



Hon Albert Jacob MLA
Minister for Environment; Heritage

Your Ref: AA SAN
Our Ref: 50-01095



Hon Simon O'Brien MLC
Chairman
Legislative Council Standing Committee on
Environment and Public Affairs
Parliament House
PERTH WA 6000

Simon
Dear ~~Mr O'Brien~~

**INQUIRY INTO THE SANDALWOOD INDUSTRY IN WESTERN AUSTRALIA -
INTERIM REPORT 29**

Thank you for your letter dated 20 June 2013 regarding the above and in particular the Government's position regarding the Committee's Report 29, *Interim Report – Inquiry into the Sandalwood Industry in Western Australia*, tabled in the Legislative Council on 27 November 2012.

As you have identified, the requirement for a formal Government response to the interim report fell away when Parliament was prorogued on 14 December 2012.

While there is no formal requirement for a Government response to the Committee's interim response, I am happy to advise that the Government supports the intent of the following recommendation to significantly increase maximum penalties for the illegal harvesting of sandalwood from Crown land.

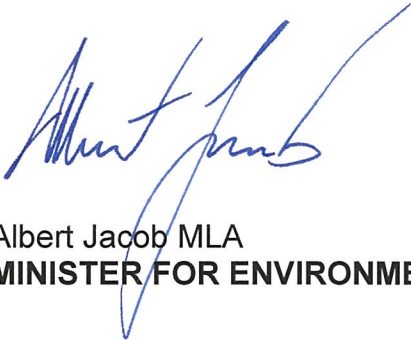
“The Committee recommends that the Government, as a matter of urgency, review the legislation governing the sandalwood industry, with a view to increasing the maximum penalties prescribed for the illegal harvesting of wild sandalwood.”

I draw the Committee's attention to the evidence given by the then Department of Environment and Conservation on 19 June 2013 in relation to developments with prosecutions recently mounted by the Western Australia Police under the Criminal Code alleging that a number of individuals had stolen sandalwood or received stolen sandalwood. This new approach to sandalwood prosecutions will hopefully be successful in providing a significantly increased deterrent for those contemplating unlawful sandalwood harvesting.

As the Committee would be aware, the Hon Premier Colin Barnett MLA announced on 31 October 2012 with the Hon Bill Marmion MLA, that the Government intended to introduce in the next term a new Biodiversity Act and that this Act will include "deterrent penalties of up to \$500,000 for harming a critically endangered species and \$50,000 for harming a non-threatened species". The proposed new penalties would include significant increases above current maximum penalties under the *Wildlife Conservation Act 1950* of \$10,000 for threatened species and \$4,000 for protected species. This commitment was detailed as an election commitment for a new Biodiversity Conservation Act in February 2013.

I can advise that the Government is working to implement the above commitment and that the work being undertaken for a new Biodiversity Conservation Act will include consideration of the most appropriate means to increase penalties for unauthorised sandalwood harvesting from Crown lands. In this regard, penalty increases of a similar magnitude to those being considered for threatened species protection under the proposed Biodiversity Conservation Act will be considered.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Albert Jacob', with a long, sweeping flourish extending from the end.

Albert Jacob MLA
MINISTER FOR ENVIRONMENT; HERITAGE

22 JUL 2013