



Western Australia

Sandalwood Regulations 1993

Compare between:

[27 Feb 2007, 00-b0-04] and [01 Feb 2008, 01-a0-09]

Sandalwood Regulations 1993

~~Made by His Excellency the Governor in Executive Council.~~

1. Citation

These regulations may be cited as the *Sandalwood Regulations 1993*¹.

~~2. Interpretation~~

2. Terms used in these regulations

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*;

~~“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 CEO under section-~~88-(1)-(a)~~ of the *Conservation and Land Management Act-1984*,

— to pull or remove sandalwood on or from that land;

~~“pull”~~² in relation to sandalwood, includes strip the bark from sandalwood;

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

[Regulation-2 amended in Gazette 27 Feb 2007 p. 626.]

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 CEO in writing in a form approved by the CEO.
- (2) An applicant shall provide the CEO with such further information as the CEO requires in any particular case.
- (3) Without limiting the generality of subregulation-~~(2)~~², the CEO may require an application for a licence to pull or remove sandalwood on or from alienated land to be accompanied by written ~~authorization~~^{authorisation} from the owner or occupier of the alienated land ~~authorizing~~^{authorising} the applicant to pull or remove sandalwood on or from that land.
- (4) Without limiting the generality of subregulation-~~(2)~~², the CEO 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~~⁷(1); or
 - (b) any part of land to which regulation-~~8~~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; 27 Feb 2007 p. 627.]

4. Scope of licence

- (1) The CEO 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 CEO 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~~ authorised to be pulled or removed under the licence has not been pulled or removed.

[Regulation 4 amended in Gazette 3 May 1996 p. 1915; 27 Feb 2007 p. 627.]

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~~authorise 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~~authorise 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~~authorise 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~~authorise 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~~Deleted in Gazette 3 ~~May~~ 1996 p. 1916.]

Notes

- ¹ This [reprint](#) is a compilation [as at 1 February 2008](#) of the *Sandalwood Regulations-1993* and includes the amendments made by the other written laws referred to in the following table. [The table also contains information about any reprint.](#)

Compilation table

Citation	Gazettal	Commencement
<i>Sandalwood Regulations-1993</i>	9-Feb-1993 p. 1100- 02 - <u>2</u>	9-Feb 1993
<i>Sandalwood Amendment Regulations-1996</i>	3-May-1996 p. 1915-16	3-May 1996
<i>Sandalwood Amendment Regulations 2007</i>	27 Feb 2007 p. 626-7	27 Feb-2007
Reprint 1: The Sandalwood Regulations 1993 as at 1 Feb 2008 (includes amendments listed above)		

- 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.