



FORESTRY

No. 42 of 1974

ANALYSIS

1. Short title and citation.
2. Evidentiary provision.



AN ACT to amend the Forestry Act 1920.

[14 October 1974]

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—**(1) This Act may be cited as the *Forestry Act 1974*.
- (2) The *Forestry Act 1920*, as subsequently amended, is in this Act referred to as the *Principal Act*.

Short title and citation.

2 After section 48 of the Principal Act the following section is inserted:—

Evidentiary
provision.

“ 49—(1) In any proceedings for an offence against this Act, an averment in a complaint that any place specified therein is within a State forest, timber reserve, or other Crown land shall be deemed to be proved in the absence of proof to the contrary.

“(2) If a defendant in proceedings for an offence against this Act produces proof to the satisfaction of the magistrate before whom the proceedings are heard that a place specified in the relevant complaint is not within a State forest, timber reserve, or other Crown land, the defendant is entitled to the costs incurred by him in supplying that proof.

“(3) This section shall expire on 31st August 1975.”.