



Australian Capital Territory

Nature Conservation Regulation 1982

SL1982-11

made under the

Nature Conservation Act 1980

Republication No 4

Effective: 1 November 2004

Republication date: 1 November 2004

Last amendment made by A2001-44
(republishing includes editorial amendments
under Legislation Act)

Unauthorised version prepared by ACT Parliamentary Counsel's Office

About this republication

The republished law

This is a republication of the *Nature Conservation Regulation 1982*, made under the *Nature Conservation Act 1980* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 November 2004. It also includes any amendment, repeal or expiry affecting the republished law to 1 November 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

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Contents

	Page
1 Name of regulation	2
3 Records to be kept for animals	2
4 Records to be kept for live fish	2
5 Records to be kept for plants that are wildlife	3

Endnotes

1 About the endnotes	4
2 Abbreviation key	4
3 Legislation history	5
4 Amendment history	6

Error! Unknown document property name.	Nature Conservation Regulation 1982	contents 1
	Error! Unknown document property name. Error! Unknown document property name. Error! Unknown document property name.	

Error! Unknown document property name.

5	Earlier republications	Page 7
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Error! Unknown document property name.	Nature Conservation Regulation 1982 Error! Unknown document property name.Error! Unknown document property name.Error! Unknown document property name.	contents 2
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Australian Capital Territory

Nature Conservation Regulation 1982

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Nature Conservation Regulation 1982
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document property name.**

page 1

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1 Name of regulation

This regulation is the *Nature Conservation Regulation 1982*.

3 Records to be kept for animals

- (1) For the Act, section 112 (1), a person who is the holder of a licence relating to animals who keeps an animal, other than an exempt animal, must keep the following records in relation to the animals kept by the person:
 - (a) a record of the number, species and sex of the animals;
 - (b) for an animal acquired from another person—
 - (i) a record of the species and sex of the animal;
 - (ii) a record of the date of receipt of the animal;
 - (iii) a record of the name and address of that other person;
 - (c) for an animal that dies or escapes from captivity—
 - (i) a record of the species and sex of the animal;
 - (ii) a record of the date when the animal died or escaped;
 - (d) for an animal that is transferred, whether because of a sale or otherwise, to another person—
 - (i) a record of the species and sex of the animal;
 - (ii) a record of the date of transfer;
 - (iii) a record of the name and address of the person receiving the animal.
- (2) However, a person is required to keep a record of the sex of an animal only where it is possible to ascertain, without handling the animal, the sex of that animal.

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Nature Conservation Regulation 1982
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page 2

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4 **Records to be kept for live fish**

For the Act, section 112 (2), the records to be kept by a person who is the holder of a licence in relation to live fish kept by the person are—

- (a) a record of the species of the fish; and
- (b) for live fish acquired from another person—
 - (i) a record of the species of the fish; and
 - (ii) a record of the date of receipt of the fish; and
 - (iii) a record of the name and address of that other person; and
- (c) for live fish that are transferred, whether because of a sale or otherwise, to a person who is the holder of a licence authorising the sale of live fish—
 - (i) a record of the species of the fish; and
 - (ii) a record of the date of transfer; and
 - (iii) a record of the name and address of the person receiving the fish; and
- (d) for live fish that are exported from the ACT by the person—
 - (i) a record of the species of the fish; and
 - (ii) a record of the date of export; and
 - (iii) a record of the name and address of the person receiving the fish.

5 **Records to be kept for plants that are wildlife**

For the Act, section 112 (3), the records to be kept by a person who is the holder of a licence authorising the sale or export from the ACT of native plants are—

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Nature Conservation Regulation 1982
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page 3

- (a) a record of the number and species of plants sold or exported from the ACT; and
- (b) a record of the date when the plants were sold or exported from the ACT; and
- (c) a record of the name and address of the person receiving the plants.

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Nature Conservation Regulation 1982
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page 4

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Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

This regulation was originally called the *Nature Conservation Regulations* and was originally made under a Commonwealth ordinance—the *Nature Conservation Ordinance 1980* No 20 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT, and the regulations made under them, into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. The *Nature Conservation Ordinance 1980* and the *Nature Conservation Regulations* were converted into ACT enactments on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name of the ordinance was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

This regulation was renamed under the *Legislation Act 2001*.

Before 12 September 2001, regulations commenced on their notification day unless otherwise stated (see *Interpretation Act 1967* s 50).

Nature Conservation Regulation SL 1982 No 11

notified 22 June 1982

commenced 22 June 1982

as amended by

Nature Conservation Regulations (Amendment) SL 1983 No 20

notified 30 September 1983

commenced 1 October 1983

Nature Conservation Amendment Act 1994 (No 2) No 110 sch 2 pt 2

notified 22 December 1994 (Gaz 1994 No S289)

s 1, s 2 commenced 22 December 1994 (s 2 (1))

sch 2 pt 2 commenced 8 February 1995 (s 2 (2) and Gaz 1995 No S41)

Legislation (Consequential Amendments) Act 2001 No 44 pt 259

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

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Nature Conservation Regulation 1982
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page 6

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pt 259 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

4 Amendment history

Name of regulation

s 1 am R3 LA; R4 LA

Interpretation

s 2 om Act 2001 No 44 amdt 1.2958

Records to be kept for animals

s 3 am Act 1994 No 110

Records to be kept for live fish

s 4 am Act 1994 No 110

Records to be kept for plants that are wildlife

s 5 am Act 1994 No 110

Licence to take animals—fee

s 6 om 1983 No 20

Licence to sell animals—fee

s 7 om 1983 No 20

Licence to import or export—fees

s 8 om 1983 No 20

Licence to sell fish—fee

s 9 om 1983 No 20

Licences to pick plants that are wildlife—fees

s 10 om 1983 No 20

Licence to fell or remove timber—fee

s 11 om 1983 No 20

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Nature Conservation Regulation 1982
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page 7

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5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	1983 No 20	30 April 1991
2	1983 No 20	8 February 1995
3	A2001-44	30 November 2001

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Nature Conservation Regulation 1982
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page 8

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