

Guide to filling in the electronic section 41(1) form

Automatically generated number that increases by one each time you issue a notice. This gives each notice a unique number.

The same ID that you use for Coverage

Enter the name and details of the recipient

Follow the guidelines in the box. This text will not be visible when you start to type so perhaps draft it elsewhere first. Write short, clear sentences with one topic per sentence.

Your name and signature

Copy to Contractor, Applicant and Landowner

For use by the FPA after submission of the document.

Your organisation's reference for the document.

FPA <small>FOREST PRACTICES AUTHORITY</small>		NOTICE UNDER SECTION 41(1) OF THE FOREST PRACTICES ACT 1985	
→ To the Person apparently in charge of operations covered by:		FPO ID:	/s41/
FPP No. (If applicable):		Location/Coupe/PID:	
Notice Issued to:			
Street Address:		Suburb:	Postcode:
Phone:		Date:	Time:
Email:			
The following provisions of FPP No. _____ and/or the Forest Practices Act have not been complied with:			
Please include details of the provisions of an FPP and/or provisions of the Act that have not been complied with.			
You are hereby requested to comply with provisions as follows:			
Please include details of the provisions of an FPP and/or provisions of the Act that must be complied with (include date by which the provision shall be complied with).			
Name of FPO:		Date:	
Signature:		Phone:	
		Email:	
→ Copy to the Contractor (if applicable):			
Name:			
Address or Email:			
Office Use only:			
Your Ref:		Reset Form	Print
		Submit	
(NB: Advice should be forwarded to other parties [landowner, applicant, processor, other FPOs] as considered appropriate).			

Clears all the entered information

Prints form

Generates an email to the FPA, with the form attached as a PDF, for you to send. After clicking the submit button you can no longer enter information or edit the form.

Forest Practice Act 1985

s.41. Failure to comply with provisions of certified forest practices plan or Act

(1) Where in the opinion of a forest practices officer the provisions of a certified forest practices plan are not being complied with on any land to which the plan relates or the provisions of this Act have not been complied with, he or she may, either orally or in writing, request the person apparently in charge of the forest practices carried out on that land to comply with the provisions of the certified forest practices plan or the provisions of this Act, as the case may be.

(1A) The request, if it is in respect of the provisions of a certified forest practices plan, may be made –

(a) at any time while the plan is in force; or

(b) at any time in the 12-month period immediately after the day on which the plan ceases to be in force.

(2) If the forest practices officer who makes the request later considers (whether from a further inspection of the relevant land or from other evidence) that the request has not been complied with within a reasonable time, he or she may, by notice in writing personally served on the person apparently in charge of the forest practices carried out on that land, direct that person to do such one or more of the following as may be appropriate in the circumstances:

(a) cease the forest practices specified in the notice;

(b) where in the opinion of the officer it is practicable and economically feasible to do so, repair any damage caused by the forest practices specified in the notice in the manner and within the period specified in the notice;

(c) carry out, within the period specified in the notice, such other work as may be specified in the notice;

(d) take, within the period specified in the notice, such actions as may be specified in the notice to ensure that the provisions of this Act are complied with.

(3) A notice under subsection (2) shall, subject to section 42 (3) , take effect on such date as is specified in the notice, being a date not earlier than 2 days after the service of the notice on the person apparently in charge of the forest practices.

(4) A person who is served with a notice under subsection (2) and who has not appealed to the Tribunal in respect of the notice pursuant to section 42 (1) shall comply with the directions contained in the notice in the manner and within the period specified in the notice.

(5) A person referred to in subsection (4) who fails to comply with the directions contained in a notice under subsection (2) in the manner and within the period specified in the notice is guilty of an offence and is liable on summary conviction to a fine not exceeding 100 penalty units.