

## T A S M A N I A.



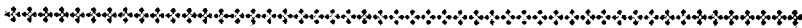
1939.

ANNO TERTIO ET QUARTO  
 GEORGII VI. REGIS.

No. 47.

## ANALYSIS.

1. Short title.
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     Section 4.  
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AN ACT to amend the *Forestry Act* 1920.  
 [21 December, 1939.]

A.D.  
1939.

**B**E it enacted by His Excellency the Governor of Tasmania,  
 by and with the advice and consent of the Legislative  
 Council and House of Assembly, in Parliament assembled,  
 as follows:—

**1** This Act may be cited as the *Forestry Act* 1939.

Short title.

6d.]

## Forestry.

A.D. 1939.

**2** The Principal Act is hereby amended—

Amendment  
of 11 Geo.  
V. No. 60.  
Section 4.

I. By expunging the definition of "Timber" in section four thereof and substituting therefor the following new definition:—

"Timber" includes the trunks and branches of trees, whether standing or not, and all wood, whether or not the same is cut up, sawn, hewn, split, or otherwise fashioned:":

Section 26.

II. As to section twenty-six thereof by inserting—

- (a) "(1)" at the commencement: and  
(b) "(2) A forest permit may be renewed by the Minister as prescribed, so long as the aggregate period during which the same is in force does not exceed fifteen years." (at the end):

Section 37.

III. By inserting at the end of section thirty-seven thereof the words "but where expenditure is incurred by the Conservator in the felling, cutting, conversion, extraction, delivery, preparation, or marketing of timber or forest produce, the nett return only from such timber or forest produce shall be regarded as revenue by the department.": and

Section 60.

IV. By deleting the words "amount of rents, royalties" in the first line of paragraph VIII. of section sixty thereof and substituting therefor the words "minimum prices, or rates of royalty to be paid in prescribed cases and the rents".

Power to  
Conservator  
to make cer-  
tain pay-  
ments:  
Application  
thereof.

**3**—(1) The Conservator may pay to the Tasmanian Timber Organisation Proprietary Limited, a company formed in this State, and incorporated under the *Companies Act 1920* (in this section referred to as "the company"), out of the fund established under section thirty-nine of the Principal Act a sum not exceeding one thousand pounds in respect of each financial year.

(2) All moneys paid by the Conservator under this section shall be subject to the following conditions:—

- i. The company shall keep all moneys paid to it by the Conservator under this Act separate and apart from the other moneys of the company, and shall use and apply the same exclusively in the organisation, advancement, and improvement of the timber industry in this State in such manner as the directors of the company shall determine:
- ii. The directors of the company shall cause proper accounts to be kept of all moneys received by it as provided by this Act, and such accounts shall be subject to the provisions of the *Audit Act 1918*:

*Forestry.*

- III. The directors of the company shall submit to the Minister a programme of operations, setting forth in outline the manner in which it is proposed to expend the amounts payable under this Act, and shall not proceed with such expenditure until the Governor has signified his approval thereof: A.D. 1939.
- IV. The programme of operations may be varied, enlarged, or extended by the directors with the approval of the Governor:
- V. The directors shall not use or apply any moneys received under this Act for any purpose which is not within the scope of the programme of operations, or directly incidental thereto, without the approval of the Governor:
- VI. If at any time, upon the report of the Auditor-General or otherwise, the Treasurer is satisfied that the company has misapplied any moneys received by it under this Act, or has failed to comply with any of the provisions of this section, he shall report to the Governor accordingly:
- VII. Upon receipt of a report by the Treasurer the Governor, by Order-in-Council, may direct that all payments to the company under this Act shall be suspended until the Treasurer is satisfied that the company has made good any moneys so misapplied, or has remedied any default in complying with the provisions of this section: and
- VIII. If at any time the company shall fail to make good any such moneys, or remedy any such default, within three months after being required by the Treasurer so to do, the amount in respect of which the company is in default may be recovered by the Conservator from the company in any court of competent jurisdiction.

(3) All payments heretofore made by the Conservator to the company which would have been lawfully and validly made if this section had been in operation at the dates of payment thereof respectively, are hereby validated and declared to have been lawfully made.

Validation  
of certain pay-  
ments.

