented to 2nd October, 1964.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.1. (1) This Act may be cited as the *Forests Act Amendment Act, 1964*.Vol. 13  
Reprinted  
Acts  
approved  
for reprint  
16th May,  
1958.

(2) In this Act the Forests Act, 1918-1954 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Forests Act, 1918-1964.

2. Paragraph (b) of subsection (2) of section eight of the principal Act is repealed and re-enacted as follows—

S. 8  
amended.

(b) shall hold office for a term of seven years from the date of his appointment and thereafter is eligible for re-appointment for such term, not exceeding seven years, as the Governor specifies at the time of his re-appointment, but if the person appointed to the office of Conservator held office as the Deputy Conservator immediately before he was so appointed, that person shall hold office as Conservator for any such term not exceeding seven years, as the Governor specifies at the time of his appointment as Conservator and is eligible for re-appointment for any such term not exceeding seven years, as the Governor specifies at the time of his re-appointment; .

Vide s. 35  
Act No. 39  
of 1918.

3. Section twelve of the principal Act is repealed and re-enacted as follows—

S. 12  
repealed and  
re-enacted.

12. (1) The Governor shall, subject to the provisions of the Public Service Act, 1904, appoint a person having the qualifications referred to in subsection (1a) of section eight of this Act, to be the Deputy Conservator of Forests.

Deputy  
Conservator.

(2) When and as often as the Conservator is absent on leave, or in consequence of illness, or for any other reason is temporarily unable to perform the duties of his office or the office of Conservator is vacant, the Deputy Conservator shall act as Conservator for the period during which the Conservator is temporarily absent or unable to perform the duties of his office, or the office is vacant.

(3) The Deputy Conservator has and may exercise when acting as Conservator, all the powers, functions, privileges and duties conferred on the Conservator by this Act.

(4) The person holding the office of deputy for the Conservator immediately before the coming into operation of the Forests Act Amendment Act, 1964, shall be deemed to have been duly appointed Deputy Conservator under and subject to this Act.

(5) If a person appointed to the office of Conservator was, immediately before his appointment, an officer within the meaning of the Public Service Act, 1904—

- (a) he retains his existing and accruing rights;
- (b) for the purpose of determining those rights, his service as Conservator shall be taken into account as if it were service in the Public Service of the State; and
- (c) the appointment shall be without prejudice to the provisions of all other Acts applying to that person as such an officer, and does not prejudice his rights as such under any of those Acts.

s. 20  
amended.

4. Section twenty of the principal Act is amended—

- (a) by adding after the word, "Council" in line one of subsection (1) the words, "published in the *Government Gazette*";
- (b) by adding after subsection (1) the following subsections—

(1a) The Minister shall cause a copy of any Order in Council made under subsection (1) of this section, to be laid on the Table of each House of Parliament within the first six sitting days of the House after the publication of the Order in Council in the *Government Gazette*.

(1b) If each House of Parliament passes a resolution, of which notice has been given within the first fourteen sitting days of the House after a copy of an Order in Council has been laid on the Table of the House pursuant to this section, that the Order in Council be disallowed, the Order in Council thereupon ceases to have effect but, subject to this Act and the regulations, the disallowance of the Order in Council does not affect or invalidate anything done in good faith by the Minister, or any officer exercising any powers or performing any duties under this Act relating to the land referred to in the Order in Council, before the passing of the resolution. .

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