

Western Australia

Sandalwood Regulations 1993

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NOTES

Western Australia

Sandalwood Act 1929²

Sandalwood Regulations 1993

Made by His Excellency the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Sandalwood Regulations 1993*.

2. Interpretation

In these regulations, unless the contrary intention appears —

“**alienated land**” has the same meaning as in the *Sandalwood Act 1929*;

“**conservation and land management officer**” has the same meaning as in the *Conservation and Land Management Act 1984*;

“**Crown land**” has the same meaning as in the *Sandalwood Act 1929*;

“**Executive Director**” has the same meaning as in the *Conservation and Land Management Act 1984*;

“**forest officer**” has the same meaning as in the *Conservation and Land Management Act 1984*;

“**licence**” means —

- (a) in relation to alienated land, a licence referred to in section 3 (1) (b) of the *Sandalwood Act 1929*; or

(b) in relation to Crown land, a licence granted by the Executive Director under section 88 (1) (a) of the *Conservation and Land Management Act 1984*,

to pull or remove sandalwood on or from that land;

“**pull**”, in relation to sandalwood, includes strip the bark from sandalwood;

“**sandalwood**” has the same meaning as in the *Sandalwood Act 1929*.

3. Application for a licence

(1) An application for a licence to pull or remove sandalwood from alienated land or Crown land shall be made to the Executive Director in writing in a form approved by the Executive Director.

(2) An applicant shall provide the Executive Director with such further information as the Executive Director requires in any particular case.

(3) Without limiting the generality of subregulation (2), the Executive Director may require an application for a licence to pull or remove sandalwood on or from alienated land to be accompanied by written authorization from the owner or occupier of the alienated land authorizing the applicant to pull or remove sandalwood on or from that land.

(4) Without limiting the generality of subregulation (2), the Executive Director may require an application for a licence to pull or remove sandalwood on or from —

(a) any part of an area of land described in the Table to regulation 7 (1); or

(b) any part of land to which regulation 8 (1) applies,

to be accompanied by evidence of the lawful authority to clear the land.

[Regulation 3 amended in Gazette 3 May 1996 p.1915.]

4. Scope of licence

- (1) The Executive Director shall specify in a licence —
- (a) the quantity of sandalwood that may be pulled or removed;
 - (b) the area of land from which sandalwood may be pulled or removed; and
 - (c) the period during which sandalwood may be pulled or removed,
- under the licence.
- (2) The Executive Director shall not grant a licence for a period exceeding 5 years.
- (3) A licence shall expire at the end of the period specified in the licence notwithstanding the fact that the quantity of sandalwood authorized to be pulled or removed under the licence has not been pulled or removed.

[Regulation 4 amended in Gazette 3 May 1996 p.1915.]

5. Production of licence

The holder of a licence shall —

- (a) carry the licence or a copy of the licence at all times while pulling or removing sandalwood pursuant to that licence; and
- (b) when required to do so by a forest officer or a conservation and land management officer, produce for inspection the licence or copy of the licence to the officer.

Penalty: \$2 000.

6. False statements

A person shall not make any statement in an application for a licence that is false or misleading in a material particular.

Penalty: \$2 000.

7. Restriction on granting of sandalwood licences in certain areas

- (1) Subject to subregulation (2), a licence does not authorize the pulling or removal of living sandalwood on or from any of the areas of land described in the Table to this subregulation.

Table

- (a) Sandalwood Reserve No. 19211, Calooli
Sandalwood Reserve No. 19640, Coonana
Sandalwood Reserve No. 19645, Emu Rock
Sandalwood Reserve No. 19764, Wallaby Rock
Sandalwood Reserve No. 19825, Bullock Holes
Timber Reserve No. 194/25, Randell
Timber Reserve No. 198/25, Kangaroo Hills
- (b) Crown land within the area bounded by a line commencing from the General Post Office in Kalgoorlie and extending along the abandoned railway line to Coolgardie and then along the abandoned railway line from Coolgardie to Widgiemooltha, then across Lake Lefroy in a northeasterly direction to the Curtin railway siding on the Trans-Australian railway line, then along the Trans-Australian railway line to the General Post Office in Kalgoorlie
- (c) Crown land not referred to in paragraph (b) that is within a 20 kilometre radius of the General Post Office in Kalgoorlie.
- (2) A licence may authorize the pulling or removal of living sandalwood on or from any part of an area of land described in the Table to subregulation (1) if lawful authority has been given under any written law to clear that part of land.

[Regulation 7 amended in Gazette 3 May 1996 p.1915.]

8. Restriction on sandalwood trees that may be pulled, etc.

- (1) Subject to subregulation (2), a licence does not authorize the pulling or removal of living sandalwood on or from Crown land where —
 - (a) the sandalwood tree is less than 400 millimetres in circumference when measured over the bark at a point approximately 150 millimetres above ground level; or
 - (b) the log of the sandalwood tree, when stripped of bark, has a circumference of less than 380 millimetres when measured at a point approximately 150 millimetres above ground level.
- (2) A licence may authorize the pulling or removal of living sandalwood on or from any part of land to which subregulation (1) applies if lawful authority has been given under any written law to clear that part of land.

[Regulation 8 amended in Gazette 3 May 1996 p.1916.]

[9. *Regulation 9 repealed in Gazette 3 May 1996 p.1916.]*

Notes

¹ This is a compilation of the *Sandalwood Regulations 1993* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Sandalwood Regulations 1993</i>	9 Feb 1993 p. 1100-02	9 Feb 1993
<i>Sandalwood Amendment Regulations 1996</i>	3 May 1996 p. 1915-16	3 May 1996

² These regulations have effect for the purposes of the *Sandalwood Act 1929* but the formal power to make them is now given by the *Conservation and Land Management Act 1984* Pt. X. See also the *Sandalwood Act 1929* s. 4.