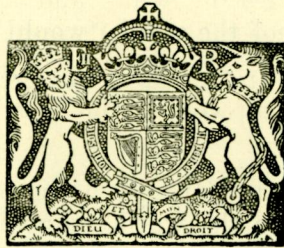


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

H. ROBBINS,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 20 November, 1952, A.M.*

## New South Wales.



ANNO PRIMO

# ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. , 1952.

An Act to make further provision for the control of the sale and use of certain timbers; for this purpose to amend the Timber Marketing Act, 1945; and for purposes connected therewith.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

**1.** (1) This Act may be cited as the "Timber Marketing (Amendment) Act, 1952."

Short title  
and  
citation.

*Timber Marketing (Amendment) (No. 2).*

(2) The Timber Marketing Act, 1945, as amended by this Act, may be cited as the Timber Marketing Act, 1945-1952.

**2.** The Timber Marketing Act, 1945, is amended—

Amendment  
of Act No.  
7, 1946.

- 5 (a) (i) by omitting from section four the words “for sale” wherever occurring;
- (ii) by omitting from paragraph (a) of the same section the word “will” and by inserting in lieu thereof the word “would”;
- 10 (iii) by inserting in the same paragraph before the word “sapwood” the words “lyctus susceptible”;
- (iv) by inserting in paragraph (b) of the same section before the word “sapwood” where  
15 secondly occurring the words “lyctus susceptible”;
- (v) by inserting at the end of the same section the following new subsection:—
- (2) This section shall not apply to the use  
20 of any timber, the use of which but for the provisions of this subsection would constitute an offence against subsection one of this section, where—
- (a) such use has been agreed to in  
25 writing by the person, to whom the article manufactured from such timber is to be sold or supplied, or for whom such building is being erected; or
- (b) the article manufactured from such  
30 timber is for the use of the person manufacturing the same; or
- (c) the building in which such timber  
35 has been used is to be occupied by the person erecting the same.

(b)

*Timber Marketing (Amendment) (No. 2).*

(b) (i) by omitting from section five the word "will" and by inserting in lieu thereof the word "would";

Sec. 5.  
(Statement  
as to  
untreated  
lyctus  
susceptible  
sapwood.)

5 (ii) by omitting from the same section the words—

“Provided that this section shall not apply to any article manufactured or building erected—

10 (a) before the commencement of this Act, or

15 (b) after the commencement of this Act if a period of eighteen months has elapsed since the manufacture of such article or the erection of such building, as the case may be.

20 Where the date of manufacture of any such article is not known, such date shall be the date on which such article came into the possession of the first known person having or having had the custody of such article” and by inserting in lieu thereof the words—

“In this section ‘untreated’ means not treated with an approved preservative treatment”.

25 (c) by inserting next after section eight the following new section:—

New  
sec. 8A.

30 8A. In any proceedings against any person for an offence against this Act or the regulations thereunder a document purporting to be a certificate under the hand of—

Facilitation  
of proof.

(a) the Secretary to the Forestry Commission of New South Wales, or the person for the time being acting as such, that—

35 (i) a brand used for branding timber was or was not on any date or during any period specified in the certificate registered under this Act; or

(ii)

*Timber Marketing (Amendment) (No. 2).*

- 5 (ii) a preservative treatment of timber was or was not on any date or during any period specified in the certificate an approved preservative treatment; or
- 10 (b) the Director of the Standards Association of Australia, or the person for the time being acting as such, that in respect of a certain species of timber a certain specification as to moisture content was, or no such specification had been, issued by the Standards Association of Australia and was or
- 15 was not, as the case may be, in force at a certain time,
- shall be prima facie evidence of the facts stated in such certificate.
- 20 (d) by omitting subsection two of section nine and by inserting in lieu thereof the following subsection:—
- 25 (2) Any such proceedings for an offence against section three, four, five or eight of this Act or any regulations under such sections may be instituted within eighteen months from the time when the offence has been committed.
- 30 (e) (i) by omitting from subsection two of section ten the words "not indigenous to Australia";
- (ii) by inserting in the same subsection after the word "lyctus" the words "or by deleting therefrom any species of timber."

Sec. 9.  
(Recovery  
of penal-  
ties, etc.)

Sec. 10.  
(Regula-  
tions.)

No. , 1952.

---

---

## A BILL

To make further provision for the control of the sale and use of certain timbers; for this purpose to amend the Timber Marketing Act, 1945; and for purposes connected therewith.

[MR. ENTICKNAP;—11 *November*, 1952.]

---

---

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

1. (1) This Act may be cited as the "Timber Marketing (Amendment) Act (No. 2), 1952."

Short title  
and  
citation.

*Timber Marketing (Amendment) (No. 2).*

(2) The Timber Marketing Act, 1945, as amended by this Act, may be cited as the Timber Marketing Act, 1945-1952.

2. The Timber Marketing Act, 1945, is amended—

Amendment  
of Act No.  
7, 1946.

- 5 (a) (i) by omitting from section four the words “for sale” wherever occurring;
- (ii) by omitting from paragraph (a) of the same section the word “will” and by inserting in lieu thereof the word “would”;
- 10 (iii) by inserting in the same paragraph before the word “sapwood” the words “lyctus susceptible”;
- (iv) by inserting in paragraph (b) of the same section before the word “sapwood” where secondly occurring the words “lyctus susceptible”;
- 15 (v) by inserting at the end of the same section the following new subsection:—
- (2) This section shall not apply to the use of any timber, the use of which but for the provisions of this subsection would constitute an offence against subsection one of this section, where—
- 20 (a) such use has been agreed to in writing by the person, to whom the article manufactured from such timber is to be sold or supplied, or for whom such building is being erected; or
- 25 (b) the article manufactured from such timber is for the use of the person manufacturing the same; or
- 30 (c) the building in which such timber has been used is to be occupied by the person erecting the same.

(b)

*Timber Marketing (Amendment) (No. 2).*

(b) (i) by omitting from section five the word "will" and by inserting in lieu thereof the word "would";

Sec. 5.  
(Statement  
as to  
untreated  
lyctus  
susceptible  
sapwood.)

5 (ii) by omitting from the same section the words—

"Provided that this section shall not apply to any article manufactured or building erected—

10 (a) before the commencement of this Act, or

(b) after the commencement of this Act if a period of eighteen months has elapsed since the manufacture of such article or the erection of such building, as the case may be.

20 Where the date of manufacture of any such article is not known, such date shall be the date on which such article came into the possession of the first known person having or having had the custody of such article" and by inserting in lieu thereof the words—

"In this section 'untreated' means not treated with an approved preservative treatment".

25 (c) by inserting next after section eight the following new section:—

New  
sec. 8A.

30 8A. In any proceedings against any person for an offence against this Act or the regulations thereunder a document purporting to be a certificate under the hand of—

Facilitation  
of proof.

(a) the Secretary to the Forestry Commission of New South Wales, or the person for the time being acting as such, that—

35 (i) a brand used for branding timber was or was not on any date or during any period specified in the certificate registered under this Act; or

(ii)

*Timber Marketing (Amendment) (No. 2).*

- 5 (ii) a preservative treatment of timber was or was not on any date or during any period specified in the certificate an approved preservative treatment; or
- 10 (b) the Director of the Standards Association of Australia, or the person for the time being acting as such, that in respect of a certain species of timber a certain specification as to moisture content was, or no such specification had been, issued by the Standards Association of Australia and was or
- 15 was not, as the case may be, in force at a certain time,
- shall be prima facie evidence of the facts stated in such certificate.
- 20 (d) by omitting subsection two of section nine and by inserting in lieu thereof the following subsection:—
- 25 (2) Any such proceedings for an offence against section three, four, five or eight of this Act or any regulations under such sections may be instituted within eighteen months from the time when the offence has been committed.
- (e) (i) by omitting from subsection two of section ten the words “not indigenous to Australia”;
- 30 (ii) by inserting in the same subsection after the word “lyctus” the words “or by deleting therefrom any species of timber.”

Sec. 9.  
(Recovery of penalties, etc.)

Sec. 10.  
(Regulations.)



New South Wales.



ANNO PRIMO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No. 58, 1952.**

An Act to make further provision for the control of the sale and use of certain timbers; for this purpose to amend the Timber Marketing Act, 1945; and for purposes connected therewith. [Assented to, 4th December, 1952.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Timber Marketing (Amendment) Act, 1952."

Short title and citation.

---

*Timber Marketing (Amendment).*

---

(2) The Timber Marketing Act, 1945, as amended by this Act, may be cited as the Timber Marketing Act, 1945-1952.

Amendment  
of Act No.  
7, 1946.

**Sec. 4.**  
(Restrictions on  
use of  
timber.)

**2.** The Timber Marketing Act, 1945, is amended—

- (a) (i) by omitting from section four the words “for sale” wherever occurring;
- (ii) by omitting from paragraph (a) of the same section the word “will” and by inserting in lieu thereof the word “would”;
- (iii) by inserting in the same paragraph before the word “sapwood” the words “lyctus susceptible”;
- (iv) by inserting in paragraph (b) of the same section before the word “sapwood” where secondly occurring the words “lyctus susceptible”;
- (v) by inserting at the end of the same section the following new subsection:—

(2) This section shall not apply to the use of any timber, the use of which but for the provisions of this subsection would constitute an offence against subsection one of this section, where—

- (a) such use has been agreed to in writing by the person, to whom the article manufactured from such timber is to be sold or supplied, or for whom such building is being erected; or
- (b) the article manufactured from such timber is for the use of the person manufacturing the same; or
- (c) the building in which such timber has been used is to be occupied by the person erecting the same.

(b)

---

*Timber Marketing (Amendment).*


---

- (b) (i) by omitting from section five the word "will" and by inserting in lieu thereof the word "would";
- (ii) by omitting from the same section the words—
- Sec. 5.  
(Statement  
as to  
untreated  
lyctus  
susceptible  
sapwood.)

“Provided that this section shall not apply to any article manufactured or building erected—

- (a) before the commencement of this Act, or
- (b) after the commencement of this Act if a period of eighteen months has elapsed since the manufacture of such article or the erection of such building, as the case may be.

Where the date of manufacture of any such article is not known, such date shall be the date on which such article came into the possession of the first known person having or having had the custody of such article” and by inserting in lieu thereof the words—

“In this section ‘untreated’ means not treated with an approved preservative treatment”.

- (c) by inserting next after section eight the following new section:—
- New  
sec. 8A.

8A. In any proceedings against any person for an offence against this Act or the regulations thereunder a document purporting to be a certificate under the hand of—

Facilitation  
of proof.

- (a) the Secretary to the Forestry Commission of New South Wales, or the person for the time being acting as such, that—
- (i) a brand used for branding timber was or was not on any date or during any period specified in the certificate registered under this Act; or
- (ii)

---

*Timber Marketing (Amendment).*

---

(ii) a preservative treatment of timber was or was not on any date or during any period specified in the certificate an approved preservative treatment; or

(b) the Director of the Standards Association of Australia, or the person for the time being acting as such, that in respect of a certain species of timber a certain specification as to moisture content was, or no such specification had been, issued by the Standards Association of Australia and was or was not, as the case may be, in force at a certain time,

shall be prima facie evidence of the facts stated in such certificate.

Sec. 9.  
(Recovery  
of penal-  
ties, etc.)

(d) by omitting subsection two of section nine and by inserting in lieu thereof the following subsection:—

(2) Any such proceedings for an offence against section three, four, five or eight of this Act or any regulations under such sections may be instituted within eighteen months from the time when the offence has been committed.

Sec. 10.  
(Regula-  
tions.)

(e) (i) by omitting from subsection two of section ten the words “not indigenous to Australia”;

(ii) by inserting in the same subsection after the word “lyctus” the words “or by deleting therefrom any species of timber.”

---

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1952.

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

H. ROBBINS,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 20 November, 1952.*

## New South Wales.



ANNO PRIMO

# ELIZABETHÆ II REGINÆ

\*\*\*\*\*

### Act No. 58, 1952.

An Act to make further provision for the control of the sale and use of certain timbers; for this purpose to amend the Timber Marketing Act, 1945; and for purposes connected therewith. [Assented to, 4th December, 1952.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Timber Marketing (Amendment) Act, 1952."

Short title  
and  
citation.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

L. J. TULLY,  
*Acting Chairman of Committees of the Legislative Assembly.*

---

*Timber Marketing (Amendment).*

---

(2) The Timber Marketing Act, 1945, as amended by this Act, may be cited as the Timber Marketing Act, 1945-1952.

Amendment  
of Act No.  
7, 1946.

Sec. 4.  
(Restrictions on  
use of  
timber.)

2. The Timber Marketing Act, 1945, is amended—

- (a) (i) by omitting from section four the words “for sale” wherever occurring;
- (ii) by omitting from paragraph (a) of the same section the word “will” and by inserting in lieu thereof the word “would”;
- (iii) by inserting in the same paragraph before the word “sapwood” the words “lyctus susceptible”;
- (iv) by inserting in paragraph (b) of the same section before the word “sapwood” where secondly occurring the words “lyctus susceptible”;
- (v) by inserting at the end of the same section the following new subsection:—

(2) This section shall not apply to the use of any timber, the use of which but for the provisions of this subsection would constitute an offence against subsection one of this section, where—

- (a) such use has been agreed to in writing by the person, to whom the article manufactured from such timber is to be sold or supplied, or for whom such building is being erected; or
- (b) the article manufactured from such timber is for the use of the person manufacturing the same; or
- (c) the building in which such timber has been used is to be occupied by the person erecting the same.

(b)

---

*Timber Marketing (Amendment).*

---

- (b) (i) by omitting from section five the word "will" and by inserting in lieu thereof the word "would";
- (ii) by omitting from the same section the words—

Sec. 5.  
(Statement  
as to  
untreated  
lyctus  
susceptibl.  
sapwood.)

"Provided that this section shall not apply to any article manufactured or building erected—

- (a) before the commencement of this Act, or
- (b) after the commencement of this Act if a period of eighteen months has elapsed since the manufacture of such article or the erection of such building, as the case may be.

Where the date of manufacture of any such article is not known, such date shall be the date on which such article came into the possession of the first known person having or having had the custody of such article" and by inserting in lieu thereof the words—

"In this section 'untreated' means not treated with an approved preservative treatment".

- (c) by inserting next after section eight the following new section:—

New  
sec. 8A.

8A. In any proceedings against any person for an offence against this Act or the regulations thereunder a document purporting to be a certificate under the hand of—

Facilitation  
of proof.

- (a) the Secretary to the Forestry Commission of New South Wales, or the person for the time being acting as such, that—
- (i) a brand used for branding timber was or was not on any date or during any period specified in the certificate registered under this Act; or
- (ii)

Act No. 58, 1952.

---

*Timber Marketing (Amendment).*

---

(ii) a preservative treatment of timber was or was not on any date or during any period specified in the certificate an approved preservative treatment; or

(b) the Director of the Standards Association of Australia, or the person for the time being acting as such, that in respect of a certain species of timber a certain specification as to moisture content was, or no such specification had been, issued by the Standards Association of Australia and was or was not, as the case may be, in force at a certain time,

shall be prima facie evidence of the facts stated in such certificate.

Sec. 9.  
(Recovery  
of penalties,  
etc.)

(d) by omitting subsection two of section nine and by inserting in lieu thereof the following subsection:—

(2) Any such proceedings for an offence against section three, four, five or eight of this Act or any regulations under such sections may be instituted within eighteen months from the time when the offence has been committed.

Sec. 10.  
(Regulations.)

(e) (i) by omitting from subsection two of section ten the words "not indigenous to Australia";

(ii) by inserting in the same subsection after the word "lyctus" the words "or by deleting therefrom any species of timber."

*In the name and on behalf of Her Majesty I assent to this Act.*

J. NORTHCOTT,  
*Governor.*

*Government House,  
Sydney, 4th December, 1952.*