

T A S M A N I A.

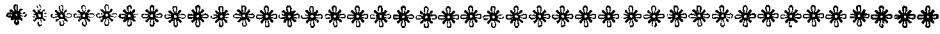


1885.

ANNO QUADRAGESIMO-NONO

VICTORIÆ REGINÆ,

No. 36.



AN ACT to provide for the Care, Management, and Control of State Forests, Timber Reserves, and other Crown Lands, and for other purposes. [5 December, 1885.]

A.D. 1885.

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 State Forests Act,” and shall be read with and construed as part of *The Waste Lands Act*.

Short title.

2 The Governor in Council is hereby empowered from time to time to appoint a fit and proper person as and to be “Conservator of Forests,” who shall have the management and control of all Waste Lands of the Crown which may be reserved to Her Majesty for the preservation and growth of timber, or for places of public recreation, and also of such other portions of the Waste Lands of the Crown as may be by the Governor in Council assigned to his care, and who shall perform such other duties as may be prescribed. The Governor in Council may from time to time at pleasure remove any such Conservator of Forests, and appoint some other person in his room.

Conservator of Forests.

State Forests.

A.D. 1885.
Regulations.

3—(1.) The Governor in Council is hereby empowered from time to time to make and issue Regulations for the following purposes, and any such Regulations may be altered and rescinded from time to time:—

- i. For defining the duties and powers of the Conservator of Forests :
- ii. For the care, protection, and management of all state forests and public reserves and of all places of public recreation of which the care and control are not by Law vested in some local authority, and for the preservation of good order and decency therein.

(2.) Any person who shall offend against any such Regulation made for the care, protection, and management of all state forests and public reserves and of all places of public recreation, and for the preservation of good order and decency therein, shall be liable to a penalty not exceeding Five Pounds ; and any person who shall continue to offend against any such Regulation after he shall have been warned by any Bailiff of Crown Lands or any Constable, may be forthwith apprehended by such Bailiff or Constable, and taken before some Justice of the Peace, and shall, on conviction, where no other penalty is provided, forfeit and pay a penalty not exceeding Ten Pounds. Every such Regulation shall be posted in some conspicuous spot in every place to which the same is applicable.

Recovery of Penalties.
19 Vict. No. 8.
19 Vict. No. 10.
Appropriation of Penalties.

4 All offences against this Act shall be heard and determined, and all penalties recovered in a summary way before any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act* ; and any person aggrieved by any summary conviction under this Act may appeal therefrom in the mode prescribed by *The Appeals Regulation Act*. All penalties recovered under this Act shall be paid into the Treasury, and shall form part of the Consolidated Revenue Fund.

Regulations to be published.

5 All Regulations made by the Governor in Council under the authority of this Act shall be published in the *Gazette*, and at least once in a newspaper, and shall take effect from a date to be notified in such publication in the *Gazette*, unless otherwise provided in such Regulations ; and in all legal proceedings the production of the *Gazette* containing any such Regulations shall alone be sufficient *prima facie* evidence that such Regulations have been duly made, and the onus of proving the contrary shall in every case be on the person disputing the validity thereof.

All such Regulations shall be laid before both Houses of Parliament within Fourteen days from the making thereof if Parliament is then in Session, and if not, then within Fourteen days after the commencement of the next Session.