



Western Australia

Conservation and Land Management Act 1984

Forest Management Regulations 1993

Forest Management Regulations 1993

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Defined terms

Forest Management Regulations 1993

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Forest Management Regulations 1993*.

2. Terms used

In these regulations —

authorised officer has the meaning given in section 102(1) of the Act;

fell includes fell by machine;

State forest includes land to which section 131 of the Act applies;

tree includes a tree that is dead provided the tree is still standing.

[Regulation 2 amended: Gazette 29 Mar 1996 p. 1505; 21 Apr 1998 p. 2113; 3 May 2002 p. 2294; 3 Sep 2010 p. 4273 and 4276; SL 2020/224 r. 4; SL 2024/259 r. 4.]

3. Limited application of regulations to persons exercising powers under *Bush Fires Act 1954*

These regulations, other than Part 16, do not apply to, or in relation to, a person exercising any power or performing any function or duty under the *Bush Fires Act 1954*.

[Part 2 (r. 4-18) deleted: SL 2020/224 r. 5.]

[Part 3 (r. 19-23) deleted: SL 2024/259 r. 5.]

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Part 1 Preliminary

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[Parts 4-9 (r. 24-67) deleted: SL 2020/224 r. 6.]

*[Part 10: s. 69 deleted: SL 2022/170 r. 8;
s. 68, 70 and 71 deleted: SL 2024/259 r. 5.]*

[Part 11 (r. 72-85) deleted: Gazette 3 Sep 2010 p. 4274.]

[Part 12 (r. 86-88) deleted: Gazette 3 May 2002 p. 2294.]

Part 13 — Fire prevention

[89. Deleted: SL 2024/259 r. 6.]

[90. Deleted: Gazette 3 May 2002 p. 2294.]

91. Offence relating to fire lookout towers

In a State forest or timber reserve a person must not do any of the following, unless authorised by the CEO or an authorised officer —

- (a) enter the fenced off area surrounding a fire lookout tower;
- (b) climb a fire lookout tower;
- (c) destroy, cut into, deface or in any way damage a fire lookout tower or equipment contained in, or attached to, a fire lookout tower.

Penalty: a fine of \$2 000.

[Regulation 91 inserted: SL 2024/259 r. 7.]

[92. Deleted: SL 2024/259 r. 8.]

Part 14 — Marking out of mining tenements in State forests and timber reserves

93. Terms used

In this Part —

marking out has the same meaning as in the *Mining Act 1978*;

South-west Division means the South-west Division of the State as described in the *Land Administration Act 1997* Schedule 1.

[Regulation 93 amended: Gazette 3 Sep 2010 p. 4274.]

94. Conditions and limitations prescribed for *Mining Act 1978* s. 26(2)(b)

For the purposes of section 26(2)(b) of the *Mining Act 1978* the conditions and restrictions in regulations 95 and 96 are prescribed as being applicable to the marking out of mining tenements in State forests and timber reserves.

95. Duties of person marking out

A person who is within any State forest or timber reserve in the South-west Division for the purpose of, or in connection with, marking out, must ensure that —

- (a) all reasonable precautions are taken to avoid unnecessary damage to any trees in the State forest or timber reserve;
- (b) no trees in the State forest or timber reserve are felled, cut or removed except with the approval of an authorised officer and in accordance with the terms of that approval;
- (c) no excavation or other movement of earth, soil, or rock in the State forest or timber reserve is carried out, whether by hand tools or machinery except with the approval of an authorised officer and in accordance with the terms of that approval;

- (d) any vehicle used in connection with the marking out does not take a route through the State forest or timber reserve other than a route approved by an authorised officer.

*[Regulation 95 amended: Gazette 3 Sep 2010 p. 4274;
SL 2024/259 r. 9.]*

96. Person marking out must not establish camp, fuel depot or parking area in State forest or timber reserve

A person must not, for the purpose of, or in connection with, marking out, establish any camp, fuel depot or parking area within any State forest or timber reserve in the South-west Division.

*[Regulation 96 amended: Gazette 3 Sep 2010 p. 4274;
SL 2024/259 r. 26.]*

97. Part 16 not affected

The requirements in this Part are in addition to and do not derogate from the requirements in Part 16.

Part 15 — Collection of firewood

98. Public firewood areas, designation of

- (1) The CEO may by order published in the *Gazette*, set aside any area of State forest or timber reserve (in this Part referred to as a **public firewood area**) for the purposes of the collection of firewood by members of the public.
- (2) The CEO may, by further order published in the *Gazette*, amend or revoke an order referred to in subregulation (1).

[Regulation 98 amended: Gazette 3 Sep 2010 p. 4276-7.]

99. Removing firewood from public firewood areas

- (1) Subject to this Part, any person may enter a public firewood area and remove any firewood from that area.
- (2) Nothing in subregulation (1) is taken to authorise a person —
 - (a) to fell, cut, injure or destroy any tree in a public firewood area; or
 - (b) to enter contrary to the provisions of Part 16 of these regulations any area that is declared to be a risk area or disease area under Part VII of the Act.

[Regulation 99 amended: SL 2024/259 r. 10.]

100. Fees for removing firewood from public firewood areas

The following amounts, per tonne or part thereof, are payable in respect of the removal of firewood from a public firewood area that is designated in the order made under regulation 98 as being an area to which this regulation applies —

- (a) between 1 November and 30 April in each year — \$7.70;
- (b) between 1 May and 31 October in each year — \$15.40.

[Regulation 100 amended: Gazette 28 Apr 1995 p. 1460; 30 June 2000 p. 3401-2.]

101. Restrictions on removing firewood from public firewood areas

- (1) A person must not —
- (a) remove more than one tonne of firewood from public firewood areas —
 - (i) in any 60 day period between 1 June and 30 September; or
 - (ii) on any one occasion between 1 October and 31 May; or
 - (b) sell firewood removed from a public firewood area.

Penalty for this subregulation: a fine of \$2 000.

- (2) In subregulation (1)(b), *sell* includes barter, exchange, advertise or offer or expose for sale.

[(3) deleted]

[Regulation 101 amended: Gazette 28 Apr 1995 p. 1460; 23 Jan 1996 p. 272; 28 May 1996 p. 2204; SL 2024/259 r. 11.]

102. Person may be directed to leave public firewood area

- (1) An authorised officer may direct a person to immediately leave a public firewood area if the authorised officer is of the opinion that —
- (a) it is necessary in the interests of public safety; or
 - (b) the person has failed or refused to pay an amount payable under regulation 100 or has otherwise contravened the Act or these regulations; or
 - (c) the person is blocking the access of an authorised officer or any other officer of the Department or any other person using the area; or
 - (d) for any other reason the presence of the person is adversely affecting the management of the area by the Department.

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- (2) A person must comply with a direction given to that person under subregulation (1).

Penalty for this subregulation: a fine of \$2 000.

[Regulation 102 amended: SL 2024/259 r. 12.]

[103. *Deleted: Gazette 3 May 2002 p. 2294.]*

Part 16 — Control and eradication of forest diseases

104. Term used: written authorisation

In this Part —

written authorisation means authorisation given in writing under regulation 106.

105. Application of Part

This Part operates and takes effect notwithstanding any other provision in these regulations.

106. Written authorisation of activities in risk areas

- (1) An authorised person may in writing authorise —
 - (a) the taking of a potential carrier or a specified class of potential carriers into a risk area; or
 - (b) the possession, use or movement of a potential carrier or a specified class of potential carriers in a risk area.
- (2) Written authorisation may be issued subject to such conditions as are specified in the authorisation.
- (3) An authorised person may at any time by written notice —
 - (a) revoke a written authorisation; or
 - (b) vary any condition specified in a written authorisation or add a further condition to the authorisation; or
 - (c) remove any condition specified in a written authorisation.
- (4) For the purposes of this Part —
 - (a) a condition that has been varied or added under subregulation (3)(b) is taken to have been specified accordingly in the authorisation; and

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- (b) a condition that has been removed under subregulation (3)(c) is taken to no longer be a condition specified in the authorisation.

[Regulation 106 amended: SL 2024/259 r. 13.]

107. Verbal authorisation in emergency of activities in risk area

- (1) Subject to subregulations (2) and (3), an authorised person may verbally authorise —
 - (a) the taking of a potential carrier or a specified class of potential carriers into a risk area; or
 - (b) the possession, use or movement of a potential carrier or a specified class of potential carriers in a risk area.
- (2) An authorised person —
 - (a) must only give verbal authorisation in the event of an emergency where it is impracticable to give written authorisation; and
 - (b) may at any time revoke the verbal authorisation.
- (3) Verbal authorisation has effect only for such period as is necessary to deal with the emergency or until it is revoked, whichever is the sooner.

[Regulation 107 amended: SL 2024/259 r. 14.]

108. Entry, use or movement of potential carrier in risk area without authorisation or contrary to condition

Any person who takes a potential carrier into a risk area, or has, uses or moves a potential carrier in a risk area —

- (a) without the authorisation under regulation 106 or 107 of an authorised person; or

- (b) contrary to any condition specified in a written authorisation,

or who causes a potential carrier to be so taken, had, used or moved without such authority or contrary to such a condition, commits an offence.

Penalty: a fine of \$2 000.

[Regulation 108 amended: Gazette 7 Dec 2012 p. 5975.]

109. Entry, use or movement of potential carrier in risk area or disease area contrary to instruction or direction

Any person who takes a potential carrier into a risk area or disease area, or uses or moves a potential carrier in a risk area or disease area, contrary to any instruction or direction given by —

- (a) an authorised person in relation to that potential carrier; or
- (b) the CEO in relation to potential carriers of that class by notice published in a newspaper circulating in that risk area or disease area,

or who causes a potential carrier to be so taken, used or moved contrary to any such direction or instruction, commits an offence.

Penalty: a fine of \$2 000.

[Regulation 109 amended: Gazette 3 Sep 2010 p. 4276-7; 7 Dec 2012 p. 5975.]

110. Erection of signposts and barricades

For the purposes of prohibiting, restricting or regulating the admission of potential carriers to a risk area or disease area, an authorised person may erect signposts or barricades, or both, on roads leading into that area.

111. Written authorisation to be carried and produced on request

A person in charge of a potential carrier in a risk area must carry any written authorisation issued in respect of that potential carrier at all times when the potential carrier is being used, operated or moved in that area and must produce that authorisation when requested to do so by an authorised person.

Penalty: a fine of \$1 500.

[Regulation 111 amended: Gazette 7 Dec 2012 p. 5976; SL 2024/259 r. 26.]

112. Written authorisation to terminate on breach of condition

Without affecting the liability of any person for an offence under regulation 108(b), written authorisation terminates immediately on the breach of any condition specified in that authorisation.

[Regulation 112 amended: SL 2024/259 r. 15.]

113. Person to provide information on request

A person must, when requested to do so by an authorised person, provide all information within that person's power relating to any occurrence or suspected occurrence of a forest disease.

Penalty: a fine of \$1 500.

[Regulation 113 amended: Gazette 7 Dec 2012 p. 5976; SL 2024/259 r. 26.]

114. Authorised person may stop and examine potential carrier

An authorised person may stop and examine any potential carrier to determine whether or not it is infected and may, for that purpose, erect signposts or barricades, or both, on roads —

- (a) in or leading to a risk area; or
- (b) in or leading out of a disease area.

115. Authorised person may direct carrier to quarantine station

An authorised person may direct a person in charge of an infected carrier or potential carrier entering a risk area or in or leaving a risk area to deliver that carrier to a quarantine station specified by the authorised person.

116. Authorised person may direct person to clean and disinfect carrier

An authorised person may direct a person in charge of an infected carrier or potential carrier entering or in a risk area or in or leaving a disease area to cleanse and disinfect that carrier.

117. Establishment and maintenance of quarantine stations

The CEO may establish and maintain, or arrange for the establishment and maintenance of, quarantine stations or areas for the treatment of infected earth, soil or trees, or areas for the cleansing and disinfecting of infected carriers or potential carriers entering or in a risk area, or in or leaving a disease area.

[Regulation 117 amended: Gazette 3 Sep 2010 p. 4276-7.]

118. Period of treatment or quarantine

The period for which an infected carrier or potential carrier or infected earth, soil or trees must be treated or kept in quarantine for the purposes of this Part is any period determined by an authorised person.

[Regulation 118 amended: SL 2024/259 r. 16.]

119. Cleansing and disinfecting to be carried out as directed

Where under this Part, a person is directed to cleanse and disinfect an infected carrier or potential carrier that person must carry out that cleansing and disinfecting —

- (a) at a time and place and in such manner as is directed by an authorised person; and

(b) to the satisfaction of the authorised person.

Penalty: a fine of \$2 000.

*[Regulation 119 amended: Gazette 7 Dec 2012 p. 5976;
SL 2024/259 r. 26.]*

120. Owner to identify person in charge of carrier

- (1) The owner of a potential carrier shall, if required to do so by an authorised person, inform the authorised person of the identity and address of the person in charge of the potential carrier at the time when an offence relating to that potential carrier is alleged to have been committed against this Part.
- (2) Where an offence against this Part is alleged to have been committed by the person in charge of a potential carrier and the owner of that potential carrier fails, within 14 days of being required by an authorised person to identify the person who was in charge of the potential carrier at the time the offence was alleged to have been committed, to —
 - (a) comply with that requirement; or
 - (b) furnish information to an authorised person from which an authorised person is satisfied that the potential carrier was stolen or being unlawfully used at the time of the alleged offence or that the owner could not reasonably have been aware of the identity of the person in charge of the potential carrier at that time,

the owner shall be deemed to be the person who committed that offence and shall then be liable to the penalty prescribed in respect of that offence.

121. Authorised person may detain, control or remove carrier

An authorised person may detain, control the further movement of, or remove, a potential carrier that is in a risk area or disease area if —

- (a) that potential carrier has been taken into, used, operated or moved in that area in contravention of a provision of this Part or in contravention of a condition specified in a written authorisation; or
- (b) the person in charge of that potential carrier has refused or failed to comply with a direction given by an authorised person under this Part in relation to that potential carrier; or
- (c) the authorised person considers that in the circumstances there will be a greater risk of the spread of infection if that potential carrier is not so detained, controlled or removed.

122. Authorised person may remove person from risk area

An authorised person may remove from a risk area any person whom the authorised person reasonably suspects has contravened a provision of this Part or a condition specified in a written authorisation.

123. Person in risk area or disease area to give name and address on request

Any person in a risk area or a disease area must give the person's name and address when requested to do so by an authorised person.

Penalty: a fine of \$1 500.

*[Regulation 123 amended: Gazette 7 Dec 2012 p. 5976;
SL 2024/259 r. 17.]*

124. Obligations of person driving or moving potential carrier

A person driving or moving a potential carrier must not —

- (a) fail to stop that potential carrier when requested to do so by an authorised person; or
- (b) ignore or fail to comply with a signpost erected under this Part; or
- (c) avoid or break through any barricade erected under this Part.

Penalty: a fine of \$1 500.

*[Regulation 124 amended: Gazette 7 Dec 2012 p. 5976;
SL 2024/259 r. 26.]*

125. Person must not obstruct or hinder authorised person

A person must not —

- (a) hinder or obstruct an authorised person exercising any power or performing any function conferred or imposed under this Part; or
- (b) fail to comply with a direction given by an authorised person under this Part.

Penalty: a fine of \$1 500.

*[Regulation 125 amended: Gazette 7 Dec 2012 p. 5976;
SL 2024/259 r. 26.]*

Part 17 — Powers of authorised officers

[Heading amended: SL 2024/259 r. 18.]

126. Stopping and detaining vehicles

- (1) This regulation applies to a vehicle that is being used, or that an authorised officer reasonably suspects is being used, to transport forest produce —
 - (a) in a State forest or timber reserve; or
 - (b) on a road.
- (2) An authorised officer may direct the person in charge of a vehicle to —
 - (a) stop the vehicle; or
 - (b) move the vehicle to, and wait at, a place indicated by the authorised officer.
- (3) A person must comply with a direction given to that person under subregulation (2).

Penalty for this subregulation: a fine of \$2 000.

[Regulation 126 inserted: SL 2024/259 r. 19.]

127. Directions as to route for movement of forest produce

- (1) An authorised officer may give directions to a person as to the route to be followed for the movement of any forest produce in a State forest or timber reserve.
- (2) A person must comply with a direction given to that person under subregulation (1).

Penalty for this subregulation: a fine of \$2 000.

[Regulation 127 amended: SL 2024/259 r. 20.]

128. Seized forest produce

- (1) Where any forest produce is seized under the Act, an authorised officer may direct the person in charge of any vehicle carrying

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the forest produce to transport the produce to a place indicated by the authorised officer where it can be unloaded and held.

- (2) A person must comply with a direction given to that person under subregulation (1).

Penalty for this subregulation: a fine of \$2 000.

[Regulation 128 amended: SL 2024/259 r. 21.]

[Part 17A deleted: Gazette 3 May 2002 p. 2294.]

Part 18 — Miscellaneous

[129, 130. Deleted: SL 2020/224 r. 7.]

131. Exclusion of operation of section 103A(3) of the Act

The operation of section 103A(3) of the Act is excluded in relation to —

- (a) removing firewood contrary to regulation 101(1)(a); or
- (b) driving or riding a vehicle into or in a risk area contrary to regulation 108.

[Regulation 131 inserted: Gazette 7 Dec 2012 p. 5976-7.]

[132-134. Deleted: Gazette 3 May 2002 p. 2294.]

[135. Deleted: SL 2024/259 r. 22.]

136. Prohibitions in relation to seized forest produce

A person must not destroy, cut, injure, remove or in any way interfere with any forest produce that has been seized under the Act unless authorised to do so by the CEO or an authorised officer.

Penalty: a fine of \$2 000.

[Regulation 136 amended: Gazette 3 Sep 2010 p. 4276-7; SL 2024/259 r. 23.]

[137. Deleted: SL 2024/259 r. 24.]

[137A. Inserted: Gazette 18 Aug 1998 p. 4447. Disallowed 28 Oct 1998 (see Gazette 17 Nov 1998 p. 6248).]

[138-142. Deleted: SL 2024/259 r. 24.]

[143-148. Deleted: SL 2020/224 r. 8.]

[149. Deleted: SL 2024/259 r. 24.]

[150. Deleted: Gazette 29 Mar 1996 p. 1508.]

[151. Deleted: SL 2020/224 r. 9.]

[152. Deleted: Gazette 7 Dec 2012 p. 5977]

[153. Omitted under the Reprints Act 1984 s. 7(4)(f).]

[154. Deleted: SL 2020/224 r. 10.]

[Schedule 1 deleted: SL 2020/224 r. 11.]

[Schedule 2: Form 1 deleted: SL 2022/170 r. 9;
Form 2 deleted: Gazette 3 Sep 2010 p. 4275;
Forms 3 and 4 deleted: Gazette 3 May 2002 p. 2295.]

[Schedules 2A and 2B deleted: Gazette 3 May 2002 p. 2294-5.]

[Schedule 3 deleted: SL 2024/259 r. 25.]

[Schedule 4 deleted: Gazette 29 March 1996 p. 1511.]

[Schedules 5 and 6 deleted: SL 2020/224 r. 12.]

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Notes

This is a compilation of the *Forest Management Regulations 1993* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
<i>Forest Management Regulations 1993</i>	9 Feb 1993 p. 1119-201	9 Feb 1993
<i>Forest Management Amendment Regulations 1995</i>	28 Apr 1995 p. 1459-60	28 Apr 1995
<i>Forest Management Amendment Regulations (No. 2) 1995</i>	23 Jan 1996 p. 272	23 Jan 1996
<i>Forest Management Amendment Regulations 1996</i>	29 Mar 1996 p. 1504-11	29 Mar 1996
<i>Forest Management Amendment Regulations (No. 2) 1996</i>	28 May 1996 p. 2204	28 May 1996
<i>Forest Management Amendment Regulations (No. 3) 1996</i>	28 May 1996 p. 2204-5	28 May 1996
<i>Forest Management Amendment Regulations 1998</i>	21 Apr 1998 p. 2113-14	21 Apr 1998
<i>Forest Management Amendment Regulations (No. 2) 1998</i>	18 Aug 1998 p. 4447 (Disallowed 28 Oct 1998 see <i>Gazette</i> 17 Nov 1998 p. 6248)	18 Aug 1998
Reprint of the <i>Forest Management Regulations 1993</i> as at 15 Sep 1999 (includes amendments listed above)		
<i>Forest Management Amendment Regulation 2000</i>	30 Jun 2000 p. 3401-2	1 Jul 2000 (see r. 2)
<i>Conservation and Land Management Regulations 2002</i> r. 114 ¹	3 May 2002 p. 2233-308	3 May 2002
<i>Forest Management Amendment Regulations 2003</i>	12 Aug 2003 p. 3657-8	12 Aug 2003
<i>Forest Management Amendment Regulations (No. 2) 2006</i>	22 Dec 2006 p. 5804	1 Jan 2007 (see r. 2 and <i>Gazette</i> 8 Dec 2006 p. 5369)

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Notes Other notes

Citation	Published	Commencement
<i>Forest Management Amendment Regulations (No. 2) 2010</i>	3 Sep 2010 p. 4273-7	r. 1 and 2: 3 Sep 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Sep 2010 (see r. 2(b))
Reprint 2: Forest Management Regulations 1993 as at 25 Mar 2011 (includes amendments listed above)		
<i>Forest Management Amendment Regulations 2012</i>	7 Dec 2012 p. 5975-7	r. 1 and 2: 7 Dec 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 8 Dec 2012 (see r. 2(b) and <i>Gazette</i> 7 Dec 2012 p. 5963)
<i>Forest Management Amendment Regulations 2020</i>	SL 2020/224 20 Nov 2020	r. 1 and 2: 20 Nov 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 21 Nov 2020 (see r. 2(b) and SL 2020/225 r. 2(b))
<i>Environment Regulations Amendment Regulations 2022 Pt. 3</i>	SL 2022/170 21 Oct 2022	22 Oct 2022 (see r. 2(b))
<i>Forest Management Amendment Regulations 2024</i>	SL 2024/259 11 Dec 2024	r. 1 and 2: 11 Dec 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 12 Dec 2024 (see r. 2(b))

Other notes

¹ The *Conservation and Land Management Regulations 2002* r. 114 repealed some of these regulations and s. 116 reads as follows:

116. Saving

- (1) Nothing in this regulation is to be construed so as to limit the operation of the *Interpretation Act 1984*.
- (2) The repeal of a former provision does not affect any document or appointment made or anything done under any provision so repealed so far as it is subsisting or in force at the time of the repeal and could have been made or done under these regulations.
- (3) Each such document, appointment or thing has effect as if it had been made or done under the corresponding provision of these regulations and as if the provisions had been in force when the document or appointment was made or the thing was done.

- (4) In particular, and without limiting the generality of subregulations (2) and (3), those subregulations apply to —
- (a) any notice erected on any land; and
 - (b) any licence granted under Part 5 of the *Conservation and Land Management Regulations 1992*.
- (5) In subregulation (1) —
- former provision** means a provision repealed by regulation 114 or 115.

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
authorised officer	2
fell	2
marking out	93
public firewood area	98(1)
sell	101(2)
South-west Division	93
State forest	2
tree	2
written authorisation	104

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