



**FORESTRY AMENDMENT (JOINT VENTURES) ACT
1989**

No. 28 of 1989

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AN ACT to amend the Forestry Act 1920.

[Royal Assent 18 April 1989]

BE 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 Amendment (Joint Ventures) Act 1989*. Short title.

2—This Act shall commence on the day on which it receives the Royal assent. Commencement.

Principal Act.

3—In this Act the *Forestry Act 1920** is referred to as the Principal Act.

Amendment of section 33A of Principal Act (Contracts of sale).

4—Section 33A of the Principal Act is amended by adding at the end the following subsection:—

(10) Nothing in this section shall be taken to interfere with or restrict the right of the Commission to enter into, and comply with the terms of, a joint venture arrangement in accordance with section 33C.

Insertion in Principal Act of new section 33C.

5—After section 33B of the Principal Act, the following section is inserted:—

Joint ventures.

33C—(1) The Commission may, by agreement in writing, enter into an arrangement with another person, or other persons, for and in relation to the carrying out on any land within a State forest or timber reserve or on any other Crown land of a joint venture for the exploitation of that land as a source of forest produce.

(2) An arrangement under subsection (1) shall continue for such term as is specified in the agreement, and may be extended for such further period or periods as may be agreed upon between the parties to the arrangement.

(3) Without limiting the generality of subsection (1), an agreement under that subsection may—

(a) make provision for the carrying out by the several parties to the arrangement of specified operations, including, in particular—

(i) the planting, tending, and harvesting of trees;

(ii) the construction and maintenance of fences, roads, bridges, and other facilities;

(iii) the payments (if any) to be made by the several parties to the arrangement to other such parties;

* 11 Geo. V No. 60. For this Act, as amended up to and including 1st September 1977, see the continuing Reprint of Statutes. Subsequently amended by No. 117 of 1977, Nos. 19 and 95 of 1980, No. 18 of 1981, Nos. 29, 56, and 104 of 1984, No. 49 of 1985, No. 69 of 1986, and Nos. 18 and 27 of 1989.

- (iv) the apportioning among those parties of the expenses and proceeds (if any) of the joint venture and of any royalties, or the liability to pay any royalties, relating to forest produce resulting from the undertaking of the joint venture; and
 - (v) the disposal of that forest produce; and
- (b) include terms and conditions relating to—
- (i) the obtaining, cutting, and conversion of the forest produce resulting from the undertaking of the joint venture;
 - (ii) the marking of that forest produce, its removal from the land from which it has been obtained, and the protection and preservation of timber and other growth on that land;
 - (iii) the cancellation of the arrangement by the Commission for default by any other party to the arrangement in the performance of its obligations under the agreement or on such other grounds as are specified in the agreement or the regulations; and
 - (iv) the suspension of any of the terms and conditions or any obligations of the agreement.

