



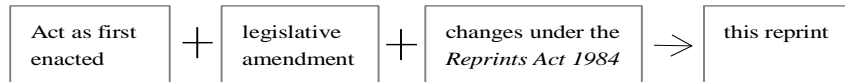
Western Australia

Timber Industry Regulation Act 1926

Reprinted as at 13 July 2001

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Western Australia

Timber Industry Regulation Act 1926

CONTENTS

Part 1 — Preliminary		
1.	Short title	2
2.	Interpretation	2
Part II — Administration and officers		
2A.	Administration of Act	5
3.	Appointment of inspectors	5
4.	Control	5
5.	Classification of inspectors	5
6.	District Inspectors	6
7.	Conditions of appointment of special and workmen's inspectors	6
8.	Term of appointment of workmen's inspectors	6
9.	Powers of inspectors	7
10.	Inspector to be given facilities for inspection	8
11.	Inspector to record result of inspections	8
12.	Upon worker making complaint inspector to make inquiry	9
Part III — Registration of sawmills		
12A.	Sawmills to be registered	10
Part IV — Managers		
13.	Duties and responsibility of manager	12
14.	Notice of accident to be given	12
15.	Examination and inquiry as to cause of accident	13
16.	Place of accident not to be interfered with	13

Contents

Part V — General rules, etc.		
17.	Dangerous machinery to be guarded	15
18.	Aid to injured persons	15
19.	Manager to inspect	16
20.	Employees to satisfy themselves of safety of appliances	16
21.	Inspector may give notice of dangerous or defective matters	16
Part VI — Regulations		
23.	Power to make regulations	18
23A.	Application of regulations	20
24.	Governor may vary regulations where observance not reasonably practicable	21
25.	Printed copy of regulations to be posted on every mill	21
Part VII — Penalties		
26.	Penalties	22
27.	Proceedings to be taken by inspector	22
28.	Proceedings to be heard and determined by a stipendiary or industrial magistrate and limit of time	22
29.	Applications of regulations under this and other Acts	23
Notes		
	Compilation table	24
Defined Terms		



Western Australia

Reprinted under the
Reprints Act 1984 as
at 13 July 2001

Timber Industry Regulation Act 1926

An Act to provide for the Inspection and Regulation of the Timber Industry.

Part 1 — Preliminary

[Heading amended by No. 33 of 1968 s. 2.]

1. Short title

This Act may be cited as the *Timber Industry Regulation Act 1926*¹.

[Section 1 amended by No. 69 of 1969 s. 1.]

[1A. Repealed by No. 44 of 1991 s. 21.]

2. Interpretation

(1) In this Act, unless the context otherwise requires —

“**Accredited representative**” means the president, or vice-president, or secretary of the industrial union or any member thereof acting with the authority in writing of the secretary or president.

“**Agent**”, when used in connection with the word “owner”, means the person having, as the attorney or representative of the owner, control and supervision of the owner’s operations in the industry, and of the manager.

“**Bush landing**” means any place on a timber holding at which timber in the round is first loaded into trucks for transport or removal.

“**District**” means a district defined for the purposes by the regulations.

“**industrial magistrate’s court**” has the meaning given by the *Industrial Relations Act 1979*.

“**Inspector**” means any person appointed to be an inspector under this Act.

“**Machinery**” means every kind of mechanical appliance, and includes steam pipes, electrical wires, cables, belts, chain drives, and ropes employed in or about a sawmill, yard,

bush landing, mill landing, or workshop, or otherwise used in or in connection with the timber industry.

“**Manager**” means the person having immediate charge and direction of the operations on a timber holding, and includes any deputy acting under his instructions.

“**Mill-gearing**” includes every shaft whether upright, oblique or horizontal, and every wheel drum or pulley, or other appliances by which the motion of the first moving power is communicated to any machine.

“**Mill landing**” means any place at a mill where timber in the round is unloaded or deposited.

“**Owner**”, when used in relation to any timber holding, sawmill, yard, bush landing, mill landing, or workshop to which this Act applies, means any person who is the proprietor, lessee, or occupier thereof, and includes a person in occupation under contract with the owner, and a sub-contractor. The term includes a joint owner.

“**Sawmill**” or “**mill**” means a place within a timber holding where any operation for the purpose of preparing, treating, or processing timber is carried on.

“**Serious bodily injury**” means such bodily injury as is likely to result in the injured person being disabled from following his ordinary occupation, and earning his usual rate of remuneration for 2 weeks or more.

“**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.

“**Timber holding**” means the area of a permit, licence or lease granted under the *Forests Act 1918*², or any land, of freehold or other tenure, used for the like purpose as Crown land held under permit, licence 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

s. 2

hard board, and also includes wood extract, wood charcoal, and timber preservative treatment plants.

“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.

“Yard” means any place on a timber holding to which timber is taken from the mill to be stacked or loaded for despatch, or sale.

- (2) Without limiting the application of the provisions of the *Interpretation Act 1918*³, a reference in this Act to the words “this Act” shall, except in section 12A, section 21(4), section 23(20), section 26, section 27, section 28, and section 29(1), be read as including regulations made under this Act.

[Section 2 amended by No. 41 of 1946 s. 2; No. 48 of 1950 s. 3; No. 33 of 1968 s. 45; No. 69 of 1969 s. 2; No. 44 of 1991 s. 22.]

Part II — Administration and officers

[Heading inserted by No. 33 of 1968 s. 5.]

2A. Administration of Act

The administration of this Act is under the control of the Minister.

[Section 2A inserted by No. 33 of 1968 s. 6.]

3. Appointment of inspectors

The Minister may appoint fit and proper persons to be inspectors in the timber industry.

4. Control

Every inspector shall be under the control of such person as the Minister may from time to time appoint (hereinafter referred to as the controlling officer), and shall act in such districts, or portions of districts, as the Minister may from time to time direct.

5. Classification of inspectors

Inspectors shall be of 3 classes, namely: —

- (a) District inspectors, who shall have the full powers of inspectors under this Act; but every district inspector, prior to being appointed, shall satisfy the Minister that he has had not less than 5 years' practical experience in the timber industry generally, and that he has passed an examination prescribed or approved by the Minister in accordance with the regulations.
- (b) Special inspectors, who shall be appointed to make special inspections, inquiries, and investigations on matters within the scope of this Act, requiring special technical or scientific training or knowledge as the Minister may from time to time direct, and

- (c) Workmen's inspectors who shall be selected by a panel comprising —
- (i) a nominee of the controlling officer;
 - (ii) a nominee of the organizations of timber workers that are registered under section 53 of the *Industrial Relations Act 1979*;
 - (iii) a District Inspector,
- from applicants who are bona fide members of an organization of timber workers that is registered under section 53 of the *Industrial Relations Act 1979* and who have been engaged in practical bush and mill work in the timber industry for at least 5 years.

[Section 5 amended by No. 33 of 1968 s. 7; No. 79 of 1995 s. 67(6).]

6. District Inspectors

District inspectors shall be under Part 3 of the *Public Sector Management Act 1994*, but special and workmen's inspectors shall not be subject to the provisions of the said Act.

[Section 6 amended by No. 32 of 1994 s. 3(1).]

7. Conditions of appointment of special and workmen's inspectors

All the terms and conditions of appointment of special inspectors and workmen's inspectors, and the districts in which they may exercise their powers, shall be as may be fixed from time to time by the Minister, subject to the regulations.

8. Term of appointment of workmen's inspectors

- (1) Workmen's inspectors shall be appointed for a term not to exceed 3 years, and shall be eligible for reappointment.

- (2) A workmen's inspector may be removed from his office by the Minister for any cause which the Minister may in his discretion deem sufficient.

[Section 8 amended by No. 33 of 1968 s. 8.]

9. Powers of inspectors

- (1) A district, special, or workmen's inspector shall have power to do all or any of the following things, namely: —
- (a) To make examination and inquiry to ascertain whether the provisions of this Act are complied with:
 - (b) To enter, inspect, and examine any timber holding at all times, with such assistants as may be reasonably necessary, but so as not unnecessarily to impede or obstruct the working of the industry:
 - (c) To examine and make inquiry respecting the state and condition of any timber holding, sawmill, workshop, building, structure, yard, bush landing, or mill landing, and of all matters or things connected with or relating to the safety or well-being of the persons employed therein in connection with the industry; and to examine, and make inquiries respecting, the condition of the mill, mill-gearing, machinery, plant and appliances, train lines, and rolling stock:
 - (d) For the purpose of such examination or inquiry to require any person to answer any relevant questions:
 - (e) With the authority of the controlling officer, to initiate and conduct prosecutions against persons offending against the provisions of this Act:
 - (f) To obtain written statements from witnesses, and to appear at inquiries held respecting accidents, and at inquests, and to call and examine witnesses, and to cross-examine witnesses:

s. 10

- (g) To exercise generally such other powers as are in his discretion necessary for carrying this Act into effect.

[(2) repealed]

[Section 9 amended by No. 33 of 1968 s. 9.]

10. Inspector to be given facilities for inspection

- (1) An owner, agent, and a manager shall furnish to an inspector the means necessary for making an entry, inspection, examination, or inquiry under this Act.
- (2) A person shall obey the directions of an inspector given under this Act.
- (3) A person shall not hinder an inspector acting in the exercise of his powers under this Act.

[Section 10 inserted by No. 69 of 1969 s. 3.]

11. Inspector to record result of inspections

- (1) An inspector shall, after every inspection made by him, forthwith enter in a book to be kept by the owner, agent, or manager at the mill, and to be called the "Record Book", particulars of his inspection, and of every defect observed by him; but nothing contained in or omitted from such entry shall limit or affect the duties and obligations of the owner, agent, or manager.
- (2) The record book shall be open at all reasonable times to the examination of any inspector and of the accredited representative of any industrial union of workers employed in the timber industry and of any other person authorised in writing by the Minister.

12. Upon worker making complaint inspector to make inquiry

- (1) Any person working on a timber holding may make complaint to an inspector of anything which it would be the duty of such inspector to report upon or remedy.

- (2) The inspector may make inquiry into such complaint, and take such other steps as he may deem necessary to investigate the matter; and the name of the informant shall not be divulged.

Part III — Registration of sawmills

[Heading inserted by No. 33 of 1968 s. 10.]

12A. Sawmills to be registered

- (1) After the commencement of this section, but subject as hereinafter provided, it shall not be lawful for the owner of a sawmill to use the same in the timber industry unless such sawmill is duly registered under and in accordance with regulations made under this Act: Provided that any owner who is at the commencement of this section using a sawmill in the timber industry may apply for registration thereof, as required by this section, within one month after the commencement of this section, and may continue to use the said sawmill in the timber industry in the meantime.

Provided further that the owner of every sawmill which complies with the regulations under this Act for the time being in force shall be registered subject to application being made in the prescribed forms.

- (2) As and when a sawmill is registered in compliance with this section such sawmill shall be deemed also to be registered as a factory under and for the purposes of the provisions of the *Factories and Shops Act 1920*⁴, without any further registration under the said last-mentioned Act; but registration of a sawmill as a factory under the provisions of the *Factories and Shops Act 1920*⁴, shall not be deemed to be registration of the sawmill for the purposes of this section.
- (3) As and when a sawmill is registered in compliance with this section the officer or person so registering the same shall forthwith give notice thereof in accordance with the regulations made under this Act to the Chief Inspector of Factories for the time being or from time to time holding office under the *Factories and Shops Act 1920*⁴. Thereafter subject to section 29 of this Act, the provisions of the *Factories and Shops*

*Act 1920*⁴, in relation to factories within the meaning of that Act shall apply to the said sawmill.

[Section 12A inserted by No. 20 of 1937 s. 2.]

Part IV — Managers

[Heading inserted by No. 33 of 1968 s. 10.]

13. Duties and responsibility of manager

- (1) Every manager shall enforce the observance of all the provisions of this Act and the regulations on the timber holding under his charge.
- (2) As soon as practicable after the occurrence of any breach of the provisions of this Act, he shall report the same, in writing, to the district inspector, whether the same has been committed by a person employed by or under him, or by a contractor working therein or his employees, or any other person.
- (3) The manager shall in every such case be deemed guilty of an offence against this Act unless, such manager reports such breach and proves to the satisfaction of the court that all reasonable means of enforcing the provisions of this Act, and of preventing such breach, were taken.

14. Notice of accident to be given

- (1) The manager shall give notice in writing to the district inspector and to the controlling officer whenever an accident occurs on the timber holding which causes loss of life to any person or incapacitates any person from work for more than 24 hours.
- (2) Such notice shall —
 - (a) in case of death be sent forthwith; and
 - (b) in case of such incapacity be sent immediately after the expiration of such 24 hours; and
 - (c) shall state the nature and extent of the injury, and the name of the person killed or injured, and the place to which any injured person has been removed.

15. Examination and inquiry as to cause of accident

- (1) Upon receipt of any such notice the inspector, or in his absence a person appointed by the controlling officer, may proceed to the scene of the accident, examine the place where it occurred, take down the statements of any witness, or of any person who can give any evidence as to the cause thereof, and thereupon forward to the controlling officer and the nearest stipendiary magistrate or industrial magistrate's court a full report.
- (2) For such purposes, a person appointed as aforesaid shall have all the powers and authorities conferred on inspectors under this Act.
- (3) The stipendiary magistrate or industrial magistrate's court shall, if he or it thinks it necessary, hold an inquiry into the nature and cause of the accident and shall forward to the Minister a copy of the evidence taken at the inquiry, together with his or its report thereon.
- (4) The accredited representative of the industrial union of workers to which an injured worker belonged, or of the industrial union of workers in the class of work in which the injured worker was employed, shall, subject to the regulations, be entitled to examine the place where the accident occurred, and may appear at inquiries held respecting accidents, and shall have the right to call and examine or cross-examine witnesses.
- (5) For the purposes of any inquiry under this section, a stipendiary magistrate or industrial magistrate's court shall have all the powers of a court of petty sessions under *Justices Act 1902*, as to summoning witnesses and taking evidence.

[Section 15 amended by No. 44 of 1991 s. 23.]

16. Place of accident not to be interfered with

The place in which any fatal accident or accident causing serious bodily injury has occurred shall not be interfered with, except with a view of saving life or preventing further injury,

s. 16

until it has been examined as provided in section 15, or, where the accident has proved fatal, until a coroner has granted permission:

Provided that where immediate resumption of work in the place in which the accident has occurred is urgently necessary, a person appointed by a stipendiary magistrate or an industrial magistrate's court may give permission in writing for such resumption, after making full examination of the place, and a report in writing of the result of such examination in the record book.

[Section 16 amended by No. 44 of 1991 s. 24; No. 2 of 1996 s. 61.]

Part V — General rules, etc.

[Heading inserted by No. 33 of 1968 s. 10.]

17. Dangerous machinery to be guarded

- (1) Every owner shall provide efficient guards and protective devices for —
 - (a) all dangerous parts of machinery;
 - (b) all dangerous appliances used in or in connection with the industry; and
 - (c) all dangerous parts of a sawmill, yard, bush landing, mill landing, or workshop,

so as to prevent, so far as possible, loss of life or bodily injury; and the manager shall, unless he shall prove to the satisfaction of the court that the same has been removed or altered by some particular person without his consent, keep all such guards and protective devices constantly maintained in an efficient state and properly adjusted.

- (2) No person shall operate machinery or mechanical appliances, or any part thereof, without the guard or protective device required to be provided for the same, or when the guard or protective device is removed or not properly adjusted.

[Section 17 amended by No. 33 of 1968 s. 11.]

18. Aid to injured persons

- (1) Where power driven machinery is used on a timber holding, sawmill, yard, bush landing, mill landing, or workshop the owner shall provide and keep ready for use such first aid materials as are prescribed.

[(2) repealed]

[Section 18 amended by No. 33 of 1968 s. 12; No. 69 of 1969 s. 4.]

s. 19

19. Manager to inspect

The manager, or some duly qualified person appointed by him, shall, once in each week, carefully examine the buildings, plant, and machinery, and shall record in writing and sign, in the record book, his opinion as to their condition and safety, and any repairs and alterations required to insure greater safety to the persons employed.

20. Employees to satisfy themselves of safety of appliances

Every person employed on a timber holding shall, before commencing, and whilst at work, use ordinary and reasonable precaution to ascertain that the appliances he uses, and the place in which he works, are not unsafe; he shall not use anything or work in a place that is unsafe, or apparently unsafe; and every such person who witnesses on a timber holding anything likely to produce danger of any kind shall forthwith report the same to the person in immediate authority over him, and it shall be the duty of such last-mentioned person forthwith to report the same to the manager for immediate attention.

[Section 20 amended by No. 33 of 1968 s. 13.]

21. Inspector may give notice of dangerous or defective matters

In any case where an inspector finds any machine, plant, matter, thing, or practice on or connected with any timber holding to be dangerous or defective, so as, in his opinion, to threaten or tend to the bodily injury of any person, the following provisions shall apply: —

- (1) The inspector shall, by requisition in writing addressed in general terms to and served on the owner, agent, or manager, specify the nature of such danger or defect, together with his reasons for holding that the same exists, and require that the matter complained of be forthwith remedied, and may direct that any specified machine or appliance shall not be used.
- (2) On receipt of such requisition or direction the owner, agent, or manager shall forthwith comply therewith, or,

if he intends to object thereto, as provided by the next following subsection, he shall cease to use the machine, plant, matter, thing, or practice, as to which such requisition or direction shall have been given, and shall forthwith withdraw all men from the danger indicated by the inspector until such time as the matter shall have been determined by a stipendiary magistrate or an industrial magistrate's court: Provided that the Minister or the controlling officer may allow work to proceed during such period, under such restrictions and upon such conditions as he may consider necessary, and shall specify in writing to insure the safety of the workmen.

- (3) If the owner, agent, or manager objects to comply with such requisition, he may within 7 days after the delivery thereof as aforesaid, send his objections in writing, stating the grounds of his objections, to the inspector, who shall send a copy thereof to the controlling officer, and thereupon the matter shall be determined by a stipendiary magistrate or an industrial magistrate's court.
- (4) If the owner, agent or manager continues to use or carry on any such machine, plant, matter, thing or practice and fails to comply with the requisition, or in the event of objection and an inquiry, fails to comply with the decision of a stipendiary magistrate or an industrial magistrate's court, he shall be deemed to have committed an offence against this Act.
- (5) No person shall be deemed to be precluded by any contract or agreement from doing such acts as may be necessary to comply with any of the provisions of this section, or be liable under any contract or agreement to any penalty or forfeiture for doing such acts.

[Section 21 amended by No. 33 of 1968 s. 14; No. 44 of 1991 s. 25.]

[22.] *Repealed by No. 2 of 1996 s. 61.]*

Part VI — Regulations

[Heading inserted by No. 33 of 1968 s. 15.]

23. Power to make regulations

The Governor may make regulations for all or any of the purposes following, that is to say: —

- (1) Regulating the duties of inspectors and defining the districts in which they are to carry out their duties and authorising them to give such directions as are necessary for carrying this Act into effect.
- (2) Regulating the methods of inspection.
- (2a) Regulating the registration of sawmills, including forms of application for registration, the officer to receive applications, the method of registration, the recording of registration, and the form and issue of certificates of registration, and the requiring of applicants for registration of a sawmill to furnish with the applications such plans and particulars in relation to the sawmill to be registered as may be prescribed by the regulations.
- (2b) Prescribing the fees to be paid for registration of sawmills:

Provided that the amount of the fees for registration prescribed under this paragraph shall not exceed the amount of the fees which would be payable for the registration of sawmills as factories under the provisions of the *Factories and Shops Act 1920*⁴, if such sawmills were registered as factories under and in accordance with the provisions of the said Act.
- (3) Dealing with the ventilation of mills and matters relating thereto, and the prevention of dust.
- (4) Dealing with the sanitary condition of timber holdings, including the removal of stagnant water, the provision of pure water for drinking, the provision of sanitary conveniences.

- (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.
- (6) For the provision of sufficient working space for workers in mills.
- (7) To regulate the length of timber to be cut with regard to the space behind the saws, and for the safety of the workers.
- (8) For the protection of workers from the danger of exposed belts, ropes, and chain drives.
- (9) For the sufficient lighting (including artificial illumination) of mills for safe working.
- (10) Requiring skids and decking to be kept in repair.
- (11) For the keeping of landings clear of bark and other refuse.
- (12) For the drainage of working areas.
- (13) To prohibit the employment of persons unable to speak the English language in such work that the inability would be a source of danger to other workers.
- [(14) *repealed*]
- (15) For the clearing of dangerous trees.
- (16) To regulate the construction of bush landings and mill landings, and for the prevention of overcrowding of logs at such landings.
- (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.
- (18) For the inspection of the housing and accommodation provided for workers.
- (19) For the appointment of persons as workmen's inspectors.

s. 23A

(20) Generally for carrying this Act into execution.

[Section 23 amended by No. 20 of 1937 s. 3; No. 33 of 1968 s. 16; No. 69 of 1969 s. 5.]

23A. Application of regulations

(1) Regulations may be made under section 23 —

- (a) so as to apply
 - (i) generally or in a particular class of case or in particular classes of cases;
 - (ii) at all times or at a specified time or at specified times; and
 - (iii) throughout the State or in a specified part or specified parts of the State;
- (b) so as to require a matter affected by them to be —
 - (i) in accordance with a specified standard or specified requirement; or
 - (ii) as approved by, or to the satisfaction of, a specified person or body or a specified class of person or body;
- (c) so as to confer on a specified person or body or a specified class of person or body a discretionary authority;
- (d) so as to provide that, in specified cases or a specified class of case or specified classes of cases, whether on specified conditions or unconditionally, persons or things of a class or classes of persons or things may be exempted from the provisions of the regulations, either wholly or to such extent as is specified.

(2) In subsection (1) “**specified**” means specified in the regulations.

[Section 23A inserted by No. 69 of 1969 s. 6.]

24. Governor may vary regulations where observance not reasonably practicable

If, in the opinion of the inspector, the observance of any regulation made under this Act is not reasonably practicable on any particular timber holding, the Governor may, by notice in the *Gazette*, suspend, alter, or vary such regulation in respect of such holding.

25. Printed copy of regulations to be posted on every mill

A printed copy of the regulations for the time being in force shall be posted on a building or board in some conspicuous place on every timber holding, and the same shall be maintained in a legible condition.

Part VII — Penalties

[Heading inserted by No. 33 of 1968 s. 17.]

26. Penalties

Any person who contravenes or does not comply with any of the provisions of this Act or any regulation made thereunder, shall be deemed guilty of an offence against this Act, and shall be liable to a penalty not exceeding \$20 for each offence and where the offence is the failure to register a sawmill in accordance with the provisions of this Act, to an additional daily penalty of \$4 for each day or part of a day during which the offence shall have continued.

[Section 26 amended by No. 20 of 1937 s. 4; No. 113 of 1965 s. 8.]

27. Proceedings to be taken by inspector

All proceedings for offences under this Act shall be taken by a person authorised by the Minister. Costs incurred by or awarded against an authorised person in connection with any such proceedings shall be payable out of moneys from time to time appropriated by Parliament, and the authorised person shall not be personally responsible for the same.

[Section 27 amended by No. 33 of 1968 s. 18.]

28. Proceedings to be heard and determined by a stipendiary or industrial magistrate and limit of time

All proceedings in respect of offences against this Act shall be heard and determined by a stipendiary magistrate, or an industrial magistrate's court, and shall be commenced within 6 months after the offence shall have been committed.

[Section 28 amended by No. 44 of 1991 s. 26.]

29. Applications of regulations under this and other Acts

- (1) The provisions of sections 14, 15, 17, 18, and 21, and of the regulations made under section 23(3), (4), (5), (6), (8), (9), and (17), shall be in lieu of the provisions of the *Inspection of Machinery Act 1921*⁵, and any amendment thereof, and the regulations under that Act, relating to similar matters, which provisions and regulations shall not apply to the timber industry; but nothing in this Act shall affect the provisions of the *Inspection of Machinery Act 1921*⁵, relating to boilers or to the certificates required to be held by engine-drivers, crane and hoist drivers, boiler attendants, and other persons.

[(2) *repealed*]

[Section 29 amended by No. 33 of 1968 s. 19; No. 79 of 1995 s. 68(5).]



Notes

¹ This reprint is a compilation as at 13 July 2001 of the *Timber Industry Regulation Act 1926* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any previous reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Timber Industry Regulation Act 1926</i>	59 of 1926	24 Dec 1926	24 Dec 1926
<i>Timber Industry Regulation Act Amendment Act 1937</i>	20 of 1937	18 Jan 1938	18 Jan 1938
<i>Timber Industry Regulation Act Amendment Act 1946</i>	41 of 1946	24 Jan 1947	24 Jan 1947
<i>Timber Industry Regulation Act Amendment Act 1950</i>	48 of 1950	18 Dec 1950	18 Dec 1950
Reprint of the <i>Timber Industry Act 1926</i> approved 15 Aug 1961 in Volume 15 of Reprinted Acts (includes amendments listed above)			
<i>Timber Industry Regulation Act Amendment Act 1968</i>	33 of 1968	4 Nov 1968	4 Nov 1968
<i>Timber Industry Regulation Act Amendment Act 1969</i>	69 of 1969	27 Oct 1969	27 Oct 1969
Reprint of the <i>Timber Industry Act 1926</i> approved 17 Jul 1970 (not in a Volume) (includes amendments listed above)			
<i>Acts Amendment (Industrial Magistrate's Courts) Act 1991 Pt. 7</i>	44 of 1991	17 Dec 1991	3 Jan 1992 (see s. 2 and <i>Gazette</i> 3 Jan 1992 p. 41)
<i>Acts Amendment (Public Sector Management) Act 1994 s. 3(1)</i>	32 of 1994	29 Jun 1994	1 Oct 1994 (see s. 2 and <i>Gazette</i> 30 Sep 1994 p. 4948)

Short title	Number and year	Assent	Commencement
<i>Industrial Relations Legislation Amendment and Repeal Act 1995</i> s. 67(6) and 68(5)	79 of 1995	16 Jan 1996	s. 67(6): 16 Jan 1996 (see s. 3(1)); s. 68(5): 18 May 1996 (see s. 3(2) and <i>Gazette</i> 14 May 1996 p. 2019)
<i>Coroners Act 1996</i> s. 61	2 of 1996	24 May 1996	7 Apr 1997 (see s. 2 and <i>Gazette</i> 18 Mar 1997 p. 1529)

² Repealed by the *Conservation and Land Management Act 1984*.

³ Repealed by the *Interpretation Act 1984*.

⁴ Repealed by the *Factories and Shops Act 1963* which was repealed by the *Industrial Relations Legislation Amendment and Repeal Act 1995*.

⁵ Repealed by the *Machinery Safety Act 1974* which was repealed by the *Acts Amendment (Occupational Health, Safety and Welfare) Act 1987*.

Defined Terms

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)
Accredited representative.....	2(1)
Agent.....	2(1)
Bush landing	2(1)
District	2(1)
industrial magistrate's court.....	2(1)
Inspector	2(1)
Machinery	2(1)
Manager	2(1)
mill	2(1)
Mill landing.....	2(1)
Mill-gearing	2(1)
Owner	2(1)
Sawmill	2(1)
Serious bodily injury	2(1)
specified	23A(2)
Timber.....	2(1)
Timber holding	2(1)
Timber industry.....	2(1)
Yard	2(1)

