



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 119 of 1974

An Act to amend the Forestry Act, 1950-1956.

[Assented to 5th December, 1974]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Forestry Act Amendment Act, 1974". Short titles.
 - (2) The Forestry Act, 1950-1956, is hereinafter referred to as "the principal Act".
 - (3) The principal Act, as amended by this Act, may be cited as the "Forestry Act, 1950-1974".
2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.
 3. Section 2 of the principal Act is amended by striking out the definition of "forest reserve" and inserting in lieu thereof the following definitions:— Amendment of principal Act, s. 2— Interpretation.

"Crown lands" means Crown lands as defined in the Crown Lands Act, 1929-1974:

"forest reserve" means any land specified in a proclamation made under section 2b of this Act and declared in that proclamation to be forest reserve but does not include any such land that has pursuant to that section ceased to be a forest reserve:.
 4. The following sections are enacted and inserted in the principal Act immediately after section 2 thereof:— Enactment of ss. 2a, 2b and 2c of principal Act—
 - 2a. Where land was immediately before the commencement of the Forestry Act Amendment Act, 1974, forest reserve that land shall cease to be forest reserve unless and until it is specified in a proclamation made under section 2b of this Act and declared in that proclamation to be forest reserve. Former forest reserves.

Forest
reserves.

2b. (1) The Governor may by proclamation declare that any land specified in the proclamation—

(a) that immediately before the commencement of the Forestry Act Amendment Act, 1974, was forest reserve;

or

(b) that is Crown lands,

shall be forest reserve for the purposes of this Act.

(2) Subject to this section, the Governor may by proclamation declare that all or any part of a forest reserve specified in the proclamation shall cease to be a forest reserve and subject to this section that proclamation shall have effect according to its tenor.

(3) A proclamation made under subsection (2) of this section and a statement of the reasons for the proclamation shall be laid before each House of Parliament on a sitting day of that House after the proclamation is made.

(4) A proclamation made under subsection (2) of this section shall not have any effect—

(a) until fourteen sitting days of each House of Parliament have elapsed after the proclamation and statement is laid before that House;

or

(b) if either House of Parliament, pursuant to a notice of motion given within fourteen sitting days after the proclamation and statement is laid before that House, passes a resolution disallowing the proclamation.

Validation of
certain acts
relating to
forest reserves.

2c. Any land that was forest reserve for the purposes of the Woods and Forests Act, 1882-1935, and was prior to the commencement of the Forestry Act Amendment Act, 1974, purportedly resumed under the Crown Lands Act, 1929, as amended, shall be deemed for all purposes to have, at the time of the purported resumption, ceased to be forest reserve.

Amendment of
principal Act,
s. 16—
Ancillary
powers of
Minister.

5. Section 16 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) A purported dealing in property that occurred before the commencement of the Forestry Act Amendment Act, 1974, that would apart from this subsection be invalid or of no effect shall for all purposes be deemed to be and always to have been as valid and effectual as it would have been had the proviso to subsection (1) of this section not been enacted.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor