

Version  
as at 30 June 2024



## Forests (Regulation of Log Traders and Forestry Advisers) Exemption Notice 2023

(SL 2023/182)

Forests (Regulation of Log Traders and Forestry Advisers) Exemption Notice 2023: revoked, on 30 June 2024, by section 18(b) of the Forests (Log Traders and Forestry Advisers Repeal) Amendment Act 2024 (2024 No 25).

This exemption is granted by the Forestry Authority under section 63ZZN of the Forests Act 1949 on the recommendation of the Minister of Forestry—

- (a) made in accordance with section 63ZZN(2) of that Act; and
- (b) after being satisfied of the matters set out in section 63ZZK of that Act.

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This notice is administered by the Ministry for Primary Industries.**

## Notice

### 1 Title

This notice is the Forests (Regulation of Log Traders and Forestry Advisers) Exemption Notice 2023.

### 2 Commencement

This notice comes into force on 6 August 2023.

### 3 Interpretation

In this notice, unless the context otherwise requires, **Act** means the Forests Act 1949.

#### *Exemption for log trader*

### 4 Exemption for log trader from registration requirement

A person is exempt from the requirement to be a registered log trader under section 63H(1) of the Act if—

- (a) the person is registered as a forestry adviser as required under section 63L(1) of the Act; and
- (b) the person's only activity covered by section 63I(1) is purchasing New Zealand logs as the agent for another person.

#### *Exemptions for forestry adviser*

### 5 Exemptions for forestry adviser from registration requirement

A person is exempt from the requirement to be a registered forestry adviser under section 63L(1) of the Act if—

- (a) the person is—
  - (i) registered as a log trader as required under section 63H(1) of the Act; or
  - (ii) employed by a person who is registered as a log trader as required under section 63H(1) of the Act; and
- (b) the person's only activity covered by section 63M(1)—
  - (i) is purchasing New Zealand logs on behalf of another person; or
  - (ii) is exporting New Zealand logs from New Zealand on behalf of another person; or
  - (iii) is purchasing New Zealand logs on behalf of another person (**X**) and exporting those logs from New Zealand on behalf of **X**; or
  - (iv) is selling New Zealand logs on behalf of another person (**Y**) and exporting those logs from New Zealand on behalf of **Y**.

*Exemption from forestry adviser service*

**6 Exemption for class of services from forestry adviser service**

The following class of services is exempt from being a forestry adviser service for the purpose of section 63M(2)(e) of the Act: giving spiritual or cultural advice on the beneficial effects of forests that is not provided for the purposes of the forestry sector or the wood-processing sector.

Dated at Wellington this 24th day of July 2023.

Sam Keenan  
Deputy Director-General  
Te Uru Rākau – New Zealand Forest Service

**Explanatory note**

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice, which comes into force on 6 August 2023, provides exemptions for specified classes of person and a class of services from certain regulatory requirements under the Forests Act 1949 (the **Act**).

*Clause 4* exempts specified log traders from the requirement to be a registered log trader under section 63H(1) of the Act.

*Clause 5* exempts specified forestry advisers from the requirement to be a registered forestry adviser under section 63L(1) of the Act.

*Clause 6* exempts a specified class of services from being a forestry adviser service for the purpose of section 63M(2)(e) of the Act.

**Statement of reasons**

*This statement of reasons of the Forestry Authority (the **Authority**) for granting the exemptions is published in accordance with section 63ZZN(4) of the Act.*

This notice provides exemptions for specified classes of person and a class of services from certain regulatory requirements under the Act.

The Authority considers it appropriate to grant the exemptions because—

- a log trader should not have to register as both a log trader and a forestry adviser in relation to the same activity (which would be the position if the exemptions are not granted):

- a forestry adviser should not have to register as both a forestry adviser and a log trader in relation to the same activity (which would be the position if the exemptions are not granted);
- registered persons will face reduced costs and administrative burden due to removal of the requirement for dual-registration;
- registered persons will find it easier to identify the applicable regulatory requirements;
- spiritual or cultural advice given on the beneficial effects of forests that is not provided for the purposes of the forestry or wood-processing sectors is not intended to fall within the regulatory requirements set out in Part 2A of the Act.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 27 July 2023.

## Notes

### **1** *General*

This is a consolidation of the Forests (Regulation of Log Traders and Forestry Advisers) Exemption Notice 2023 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Forests (Log Traders and Forestry Advisers Repeal) Amendment Act 2024 (2024 No 25): section 18(b)