

# WOOD-BASED INDUSTRIES (STATE LEGISLATURES COMPETENCY) ACT 1985

## ACT 314

### Preamble

An Act to confer on State Legislatures authority to pass laws with respect to the establishment and operation of wood-based industries.

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

#### 1. Short title **and** application.

(1) This Act may be cited as the **Wood-based Industries (State Legislatures Competency) Act 1984** **and**, subject to subsection (2), shall apply throughout Malaysia.

(2) This Act shall come into force in a State upon the adoption of the National Forestry Act 1984 by a law made by the Legislature of the State pursuant to Clause (3) of Article 76 of the Federal Constitution.

#### 2. Interpretation.

In this Act, unless the context otherwise requires-

"bamboo factory" means a machine or group of machines capable of curing, processing and converting bamboo, as the case may be, into products of various shapes and designs;

"blockboard mill", "battenboard mill" or "laminated board mill" means a machine or group of machines capable of producing composite boards built up of a core composed of strips of wood of various dimensions glued together between veneers;

"charcoal kiln" means a chamber or retort of metal or brick construction, for carbonizing wood to produce charcoal and includes an earth kiln or pit kiln;

"fibreboard mill" means a machine or group of machines capable of producing a board constituted from wood that has been defibrated or pulped and then consolidated by pressure, heat or otherwise, with or without binders and supplementary materials;

"furniture mill" means a machine or group of machines capable of being used for further processing of timber, rattan or bamboo into furniture or furniture parts;

"kiln-drying plant" means a chamber capable of conditioning timber into the desired level of moisture content through the application of thermal, electrical, solar and chemical processes;

"match factory" means a machine or group of machines capable of converting wood into splints, tipped with a mixture of chemicals that may be easily ignited by heat or friction;

"Minister" means the Minister responsible for forestry;

"mobile sawmill" means a sawmill which is not permanently affixed or fastened on to the ground and which can readily be transported from one place to another;

"parquet flooring mill" means a machine or group of machines capable of producing pieces of wood of various shapes and sizes generally arranged in pattern for use as flooring material;

"particleboard mill" or "chipboard mill" means a machine or group of machines capable of producing a board constituted from fragments of wood including chips, shavings and sawdust that have been partly or wholly comminuted and then consolidated by pressure, heat or otherwise with or without binders and supplementary materials;

"plywood mill" means a machine or group of machines capable of peeling logs into veneer to make an assembled product made up of layers of wood glued or cemented together under pressure with the direction of the grain of adjacent layers at right angles to one another;

"pre-fabricated timber building components plant" means a machine or group of machines capable of manufacturing components, fully-assembled parts of a building or other structures in preparation for their assembly on a site;

"preservation plant" means a machine or group of machines capable of being used for the treatment of wood with preservatives which reduce susceptibility of wood to deterioration by fungi, insects, marine borers or fire;

and+paper+mill">"pulp and paper mill" means a machine or group of machines capable of being used for the defibration of wood fibres by mechanical or chemical processes and converting part or all the fibres so separated into paper, paperboard or other allied products;

"rattan factory" means a machine or group of machines capable of curing, processing and converting rattan, as the case may be, into products of various shapes and designs;

"rayon pulp mill" means a machine or group of machines capable of being used for the defibration of wood fibres by mechanical or chemical processes into highly purified cellulose suitable for the manufacture of rayon or other cellulose-derived products;

"sawmill" means a machine or group of machines capable of being used for the conversion of round timber but does not include portable power-driven saws capable of being operated while held in the hand;

"veneer mill" means a machine or group of machines capable of peeling or slicing timber into veneer;

"waferboard mill" or "flakeboard mill" means a machine or group of machines capable of converting wood into wafer or flake and then consolidating the wafer or flake into sheet material by use of synthetic resin or other organic binders together with the application of heat and pressure;

"wood-based industries" means industries engaged in the processing, preservation or seasoning of timber or the conversion of timber into various products;

and+pallets+factory">"wood-boxes, crates and pallets factory" means a machine or group of machines capable of making boxes, crates, pallets or large cases for carrying goods;

"wood briquettes plant" means a machine or group of machines capable of compressing together sawdust, shavings, hogged wood and charcoal, with or without binders, for use as fuel;

"wood chip plant" means a machine or group of machines capable of converting timber of any form into chips of more or less uniform dimension;

"wood distillation plant" means a machine or group of machines capable of being used for the decomposition of wood by heating out of contact with air, producing primarily charcoal, tarry distillates, pyroligneous acid and inflammable gases;

"wood flour plant" means a machine or group of machines capable of converting timber of any form by mechanical means into fine particles.

"wood hydrolysis plant" means a machine or group of machines capable of being used for the conversion of carbohydrates in wood or other cellulosic material into sugars which may then be fermented to give industrial alcohol;

"woodwool board mill" or "wood cement board mill" means a machine or group of machines capable of producing a board constituted from fragments of wood including chips, shavings, and sawdust consolidated with cement binders and supplementary additives;

"wood moulding mill" means a machine or group of machines capable of manufacturing mouldings;

"woodworking mill" means a machine or group of machines capable of being used for further processing of converted timber, rattan and bamboo into finished or semi-finished products other than rough sawn timber.

3. State Legislatures authorized to pass laws with respect to the establishment and operation of wood-based industries.

(1) It shall be within the competence of the Legislature of a State to pass laws with respect to the establishment and operation of wood-based industries set out in the Schedule, and for such incidental and consequential matters in relation thereto as the Legislature may deem necessary; and the Legislature may from time to time amend or repeal any such laws.

(2) The Minister may by order amend the Schedule.

4. Conditions and restrictions.

Any law passed by a State Legislature pursuant to this Act shall provide-

(a) that the issue of a licence thereunder shall not be deemed to relieve the licence holder from compliance with any Federal law relating to the activity for which the licence issued; and

(b) that any licence issued thereunder shall not contain any condition or restriction which is in conflict or inconsistent with any condition or restriction imposed on any other licence issued to the licence holder under any Federal law which relates to the same activity.

5. Saving.

Nothing in this Act shall affect the rights and powers of Parliament to pass such laws as it may think fit with respect to the establishment and operation of wood-based industries.

**SCHEDULE**

(Section 3(1))

**WOOD-BASED INDUSTRIES**

1. (i) Sawmill
- (ii) Mobile sawmill
2. (i) Veneer mill
- (ii) Plywood mill
3. (i) Kiln-drying plant
- (ii) Preservation plant
4. (i) Furniture mill
- (ii) Wood moulding mill
- (iii) Woodworking mill
- (iv) Parquet flooring mill
- (v) Wood-boxes, crates and pallets factory
- (vi) Pre-fabricated timber building components plant
5. (i) Blockboard mill/battenboard mill/laminated board mill
- (ii) Particleboard mill/chipboard mill
- (iii) Fibreboard mill
- (iv) Woodwool board mill / wood cement board mill
- (v) Waferboard mill/flakeboard mill
6. Pulp and paper mill
7. (i) Wood chip plant
- (ii) Wood flour plant
8. (i) Charcoal kiln
- (ii) Wood briquettes plant
9. Match factory

10. (i) Wood distillation plant

(ii) Wood hydrolysis plant

(iii) Rayon pulp mill

11. Bamboo factory

12. Rattan factory