**FORESTRY ACT AMENDMENT BILL 1977**

**Legislative Council, 5 April 1977, pages3098-9**

Second reading

**The Hon. B. A. CHATTERTON (Minister of Forests)** obtained leave and introduced a Bill for an Act to amend the Forestry Act, 1950-1974. Read a first time.

The Hon. B. A. CHATTERTON: I move: That this Bill be now read a second time. I seek leave to have the second reading explanation inserted in Hansard without my reading it. Leave granted.

Explanation of Bill

It amends the principal Act, the Forestry Act, 1950- 1974, in two areas related to its administration. First, the Bill provides for abolition of the Forestry Board. Although its title might suggest otherwise, the Forestry Board has an advisory function only, while the Minister of Forests is, under the principal Act, the body corporate holding and managing the forests and other property and the day-to-day administration is performed by the Woods and Forests Department under the Director, Woods and Forests Department. It is considered by the Government that decisions which now require a recommendation of the Forestry Board would be equally well made by the Minister drawing upon such advice from within the Department as he considers necessary.

Secondly, the Bill deletes references to the Conservator of Forests. The Director, Woods and Forests Department, is presently the officer appointed to be the Conservator of Forests. The principal Act provides that the Minister may only act with respect to certain aspects of the management of forests upon the recommendation of the Conservator. This requirement, which is in effect that the Minister may only act upon the recommendation of his permanent head, is also considered to be inappropriate today and the Bill provides that the principal Act be amended accordingly.

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation. Clause 3 amends section 2 of the principal Act by deleting definitions of the Forestry Board and the Conservator of Forests.

Clause 4 repeals section 6 of the principal Act which establishes the Forestry Board. This clause also repeals section 7, which provides for the appointment of the Conservator of Forests and other officers, and substitutes new section 6 providing for the appointment of officers and employees for the purposes of the principal Act. Clause 5 amends section 8 of the principal Act, by providing for delegation by the Minister to any officer or employee appointed for the purposes of the Act rather than the Conservator of Forests. Clause 6 amends section 10 of the principal Act by providing that the Minister may lease any part of a forest reserve and fix the rent and other terms of the lease without the recommendation of the board, the board being abolished by clause 4 of the Bill. Clause 7 amends section 11 of the principal Act in the same way. Section 11 at present provides for the granting of licences and other interests in forest reserves by the Minister upon the recommendation of the board and, in the case of a licence to use forest reserve for grazing or agriculture, requires the recommendation of the Conservator.

Clause 8 amends section 12 of the principal Act by removing the requirement that the Minister may establish and operate timber mills only on the recommendation of the board. Clause 9 amends section 13 of the principal Act by removing the requirement that the Minister may sell or dispose of trees or timber only on the recommendation of the board and certification by the Conservator that the trees or timber are properly available. Clause 10 amends section 18 of the principal Act by deleting a reference to the board. Clause 11 amends section 19 of the principal Act by providing that the Minister, rather than the board or the Conservator, provide technical assistance to bodies and persons engaged in forestry. The Minister under section 8, as amended, may delegate this function.

The Hon. R. C. DeGARIS secured the adjournment of the debate.