



New South Wales

Timber Marketing Regulation 2000

under the

Timber Marketing Act 1977

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Timber Marketing Act 1977*.

KIM YEADON, M.P.,

Minister for Forestry

Explanatory note

This Regulation replaces, without any changes in substance, the *Timber Marketing Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.

The new Regulation makes provision with respect to the following matters:

- (a) tests relating to lyctid susceptible sapwood (clause 4 and Schedule 1),
- (b) classes of articles that may be sold despite containing lyctid susceptible sapwood (clause 5),
- (c) a form of warning for the purposes of section 6 of the *Timber Marketing Act 1977*, which prohibits the sale of framing timber containing more than a certain percentage of lyctid susceptible sapwood (clause 6),
- (d) classes of treated timber that need not be individually branded (clause 7),
- (e) standards as to the moisture content of certain timber (clause 8 and Schedule 2),
- (f) classes of timber for the purposes of section 12A of the Act, which prohibits certain timber from being sold unless it complies with the prescribed moisture content standards or is described as “unseasoned” (clause 9 and Schedule 2),
- (g) articles and classes of articles for the purposes of sections 13 and 13A of the Act, which prohibit the use of certain classes of timber in the manufacture of furniture and prescribed articles and classes of articles (clause 10),

2000 No 546

Timber Marketing Regulation 2000

Explanatory note

- (h) standards for the moisture content of timber that is permitted to be used in the manufacture of portable ladders, stepladders, trestles and other articles (clause 11),
- (i) the manner for determining the moisture content of certain timber (clause 12),
- (j) classes of treated timber that need not be individually branded (clause 13),
- (k) requiring the Forestry Commission to keep records of approvals of preservative treatment and brands registered in respect of those approvals (clause 14),
- (l) administrative requirements relating to approvals of preservative treatments and the registration of brands relating to those approvals (clauses 15–18),
- (m) various forms and other matters of an administrative or machinery nature (Part 5 and Schedule 3).

The Regulation is made under the *Timber Marketing Act 1977*, including section 34 (the general regulation-making power) and sections 4, 6, 12, 12A, 13, 13A and 14.

The Regulation refers to various Australian Standards for the purpose of prescribing standards for the moisture content of timber and the manner of determining that content (clauses 8, 11 and 12 and Schedule 2).

Contents

| | Page |
|---|------|
| Part 1 Preliminary | |
| 1 Name of Regulation | 5 |
| 2 Commencement | 5 |
| 3 Definitions | 5 |
| Part 2 Lyctid susceptible sapwood | |
| 4 Prescribed test and result and prescribed list of species | 7 |
| 5 Prescribed classes of articles that may be sold having lyctid susceptible sapwood | 7 |
| 6 Form of warning to be given for purposes of section 6 (2) of Act | 8 |
| 7 Prescribed classes of treated timber that need not be individually branded | 9 |
| Part 3 Moisture content of timber | |
| 8 Prescribed standards for moisture content of timber and for determining that content | 10 |
| 9 Prescribed classes of timber to be dried or seasoned or described as unseasoned | 10 |
| 10 Prescribed articles and classes of articles for the purposes of sections 13 (1) and 13A (1) of Act | 11 |
| 11 Prescribed standard for timber used in manufacture and sale of prescribed articles | 11 |
| 12 Prescribed manner for determining moisture content of certain timber | 12 |
| Part 4 Preservative treatment of timber | |
| 13 Prescribed classes of treated timber that need not be individually branded | 14 |
| 14 Commission to keep records of approvals and registered brands | 14 |
| 15 Application for approval of preservative treatment and registration of brand | 14 |

2000 No 546

Timber Marketing Regulation 2000

Contents

| | | |
|------------------|---|----|
| 16 | Application for renewal of approval of preservative treatment and registration of brand | 15 |
| 17 | Application for variation of approval of preservative treatment and registration of brand | 15 |
| 18 | Application for transfer of approval of preservative treatment and registration of brand | 15 |
| | | |
| Part 5 | Miscellaneous | |
| 19 | Forms for purposes of Act | 16 |
| 20 | Form of certificate of authority | 16 |
| 21 | Form of prescribed "not for sale" notice | 17 |
| 22 | Offence to fail to notify change of address | 17 |
| 23 | Offence to give false or misleading information | 17 |
| 24 | Savings provision | 18 |
| | | |
| Schedules | | |
| 1 | Prescribed species of trees | 19 |
| 2 | Prescribed standards for moisture content of timber | 23 |
| 3 | Forms | 28 |

Timber Marketing Regulation 2000

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Timber Marketing Regulation 2000*.

2 Commencement

This Regulation commences on 1 September 2000.

Note. This Regulation replaces the *Timber Marketing Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

approval means an approval given under section 20 (1) (a) of the Act.

Australian Standard means a standard issued by Standards Australia.

the Act means the *Timber Marketing Act 1977*.

(2) A reference in any provision of this Regulation to the abbreviation “AS” or “AS/NZS” followed by a group of numerals or letters, or numerals and letters, is a reference to:

(a) the Australian Standard indicated by that group, and

(b) all additions and amendments (if any) to that Australian Standard issued before the date on which that provision takes effect.

(3) When a standard, or a clause of a standard, specified in clause 11 or Column 3 of Schedule 2 is applied by this Regulation, a reference in the standard or clause to a time or date at which compliance with the specification as to moisture content is recommended or required is to be disregarded.

2000 No 546

Clause 3 Timber Marketing Regulation 2000

Part 1 Preliminary

- (4) The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

Notes.

References in this Regulation to the Commission are references to the Forestry Commission of New South Wales.

Section 20 of the Act deals with the determination of an application for approval of a preservative treatment and the registration of a brand to be used in branding timber that is treated by using that kind of treatment.

Part 2 Lyctid susceptible sapwood

4 Prescribed test and result and prescribed list of species

- (1) For the purposes of paragraph (b) of the definition of *lyctid susceptible sapwood* in section 4 (1) of the Act, the following test is a prescribed test:

Step 1

Preparation of reagent:

Dissolve 14 grams of potassium iodide in 20 to 30 millilitres of distilled water. Into this solution dissolve 7 grams of iodine crystals. Make up to 1 litre with distilled water.

Step 2

Application:

Apply the freshly prepared solution evenly over the surface to be tested. Ensure that the solution does not come into contact with any metal before the test is started.

- (2) For the purposes of paragraph (b) of the definition of *lyctid susceptible sapwood* in section 4 (1) of the Act, the following result is prescribed for the test referred to in subclause (1):

The appearance of blue or blue-black granules immediately after the application of the solution.

- (3) For the purposes of paragraph (d) of the definition of *lyctid susceptible sapwood* in section 4 (1) of the Act, the species of trees listed in Schedule 1 are prescribed species.

5 Prescribed classes of articles that may be sold having lyctid susceptible sapwood

For the purposes of the definition of *article* in section 4 (1) of the Act, the following are prescribed as classes of articles:

- (a) articles intended or designed to be used permanently in fixed contact with the ground or articles intended or designed to be permanently exposed to weathering, excluding:
- (i) furniture, and
 - (ii) ladders, and

2000 No 546

Clause 5 Timber Marketing Regulation 2000

Part 2 Lyctid susceptible sapwood

- (iii) articles intended or designed to be used for the purpose of building construction, such as scaffold planks, scaffolding and similar articles,
- (b) articles intended or designed to be used in the preparation of food or in direct contact with prepared food, such as bread boards and butcher's blocks,
- (c) articles intended or designed to be destroyed through use or discarded or abandoned after use, such as matches, toothpicks and packing cases.

Note. Section 9 of the Act prohibits the sale of articles containing lyctid susceptible sapwood. Section 4 of the Act (Definitions) defines **article** as a manufactured article made wholly or partly of timber. Excluded from the definition are articles, or articles of a class or description, prescribed by regulations made under the Act. This clause prescribes classes of articles that are excluded from the definition.

6 Form of warning to be given for purposes of section 6 (2) of Act

- (1) For the purposes of section 6 (2) of the Act, the prescribed warning is as follows:

Warning as to lyctid susceptibility

(Section 6 (2) of the Timber Marketing Act 1977)

This framing timber may have lyctid susceptible sapwood comprising more than 25 per cent of the perimeter of any cross section or more than 50 per cent of any face or edge at any cross section. If attacked by lyctids, it may become so weakened as no longer to possess the normal strength properties of the timber.

- (2) For the purposes of section 6 (2) of the Act, the prescribed manner of giving the prescribed warning is:
 - (a) in the case of the timber sold in the presence of the purchaser or the purchaser's agent by handing to the purchaser or the agent, at or before the time of sale, an invoice, a sales docket or some other document on which is legibly written the prescribed warning, with the first 5 words being in letters not less than 5 millimetres high and the remaining words being in letters not less than 2 millimetres high, or

-
- (b) in the case of timber sold in the presence of the purchaser or the purchaser's agent and described in an advertisement, or a notice, that is attached to the timber or conspicuously displayed adjacent to the timber—by including the prescribed warning in a prominent place in the advertisement or notice, or
 - (c) in the case of timber sold otherwise than in the presence of the purchaser or the purchaser's agent:
 - (i) by handing to the purchaser or the agent at the time of delivery of the timber, or
 - (ii) by forwarding to the purchaser before the time of delivery and in such a way as should, in the normal course of events, result in the purchaser receiving the instrument at or before the time of delivery,

a document on which the prescribed warning is legibly written.

Note. Section 6 of the Act prohibits the sale of framing timber containing more than a certain percentage of lyctid susceptible sapwood.

7 Prescribed classes of treated timber that need not be individually branded

For the purposes of section 8 (2) of the Act, the following are prescribed classes of timber:

- (a) fence palings, fence battens and fence droppers,
- (b) veneers,
- (c) timber less than 1,500 square millimetres in cross section area (except light decking),
- (d) timber less than 15 millimetres in thickness (except light decking),
- (e) timber less than 500 millimetres in length.

Note. Section 8 of the Act prohibits the sale of certain timber unless it is free of susceptible sapwood.

2000 No 546

Clause 8 Timber Marketing Regulation 2000

Part 3 Moisture content of timber

Part 3 Moisture content of timber

8 Prescribed standards for moisture content of timber and for determining that content

If the timber referred to in a provision of the Act specified in Column 2 of Schedule 2 is of a class specified opposite that provision in Column 1 of that Schedule, then, for the purposes of that provision:

- (a) the prescribed standard for the moisture content of that timber is that set out in the clause of an Australian Standard specified in Column 3 of that Schedule opposite the reference to that class of timber, and
- (b) the prescribed manner for determining that moisture content is that set out in that clause.

Notes.

The provisions of the Act to which this clause relates are section 12 (d) (i), 12A (b) (i) and 14 (1).

Section 12 of the Act prohibits the sale of timber described as kiln dried, air dried, dry or seasoned, unless the timber complies with specified standards relating to moisture content.

Section 12A of the Act prohibits the sale of a prescribed class or description of timber, unless the timber complies with specified standards relating to moisture content.

Section 14 of the Act prohibits the use of timber in the erection of a building if the timber does not comply with the prescribed standard as to moisture content.

9 Prescribed classes of timber to be dried or seasoned or described as unseasoned

For the purposes of section 12A of the Act, the following are prescribed classes of timber:

- (a) all timber of a class specified in Column 1 of Schedule 2,
- (b) lining boards,
- (c) cladding,
- (d) flooring timber,
- (e) moulding timbers,
- (f) joinery timbers,
- (g) timber used in the manufacture of indoor furniture,

- (h) fascia boards,
- (i) barge boards,
- (j) light decking.

Note. Section 12A of the Act prohibits the sale of a prescribed class or description of timber, unless the timber complies with specified standards relating to moisture content.

10 Prescribed articles and classes of articles for the purposes of sections 13 (1) and 13A (1) of Act

- (1) For the purposes of sections 13 (1) and 13A (1) of the Act, the following articles are prescribed:
 - (a) portable ladders, stepladders and trestles,
 - (b) scaffold planks,
 - (c) frames and sashes for windows,
 - (d) timber doors and their hanging frames,
 - (e) handles for tools,
 - (f) base blocks for the mounting of electrical accessories.
- (2) For the purposes of sections 13 (1) and 13A (1) of the Act, the following classes of articles are prescribed:
 - (a) gymnasium equipment,
 - (b) marine craft.

Notes.

Section 13 of the Act prohibits the use of timber in the manufacture of furniture and articles of a prescribed class if the timber does not comply with the prescribed standard as to moisture content.

Section 13A of the Act prohibits the sale of furniture and certain other classes of articles if the moisture content of the timber used in the manufacture of the furniture or those articles does not comply with the required standard.

11 Prescribed standard for timber used in manufacture and sale of prescribed articles

For the purposes of sections 13 (1) (a) and 13A (1) (b) (i) of the Act, the prescribed standard for the moisture content of timber or a class of timber is as follows:

- (a) in the case of timber used in the manufacture of portable ladders, stepladders and trestles—the moisture content specified in AS 1688–1974,

2000 No 546

Clause 11 Timber Marketing Regulation 2000

Part 3 Moisture content of timber

- (b) in the case of timber used in the manufacture of scaffold planks—the moisture content specified in AS 1577–1974 or AS 1578–1974, as the case requires,
- (c) in the case of timber used in the manufacture of frames and sashes for windows—the moisture content specified in AS 1540–1974,
- (d) in the case of timber used in the manufacture of timber doors—the moisture content specified in AS 2688–1984,
- (e) in the case of timber used in the manufacture of timber doors and their hanging frames—the moisture content specified in AS 2689–1984,
- (f) in the case of timber used in the manufacture of handles for tools—the moisture content specified in AS 1729–1975,
- (g) in the case of timber used in the manufacture of gymnasium equipment—the moisture content specified in AS Z12–1962,
- (h) in the case of timber used in the manufacture of marine craft—the moisture content specified in AS 1738–1975 or AS 2272–1979, as the case requires.

Notes.

Section 13 of the Act prohibits the use of timber in the manufacture of furniture and articles of a prescribed class if the timber does not comply with the prescribed standard as to moisture content.

Section 13A of the Act prohibits the sale of furniture and certain other classes of articles if the moisture content of the timber used in the manufacture of the furniture or those articles does not comply with the required standard.

12 Prescribed manner for determining moisture content of certain timber

For the purposes of sections 12 (c), 12 (d) (ii), 12A (a), 12A (b) (ii), 13 (1) (b), 13A (1) (a) and 13A (b) (ii) of the Act, the prescribed manner for determining the moisture content of timber referred to in those provisions is as follows:

- (a) in the case of veneer, plywood or blockboard—the oven-drying method for determining moisture content specified in AS 2098.1–1977,
- (b) in the case of particle board—the method for determining moisture content specified in AS 1859–1980,

- (c) in all other cases—the oven-drying method for determining moisture content specified in AS 1080 Part I–1972.

Notes.

Section 12 of the Act prohibits the sale of timber described as kiln dried, air dried, dry or seasoned, unless the timber complies with specified standards relating to moisture content.

Section 12A of the Act prohibits the sale of a prescribed class or description of timber, unless the timber complies with specified standards relating to moisture content.

Section 13 of the Act prohibits the use of timber in the manufacture of furniture and other classes of articles if the timber does not comply with the prescribed standard as to moisture content.

Section 13A of the Act prohibits the sale of furniture and certain other classes of articles if the moisture content of the timber used in the manufacture of the furniture or those articles does not comply with the required standard.

2000 No 546

Clause 13 Timber Marketing Regulation 2000

Part 4 Preservative treatment of timber

Part 4 Preservative treatment of timber

13 Prescribed classes of treated timber that need not be individually branded

For the purposes of sections 16 (2) and 17 (2) of the Act, the following are prescribed classes of timber:

- (a) fence palings, fence battens and fence droppers,
- (b) veneers,
- (c) timber less than 1,500 square millimetres in cross section area (except light decking),
- (d) timber less than 15 millimetres in thickness (except light decking),
- (e) timber less than 500 millimetres in length.

Notes.

Section 16 of the Act prohibits the sale of timber described as being "preservative treated" unless the timber has been treated by a means of preservative treatment approved by the Commission and is branded with the appropriate registered brand.

Section 17 of the Act prohibits a person who owns or controls a preservative treatment plant from allowing certain timber to leave the plant unless the timber is treated by means of a preservative treatment approved by the Commission and is branded with the appropriate registered brand.

14 Commission to keep records of approvals and registered brands

- (1) The Commission must keep records of all approvals of preservative treatments and all brands registered in respect of those approvals.
- (2) Any person who wishes to do so may inspect the records of registered brands at the office of the Commission at Pennant Hills, New South Wales, whenever the office is open to the public.

15 Application for approval of preservative treatment and registration of brand

- (1) For the purposes of section 18 (2) of the Act, the prescribed form is Form 1.
- (2) An application under section 18 (1) of the Act must be accompanied by a fee of \$150 for each approval sought.

Note. Section 18 of the Act provides for applications for approval of preservative treatments and for the registration of brands.

16 Application for renewal of approval of preservative treatment and registration of brand

- (1) For the purposes of section 23 (2) of the Act, the prescribed form is Form 2.
- (2) An application under section 23 (1) of the Act must be accompanied by a fee of \$150 for each approval sought to be renewed.

Note. Section 23 of the Act provides for the renewal of approvals for preservative treatments and of the registration of brands.

17 Application for variation of approval of preservative treatment and registration of brand

- (1) For the purposes of section 24 (2) of the Act, the prescribed form is Form 3.
- (2) An application under section 24 (1) of the Act must be accompanied by a fee of \$75 for each approval sought to be varied.

Note. Section 24 of the Act provides for the variation of approvals for preservative treatments and the registration of brands.

18 Application for transfer of approval of preservative treatment and registration of brand

- (1) For the purposes of section 25 (3) of the Act, the prescribed form is Form 4.
- (2) An application under section 25 (2) of the Act must be accompanied by a fee of \$75 for each consent to the transfer of an approval.

Note. Section 25 of the Act provides for the transfer of approvals for preservative treatments and the registration of brands with the consent of the Commission.

2000 No 546

Clause 19 Timber Marketing Regulation 2000

Part 5 Miscellaneous

Part 5 Miscellaneous

19 Forms for purposes of Act

- (1) In this Regulation, a reference to a Form is a reference to a form set out in Schedule 3.
- (2) A form of application for approval or consent containing any directions for its completion must be completed in accordance with those directions.
- (3) In addition to any particulars required by a form of application for approval or consent to be provided on the form, the Commission may require a person to provide it with such further particulars with respect to the application as it considers necessary to determine whether the approval or consent should be given.
- (4) The Commission may reject an application for an approval or consent if the applicant fails:
 - (a) to complete the application form, or
 - (b) to comply with subclause (2) when completing that form, or
 - (c) to provide the Commission with any particulars with respect to the application, within a reasonable period after being requested to do so in accordance with subclause (3), or
 - (d) to pay to the Commission any fee required by this Regulation to accompany the application.

20 Form of certificate of authority

For the purposes of section 27 (1) of the Act, the prescribed form is Form 5.

Note. Section 27 of the Act enables the Commission to authorise persons to carry out inspections and tests for the purposes of the Act and empowers those persons to enter premises where timber is processed or sold or where a preservative treatment is used, timber is branded or used in the manufacture of articles, or timber or articles are held or stored.

21 Form of prescribed “not for sale” notice

- (1) For the purposes of section 32A (2) (a) of the Act, the prescribed form of notice is one which complies with the following requirements:
- (a) the notice must consist of the words “NOT FOR SALE” and those words only,
 - (b) the words “NOT FOR SALE” must be printed in bold faced capital letters not less than 50 millimetres in height and 30 millimetres in width,
 - (c) the notice must not contain any alterations or erasures.
- (2) For the purposes of section 32A (2) (a) of the Act, the prescribed manner is to attach the notice to, or exhibit it near, the timber or articles so that:
- (a) the notice is clearly visible to any person who is standing close to the timber or article, and
 - (b) it is clear as to which timber or article the notice relates.

Note. Section 32A of the Act establishes a rebuttable presumption that, in proceedings for an offence against the Act brought against a person who carries on a business of selling timber or timber articles, timber or a timber article found at a place of business of the person are for sale unless a notice is attached to or exhibited near the timber or article stating that the timber or article is not for sale.

22 Offence to fail to notify change of address

A person to whom an approval has been given or transferred must notify the Commission of any change in the person’s address in New South Wales for the giving of notices under the Act. The notice must be given within 1 month after the change of address.

Maximum penalty: 5 penalty units.

23 Offence to give false or misleading information

A person must not, in or in connection with an application made under this Regulation, give information to the Commission that the person knows, or has reasonable cause to suspect, is false or misleading in a material particular.

Maximum penalty: 5 penalty units.

2000 No 546

Clause 24 Timber Marketing Regulation 2000

Part 5 Miscellaneous

24 Savings provision

Any act, matter or thing that, immediately before the repeal of the *Timber Marketing Regulation 1995*, had effect under that Regulation is taken to have effect under this Regulation.

Schedule 1 Prescribed species of trees

(Clause 4 (3))

Part 1 Indigenous species

| Column 1 | Column 2 |
|--------------------|--|
| Common name | Scientific name |
| alder, rose | <i>Caldcluvia australiensis</i> |
| almond, rose | <i>Owenia venosa</i> |
| ash, mountain | <i>Eucalyptus regnans</i> |
| ash, pink | <i>Alphitonia petriei</i> |
| ash, red | <i>Alphitonia excelsa</i> <i>Alphitonia whitei</i> |
| ash, silvertop | <i>Eucalyptus sieberi</i> |
| backhousia, stony | <i>Backhousia hughesii</i> |
| belah | <i>Casuarina cristata</i> |
| blackbutt | <i>Eucalyptus pilularis</i> |
| box, brush | <i>Lophostemon confertus</i> |
| box, ironwood | <i>Choricarpia subargentea</i> <i>Choricarpia leptopetala</i> |
| box, kanuka | <i>Tristania laurina</i> <i>Tristania exiliflora</i> |
| box, swamp | <i>Tristania suaveolens</i> |
| box, white | <i>Eucalyptus albens</i> |
| box, white-topped | <i>Eucalyptus quadrangulata</i> |
| box, yellow | <i>Eucalyptus melliodora</i> |

2000 No 546

Timber Marketing Regulation 2000

Schedule 1 Prescribed species of trees

| Column 1 | Column 2 |
|-----------------------------|---|
| Common name | Scientific name |
| coachwood | <i>Ceratopetalum apetalum</i> |
| gum, grey | <i>Eucalyptus propinqua</i> <i>Eucalyptus major</i> <i>Eucalyptus punctata</i> |
| gum, scribbly | <i>Eucalyptus racemosa</i> <i>Eucalyptus micrantha</i> <i>Eucalyptus signata</i> |
| hardwood, Johnstone River | <i>Backhousia bancroftii</i> |
| hollywood, yellow | <i>Premna lignum-vitae</i> |
| ironbark, grey | <i>Eucalyptus drepanophylla</i> <i>Eucalyptus paniculata</i> <i>Eucalyptus siderophloia</i> |
| ironbark, gum-topped | <i>Eucalyptus decorticans</i> |
| ironbark, red-broad-leaved | <i>Eucalyptus fibrosa</i> subsp. <i>fibrosa</i> |
| ironbark, red-narrow-leaved | <i>Eucalyptus crebra</i> |
| ironbark, silver-leaved | <i>Eucalyptus melanophloia</i> |
| mahogany, white | <i>Eucalyptus acmenoides</i> <i>Eucalyptus umbra</i> subsp. <i>umbra</i> <i>Eucalyptus umbra</i> subsp. <i>carnea</i> |
| malletwood | <i>Rhodamnia argentea</i> |
| malletwood, brown | <i>Rhodamnia rubescens</i> |
| malletwood, silver | <i>Rhodamnia acuminata</i> |
| mangrove, grey | <i>Avicennia marina</i> var. <i>australasica</i> |
| maple, Queensland | <i>Flindersia brayleyana</i> |
| maple, silkwood | <i>Flindersia pimenteliana</i> |
| maple, scented | <i>Flindersia laevis</i> var. <i>laevis</i> |

| Column 1 | Column 2 |
|------------------------|---|
| Common name | Scientific name |
| messmate, Gympie | <i>Eucalyptus cloeziana</i> |
| myall | <i>Acacia pendula</i> |
| oak, bull | <i>Allocasuarina leuhmannii</i> |
| penda, brown | <i>Xanthostemon chrysanthus</i> |
| penda, red | <i>Xanthostemon whitei</i> |
| penda, southern | <i>Xanthostemon oppositifolius</i> |
| penda, yellow | <i>Tristania pachysperma</i> |
| saffronheart | <i>Halfordia kendack</i> <i>Halfordia scleroxyla</i> |
| sandalbox | <i>Eremophila mitchellii</i> |
| sassafras | <i>Daphnandra dielsii</i> <i>Doryphora sassafras</i> <i>Daphnandra repandula</i> <i>Daphnandra micrantha</i> <i>Doryphora aromatica</i> |
| sassafras grey | <i>Dryadodaphne novoguineensis</i> |
| satina | <i>Syncarpia hillii</i> |
| she-oak, beach | <i>Casuarina equisetifolia</i> <i>Casuarina equisetifolia</i> var. <i>incana</i> |
| she-oak, black | <i>Allocasuarina littoralis</i> |
| she-oak, river | <i>Casuarina cunninghamiana</i> |
| she-oak, rose | <i>Allocasuarina torulosa</i> |
| stringybark, blackdown | <i>Eucalyptus sphaerocarpa</i> |
| stringybark, white | <i>Eucalyptus eugenioides</i> <i>Eucalyptus phaeotricha</i> |
| stringybark, yellow | <i>Eucalyptus muellerana</i> |

2000 No 546

Timber Marketing Regulation 2000

Schedule 1 Prescribed species of trees

| Column 1 | Column 2 |
|--------------------|--------------------------------|
| Common name | Scientific name |
| sycamore, silver | <i>Cryptocarya glaucescens</i> |
| tea-tree, river | <i>Melaleuca bracteata</i> |
| turpentine | <i>Syncarpia glomulifera</i> |
| wattle, ironwood | <i>Acacia excelsa</i> |
| yapunyah, mountain | <i>Eucalyptus thozetiana</i> |
| yarran | <i>Acacia homalophylla</i> |

Part 2 Exotic species

| Column 1 | Column 2 |
|--------------------|-------------------------------|
| Common name | Scientific name |
| beech, silver | <i>Nothofagus menziesii</i> |
| chengal | <i>Balanocarpus</i> spp. |
| dabarima | <i>Planchonia</i> spp. |
| gaboon | <i>Aucoumea klaineana</i> |
| genonggang | <i>Cratoxylon arborescens</i> |
| giam | <i>Hopea</i> spp. |
| kamarere | <i>Eucalyptus deglupta</i> |
| kapur | <i>Dryobalanops</i> spp. |
| malas | <i>Homalium</i> spp. |
| medang | <i>Cinnamomum</i> spp. |
| vitex | <i>Vitex</i> spp. |

Schedule 2 Prescribed standards for moisture content of timber

(Clauses 3 (3), 8, 9)

| Column 1 | Column 2 | Column 3 |
|--|---|----------------------------|
| Class of timber | Provision of the Act for which standard is prescribed | Standard |
| 1 <i>Stress graded sawn, dressed or sized hardwood intended for structural purposes:</i> | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.8 of AS 2082–2000 |
| Sawn, dressed or sized hardwood which is intended for structural purposes and which has been stress graded by visual means | | |
| 2 <i>Stress graded sawn, dressed or sized softwood intended for structural purposes:</i> | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.8 of AS 2858–1986 |
| Sawn, dressed or sized softwood which is intended for structural purposes and which has been stress graded by visual means | | |

2000 No 546

Timber Marketing Regulation 2000

Schedule 2 Prescribed standards for moisture content of timber

| Column 1 | Column 2 | Column 3 |
|---|--|--|
| Class of timber | Provision of the Act for which standard is prescribed | Standard |
| 3 <i>Hardwood milled products:</i> | | |
| Strip flooring, light decking, parquet flooring, lining boards, dressed boards, joinery and mouldings, cladding, fascia and bargeboards, sawn boards for feedstock (dressing), overlay strip flooring | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 2.2 of AS 2796.1–1999 |
| 4 <i>Radiata pine milled products:</i> | | |
| (a) Sawn boards, graded on face or edge appearance, or both, and intended for end-uses where appearance is the prime importance | Sections 12 (d) (i) and 12A (b) (i) Section 14 (1) | (i) Clause 1.6 of AS 1489–1973 (ii) Clause 1.6 of AS 1489–1973, but only in respect of timber intended to be used as “seasoned” |
| (b) Flooring boards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS 1492–1973 |
| (c) Tongued and grooved shelving and square dressed boards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS 1493–1973 |
| (d) Lining boards and panelling boards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS 1494–1973 |
| (e) Preservative-treated cladding | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.8 of AS 1495–1973 |
| (f) Preservative-treated fascia boards and barge boards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS 1496–1973 |

| Column 1 | Column 2 | Column 3 |
|---|--|--|
| Class of timber | Provision of the Act for which standard is prescribed | Standard |
| (g) Joinery timber | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.6 of AS 1497–1973 |
| (h) Mouldings | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.6 of AS 1498–1973 |
| 5 <i>Australian-grown conifers milled products (other than radiata pine and cypress milled products):</i> | | |
| (a) Sawn boards intended for use where appearance is of prime importance | Sections 12 (d) (i) and 12A (b) (i) Section 14 (1) | (i) Clause 1.7 of AS 1781–1975 (ii) Clause 1.7 of AS 1781–1975, but only in respect of timber intended to be used as “seasoned” |
| (b) Flooring boards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.6 of AS 1782–1975 |
| (c) Lining boards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.6 of AS 1783–1975 |
| (d) Preservative-treated cladding | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS 1784–1975 |
| (e) Mouldings of cross-sectional area of less than 50 millimetres x 50 millimetres or equivalent | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.6 of AS 1785–1975 |
| (f) Joinery timber of cross-sectional area of 50 millimetres x 50 millimetres or equivalent and over | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.6 of AS 1786–1975 |

2000 No 546

Timber Marketing Regulation 2000

Schedule 2 Prescribed standards for moisture content of timber

| Column 1 | Column 2 | Column 3 |
|--|--|--------------------------------|
| Class of timber | Provision of the Act for which standard is prescribed | Standard |
| (g) Preservative-treated fascia boards and barge boards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.6 of AS 1787–1975 |
| 6 <i>Cypress milled products:</i> | | |
| Flooring boards, light decking, lining, dressed boards, joinery stock and mouldings, cladding, fascia and bargeboards | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 2.1 of AS 1810–1995 |
| 7 <i>Window frames and sashes:</i> | | |
| Timber used in frames and sashes for windows | Section 14 (1) | Clause 3.2.1.3 of AS 2047–1999 |
| 8 <i>Doors and their hanging frames:</i> | | |
| (a) Timber used in doors | Section 14 (1) | Clause 2.5 of AS 2688–1984 |
| (b) Timber used in the hanging frames for doors | Section 14 (1) | Clause 2.2 of AS 2689–1984 |
| 9 <i>Plywood and blockboard:</i> | | |
| (a) Structural plywood | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS/NZS 2269–1994 |
| (b) Plywood and blockboard intended for non-structural uses where the material is fully protected from the weather or damp conditions, other than blockboard for use in flush doors with blockboard infill | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS/NZS 2270–1999 |

| Column 1 Class of timber | Column 2 Provision of the Act for which standard is prescribed | Column 3 Standard |
|---|---|----------------------------------|
| (c) Plywood and blockboard intended for uses where the material is exposed to the weather or damp conditions, other than blockboard for use in flush doors with blockboard infill | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.7 of AS/NZS 2271-1999 |
| (d) Marine plywood | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 1.8 of AS 2272-1996 |
| 10 <i>Particleboard:</i> | | |
| Particleboard produced by flat pressing or means other than the extrusion process | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 2.3 of AS/NZS 1859.1-1997 |
| 11 <i>Medium density fibreboard:</i> | | |
| Medium density fibreboard produced by mat forming | Sections 12 (d) (i), 12A (b) (i) and 14 (1) | Clause 2.3 of AS/NZS 1859.2-1997 |

Schedule 3 Forms

(Clauses 15–20)

Form 1 Application for approval of a preservative treatment and for registration of a brand

Timber Marketing Act 1977, section 18

The applicant's name is:

The applicant's address is:

.....

..... Post Code:

(If the applicant is a company, insert the address of the company's registered office.)

- 1 I/We apply for approval by the Forestry Commission of New South Wales of a preservative treatment, and for registration by the Commission of a brand to be used to brand timber treated by means of the treatment. Particulars of the treatment are given below.
- 2 Particulars of the proposed preservative treatment:
 - A The objects of the proposed preservative treatment are as follows:
Protecting timber from attack by:

| | |
|-------------------------|--------|
| Wood destroying insects | YES/NO |
| Animals | YES/NO |
| Fungi | YES/NO |
 - B The trade name of the preservative is:
 - C The chemical components of the preservative are:
 - D The amount of preservative to be used in respect of the quantity of timber to be treated is:
 - E The method of treatment is:
 - F The species, form and dimension of the timber to be treated is:

G The timber is intended to be used for:
(State the purposes for which the timber is to be used.)

H The method for determining the concentration of preservative in the timber is:

I The method for determining the concentration of preservative in the treating solution is:

3 Particulars of the proposed brand:

A Proposed form and design of brand are shown full size on the accompanying sheet of paper.

B The proposed method for applying the brand to timber is as follows:
.....

4 The relevant preservation treatment plant is located at:
..... Post Code:
(State the address of the premises where the plant is located.)

5 The premises at which the brand is to be used are located at:
..... Post Code:
(State the address of the relevant premises. If the address is the same as given in answer to question 3, state "as above".)

6 If the applicant does not live in New South Wales or, in the case of a company, if the registered office of the company is not in New South Wales, the address in New South Wales for the giving of notices under the *Timber Marketing Act 1977* is as follows:
..... Post Code:

7 The applicant's telephone number and facsimile numbers are:
..... (telephone number)
..... (facsimile number)

Signature(s) of applicant(s):

Date of application:

2000 No 546

Timber Marketing Regulation 2000

Schedule 3 Forms

Form 2 Application for renewal of approval of a preservative treatment and registration of brand

Timber Marketing Act 1977, section 23

The name of the applicant for renewal is:

The approval numbers given for the relevant preservative treatments are:

The applicant's address is:

..... Post Code:

(If the applicant is a company, insert the address of the company's registered office.)

1 I/We apply for the renewal of the approvals, and for the registration of the brands in respect of the approvals, for a further period of 3 years from the date of expiry of the approvals and registration.

I/We declare that each preservative treatment will be used strictly in accordance with the existing approvals.

2 The form and design of the brand is as shown on the accompanying sheet.

3 The relevant preservative treatment plant is located at:

..... Post Code:

(State the address of the premises where the plant is located.)

4 The brands are to be used at the premises located at:

..... Post Code:

(State the address of the relevant premises. If the address is the same as given in answer to question 3, state "as above".)

5 The applicant's telephone number and facsimile numbers are:

..... (telephone number)

..... (facsimile number)

Signature(s) of applicant(s):

.....

Date of application:

Form 3 Application for variation of approval of a preservative treatment or variation of brand

Timber Marketing Act 1977, section 24

The name of the applicant for variation of approval is:
The approval number given for the relevant preservative treatment is:
The date on which the approval was given is:
The applicant's address is:
..... Post Code:

(If the applicant is a company, insert the address of the company's registered office)

- 1 I/We apply for:
 - A the terms of the approval to be varied as follows:
 (Give an explanation of proposed change and the reasons for it.)
 - B the form and design of the brand registered in respect of that approval to be varied. The reasons for the proposed variation are as follows:

 The form and design of the brand as proposed to be varied is as shown full size on the accompanying sheet of paper.

2 The applicant's telephone number and facsimile numbers are:
..... (telephone number)
..... (facsimile number)

Signature(s) of applicant(s):
.....

Date of application:

2000 No 546

Timber Marketing Regulation 2000

Schedule 3 Forms

Form 4 Application for transfer of approval of preservative treatment and registration of brand

Timber Marketing Act 1977, section 25

Part 1

(This part is to be completed by the proposed transferor.)

The name of the transferor of the approval proposed to be transferred is:

.....

The approval number given for the relevant preservative treatment is:

The date on which the approval was given or last transferred is:

The transferor's address is:

..... Post Code:

(If the proposed transferor is a company, insert the address of the company's registered office.)

1 I/We apply to the Forestry Commission of New South Wales for its consent to the transfer of the approval, and to the registration of the brand registered in respect of the approval, to:

The name of the proposed transferee is:

The address of the proposed transferee is:

..... Post Code:

(If the proposed transferee is a company, insert the address of the company's registered office.)

2 The approval accompanies this application.

3 The reasons for the proposed transfer are as follows:

.....

Signature(s) of applicant(s):

.....

Date of application:

Part 2

(This part is to be completed by the proposed transferee.)

The name of the proposed transferee is:

The address of the proposed transferee is:

..... Post Code:

(If the proposed transferee is a company, insert the address of the company's registered office.)

- 1 I/We agree to accept the proposed transfer.
- 2 I/We have carefully considered the approval and the application dated
. for which that approval was given (or copies of that approval and application), and declare that **except as stated below*, the particulars given in Part 1 are correct for the purposes of the intended use(s) of the preservative treatment and brand by me/us.

.....
(* Delete if inapplicable. If applicable, state the exceptions here. The proposed transferee is also required to complete the following:)

- 3 The relevant preservative treatment is to be used at premises located at: . . .

..... Post Code:

(State the address of the relevant premises.)

- 4 The premises where the relevant brand is to be used are located at:

..... Post Code:

(State the address of the relevant premises. If the address is the same as given in answer to question 3, state "as above".)

- 5 If the proposed transferee does not live in New South Wales or, in the case of a company, the company's registered office is not in New South Wales, the address in New South Wales for the service of notices is as follows:

..... Post Code:

- 6 The proposed transferee's telephone number and facsimile numbers are: . . .

..... (telephone number)

..... (facsimile number)

Signature(s) of witness(es):

.....

2000 No 546

Timber Marketing Regulation 2000

Schedule 3 Forms

Signature(s) of proposed transferee(s):

.....

Date of acceptance of the proposed transfer:

Form 5 Certificate of authority

Timber Marketing Act 1977, section 27

No

Sydney, (date)

This certificate certifies that

(whose photograph is attached) is a person authorised under section 27 (1) of the *Timber Marketing Act 1977* to exercise and perform the powers, authorities, duties and functions under that section and section 27A of that Act.

The seal of the Forestry Commission of New South Wales was affixed to this certificate on the date mentioned above in the presence of:

.....

Secretary

BY AUTHORITY