

Queensland



Nature Conservation Act 1992

NATURE CONSERVATION (EULO LIZARD RACES) CONSERVATION PLAN 1995

**Reprinted as in force on 5 September 1995
(plan not amended up to this date)**

Reprint No. 1 *

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

**NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See SIA s 54**

* Minor differences in style between this reprint and another reprint with the same number are due to the conversion to another software program. The content has not changed.

Information about this reprint

This plan is reprinted as at 5 September 1995.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit the words of notification (s 42A).

See endnotes for information about when provisions commenced.

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[reprinted as in force on 5 September 1995]

1 Short title

This conservation plan may be cited as the *Nature Conservation (Eulo Lizard Races) Conservation Plan 1995*.

2 Objectives

The objectives of this plan are to ensure that—

- (a) the taking, use and keeping of lizards for racing during the festival is ecologically sustainable; and
- (b) the taking, handling, housing and release of the lizards is conducted in accordance with acceptable standards of humane treatment.

3 Achieving objectives of conservation plan

The objectives are to be achieved through the issue, under the regulation, of a licence that—

- (a) restricts the taking of lizards; and
- (b) requires the taking and use of lizards to be scientifically monitored.

4 Definitions

(1) In this plan—

“**authorised collector**” see section 5.

“**committee**” means the Committee of the Cunnamulla-Eulo Festival of Opals.

“**festival**” means the Cunnamulla-Eulo Festival of Opals.

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“**licensee**” see section 5.

“**lizard**” means—

- (a) *Trachydosaurus rugosus* (shingle back); or
- (b) *Pogona vitticeps*.

“**regulation**” means the *Nature Conservation Regulation 1994*.

“**stimulant**” means anything that temporarily quickens a vital process or the functional activity of an organ or part of a lizard and includes—

- (a) an alcoholic beverage; and
- (b) an instrument used to prod; and
- (c) kerosene, methylated spirits or turpentine or other similar substance that may be applied to a lizard.

“**tag**” means a tag supplied to the licensee by the chief executive under the regulation.

“**take**” means catch.

“**use**” means use for racing at the festival.

(2) An expression that is not defined in this plan, but is defined in the regulation, has the meaning given by the regulation.

5 Licence

(1) The chief executive may only grant a recreational wildlife harvesting licence for the taking, use and keeping of lizards to the secretary of the committee (the “**licensee**”).

(2) The licence must state the names of the persons who, for the licensee, are authorised to take, use and keep lizards for the licensee (an “**authorised collector**”).

6 Authorised collector to comply with Code of Practice

An authorised collector must take, use and keep lizards in a way that complies with the Captive Reptile and Amphibian Husbandry Code of Practice published by the chief executive.¹

Maximum penalty—165 penalty units.

7 Taking lizards

(1) The licensee must ensure—

- (a) the total number of lizards taken by authorised collectors is not more than 60; and
- (b) no more than 40 individuals of each species of lizard are taken by authorised collectors.

(2) An authorised collector must not take a lizard that is less than 200 mm in length.

Maximum penalty—165 penalty units.

8 Tagging

(1) An authorised collector who takes a lizard must immediately—

- (a) attach a tag to the lizard; and
- (b) mark the place the lizard was captured with a marker; and
- (c) write on the marker the corresponding number of the tag placed on the lizard.

(2) The licensee must ensure—

- (a) a tag has been correctly attached to each lizard; and
- (b) each lizard is checked daily to ensure its tag remains attached; and
- (c) each lizard races with its tag attached.

Maximum penalty—165 penalty units.

¹ A copy of the Code may be obtained at the department's head office or southwestern regional office at Toowoomba. A copy will also be available for inspection at the department's information display at the festival.

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9 Keeping of lizards

(1) The licensee must keep lizards taken by an authorised collector in a permanently built enclosure at Cunnamulla.

(2) A lizard may be moved to and from the enclosure only under the supervision of an authorised collector.

Maximum penalty—120 penalty units.

10 Stimulants and depressants must not be used

A person must not use a stimulant or depressant on a lizard before or during a race.

Maximum penalty—165 penalty units.

11 Person must not change lizard's temperature

A person must not, before or during a race, change a lizard's temperature, including, for example, by heating or cooling the lizard.

Maximum penalty—165 penalty units.

12 Returning lizards to place of taking

(1) An authorised collector must, on or before the day the licence ends, return each lizard to the place from where the collector took it.

(2) Before releasing a lizard, the authorised collector must remove the lizard's tag.

Maximum penalty—120 penalty units.

13 Returns and return of tags

(1) The licensee must give the chief executive—

- (a) a return of operations for the licence; and
- (b) all tags, whether used or unused, issued for the festival.

(2) The return and tags must be given to the chief executive within 7 days after the licence ends.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Nature Conservation (Eulo Lizard Races) Conservation Plan 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 List of legislation

Nature Conservation (Eulo Lizard Races) Conservation Plan 1995 SL No. 248
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