

## TIMBER INDUSTRY REGULATION.

---

No. 33 of 1968.

---

AN ACT to amend the Timber Industry Regulation  
Act, 1926-1950.

[Assented to 4th November, 1968.]

BE 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 *Timber Industry Regulation Act Amendment Act, 1968.*

Vol. 15 of the  
Reprinted  
Acts.  
Approved  
for reprint  
15th August,  
1961.

(2) In this Act the Timber Industry Regulation Act, 1926-1950 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Timber Industry Regulation Act, 1926-1968.

2. The principal Act is amended by adding before the heading, "Preliminary." before section one, the passage, "PART 1.—".

Addition to heading "Preliminary."

3. The principal Act is amended by adding after section one a section as follows—

Addition of s. 1A.

1A. This Act is divided into Parts as follows—

Arrangement.

PART I.—PRELIMINARY.

PART II.—ADMINISTRATION AND OFFICERS.

PART III.—REGISTRATION OF SAWMILLS.

PART IV.—MANAGERS.

PART V.—GENERAL RULES, ETC.

PART VI.—REGULATIONS.

PART VII.—PENALTIES.

4. Section two of the principal Act is amended—

Amendment to s. 2. (Interpretation.)

(a) as to the interpretation "Machinery", by adding after the passage "belts," in line three, the passage "chain drives,";

(b) as to the interpretation "Mill-gearing", by deleting the words "appertaining to a saw-milling process", in the last line;

(c) as to the interpretation "Sawmill" or "mill", by substituting for the words "or treating", in line three, the passage ", treating, or processing";

(d) by substituting for the interpretation "Timber" an interpretation as follows—

"Timber" includes fallen trees, felled trees, and all wood whether sawn, split, hewn, peeled, sliced, chipped, hogged, ground, compressed, charred, or otherwise fashioned or processed on a timber holding. ;

- (e) by substituting for the interpretation “Timber holding” an interpretation as follows—

“Timber holding” means the area of a permit, license or lease granted under the Forests Act, 1918, or any land, of freehold or other tenure, used for the like purpose as Crown land held under permit, license or lease as aforesaid and includes timber yards to which timber is dispatched to be dealt with as merchandise, plants manufacturing joinery, veneer, plywood, woodwork, wood pulp, particle board, or hard board, and also includes wood extract, wood charcoal, and timber preservative treatment plants. ;

and

- (f) by substituting for the interpretation “Timber industry” an interpretation as follows—

“Timber industry” means all operations of felling, hewing, sawing, splitting, cutting, peeling, slicing, chipping, hogging, grinding, compressing, charring, removing, transporting, preservative treating, extracting, or otherwise fashioning or processing timber on timber holding. .

Substitution  
of heading.

5. The principal Act is amended by substituting for the heading “Appointment of Inspectors and their Duties.” before section three, a heading as follows—

## PART II.—ADMINISTRATION AND OFFICERS. .

Addition of  
s. 2A.

6. The principal Act is amended by adding immediately before section three a section as follows—

Administra-  
tion of Act.

- 2A. The administration of this Act is under the control of the Minister. .

7. Section five of the principal Act is amended by substituting for paragraph (c) and the following proviso, a paragraph as follows—

Amendment  
to s. 5.  
Classifica-  
tion of  
inspectors.

(c) Workmen's inspectors who shall be selected by a panel comprising—

- (i) a nominee of the controlling officer;
- (ii) a nominee of the timber workers' trade unions that are registered under the Trade Unions Act, 1902; and
- (iii) a District Inspector,

from applicants who are *bona fide* members of a timber workers' trade union registered under the Trade Unions Act, 1902 and who have been engaged in practical bush and mill work in the timber industry for at least five years. .

8. Subsection (1) of section eight of the principal Act is amended by substituting for the word "two", in line two, the word "three".

Amendment  
to s. 8.  
(Terms of  
appointment  
of  
workmen's  
inspectors.)

9. Section nine of the principal Act is amended—

Amendment  
to s. 9.  
(Powers of  
Inspectors.)

(a) as to subsection (1)—

- (i) by substituting for the words "or special", in line one, the passage "*, special, or workmen's*";
- (ii) by deleting the word "into", in lines one and nine of paragraph (c); and
- (iii) by deleting the words "tram and", in line eleven of paragraph (c);

and

(b) by repealing subsection (2).

Headings  
substituted.

10. The principal Act is amended by substituting for the headings—

- (i) "Registration of Sawmills.", before section twelve A;
- (ii) "Managers.", before section thirteen; and
- (iii) "General Rules, etc.", before section seventeen,

the following headings, respectively—

"PART III.—REGISTRATION OF SAWMILLS." ;

"PART IV.—MANAGERS." ; and

"PART V.—GENERAL RULES, ETC." .

Amendment  
to s. 17.  
(Dangerous  
machinery  
to be  
guarded.)

11. Section seventeen of the principal Act is amended—

- (a) as to subsection (1), by adding after the word "guards", in lines one and twelve, the words "and protective devices" ;
- (b) as to subsection (2), by adding after the word "guard", in lines three and four, the words "or protective device"; and
- (c) by deleting the passage commencing with the word "In", and ending with the passage "fence.", at the end of the section.

Amendment  
to s. 18.  
(Aid to  
injured  
persons.)

12. Subsection (2) of section eighteen of the principal Act is repealed.

Amendment  
to s. 20.  
(Employees  
to satisfy  
themselves  
of safety of  
appliances.)

13. Section twenty of the principal Act is amended by adding after the word "manager", in the last line, the words "for immediate attention".

Amendment  
to s. 21.  
(Inspector  
may give  
notice of  
dangerous or  
defective  
matters.)

14. Section twenty-one of the principal Act is amended by substituting for the words "a district", in line one, the word "an".

15. The principal Act is amended by substituting for the heading "Regulations.", before section twenty-three a heading as follows—

Heading substituted.

PART VI.—REGULATIONS. .

16. Section twenty-three of the principal Act is amended—

Amendment to s. 23. (Power to make regulations.)

(a) as to subsection (4), by deleting the passage "and the placing of stables at a prescribed distance from dwelling-houses", in lines five and six;

(b) by repealing and re-enacting subsection (5) as follows—

(5) For the good order and condition, safety, and use of timber holdings, mills, workshops, mill-gearing, machinery, plant, yards, mill landings, bush landings, rolling stock, tractors, timber trucks, and other machines used for snigging and transporting timber and for the safe handling of jockeyed logs. ;

(c) as to subsection (6), by deleting the words "clear of skids and sawdust belt races", in lines two and three;

(d) as to subsection (8), by adding after the word "belts", in line two, the passage "ropes, and chain drives";

(e) by repealing and re-enacting subsection (11) as follows—

(11) For the keeping of landings clear of bark and other refuse. ;

(f) by repealing and re-enacting subsection (12) as follows—

(12) For the drainage of working areas. ;

(g) by repealing subsection (14);

(h) as to subsection (15), by deleting the words "house sites of", in line one;

(i) by repealing and re-enacting subsection (17) as follows—

(17) To regulate and control the preservative treatment of timber and the use in the industry of other processes that may be dangerous or injurious to health.; and

(j) by repealing and re-enacting subsection (19) as follows—

(19) For the appointment of persons as workmen's inspectors. .

Heading substituted.

17. The principal Act is amended by substituting for the heading "Penalties.", before section twenty-six a heading as follows—

PART VII.—PENALTIES. .

Amendment to s. 27. (Proceedings to be taken by an inspector.)

18. Section twenty-seven of the principal Act is amended—

(a) by deleting the words "district or special inspector or a", in line two; and

(b) by deleting the words "inspector or", in lines four and seven.

Amendment to s. 29. (Application of regulations under this and other Acts.)

19. Section twenty-nine of the principal Act is amended—

(a) by adding, after the section number "29.", the subsection designation "(1)"; and

(b) by adding a subsection as follows—

(2) Section forty-seven of the Factories and Shops Act, 1963, does not apply in respect of a timber holding. .

---