
CONSERVATION AND LAND MANAGEMENT

CM301*

Conservation and Land Management Act 1984

**Conservation and Land Management
Amendment Regulations 1999**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Conservation and Land Management Amendment Regulations 1999*.

2. Part 6 inserted

After regulation 20 of the *Conservation and Land Management Regulations 1992** the following Part is inserted —

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**Part 6 — Removal and forfeiture of
unauthorized property on CALM land****21. Definition**

In this Part —

“**CALM land**” has the same meaning as “land to which this Act applies” has in section 5 of the Act.

22. Meaning of “property” in this Part

- (1) In this Part, “property” —
 - (a) includes a vehicle, caravan, platform (including a platform on water), tent or other thing related to camping, tarpaulin, tripod, log, post, picket, spike, pipe, rope, cable, chain, wire and any kind of lock or locking device;
 - (b) does not include anything to which section 108A(1) of the Act applies.
- (2) Subject to subregulation (1)(b), a thing may be property for the purposes of this Part whether or not it is attached to CALM land.

23. Conservation and land management officers may seize and remove unauthorized property

- (1) A conservation and land management officer who finds on CALM land any property that the officer reasonably believes is not authorized under a written law to be on the land may request a person who has, or appears to the officer to have, possession or control of the property to remove it from the land.
- (2) If —
 - (a) a person does not comply with a request under subregulation (1) within a period that the conservation and land management officer considers reasonable; or
 - (b) the officer is unable to find a person who has, or appears to the officer to have, possession or control of the property,

the officer may seize the property and remove it from CALM land.

- (3) Property seized and removed under subregulation (2) shall be held at an office of the Department until it is collected under regulation 24(2) or destroyed, sold or otherwise disposed of under regulation 25.

24. Seized property may be claimed

- (1) A person may claim property that is seized and removed under regulation 23(2) if the claim is made to a conservation and land management officer within 6 months after the property is seized and removed.
- (2) If a conservation and land management officer is satisfied that a person who claims property under subregulation (1) is the owner of the property or is entitled to possession of the property, the officer shall make the property available to be collected by the

person at a time and a place notified in writing to the person.

- (3) The time referred to in subregulation (2) shall be within 21 days after the conservation and land management officer is satisfied in relation to the matters referred to in that subregulation.

25. Unclaimed property to be forfeited

- (1) If property is not claimed by a person who a conservation and land management officer is satisfied is the owner of the property or is entitled to possession of the property within 6 months after the property is seized and removed under regulation 23(2), the property is, on the expiry of that period, forfeited to the Crown and may be destroyed, sold or otherwise disposed of as directed by the Executive Director.
- (2) The proceeds of a sale under subregulation (1) shall be dealt with under section 63 of the Act.

26. Compensation not payable

No compensation is payable to a person in relation to any property that is seized, removed, destroyed, sold or otherwise disposed of under this Part.

[* *Published in Gazette 20 March 1992, pp. 1246-50.*
For amendments to 8 September 1999 see 1998 Index to
Legislation of Western Australia, Table 4, p. 48.]

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.