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Wattle Bark Control Act, 1960

Act 38 of 1960

Legislation as at 1 December 1998

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Wattle Bark Control Act, 1960

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eSwatini

Wattle Bark Control Act, 1960

Act 38 of 1960

Commenced on 12 August 1960

[This is the version of this document at 1 December 1998.]

An Act to control the production, sale, grading and processing of wattle bark.

1. Short title

This Act may be cited as the Wattle Bark Control Act, 1960.

2. Interpretation

In this Act, unless the context otherwise requires—

“**Minister**” means the Minister for Agriculture;

“**plantation**” means a collection of wattle trees;

“**Principal Secretary**” means the Principal Secretary for Agriculture;

“**wattle grower**” means a person growing more than five acres of wattle trees for the production and sale or processing of the bark;

“**wattle trees**” means trees of the species *Acacia Mollissima Willd* (black wattle), *Acacia Decurrens Willd* (green wattle) and *Acacia Pycnantha Benth* (golden wattle).

3. Returns to be furnished by wattle growers (Schedules)

- (1) Every wattle grower shall on or before the thirtieth day of June of each year submit a return to the Principal Secretary in the form set out in the Schedule, duly certified and sworn to, giving the information required therein as it obtained on the thirty-first day of May of that year.
- (2) A separate return shall be submitted for each farm or group of adjoining farms worked as a single wattle producing unit.

4. Prohibition against stripping immature bark

No person shall remove bark from wattle trees for the purpose of selling or processing such bark unless it is derived from trees the bark of which can be distinguished by a grey rather than a green colour.

5. Prohibition against stripping young trees

No person shall strip wattle trees less than eight years old for the sale or processing of bark without the prior written permission of the Principal Secretary.

6. Appointment of inspectors

The Principal Secretary may designate inspectors, either temporarily or permanently, to visit and inspect the plantations of any wattle growers and to make reports to him upon any inspections.

7. Production by inspector of certificate of appointment

Every inspector shall be furnished with a certificate of his appointment, and on applying for admission to the plantation of any wattle grower or any premises thereon for the purposes of this Act shall, if so required, produce the certificate to the wattle grower.

8. Powers of inspector

Any inspector may for the purposes of the execution of this Act—

- (a) at all reasonable times enter any plantation or any premises thereon other than a private dwelling;
- (b) make such examination and inquiry as may be necessary for ascertaining whether this Act has been or is being complied with and if, on such examination and inquiry, he has reasonable cause to believe that any bark has been obtained contrary to this Act, he may seize, carry away and detain such bark or any portion thereof for the purpose of producing the same as an exhibit in any court;
- (c) exercise such other powers as may be necessary for carrying this Act into effect.

9. Penalty for obstructing inspector

Any person who wilfully delays or obstructs an inspector in the exercise of any powers under this Act, or refuses to allow any bark to be taken in accordance with this Act, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty emalengeni or to imprisonment for a term not exceeding three months.

10. Offences and penalties

Any person who contravenes [section 3](#) shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred emalengeni or to imprisonment for a term not exceeding six months, and any person who contravenes [sections 4](#) or [5](#) shall be guilty of an offence and liable on conviction to a fine not exceeding fifty emalengeni or to imprisonment for a term not exceeding three months.

11. Regulations

The Minister may by notice in the *Gazette* make regulations controlling the—

- (a) grading of wattle bark;
- (b) processing of wattle bark;
- (c) marking or labelling of wattle bark;
- (d) type and quantity of wattle bark that may be sold by each wattle grower per annum;
- (e) marketing of wattle bark, including the quantities and types of bark to be marketed by each wattle grower per annum; and
- (f) surveying of plantations.

Schedule (Section 3)

Particulars in regard to wattle plantation

To: The Principal Secretary for Agriculture,
P.O. Box 162,

Mbabane, Swaziland.

(Unless this form is completed fully and accurately and submitted annually before 30th June, no quota allocation can be issued.)

Date _____

1. (a) Surname of grower _____

Race _____

(b) Christian names (in full _____

(IN BLOCK LETTERS)

2. Postal address _____

3. Name of property (or properties) on which plantation(s), worked as a single management unit, is situated

[N.B. A separate form for each farm or single wattle management unit, must be submitted.]

4. Region _____

5. Age class and area of plantation(s) as at 31st May

Felled and awaiting re-establishment	Acres
Under 1 year old	
1 to under 2 years old	
2 to under 3 years old	
3 to under 4 years old	
4 to under 5 years old	
5 to under 6 years old	
6 to under 7 years old	
7 to under 8 years old	
8 to under 9 years old	
9 to under 10 years old	
10 to under 11 years old	
11 to under 12 years old	
12 to under 13 years old	
13 years and older	
Total	

Jungle— Not included in any age group above _____ acres.

Note. - 1 morgen __ 2.12 acres

6. Wattle growers who have sold or leased all or a portion of the above wattle plantation(s) must supply the following information:
 - (a) area sold or leased _____ acres;
 - (b) age(s) and acreage(s) of trees sold or leased.
 - (1) _____ acres _____ years

(2) _____ acres _____ years

(3) _____ acres _____ years

(c) to whom sold or leased _____

(d) address of buyer or lessor _____

I, the undersigned, make oath and say that the information given above is, to the best of my knowledge, true and correct.

Signature _____

This done and sworn to at _____ on this _____ day of _____

The deponent has acknowledged that he knows and understands the contents of this affidavit.

Commissioner of Oaths.