



ANNO VICESIMO PRIMO

GEORGII V REGIS.

A.D. 1930.

No. 1956.

An Act to fix the maximum amount of Sandalwood which may be taken from land within the State, and for purposes incidental thereto.

[Assented to, October 17th, 1930.]

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

1. This Act may be cited as the "Sandalwood Act, 1930," and is incorporated with the Crown Lands Act, 1929. Short title and incorporation.

2. In this Act, unless the context otherwise requires— Interpretation.

"private lands" means lands—

(a) lawfully granted or contracted to be granted in fee simple by or on behalf of the Crown :

(b) subject to any perpetual lease, selector's lease, or lease with right of purchase.

"Sandalwood" means the wood of any of the following trees, namely:—*Fusanus Spicatus* (*Santalum Spicatum*), *Fusanus Persicarius* (*Santalum Persicarium*), and *Santalum Lanceolatum* :

"Crown lands" means lands which are not private lands :

"licence" means licence granted under this Act and for the time being in force.

Sandalwood Act.—1930.

Crown Lands Act
not to apply to
sandalwood.

3. Upon the commencement of this Act, Part XIV. of the Crown Lands Act, 1929, shall cease to apply to licences relating to sandalwood.

Power to restrict
the quantity.

4. The Governor may from time to time by proclamation fix the maximum amount of sandalwood which may be cut, pulled, or removed from any land whatever within the State during the period mentioned in the proclamation.

Licences.

5. (1) No person shall cut, pull, or remove sandalwood from any land whatever within the State—

(a) unless he has first obtained from the Commissioner, or from some person authorised by the Commissioner to grant licences, a licence authorising him to do so, and has paid the prescribed fee for such a licence; and

(b) except from the area specified in the licence, and in accordance with all the terms and conditions thereof.

Penalty: A fine of not less than Five Pounds nor more than One Hundred Pounds, or imprisonment for any term not exceeding six months.

(2) A licence granted under this section shall authorise the person to whom it is granted, to cut, pull, and remove sandalwood personally in accordance with the terms of the licence, but except as provided in subsection (2) of section 6 shall not authorise him to do so by his servants or agents.

(3) If any person is convicted of an offence against this section, and was at the time when the contravention of this section occurred, employed by some other person to cut, pull, or remove sandalwood, the employer shall also be guilty of an offence, and liable to the penalty fixed by subsection (1).

(4) Any sandalwood cut, pulled or removed in contravention of this section shall be the property of the Crown.

Royalties and
other terms of
licences.

6. (1) Any licence authorising a person to cut, pull, or remove sandalwood from any Crown lands shall provide for payment to the Commissioner of a royalty of such amount as is fixed by the licence.

(2) Any licence authorising a person to cut, pull, or remove sandalwood from private lands shall, where such person is not the owner or lessee of those lands, provide for payment to the owner or lessee of those lands or the assignee of the owner or lessee of a royalty of such amount as is fixed by the licence. The owner or lessee of private land shall have first preference to a licence to cut, pull, or remove sandalwood from his land, and such a licence may authorise him to do so, either by himself or by his servants or agents, and no licence shall be issued authorising any person to cut, pull, or remove sandalwood from private lands unless the consent, in writing, of the owner or lessee of those lands has first been lodged with the Commissioner.

(3) Any

Sandalwood Act.—1930.

(3) Any licence shall remain in force for the period fixed by the Commissioner, and may contain any other terms determined by the Commissioner, and may provide that upon failure to pay the royalty thereby fixed, or on breach of any other term, the licence may be cancelled by the Commissioner as an administrative act.

7. (1) Licences shall not be granted authorising the cutting, pulling, or removal of sandalwood from private lands in any quantity exceeding in the aggregate ten per centum of the total quantity for the State as fixed by proclamation for the time being in force under section 4. Provisions affecting licences to take wood from private lands.

(2) Licences in respect of private lands shall be granted in the order of priority of application, but the quantity of sandalwood to be cut, pulled, or removed under any such licence shall be determined by the Minister.

8. (1) No person shall purchase for the purpose of re-sale or for the purpose of export, and no person shall export, to any place beyond Australia any sandalwood unless he has been registered by the Commissioner as a sandalwood dealer. Licensing of dealers.

Penalty—A fine of not more than One Hundred Pounds.

(2) The Commissioner may impose any conditions of registration which he thinks fit, including (but without limiting the generality of this subsection) conditions fixing the maximum amount of sandalwood which the person registered may export overseas, and upon breach of any condition may as an administrative act cancel any registration.

(3) Registration of a sandalwood dealer shall remain in force for the period fixed by the Commissioner.

9. The Commissioner may refuse any application for a licence or registration and his decision shall be final. Power to refuse application.

10. The Governor may make regulations prescribing the mode of applying for and obtaining licences, the mode of applying for and obtaining registration as a sandalwood dealer, the fees to be paid for a licence or registration as a sandalwood dealer, and all other matters necessary or convenient to be prescribed for giving effect to this Act. Regulations.

11. This Act shall continue in operation until the thirtieth day of June, nineteen hundred and thirty-four, but no longer. Duration of Act.

12. Offences against this Act shall be dealt with summarily. Summary proceedings for offences.

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

A. HORE-RUTHVEN, Governor.