

Wildlife Regulations 1999

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the National Parks and Wildlife Act 1970.

13 December 1999

G. S. M. GREEN

Governor

By His Excellency's Command,

D. E. LLEWELLYN

Minister for Primary Industries, Water and Environment

PART 1 - Preliminary

1. Short title

These regulations may be cited as the Wildlife Regulations 1999.

2. Commencement

These regulations take effect on 1 January 2000.

3. Interpretation

(1) In these regulations, unless the contrary intention appears -

"Act" means the Nature Conservation Act 2002;

"adult male deer" means an adult male deer with branching antlers;

"antlerless deer" means a deer that is -

(a) without antlers; and

(b) a form of partly protected wildlife;

"approved deer farm fence" means a fence that is approved by the Secretary under regulation 34B(1);

"Bass Strait islands" means the islands in Bass Strait that are within the jurisdiction of the State;

"brow tine" means the tine closest to a deer's brow;

"buy" includes acquire for any consideration;

"cage" includes any pen, aviary, enclosure and structure in, or by means of, which wildlife is confined;

"certified forest practices plan" means a certified forest practices plan within the meaning of the Forest Practices Act

1985_;

"deer farm" means an area of land where deer are stocked for the purpose of farming or public display;

"deer farmer" means a person who owns, operates, manages or is in day-to-day control of a deer farm;

"display", in relation to wildlife, means the display, for viewing by the public, of any wildlife held in captivity, other than wildlife kept under -

(a) a wildlife exhibition licence; or

(b) a travelling wildlife exhibition permit;

"farm deer" means an animal of the species European Fallow Deer (Dama dama dama) that -

(a) is subject to the confines of a deer farm; or

(b) is kept as a pet or part of a hobby herd; or

(c) is taken from the wild under the authority of a permit for the purpose of forming deer farm stock; or

(d) was farmed under the Animal Farming (Registration) Act 1994 immediately before the day on which the Wildlife Amendment (Deer Farming) Regulations 2005 took effect;

"fee unit" means a fee unit within the meaning of the Fee Units Act 1997;

"female deer" means a female of any kind of deer which is partly protected wildlife;

"inspector" means a person appointed by the Secretary to exercise the functions of an inspector under these regulations;

"lead shot" means shot that is made of lead or any alloy containing lead;

"licence" means a licence issued under Part 2;

"light" means any lamp or lantern or other device for providing illumination;

"open season", in relation to a form of partly protected wildlife, means the season during which the taking of the form of partly protected wildlife is permitted by order under section 30 of the Act;

"partly protected wildlife" means those forms of wildlife described in Schedule 4;

"permit" means a permit issued under Part 2;

"pheasant" means a pheasant that is a form of partly protected wildlife;

"process of treatment", when used in relation to a skin, means

any process for tanning or otherwise preserving a skin;

"protected wildlife" means those forms of wildlife described in Schedules 2 and 3;

"public authority management agreement" means a public authority management agreement within the meaning of the Threatened Species Protection Act 1995;

"public land" means -

(a) any land that is managed by a statutory authority if members of the public have lawful access to the land; and

(b) any Crown land that is subject to a lease if members of the public have lawful access to the land;

"restricted wildlife" means the forms of wildlife specified in Schedule 6;

"sell" means sell by wholesale or retail and includes -

(a) offer, display or expose for sale; and

(b) keep or have in possession for sale; and

(c) barter or exchange; and

(d) deal in or agree to sell; and

(e) supply, send, forward or deliver for sale or for, or in expectation of receiving, any payment or other consideration; and

(f) authorise, cause, attempt or allow any act referred to in paragraph (a), (b), (c), (d) or (e);

"specially protected wildlife" means those forms of wildlife described in Schedule 1;

"stock" means -

(a) goats, horses, oxen, sheep, swine, cervids and camelids; and

(b) poultry of any kind; and

(c) oysters, mussels, abalone, scallops and clams; and

(d) fish of the family Salmonidae and goldfish;

"travelling wildlife exhibition" means a travelling show in which wildlife from a wildlife exhibition perform or are exhibited;

"trez tine" means the first major tine after the brow tine;

"wetland" means a marsh, mudflat or other expanse of land that is, permanently, intermittently or cyclically, inundated with water, whether -

(a) the water is static or flowing; or

(b) the water is fresh, brackish or salt; or

(c) the inundation occurs as a result of a natural or artificial process.

"wild duck" means any bird of a species which is a member of the Family Anatidae that is a form of partly protected wildlife;

"wildlife display permit" means a permit issued under regulation 47;

"wildlife exhibition" means a collection of wildlife that is kept -

(a) ordinarily in a place in connection with the conduct of a circus or similar show held in that place or elsewhere in the State; or

(b) in a wildlife park, fauna park, zoo or similar place, for the purpose of public viewing, public entertainment or public amusement, on payment of a fee or otherwise;

"wildlife exhibition licence" means a licence issued and in force under Part 4;

"wildlife officer" means -

(a) the Secretary; or

(b) an inspector as defined in the Animal Health Act 1995; or

(c) an authorised officer as defined in the Nature Conservation Act 2002; or

(d) a person employed in the Department who is appointed by the Secretary to be a wildlife officer;

"wildlife products" means the products from any wildlife.

(2) For the purposes of these regulations, any products of wildlife that have been canned or tinned or otherwise processed at licensed game meat processing works, or licensed pet food works, within the meaning of the Meat Hygiene Act 1985, are taken not to be products of wildlife.

(3) The animals specified in Schedule 5 are prescribed to be restricted animals for the purposes of section 32 of the Act.

(4) The animals specified in Schedule 7 are prescribed to be domestic stock.

(5)

PART 2 - Regulation of taking and trading in wildlife and wildlife products

Division 1 - Licences and permits

4. Effect of licences and permits

A licence or permit may be issued for the purposes of this Part in accordance with its provisions, but, except as is specifically

provided in these regulations, no such licence or permit authorises the doing of any act contrary to the provisions of these regulations or any other regulations under the Act.

5. Persons to whom licences may be issued under this Part

(1) A licence to take wildlife specified in the first column of Part 2, 3 or 4 of Schedule 9 may only be issued to an individual.

(2) Except as provided by subregulation (1), a licence may be issued to an individual, to 2 or more individuals jointly or to a body corporate.

5A. Persons to whom permits may be issued under this Part

(1) Subject to subregulation (2), a permit may be issued to an individual, to 2 or more individuals jointly or to a body corporate.

(2) A permit to take wildlife may not be issued to 2 or more individuals jointly or to a body corporate, except for scientific or educational purposes.

(3) A permit to take wildlife for scientific or educational purposes may authorise persons other than the permit holder to take wildlife for those purposes if they do so at the direction and under the close supervision of the permit holder.

6. Licences and permits

(1) A licence specified in the first column of any Part of Schedule 9 may be issued in accordance with this regulation, authorising the holder to do such acts as are specified in the second column of that Part in respect of that licence.

(2) A licence may be issued by the Secretary or by some person authorised by the Secretary to issue that licence.

(3) Nothing in this regulation is to be construed as requiring the Secretary to issue a licence or a permit.

(4) A licence or permit issued under this Division may be issued subject to conditions or restrictions relating to -

(a) the manner in which an animal taken by the licence holder may be identified; and

(b) the affixing of a tag by the licence holder to an animal so taken.

(5) The holder of a licence under this Division must not fail to comply with a condition or restriction to which the licence is subject.

Penalty:

Fine not exceeding 50 penalty units.

(6) A licence is not to be issued contrary to any instructions given by the Secretary and a licence issued contrary to any such instructions is of no effect.

(7) An application for a licence or an application for a permit is to be accompanied by a written notification of all relevant offences of which the applicant has been convicted within the period of 5 years preceding the date on which the application is made.

(8) If an applicant for a licence or a permit, within 5 years before the date of the making of the application, has been convicted of a relevant offence, the licence or permit is not to be issued except with the approval of the Secretary.

(9) A person who holds a licence or a permit must not make application for another licence or permit of the same kind and any licence or permit issued in pursuance of such an application is of no effect.

Penalty:

Fine not exceeding 50 penalty units.

(10) Any person issued with a licence or a permit that is of no effect must surrender that licence or permit to the Secretary or an authorised officer.

Penalty:

Fine not exceeding 50 penalty units.

(11) For the purposes of this regulation,

"relevant offence" means an offence under the Act or these regulations.

7. Tag not to be removed

(1) Where a tag has been affixed to an animal in accordance with this regulation, a person must not remove that tag unless authorised to do so by the Secretary.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not interfere with, damage or deface a tag affixed to an animal in accordance with this regulation.

Penalty:

Fine not exceeding 50 penalty units.

8. Holder of licence or permit to provide return

(1) The secretary may direct the holder of a licence or permit to provide the Secretary with a return, in a form approved by the Secretary, giving such particulars as the Secretary specifies.

(2) The holder of a licence or permit must comply with a direction under subregulation (1) -

(a) on or before the date specified in the direction; or

(b) where no date is specified in the direction, within 28 days

after the end of the period for which the licence or permit is issued.

Penalty:

Fine not exceeding 50 penalty units.

9. Fee for licence

(1) Subject to subregulation (2), a licence is not to be issued unless the fee set out for that licence in the third column of Schedule 9 is paid to the Secretary or to the person by whom the licence is issued.

(2) Where the Minister in any special case so approves, a licence may be issued without payment of the fee or on payment of a lesser fee than that required by subregulation (1).

10. Cancellation of licence

The Secretary may, at any time, cancel a licence by serving a notice in writing on the holder stating that the licence is cancelled and the grounds on which it has been so cancelled, and on the service of that notice the licence ceases to be of any effect and the holder must surrender it to the Secretary.

11. Permits for export

(1) The Secretary or a person authorised by the Secretary in that behalf may issue a permit authorising the removal from the State of any form of partly protected, protected or specially protected wildlife, or the products of any such wildlife, specified in the permit.

(2) Subject to subregulation (3), a permit is not to be issued unless the following fee is paid to the Secretary or person issuing the permit:

(a) in the case of a permit that relates to living creatures -

(i) 10 fee units; or

(ii) 2 fee units for each creature -

whichever is the greater;

(b) in any other case, 10 fee units.

(3) Where the Secretary is satisfied that the removal from the State of any partly protected, protected or specially protected wildlife or the products of any such wildlife is required for some scientific or educational purpose, the Secretary may issue a permit under this regulation without payment of the fee referred to in subregulation (2).

12. Permits for taking specially protected, protected or partly protected wildlife in special cases

(1) Where the Secretary is satisfied that it is necessary or desirable so to do, the Secretary may issue a permit authorising the person named in the permit or some person acting under the Secretary's

direction to take, have possession of, buy or sell or otherwise dispose of, as may be specified in the permit, such specially protected wildlife, protected wildlife or partly protected wildlife or the products of such wildlife as may be specified in the permit.

(2) The Secretary may require the payment of a fee for the issue of a permit under subregulation (1).

13. Permits for taking of wildlife to prevent injury to crops

(1) The Secretary or a person authorised by the Secretary in that behalf may issue a permit authorising the taking of wildlife as may be specified in the permit if satisfied that it is proper to do so to prevent the destruction of, or injury to, any stock or plants caused by that wildlife.

(2) A permit issued under this regulation may authorise the possession or selling or other disposal of the wildlife taken under the authority of the permit or the products of any such wildlife.

(3) The Secretary may require the payment of a fee approved by the Minister for the issue of a permit under subregulation (1).

13A. Permits to use devices to deter seals

(1) A person must not use a device to deter a seal from interfering with fish farming or another fishing activity unless the person is authorised to do so by a permit.

Penalty:

Fine not exceeding 50 penalty units.

(2) The Secretary may issue a permit authorising the use of a device that deters seals from interfering with fish farming or another fishing activity if the Secretary is satisfied that -

(a) the use of the device is necessary to ensure the viability of that fish farming or other fishing activity; and

(b) the applicant has a sufficient commercial connection with the fish farming or other fishing activity; and

(c) the user of the device has had adequate instructions and training in the safe and effective use of the device.

(3) The Secretary may require the payment of a fee approved by the Minister for the issue of a permit under subregulation (2).

(4) Without prejudice to the generality of regulation 14(1), a permit issued under this regulation may do either or both of the following:

(a) specify the circumstances or ways in which a device may be used;

(b) limit the use of a device to a specified time or locality.

(5) In this regulation -

"device" means a device that -

(a) is designed to, or has the capability to, deter seals from entering or remaining in a particular area of water; and

(b) involves the use of explosives or the discharge of a projectile or the use of a chemical substance.

14. General effect of permits

(1) A permit may specify the circumstances in which or the conditions subject to which the authority granted by the permit may be exercised.

(2) Without prejudice to the generality of subregulation (1), the circumstances and conditions may relate to all or any of the following matters:

(a) the time at which, the period within which or the place at which the authority may be exercised;

(b) the manner in which it may or may not be exercised;

(c) the precautions to be observed in the exercise of the authority;

(d) the person by whom any act authorised by the permit is to be done, or the supervision or control under which any such act is to be done;

(e) the disposal of, or other dealings with, any wildlife or wildlife products taken under the authority of the permit;

(f) the records to be kept or notifications to be given in relation to the exercise of the authority.

(3) A person to whom a permit is issued under this Part must ensure that the conditions under which the authority granted by the permit may be exercised are complied with.

Penalty:

Fine not exceeding 50 penalty units.

Division 2 - Taking, and trading in, wildlife and wildlife products

15. Prohibition on taking specially protected wildlife

(1) Except as may be authorised by a permit, a person must not take, buy, sell or have possession of any form of specially protected wildlife or the products of such wildlife.

Penalty:

Fine not exceeding 100 penalty units.

(2) Subregulation (1) does not apply to the having possession of specially protected wildlife that is kept by the holder of a wildlife exhibition licence pursuant to that licence.

(3) Also, subregulation (1) does not apply to the taking of specially protected wildlife by -

(a) a person undertaking the clearance of native vegetation or the harvesting of trees in accordance with a certified forest practices plan or a public authority management agreement, unless the Secretary, by notice in writing, requires the person to obtain a permit; or

(b) a person undertaking dam works in accordance with a dam permit granted under the Water Management Act 1999 after the commencement of Part 3 of the Dam Works Legislation (Miscellaneous Amendments) Act 2007.

16. Taking protected wildlife

(1) Except as may be authorised by a permit, a person must not take, buy, sell or have possession of any form of protected wildlife or the products of such wildlife.

Penalty:

Fine not exceeding 100 penalty units.

(2) Subregulation (1) does not apply to -

(a) the buying, selling or having possession of a form of wildlife described in Schedule 3 or a product of that form of wildlife; or

(b) the having possession of protected wildlife that is kept by the holder of a wildlife exhibition licence pursuant to that licence; or

(c) the having possession of a product of a form of wildlife referred to in paragraph (b) that is kept as provided in that paragraph; or

(d) the taking of a snake which a person reasonably believes may threaten the life of a person or a domestic animal; or

(e) the taking of, or having possession of, amphibian eggs or tadpoles; or

(f) the taking of, or having possession of, up to 6 adult specimens each of metallic skink, spotted skink, common froglet and brown tree frog.

(3) Also, subregulation (1) does not apply to the taking of protected wildlife by -

(a) a person undertaking the clearance of native vegetation or the harvesting of trees in accordance with a certified forest practices plan or a public authority management agreement, unless the Secretary, by notice in writing, requires the person to obtain a permit; or

(b) a person undertaking dam works in accordance with a dam permit granted under the Water Management Act 1999 after the commencement of Part 3 of the Dam Works Legislation (Miscellaneous Amendments) Act 2007.

17. Partly protected wildlife

(1) A person must not take any form of partly protected wildlife described in Schedule 4 or any product of such wildlife unless that person is authorised to do so by a licence or permit.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not take a form of partly protected wildlife or any product of that form of partly protected wildlife other than during an open season for that form of partly protected wildlife unless that person is authorised to do so by a permit.

Penalty:

Fine not exceeding 50 penalty units.

(2A) Subregulations (1) and (2) do not apply to the taking of partly protected wildlife by -

(a) a person undertaking the clearance of native vegetation or the harvesting of trees in accordance with a certified forest practices plan or a public authority management agreement, unless the Secretary, by notice in writing, requires the person to obtain a permit; or

(b) a person undertaking dam works in accordance with a dam permit granted under the Water Management Act 1999 after the commencement of Part 3 of the Dam Works Legislation (Miscellaneous Amendments) Act 2007.

(3) A person must not sell any product of any form of partly protected wildlife unless that person is authorised to do so by a licence or permit.

Penalty:

Fine not exceeding 100 penalty units.

(4) Subregulation (3) does not apply to the sale of -

(a) a skin of a wallaby or brushtail possum which has been -

(i) marked in accordance with regulation 22; or

(ii) subjected to a process of treatment; or

(b) an egg of a pheasant or brown quail produced by a bird held in captivity; or

(c) a product of a juvenile muttonbird sold by a person authorised under the Meat Hygiene Act 1985 to process juvenile muttonbirds.

(5) A person must not take or possess an egg of any form of partly protected wildlife, other than an egg of a pheasant or brown quail produced by a bird held in captivity, unless that person is authorised to do so by a permit.

Penalty:

Fine not exceeding 50 penalty units.

(6) Subregulation (5) does not apply to the possession of an egg of any form of partly protected wildlife under a wildlife exhibition licence.

(7) A person must not buy an egg of any form of partly protected wildlife, other than an egg of a pheasant or brown quail produced by a bird held in captivity, unless that person is authorised to do so by a permit.

Penalty:

Fine not exceeding 50 penalty units.

(8) A person must not possess a live creature which is a form of partly protected wildlife, other than a wallaby, brushtail possum, pheasant, brown quail or wild duck, unless that person is authorised to do so by a permit.

Penalty:

Fine not exceeding 50 penalty units.

(9) Subregulation (8) does not apply to the possession of a live creature which is a form of partly protected wildlife held under a wildlife exhibition licence.

(10) A person must not sell a live creature which is a form of partly protected wildlife unless that person is authorised to do so by a permit.

Penalty:

Fine not exceeding 50 penalty units.

18. Restricted wildlife

A person must not buy, sell or have possession of any form of restricted wildlife described in Schedule 6 or any product of such wildlife unless that person is authorised to do so by a permit.

Penalty:

Fine not exceeding 50 penalty units.

19. Dealing with wildlife unlawfully taken

(1) A person must not buy or sell any wildlife that has been taken contrary to these regulations or any product of any wildlife so taken.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not possess any wildlife that has been taken contrary to these regulations or any product of any wildlife so taken.

Penalty:

Fine not exceeding 50 penalty units.

20. Export of wildlife

Except as may be authorised by a permit, a person must not remove, or cause or allow to be removed, from the State any form of partly protected, protected or specially protected wildlife or the products of any such wildlife.

Penalty:

Fine not exceeding 100 penalty units.

21. Dealings in wallaby skins and brushtail possum skins

(1) Except as may be authorised by a licence or permit, a person must not buy or sell an untreated wallaby skin or brushtail possum skin or an unmarked wallaby skin or brushtail possum skin.

Penalty:

Fine not exceeding 50 penalty units.

(2) Subregulation (1) does not prevent a single individual from buying during an open season not more than 10 untreated and unmarked skins.

(3) For the purposes of this regulation, a licence referred to in Part 2 of Schedule 9 that authorises the selling of a skin, or the products, of a wallaby, is taken to authorise the selling of any such skin, or any such product, that is an untreated skin or an unmarked skin.

(4) Any person who buys an unmarked skin must, within 28 days of receiving the skin, produce that skin to an inspector and pay the royalty payable in respect of the skin under regulation 22.

Penalty:

Fine not exceeding 50 penalty units.

(5) Except as may be authorised by a permit, a person must not, otherwise than during an open season or the period of 14 days immediately following the end of the season, be in possession of an unmarked skin.

Penalty:

Fine not exceeding 50 penalty units.

(6) A person must not prepare an unmarked skin for any process of treatment or carry out any process of treatment, or any part of such a process, on an unmarked skin.

Penalty:

Fine not exceeding 50 penalty units.

22. Royalties in respect of wallaby skins and brushtail possum skins

(1) In respect of each skin of a kind specified in the first column of Schedule 10, a royalty of an amount specified in the second column of that schedule is payable.

(2) When a skin referred to in subregulation (1) is produced to an inspector and the royalty payable in respect of that skin is paid to the inspector, the inspector is to mark the skin in a manner approved by the Secretary.

(3) The Secretary may waive the payment of the royalty in respect of the skins of creatures taken in pursuance of a permit issued under regulation 13 and where such a skin is produced to an inspector the inspector, if satisfied that the skin is a skin in respect of which the payment of the royalty has been so waived, is to mark the skin in a manner approved by the Secretary.

23. Records of dealings in skins

(1) The holder of a licence specified in Part 2 of Schedule 9 who sells or otherwise disposes of any wallaby skins must, as soon as practicable -

(a) record on that licence -

(i) the number of skins so sold or disposed of; and

(ii) the name and address of the place of abode or business of the person to whom they were sold or disposed of; and

(iii) the date on which they were sold or disposed of; and

(b) sign and date that record.

(2) Where under subregulation (1) a record is required to be made with respect to the sale or other disposal of any skins, the person to whom those skins are sold or disposed of is to sign and date that record.

(3) The holder of a fauna dealer's licence (skins) must keep and maintain a record in a form approved by the Secretary of all sales and purchases by the holder of, and other dealings in, wallaby skins and brushtail possum skins.

Penalty:

Fine not exceeding 50 penalty units.

(4) A record required to be kept under subregulation (3) is to show in relation to each sale or purchase of, or other dealings in, any skins -

(a) the date of that sale, purchase or other dealing; and

(b) the number of those skins; and

(c) the name and address of the place of abode or business of the person to whom the skins were sold, or from whom they were purchased or with whom the other dealing took place, as the case may be.

(5) The holder of a fauna dealer's licence (skins) must, not

later than the fourteenth day of each month provide the Secretary with a copy of the record kept under subregulation (3) in respect of the sales and purchases of, and other dealings in, skins during the preceding calendar month.

Penalty:

Fine not exceeding 50 penalty units.

(6) The holder of a fauna dealer's licence (skins) must not -

(a) in a record kept under subregulation (3), make a statement, or supply information, knowing it to be false or misleading in a material particular; or

(b) fail to furnish to the Secretary a copy of such a record on or before the appropriate day specified by that subregulation.

Penalty:

Fine not exceeding 50 penalty units.

24. Restrictions on receiving wallaby skins and brushtail possum skins

(1) Except as authorised by a permit issued under subregulation (3) by the Secretary, a person must not receive a wallaby skin or brushtail possum skin as the employee or agent of, or otherwise on behalf of, the holder of a fauna dealer's licence (skins).

Penalty:

Fine not exceeding 50 penalty units.

(2) The holder of a fauna dealer's licence (skins) may, by written notice to the Secretary, nominate a person as the person whom the holder wishes to receive a wallaby skin or brushtail possum skin as an employee or agent of, or otherwise on behalf of, the holder of the licence.

(3) Where the Secretary receives a notice under subregulation (2), the Secretary may issue a permit to the person nominated by the holder of the licence authorising that person to receive a wallaby skin or brushtail possum skin as the employee or agent of, or otherwise on behalf of, the holder of the licence.

(4) The holder of a fauna dealer's licence (skins) may, by written notice to the Secretary, revoke the nomination of a person contained in a notice under subregulation (2) given by the holder of the licence.

(5) The Secretary, on receipt of a notice under subregulation (4) from the holder of a fauna dealer's licence (skins), is to cancel the permit to which the notice relates by serving on the holder of the permit a written notice stating that -

(a) the permit is cancelled; and

(b) it has been cancelled on the ground that the nomination of that person has been revoked by the holder of the licence.

(6) If at any time the Secretary considers that there are grounds for cancelling a permit, other than the ground referred to in subregulation (5), the Secretary may cancel the permit by serving on the holder a written notice stating that the permit is cancelled and the grounds for its cancellation.

(7) Where a notice under subregulation (5) or (6) cancelling a permit is served on a person, the permit ceases to have effect and the person must surrender it to the Secretary as soon as practicable.

Penalty:

Fine not exceeding 50 penalty units.

25. Deer, pheasant and brown quail

(1) Except as authorised by a permit, a person must not take more than 2 deer during an open season, that total being made up of -

(a) one adult male deer and one antlerless deer; or

(b) 2 antlerless deer.

Penalty:

Fine not exceeding 50 penalty units.

(2) Except as may be authorised by a permit, a person must not during an open season take more than 3 adult male pheasant in any one day.

Penalty:

Fine not exceeding 50 penalty units.

(3) Except as may be authorised by a permit, a person must not during an open season take more than 20 brown quail in any one day.

Penalty:

Fine not exceeding 50 penalty units.

(4) A person must not remove the head or sever the body of any deer at a place other than the usual residence of the holder of the licence under which the deer was taken except -

(a) with the permission of the Secretary; or

(b) where all products of the deer have been labelled with the name and address of the licence holder and the numbers of the relevant licence and tag.

Penalty:

Fine not exceeding 50 penalty units.

(5) A reference in this regulation to a creature of any kind includes a reference to the products of that creature.

26. Bag limits in respect of certain birds

(1) Except as may be authorised by a permit, a person must not in any one day during an open season take more than 10 wild duck, of which -

(a) no more than 6 may be Australian Shelduck (Mountain Duck), if taken on Flinders Island; or

(b) no more than 4 may be Australian Shelduck (Mountain Duck), if taken elsewhere.

Penalty:

Fine not exceeding 50 penalty units.

(2) Except as may be authorised by a permit, a person must not in any one day during an open season take more than the following number of juvenile muttonbirds:

(a) in the Bass Strait islands, 25;

(b) elsewhere, 15.

Penalty:

Fine not exceeding 50 penalty units.

(3) A reference in this regulation to a bird of any kind includes a reference to the products of that bird.

27. Holder of commercial muttonbird operator's licence to provide return

The holder of a commercial muttonbird operator's licence must, within 14 days following the end of the open season to which the licence relates, provide the Secretary with a return, in a form approved by the Secretary, giving such particulars relating to juvenile muttonbirds taken under the authority of the licence as the Secretary requires.

PART 3 - Regulation of hunting

28. Illegal forms of hunting generally

(1) A person must not take any wildlife by the process or method commonly known as smoking-out.

Penalty:

Fine not exceeding 50 penalty units.

(2) Except with the permission of the Secretary, a person must not take any bird (other than a muttonbird) that is a form of partly protected wildlife, protected wildlife or specially protected wildlife by any means other than by shooting with a firearm.

Penalty:

Fine not exceeding 50 penalty units.

(3) A person must not, in taking, or for the purpose of

taking, any form of partly protected wildlife, protected wildlife or specially protected wildlife, use or have possession of -

(a) a firearm having a bore greater than the bore commonly known as No. 12; or

(b) a firearm that is fitted with a silencer.

Penalty:

Fine not exceeding 50 penalty units.

(4) For the purposes of subregulation (3)(b), a silencer means any device, instrument or thing by means of which the sound caused by the discharge of a firearm is made less audible, whether such device, instrument or thing forms part of the firearm or is or can be affixed or attached to the firearm.

(5) Except with the permission of the Secretary, a person must not use, during the period commencing one hour after sunset on any day and ending one hour before sunrise on the next day, a firearm for the purpose of taking any form of partly protected wildlife, protected wildlife or specially protected wildlife.

Penalty:

Fine not exceeding 50 penalty units.

(6) Except with the permission of the Secretary, a person must not, in taking, or for the purpose of taking, any form of partly protected wildlife, protected wildlife or specially protected wildlife, use or have possession of -

(a) a spear or bow or arrow; or

(b) an explosive substance; or

(c) a poison or a poisonous or stupefying substance; or

(d) birdlime or any viscid or adhesive substance; or

(e) a chemical compound; or

(f) a solid-jacketed military bullet of any calibre.

Penalty:

Fine not exceeding 50 penalty units.

(7) Except with the permission of the Secretary, a person must not use, apply or expose birdlime, or any viscid or adhesive substance in such manner, or in such circumstances, that it may catch or ensnare any bird.

Penalty:

Fine not exceeding 50 penalty units.

29. Use of bait

(1) A person must not use for the purpose of bait the carcass,

or any part of the carcass, of any bird that is a form of partly protected wildlife, protected wildlife or specially protected wildlife.

Penalty:

Fine not exceeding 50 penalty units.

(2) Except with the permission of the Secretary, a person must not use the carcass of an animal that is a form of partly protected wildlife, protected wildlife or specially protected wildlife for any drag-hunt, dog race or dog training purpose.

Penalty:

Fine not exceeding 50 penalty units.

(3) For the purpose of subregulation (2) -

"drag-hunt" means a hunt in which dogs are encouraged to follow a scent trail made by dragging the carcass of an animal over the ground;

"dog race" means a race involving the pursuit by dogs of a lure which may be the carcass of an animal.

(4) A person must not use any live creature that is a form of partly protected wildlife, protected wildlife or specially protected wildlife for the purpose of taking wildlife.

Penalty:

Fine not exceeding 50 penalty units.

(5) Except with the permission of the Secretary, a person must not discharge a firearm for the purpose of taking any form of partly protected wildlife, protected wildlife or specially protected wildlife if the person is -

(a) in a conveyance; or

(b) within 10 metres of a conveyance that the person has left for the purpose of taking wildlife.

Penalty:

Fine not exceeding 50 penalty units.

(5A) However, subregulation (5) does not apply to a person taking wild duck if the person -

(a) is in a vessel that is not underway; and

(b) takes the wild duck in accordance with a licence or permit.

(5B) For the purposes of subregulation (5A), a vessel is taken to be underway if it is being propelled directly or indirectly by one or more of the following:

(a) an engine;

(b) a sail;

(c) an oar, paddle or pole.

(6) Except with the permission of the Secretary, a person must not use, or have possession of, any light in taking, or for the purpose of taking, any form of partly protected wildlife, protected wildlife or specially protected wildlife.

Penalty:

Fine not exceeding 50 penalty units.

30. Organised shoot not to be held without permit

(1) Except as may be authorised by a permit, a person must not -

(a) arrange or provide facilities for an organised shoot; or

(b) while carrying a firearm, take part in an organised shoot.

Penalty:

Fine not exceeding 50 penalty units.

(2) The Secretary may issue a permit, subject to such terms and conditions as may be specified in the permit, authorising the holding of an organised shoot.

(3) Where a person while carrying a firearm takes part in an organised shoot held under a permit issued under subregulation (2), the person must comply with the terms and conditions specified in the permit that are applicable to the person.

Penalty:

Fine not exceeding 50 penalty units.

(4) For the purposes of this regulation, an organised shoot is a gathering of persons, at least 15 of whom are carrying firearms, who -

(a) are assembled for the purpose of; or

(b) are engaged in; or

(c) are intending to engage in -

the taking of any wildlife.

31. Nets, snares and traps

(1) A person who uses, sets, lays or places in position any net, snare or trap of any kind for the purpose of taking any wildlife must remove, destroy or render harmless any net, snare or trap that is no longer in use.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person who uses, sets, lays or places in position any net, snare or trap for the purpose of taking any wildlife must -

(a) inspect that net, snare or trap at intervals not exceeding 24 hours; and

(b) immediately remove or release from the net, snare or trap any wildlife the person finds to be caught in the net, snare or trap.

Penalty:

Fine not exceeding 50 penalty units.

32. Special provisions as to muttonbirds

(1) A person must not take any muttonbird during the period commencing one hour after sunset on any day and ending one hour before sunrise on the following day.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not use, or have possession of, any pointed, barbed, hook-shaped or sharpened implement for the purpose of taking any muttonbird from a burrow.

Penalty:

Fine not exceeding 50 penalty units.

(3) A person must not take any muttonbirds by means, or with the assistance, of a dog.

Penalty:

Fine not exceeding 50 penalty units.

(4) Except with the permission of the Secretary, a person must not -

(a) dig out, destroy, damage or in any way render useless any muttonbird burrow; or

(b) wilfully interfere with any muttonbird or muttonbird burrow on or in the vicinity of a muttonbird rookery; or

(c) take any adult muttonbird.

Penalty:

Fine not exceeding 50 penalty units.

(5) Nothing in subregulation (4) (b) prevents the doing of any act reasonably necessary for the taking of a muttonbird under the authority of a licence or permit.

33. Special provisions as to deer

(1) A person must not use a dog to take a deer.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not, except with the permission of the Secretary, take a deer otherwise than by shooting with a rifle -

(a) with a calibre of not less than 6 millimetres; and

(b) which is capable of delivering a projectile having a kinetic energy of 1350 joules at a distance of 100 metres from the rifle.

Penalty:

Fine not exceeding 50 penalty units.

(3) A person who has taken an adult male deer must immediately fix and lock a prescribed tag to the antler of the deer around the beam between the brow and the trez tine.

Penalty:

Fine not exceeding 50 penalty units.

(4) A person who has taken an antlerless deer must immediately fix and lock a prescribed tag through the lower jaw of the deer.

Penalty:

Fine not exceeding 50 penalty units.

(4A) A person must not affix a prescribed tag to a deer if it is a tag that has been issued to another person.

Penalty:

Fine not exceeding 50 penalty units.

(5) A person must not, except with the permission of the Secretary, remove a prescribed tag fixed to a deer in accordance with subregulation (3) or (4).

Penalty:

Fine not exceeding 50 penalty units.

(6) A person must not interfere with, damage or deface a prescribed tag.

Penalty:

Fine not exceeding 50 penalty units.

(7) In this regulation,

"prescribed tag" means a tag issued to the holder of a deer licence at the time of the issue of the licence.

34. Special provisions as to wild duck

(1) A person who is in a vessel that is being driven or propelled by an engine or other mechanical means must not take or wilfully rouse or disturb any wild duck.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not use, or assist in the use of, any aircraft for the purpose of rousing or disturbing any wild duck.

Penalty:

Fine not exceeding 50 penalty units.

(3) A person must not use any bait, live bird, tape recorder or electronic device to attract wild duck for the purpose of taking wild duck.

Penalty:

Fine not exceeding 50 penalty units.

(4) A person must not use any weapon other than a shotgun with a smooth bore for the purpose of taking, rousing or wilfully disturbing any wild duck.

Penalty:

Fine not exceeding 50 penalty units.

(5) A person must not -

(a) remove the head from a wild duck that has had its wings removed; or

(b) remove the wings from a wild duck that has had its head removed -

unless the person is at the residence, camp or shack of the holder of the licence under which the wild duck was taken.

Penalty:

Fine not exceeding 50 penalty units.

(6) Except with the permission of the Secretary, a person who is on any public land during the open season for the taking of wild duck must not use, or have possession of, any ammunition containing lead shot for the purpose of taking wild duck on that public land.

Penalty:

Fine not exceeding 50 penalty units.

(7) Except with the permission of the Secretary, a person who, during the open season for the taking of wild duck, is on any -

(a) wetland; or

(b) lake, dam, harbour, estuary or lagoon; or

(c) river, creek, canal or other watercourse;

must not have possession of, or use, ammunition containing lead shot for the purpose of taking wild duck.

Penalty:

Fine not exceeding 50 penalty units.

(8) Except with the permission of the Secretary, a person must not, during the open season for the taking of wild duck, discharge lead shot from a firearm onto or across any -

(a) wetland; or

(b) lake, dam, harbour, estuary or lagoon; or

(c) river, creek, canal or other watercourse.

Penalty:

Fine not exceeding 50 penalty units.

PART 3A - Regulation of deer farming

34A. Notice of intention to operate deer farm

(1) Before a person operates a deer farm he or she, by notice in writing given to the Secretary, must notify the Secretary -

(a) of his or her intention to operate the deer farm; and

(b) of the proposed site of the deer farm; and

(c) of the full details of the fence to be used for the purpose of fully enclosing farm deer on the proposed site of the deer farm.

Penalty:

Fine not exceeding 20 penalty units.

(2) On notification under subregulation (1), the Secretary, by notice in writing given to the person intending to operate the deer farm, must -

(a) if the Secretary is satisfied that the fence to be used is effective for the purpose referred to in subregulation (1) (c), advise that the fence is an approved deer farm fence; or

(b) if the Secretary is not satisfied that the fence is effective for that purpose, advise that the fence is not an approved deer farm fence.

(3) A person must not operate a deer farm unless he or she has received notice under subregulation (2) (a).

Penalty:

Fine not exceeding 50 penalty units.

34B. Approval of, and inspection of, deer farm fences

(1) The Secretary may approve a fence to be used for the purpose of fully enclosing farm deer on a deer farm.

(2) A wildlife officer may, at any time, inspect a deer farm to ensure that it is fully enclosed by an approved deer farm fence.

(3) If a wildlife officer who inspects a deer farm finds that the deer farm is not fully enclosed by an approved deer farm fence or that the fence is in such condition that it can no longer be effective for the purpose referred to in subregulation (1), the wildlife officer may require, by notice in writing, the deer farmer to carry out any repairs, modifications or additions specified in the notice so that the deer farm will be fully enclosed by an approved deer farm fence.

(4) A deer farmer must comply with a requirement made by a wildlife officer under subregulation (3).

Penalty:

Fine not exceeding 100 penalty units.

(5) A person must not interfere with an approved deer farm fence so as to cause, or to be likely to cause, any farm deer to escape.

Penalty:

Fine not exceeding 100 penalty units.

34C. Deer farmer to keep records and give receipts

(1) A deer farmer may -

(a) keep all records, or copies of records, necessary to establish ownership of each farm deer on his or her deer farm; and

(b) mark, brand or tag each farm deer on his or her deer farm to establish ownership of that farm deer.

(2) Before a deer farmer disposes of any farm deer or product of farm deer to any other person, the deer farmer must give that other person a receipt describing -

(a) the date of disposal; and

(b) the farm deer or product of farm deer being disposed of; and

(c) the deer farm of origin.

Penalty:

Fine not exceeding 100 penalty units.

(3) Subregulation (2) does not apply to any product of farm

deer that is packaged for commercial sale or export.

(4) A person, other than a deer farmer, must not possess any farm deer or product of farm deer unless that person is in possession of a receipt in accordance with subregulation (2) in respect of that farm deer or product of farm deer.

Penalty:

Fine not exceeding 100 penalty units.

(5) A wildlife officer may seize and detain any farm deer or product of farm deer in respect of which ownership cannot be established in accordance with this regulation.

34D. Escape or release of farm deer into the wild

(1) A person must not -

(a) cause or permit, or do any act, matter or thing which is likely to cause or permit, any farm deer to escape into the wild; or

(b) cause or permit, or do any act, matter or thing likely to cause or permit, any farm deer to be released into the wild.

Penalty:

Fine not exceeding 100 penalty units.

(2) As soon as practicable after a deer farmer becomes aware that any farm deer has escaped or has been released into the wild, he or she must -

(a) notify the Secretary of that escape or that release; and

(b) take all reasonable steps to -

(i) recover the escaped or released farm deer; or

(ii) if it is necessary to prevent an immediate risk to the public or environment, destroy the escaped or released farm deer.

Penalty:

Fine not exceeding 100 penalty units.

(3) Any farm deer, having escaped or having been released into the wild, that is not recovered within a period of 48 hours after a deer farmer became aware of the escape or release is forfeited to the Crown.

(4) A deer farmer may apply in writing to the Secretary for an extension of the period referred to in subregulation (3).

(5) On receipt of an application under subregulation (4), the Secretary may -

(a) grant the extension for any period that he or she considers appropriate in the circumstances; or

_ (b) _ refuse to grant the extension.

34E. Recovery or destruction of escaped or released farm deer

_ (1) _ As soon as a wildlife officer is aware that any farm deer has escaped or has been released into the wild, he or she is to -

_ (a) _ take any steps he or she considers necessary to facilitate the recovery of the escaped or released farm deer; or

_ (b) _ destroy the escaped or released farm deer, if -

_ (i) _ he or she is of the opinion that it is necessary to prevent an immediate risk to the public or environment; or

_ (ii) _ the deer farmer consents to the destruction of the escaped or released farm deer.

_ (2) _ A wildlife officer may require a deer farmer, by notice in writing, to take any action that the wildlife officer considers necessary to facilitate any one or more of the following:

_ (a) _ the destruction of any escaped or released farm deer;

_ (b) _ the recovery of any escaped or released farm deer;

_ (c) _ the prevention of the escape or release of any recovered farm deer;

_ (d) _ the prevention of the escape or release of any farm deer.

_ (3) _ A deer farmer must comply with a requirement given by a wildlife officer under subregulation (2).

Penalty:

Fine not exceeding 100 penalty units.

_ (4) _ A deer farmer is liable to pay to the Crown the full amount of any costs, charges and expenses reasonably incurred by a wildlife officer in the destruction of, the recovery of, or an attempt to destroy or recover, any escaped or released farm deer.

_ (5) _ The Crown is not liable to pay compensation in respect of any escaped or released farm deer that has been destroyed under this regulation.

Penalty:

Fine not exceeding 100 penalty units.

34F. Entry on land to recover or destroy escaped or released farm deer

_ (1) _ A wildlife officer must not enter any land for the purpose of recovering or destroying any escaped or released farm deer unless the wildlife officer has the permission of the owner or occupier of that land or the authority of the Secretary.

_ (2) _ The Secretary may grant another wildlife officer

authority to enter any land for the purpose of recovering or destroying any escaped or released farm deer if the Secretary has first consulted with the owner or occupier of that land.

34G. Application of regulation 34D(4) and (5)

Regulation 34D(4) and (5) does not apply to -

_ (a) _ any farm deer that has escaped into the wild in respect of which ownership cannot be established in accordance with regulation 34C(1); or

_ (b) _ any farm deer that has been released into the wild in respect of which ownership cannot be established in accordance with regulation 34C(1).

PART 4 - Control of wildlife exhibitions, travelling wildlife exhibitions and wildlife displays

35. Prohibition against keeping wildlife exhibition in unlicensed places

A person must not keep a wildlife exhibition in any place unless the person holds a wildlife exhibition licence authorising the person to keep that exhibition in that place.

Penalty:

Fine not exceeding 50 penalty units.

36. Issue of wildlife exhibition licences

_ (1) _ Subject to this regulation, the Secretary may -

_ (a) _ on receipt of an application in writing by a body corporate, by an individual or by 2 or more individuals jointly; and

_ (b) _ on payment of a fee of 50 fee units -

issue a wildlife exhibition licence to the applicant or applicants if the Secretary is satisfied that -

_ (c) _ the place where the exhibition will be kept pursuant to the licence is suitable for the purpose; and

_ (d) _ the facilities and services that will be available for the care and treatment of the wildlife to be kept in that place are satisfactory; and

_ (e) _ the nature and construction of any buildings and cages erected in that place that will be used for the confinement of any of that wildlife are suitable for that purpose; and

_ (f) _ it is unlikely that any of that wildlife will escape from that place or from confinement in that place; and

_ (g) _ in the case of an application for the licence by -

_ (i) _ a body corporate, every director of the body corporate is a fit and proper person to be a director of a body corporate that keeps a wildlife exhibition and is otherwise of good character; or

(ii) an individual, the individual is a fit and proper person to keep a wildlife exhibition and is otherwise of good character; or

(iii) 2 or more individuals jointly, each of those individuals is a fit and proper person to keep a wildlife exhibition and is otherwise of good character.

(2) The Minister may, if the Minister considers that it is a special case, approve of the issue by the Secretary of a wildlife exhibition licence without payment of the fee described by subregulation (1) (b) or on payment of a lesser fee than that so prescribed.

(3) Nothing in this regulation is to be construed as requiring the Secretary to issue a wildlife exhibition licence.

(4) A wildlife exhibition licence is subject to the following terms which are to be specified in the licence:

(a) that the holder of the licence must not, without the prior written approval of the Secretary or a person authorised by the Secretary in that behalf -

(i) erect or cause or permit to be erected in the place to which the licence relates any building or cage for the confinement of any wildlife; or

(ii) alter or cause or permit to be altered any building or cage erected for the confinement of wildlife in that place; or

(iii) keep any wildlife, or cause or permit any wildlife to be kept, in that place; or

(iv) release any wildlife, or cause or permit any wildlife to be released, from that place; or

(v) sell or otherwise dispose of, or cause or permit to be sold or otherwise disposed of, any wildlife kept in that place;

(b) that the holder of the licence must not cause or permit any wildlife to escape from that place;

(c) that the holder of the licence must comply with such directions as are given to the holder by the Secretary or a person authorised by the Secretary in that behalf with respect to all or any of the following matters:

(i) the provision of food and water for the wildlife kept pursuant to the licence;

(ii) the amount of space to be provided for the species or type of wildlife so kept, or for individual members of that species or type and to which the directions apply;

(iii) the kind of shelter to be provided for the species or type of wildlife so kept, or for individual members of that species or type, and to which the directions apply;

(iv) the separation of different species or types of wildlife so kept or of individual members of those differing species or types;

(d) any other terms the Secretary determines.

(5) The holder of a wildlife exhibition licence must ensure that the terms to which the licence is subject are complied with or, as the case requires, are not contravened.

Penalty:

Fine not exceeding 50 penalty units.

(6) Subject to this Part, a wildlife exhibition licence is in force for a period of 12 months from the date of the licence.

37. Authority of wildlife exhibition licences

A wildlife exhibition licence while it is in force authorises the holder of the licence to keep wildlife in the place authorised by the licence, subject to and in accordance with the provisions of these regulations and the terms to which the licence is subject.

38. Renewal of wildlife exhibition licences

(1) The holder of a wildlife exhibition licence may, at any time within the period of one month before the licence ceases to be in force, apply to the Secretary for renewal of the licence.

(2) An application for the renewal of a wildlife exhibition licence is to be in writing and be accompanied by a fee of 50 fee units.

(3) On receipt of an application made in accordance with subregulations (1) and (2), the Secretary must, unless the application is withdrawn, grant to the applicant the renewal of the wildlife exhibition licence applied for unless the Secretary is satisfied that grounds exist on which the Secretary should cancel the licence.

(4) Subject to this Part, where an application for renewal of a wildlife exhibition licence is made before the date on which the licence would, but for this subregulation, have ceased to be in force (in this subregulation, referred to as "the date of expiry") and -

(a) the renewal is granted before the date of expiry, on the grant of the renewal, the licence is to be in force for a further period of 12 months commencing on the date of expiry; or

(b) the renewal is not granted before the date of expiry and the application is not withdrawn before the date of expiry -

(i) the licence is taken to continue in force on and from the date of expiry until the renewal is granted or the application is withdrawn, or the result of an appeal under regulation 43 has been determined, whichever first occurs; and

(ii) on the grant of the renewal, the licence is to be in force for the remaining portion of the period of 12 months commencing on the date of expiry, and the renewal is to be expressed to have taken effect on and from that date.

39. Records to be kept by holders of wildlife exhibition licences

(1) The Secretary may require the holder of a wildlife exhibition licence to keep a record in a form approved by the Secretary.

(2) Without limiting subregulation (1), the Secretary may direct that the record is to contain particulars of any or all of the following matters:

(a) the natural increase in the exhibition of wildlife kept pursuant to the relevant licence;

(b) deaths of the wildlife in that exhibition;

(c) acquisitions to that exhibition, other than by natural increase;

(d) losses of wildlife in that exhibition, other than by death;

(e) the names and addresses of persons from whom or to whom wildlife in that exhibition was obtained or disposed of;

(f) the ages, sexes and identifying marks (if any) of wildlife to which the record refers.

(3) A person authorised by the Secretary may, at any reasonable time, require the holder of a wildlife exhibition licence to produce to the person a record kept by the holder of the licence in accordance with a requirement under subregulation (1).

(4) The holder of a wildlife exhibition licence must not fail to produce to a person authorised by the Secretary a record required to be produced under subregulation (3).

Penalty:

Fine not exceeding 50 penalty units.

40. Notifications to be given by holders of wildlife exhibition licences

(1) The holder of a wildlife exhibition licence who knows, or has reason to suspect, that any of the wildlife kept pursuant to the licence is infected with disease or is liable to disseminate disease must as soon as practicable notify the Secretary in such manner as may from time to time be determined by the Secretary.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not make a statement, or supply information, in a notification under subregulation (1), knowing the statement or information to be false or misleading in a material particular.

Penalty:

Fine not exceeding 50 penalty units.

41. Cancellation or suspension of wildlife exhibition licences

(1) Where the holder of a wildlife exhibition licence -

(a) contravenes or fails to comply with a term to which the licence is subject; or

(b) is convicted of an offence under the Act or these regulations -

the Secretary may cancel the licence by serving a written notice on the holder stating that the licence is cancelled.

(2) A notice under subregulation (1) cancelling a wildlife exhibition licence -

(a) is to specify the grounds on which the licence is cancelled; and

(b) if the Secretary has, under regulation 42, given any directions to the holder of the licence regarding the disposal of the wildlife to which the licence related, is to specify the date by which the holder of the licence is to comply with those directions.

(3) On the service of a notice under subregulation (1) on the holder of a wildlife exhibition licence, the licence ceases to have effect and the holder of the licence must surrender it to the Secretary.

Penalty:

Fine not exceeding 50 penalty units.

(4) If, in a case to which subregulation (1) applies, the Secretary considers it desirable to do so, the Secretary may, instead of cancelling the wildlife exhibition licence, serve a written notice on the holder suspending the licence for such period as is specified in the notice.

(5) The suspension of a licence may be subject to the observance by the holder of such conditions as may be specified in the notice served under subregulation (4).

(6) The notice is to state the grounds on which the wildlife exhibition licence is suspended.

(7) Where the suspension of a wildlife exhibition licence is made subject to the observance of conditions by the holder of the licence, the holder must not contravene or fail to comply with any of those conditions.

Penalty:

Fine not exceeding 50 penalty units.

42. Disposal of wildlife when licence cancelled

A person whose wildlife exhibition licence is cancelled under regulation 41 must not dispose of the wildlife kept under the licence -

(a) without first obtaining the approval of the Secretary; or

(b) contrary to any directions given to the person by the Secretary regarding the disposal of that wildlife.

Penalty:

Fine not exceeding 50 penalty units.

43. Appeals in respect of wildlife exhibition licences

(1) A person who is aggrieved by -

(a) the refusal of the Secretary to renew a wildlife exhibition licence held by the person; or

(b) the cancellation or suspension of a wildlife exhibition licence held by the person -

may appeal to the Supreme Court.

(2) An appeal under this regulation is to be brought within one month of the notification to the appellant of the decision of the Secretary to which the appeal relates.

(3) Where an appeal is brought under this regulation against a decision of the Secretary, the Supreme Court, unless it dismisses the appeal, may quash the decision and direct the Secretary to renew the relevant wildlife exhibition licence or to remove the cancellation or suspension in respect of the relevant wildlife exhibition licence, as the case requires.

(4) The Secretary is to give effect to any direction given under subregulation (3).

(5) The decision of the Supreme Court on the hearing of an appeal does not prejudice or affect the operation of the decision of the Secretary in respect of which the appeal is brought during the period between the giving of that decision and the determination of the appeal.

(6) The decision of the Supreme Court on the hearing of an appeal under this regulation is final.

44. Power of authorised officers to seize wildlife

An authorised officer may seize -

(a) any wildlife that the authorised officer considers to be distressed and that the authorised officer finds in a place in which wildlife is kept pursuant to a wildlife exhibition licence; or

(b) any wildlife that the authorised officer finds in such a place that the authorised officer knows or has reason to suspect is infected with disease or is liable to disseminate disease.

45. Offences

(1) A person other than the holder of a wildlife exhibition

licence must not -

(a) cause or permit any wildlife to escape from the place in which it is kept under such a licence; or

(b) release or cause or permit any wildlife to be released from that place, unless the person does so with the written approval of the Secretary given to the holder of the licence.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not interfere with a fence, gate, cage, building or other structure or with any equipment so as to cause or permit any wildlife to escape -

(a) from confinement in a place in which it is kept under a wildlife exhibition licence; or

(b) from such a place.

(3) A person must not take any wildlife in a place in which it is kept under a wildlife exhibition licence.

Penalty:

Fine not exceeding 50 penalty units.

(4) Notwithstanding subregulation (3), the holder of a wildlife exhibition licence may, for the purposes of good husbandry, take or cause or permit to be taken any wildlife in a place in which it is kept under the licence.

46. Permits for travelling wildlife exhibitions

(1) A person must not conduct a travelling wildlife exhibition unless the person holds a permit authorising the person to conduct that exhibition.

Penalty:

Fine not exceeding 50 penalty units.

(2) The Secretary may, on receipt of an application in writing by a body corporate, by an individual or by 2 or more individuals jointly, issue a travelling wildlife exhibition permit to the applicant or applicants.

(3) Nothing in this regulation is to be construed as requiring the Secretary to issue a travelling wildlife exhibition permit.

(4) A travelling wildlife exhibition permit -

(a) authorises the holder of the permit to conduct a travelling wildlife exhibition with the wildlife specified in the permit; and

(b) is subject to any terms that the Secretary determines and as are specified in the permit.

(5) Without limiting the generality of subregulation (4)(b), the terms to which a travelling wildlife exhibition permit may be subject include terms relating to -

(a) the provision of food and water for the wildlife kept in connection with the conduct of the travelling wildlife exhibition to which the permit applies; and

(b) the amount of space to be provided for the species or type of wildlife so kept, or for individual members of that species or type; and

(c) the kind of shelter to be provided for the species or type of wildlife so kept, or for individual members of that species or type; and

(d) the separation of differing species or types of wildlife so kept or of the individual members of those differing species or types; and

(e) the sale or other disposal of any wildlife so kept.

(6) The holder of a travelling wildlife exhibition permit must ensure that any terms to which the permit is subject are complied with or, as the case requires, are not contravened.

(7) A person must not -

(a) cause or permit any wildlife kept in connection with the conduct of a travelling wildlife exhibition to escape from the place where the exhibition is being held; or

(b) interfere with a fence, gate, cage, building or other structure or with any equipment so as to cause or permit any wildlife to escape -

(i) from confinement in a place where the exhibition is being held; or

(ii) from such a place.

Penalty:

Fine not exceeding 50 penalty units.

(8) Where the holder of a travelling wildlife exhibition permit -

(a) contravenes or fails to comply with a term to which the permit is subject; or

(b) is convicted of an offence under the Act -

the Secretary may cancel the permit by serving a written notice on the holder stating that the permit is cancelled and specifying the grounds on which it is cancelled.

(9) On the service of a notice under subregulation (8) on the holder of a travelling wildlife exhibition permit, the permit ceases to have effect and the holder of the permit is to surrender it to the Secretary.

47. Permit for display of wildlife

_ (1) _ A person, unless authorised to do so by a permit, must not -

_ (a) _ display any wildlife; or

_ (b) _ have in possession any wildlife for the purpose of display.

Penalty:

Fine not exceeding 50 penalty units.

_ (2) _ A person may apply to the Secretary for a wildlife display permit.

_ (3) _ An application for a permit is to be -

_ (a) _ in writing; and

_ (b) _ accompanied by a fee of 20 fee units.

_ (4) _ The Secretary may -

_ (a) _ grant the application; or

_ (b) _ refuse to grant the application.

_ (5) _ If the Secretary grants the application, the Secretary is to issue a permit.

48. Terms of wildlife display permit

_ (1) _ A wildlife display permit may be granted subject to all or any of the following terms as specified in the permit:

_ (a) _ that secure enclosures for the confinement of wildlife are provided;

_ (b) _ that wildlife is not released or allowed to escape from an enclosure;

_ (c) _ that any wildlife that is diseased or suffering from any wound is not displayed;

_ (d) _ that wildlife is not handled by the public;

_ (e) _ that wildlife is not subject to stress;

_ (f) _ that wildlife is provided with food and water;

_ (g) _ that, during the transporting of wildlife, wildlife -

_ (i) _ is not subjected to excessive noise, exhaust fumes, heat or cold; and

_ (ii) _ is provided with adequate ventilation;

_ (h) _ that while wildlife is not on display, it is kept in appropriate enclosures that allow sufficient space for exercise;

(i) that any directions given by an authorised officer are complied with.

(2) The holder of a wildlife display permit must not fail to comply with any term specified in the permit.

Penalty:

Fine not exceeding 50 penalty units.

49. Duration and renewal of wildlife display permit

(1) A wildlife display permit is in force for the period, not exceeding 12 months, specified in the permit.

(2) The holder of a wildlife display permit, at any time within the period of one month before the permit ceases to be in force, may apply to the Secretary to renew the permit.

(3) An application to renew a permit is to be -

(a) in writing; and

(b) accompanied by a fee of 20 fee units.

(4) The Secretary may -

(a) grant the application; or

(b) refuse to grant the application.

(5) The Secretary must grant the application unless the Secretary is satisfied that grounds exist for the cancellation or suspension of the permit.

(6) If the Secretary refuses to grant the application, the Secretary, by notice in writing served on the holder of the permit, is to notify the holder of that refusal.

(7) A notice is to specify the grounds on which the Secretary refuses to grant the application.

50. Cancellation of wildlife display permit

(1) The Secretary, by notice in writing served on the holder of a wildlife display permit, may cancel the permit on any of the following grounds:

(a) that the holder of the permit has contravened or failed to comply with any term specified in the permit;

(b) that the holder of the permit has been convicted of an offence under the Act or these regulations.

(2) A notice is to specify the grounds on which the permit is cancelled.

(3) On the service of a notice -

(a) the permit ceases to have effect; and

(b) the holder of the permit must surrender the permit to the Secretary.

51. Suspension of wildlife display permit

(1) The Secretary, by notice in writing served on the holder of a wildlife display permit, may suspend the permit on any grounds specified in regulation 50 if satisfied that -

(a) those grounds are not so serious as to warrant cancellation of the permit; or

(b) the holder of the permit is able to comply with any term specified in the permit within a reasonable time.

(2) A notice is to specify the grounds on which a permit is suspended.

(3) The Secretary may suspend a permit -

(a) for the period specified in the notice; and

(b) subject to any conditions specified in the notice.

(4) If a permit is suspended subject to any conditions, the holder of the permit must not contravene or fail to comply with any of those conditions.

Penalty:

Fine not exceeding 50 penalty units.

52. Surrender of wildlife display permit

(1) The holder of a wildlife display permit, by notice in writing to the Secretary, may surrender the permit.

(2) A permit ceases to have effect -

(a) on the date specified in the notice; or

(b) if a date is not specified, on the date of receipt of the notice.

53. Appeals in respect of wildlife display permit

(1) The holder of a wildlife display permit may appeal to the Supreme Court against -

(a) the refusal of the Secretary to grant an application to renew the permit; or

(b) the cancellation or suspension of the permit.

(2) An appeal is to be brought within one month after the holder of the permit is served with a relevant notice.

(3) The Supreme Court may -

(a) dismiss the appeal; or

(b) quash the decision of the Secretary and order the Secretary to -

(i) grant the application to renew the permit; or

(ii) remove the cancellation or suspension of the permit.

(4) The Secretary must give effect to any order given under subregulation (3).

(5) The decision of the Supreme Court on the hearing of an appeal does not prejudice or affect the operation of the decision of the Secretary in respect of which the appeal is brought during the period between the giving of that decision and the determination of the appeal.

(6) The decision of the Supreme Court on the hearing of the appeal is final.

PART 5 - Miscellaneous

54. Interpretation of Part 5

In this Part,

"permit" includes a permit under regulations 46 and 47.

55. Misrepresentations as to licences

(1) A person must not produce to an authorised officer any document that is, or purports to be, a licence with the intention of falsely representing to that officer that the person or a body corporate is the holder of that licence.

Penalty:

Fine not exceeding 50 penalty units.

(2) A person must not, with intention to deceive, produce to an authorised officer any licence that has been altered in a material respect or any document that resembles a licence.

Penalty:

Fine not exceeding 50 penalty units.

(3) A person must not issue a licence containing a false statement of the day on which or the period for which it is issued.

Penalty:

Fine not exceeding 50 penalty units.

(4) The holder of a licence must not lend the licence to another person, or cause or permit that licence to be used in a manner calculated to deceive an authorised officer.

Penalty:

Fine not exceeding 50 penalty units.

(5) A person must not produce the licence of another person to an authorised officer.

Penalty:

Fine not exceeding 50 penalty units.

(6) A person must not falsely represent to an authorised officer that -

(a) the first-mentioned person is the holder of a licence in the first-mentioned person's own right or jointly with another person or other persons; or

(b) a body corporate is the holder of a licence.

Penalty:

Fine not exceeding 50 penalty units.

(7) In this regulation,

"licence" includes a wildlife exhibition licence and a permit.

56. False or misleading statements in applications

A person must not, in an application for a licence, wildlife exhibition licence or permit, state anything which the person knows to be false or misleading in a material particular.

Penalty:

Fine not exceeding 50 penalty units.

57. Prescribed offences

For the purposes of Part 7 of the Act -

(a) an offence against a regulation specified in Column 2 of Schedule 11 is a prescribed offence; and

(b) the penalty specified in Column 3 of that Schedule opposite the regulation is the penalty applicable to that offence.

SCHEDULE 1 - Specially protected wildlife

Regulation 3(1)

Invertebrates

Order

Common Name

Species

Cyclophyllidea

tapeworm

Dasyurotaenia robusta
Oligochaeta
Lake Pedder Earthworm
Diporochoaeta pedderensis
Giant Gippsland Earthworm
Megascolides australis
Onychophora
Northwest Peripatus
Ooperipatellus 'cryptus'
Blind Velvet Worm
Tasmanipatus anophthalmus
Onychophora
Giant Velvet Worm
Tasmanipatus barretti
Opiliones
cave harvestman
Hickmanoxyomma cavaticum
Ida Bay Cave Harvestman
Hickmanoxyomma gibbergunyar
Pseudoscorpionida
pseudoscorpion
Pseudotyrannochthonius typhlus
Araneae
spider
Migas plomleyi
Little Six-eyed Spider
Olgania excavata
Nectiopodia
remepide crustacean
Lasionectes exleyi
Syncarida

Hickman's Pigmy Mountain Shrimp

Allanaspides hickmani

Isopoda

Flinders Island Cave Slater

Echinodillo cavaticus

isopod

Haloniscus searlei

isopod

Mesacanthotelson setosus

isopod

Mesacanthotelson tasmaniae

isopod

Onchotelson brevicaudatus

isopod

Onchotelson spatulatus

isopod

Uramphisopus pearsoni

Amphipoda

amphipod

Tasniphargus tyleri

Decapoda

Giant Freshwater Crayfish

Astacopsis gouldi

Mt. Arthur Burrowing Crayfish

Engaeus orramakunna

Scottsdale Burrowing Crayfish

Engaeus spinicaudatus

Burnie Burrowing Crayfish

Engaeus yabbimunna

Orthoptera

Kiernan's Cave Cricket

Micropathus kiernani

Ranga Cave Cricket

Parvotettix rangaensis

Schayer's Grasshopper

Schayera baiulus

Coleoptera

carab beetle

Catadromus lacordairei

cave beetles

Goedetrechus spp.

Bornemissza's Stag Beetle

Hoplogonus bornemisszai

Simson's Stag Beetle

Hoplogonus simsoni

Vanderschoor's Stag Beetle

Hoplogonus vanderschoori

cave beetles

Idacarabus spp.

Broad-toothed Stag Beetle

Lissotes latidens

Mt. Mangana Stag Beetle

Lissotes menalcas

Cockerill's Cave Beetle

Tasmanotrechus cockerilli

Lepidoptera

Chevron Looper Moth

Amelora acontistica

Chaostola Skipper

Antipodia chaostola

Saltmarsh Looper Moth

Dasybela achroa

Pencil Pine Moth

Dirce aesiadora

Broad-striped Ghost Moth

Fraus latistria

Ptunarra Brown Butterfly

Oreixenica ptunarra

Bathurst Copper Butterfly

Paralucia spinifera

Trichoptera

caddis-fly

Diplectrona lyella

caddis-fly

Ecnomina vega

caddis-fly

Hydrobiosella armata

caddis-fly

Hydrobiosella saggita

caddis-fly

Hydroptila scamandra

caddis-fly

Leptocerus sounta

caddis-fly

Oecetis gilva

Spotted Microcaddis-fly

Orphnino-trichia maculata

caddis-fly

Orthotrichia adornata

Miena Microcaddis-fly

Oxyethira mienica

caddis-fly

Ramiheithrus kocinus

caddis-fly

Stenopsychodes lineata

caddis-fly

Tasimia drepana

McCubbins Caddis Fly

Taskiria mccubbini

Lake Pedder Caddis Fly

Taskiropsyche lacustris

Mesogastropoda

freshwater snails

_Beddomeia _spp._

freshwater snails

_Phrantela _spp._

Basommatophora

Great Lake Snail

Glacidorbis pawpela

Stylommatophora

Southern Hairy Red Snail

Austrochloritis victoriae

Skemps Snail

_Charopidae _"Skemps"

Burgundy Snail

Helicarion rubicundus

snail

Miselaoma weldii

snail

Pasmaditta jungermanniae

snail

Roblinella agnewi

Keeled Snail

Tasmaphena lamproides

Amphibians

Family

Common Name

Species

Myobatrachidae (Leptodactylidae)

White-bellied Frog

Geocrinia alba

Orange-bellied Frog

Geocrinia vitellina

Giant Burrowing Frog

Heleioporus australiacus

Stuttering Frog

Mixophyes balbus

Fleay's Frog

Mixophyes fleayi

Southern Barred Frog

Mixophyes iteratus

Baw Baw Frog

Philoria frosti

Southern Corroboree Frog

Pseudophryne corroboree

Magnificent Brood Frog

Pseudophryne covacevichae

Northern Corroboree Frog

Pseudophryne pengilleyi

Sunset Frog

Spicospina flammocaerulea

Eungella Day Frog

Taudactylus eungellensis

Kroombit Tinker Frog

Taudactylus pleione

Tinkling Frog

Taudactylus rheophilus

Hylidae

Green and Golden Bell Frog

Litoria aurea

Yellow-spotted Tree Frog

Litoria castanea

Littlejohn's Tree Frog

Litoria littlejohni

Armoured Mistfrog

Litoria lorica

Waterfall Frog

Litoria nannotis

Mountain Mistfrog

Litoria nyakalensis

Wallum Sedge Frog

Litoria olongburensis

Peppered Tree Frog

Litoria piperata

Green and Gold Frog

Litoria raniformis

Common Mistfrog

Litoria rheocola

Spotted Tree Frog

Litoria spenceri

Alpine Tree Frog

Litoria verreauxii alpina

Lace-eyed Tree Frog

Nyctimystes dayi

Reptiles

Family

Common Name

Species

Chelidae

Namoi River Elseya (Namoi R., NSW)

_Elseya nov. sp.

Gulf Snapping Turtle

Elusor lavarackorum

Mary River Tortoise

Elusor macrurus

Bellinger River Emydura

Emydura signata

Western Swamp Tortoise

Pseudemydura umbrina

Fitzroy Tortoise

Rheodytes leukops

Cheloniidae

Loggerhead Turtle

Caretta caretta

Green Turtle

Chelonia mydas

Hawksbill Turtle

Eretmochelys imbricata

Pacific Ridley

Lepidochelys olivacea

Flatback Turtle

Natator depressus

Dermochelyidae

Leathery (or Luth) Turtle

Dermochelys coriacea

Gekkonidae

Lord Howe Island Gecko

Christinus guentheri

Christmas Island Gecko

Lepidodactylus listeri

Pernatty Knob-tail

Nephrurus deleani

Border Thick-tailed Gecko

Underwoodisaurus sphyrurus

Pygopodidae

Pink-tailed Legless Lizard

Aprasia parapulchella

Flinders Ranges Worm-lizard

Aprasia pseudopulchella

Hermite Island Worm-lizard

Aprasia rostrata rostrata

Striped Legless Lizard

Delma impar

Striped-tailed Delma

Delma labialis

Legless Lizard

Delma mitella

Collared Delma

Delma torquata

Bronzeback Snake-lizard

Ophidiocephalus taeniatus

Brigalow Scaly-foot

Paradelma orientalis

Agamidae

Yinnietharra Rock-dragon

Ctenophorus yinnietharra

Grassland Earless Dragon

Tymanocryptis lineata pinguicolla

Scincidae

Long-legged Worm-skink

Anomalopus mackayi

Three-toed Snake-tooth Skink

Coeranoscincus reticulatus

Airlie Island Ctenotus

Ctenotus angusticeps

Lancelin Island Skink

Ctenotus lancelini

Hamelin Ctenotus

Ctenotus zasticus

Great Desert Skink

Egernia kintorei

Yakka Skink

Egernia rugosa

Baudin Island Spiny-tailed Skink

Egernia stokesii aethiops

Western Spiny-tailed Skink

Egernia stokesii badia

Blue Mountains Water Skink

Eulamprus leuraensis

Corangamite Water Skink

Eulamprus tympanum marnieae

Allan's Lerista

Lerista allanae

Mount Cooper Striped Lerista

Lerista vittata

Pedra Branca Skink

Niveoscincus palfreymani

Lord Howe Island Skink

Pseudemoia lichenigera

Adelaide Blue-tongued Lizard

Tiliqua adelaidensis

Typhlopidae

Christmas Island Blind Snake

Ramphotyphlops exocoeti

Boidae

Olive Python (Pilbara ssp.)

Morelia olivacea barroni

Elapidae

Ornamental Snake

Denisonia maculata

Dunmall's Snake

Furina dunmalli

Broad-headed Snake

Hoplocephalus bungaroides

Krefft's Tiger Snake (Flinders Ranges ssp.)

Notechis ater ater

Chappell Island Tiger Snake

Notechis ater serventyi

Birds

Family

Common Name

Species

Casuariidae

Southern Cassowary

Casuarius casuarius

Megapodiidae

Malleefowl

Leipoa ocellata

Anatidae

Recherche Cape Barren Goose

Cereopsis novaehollandiae grisea

Procellariidae

Blue Petrel

Halobaena caerulea

Fairy Prion (southern ssp.)

Pachyptila turtur subantarctica

White-headed Petrel

Pterodroma lessoni

Gould's Petrel

Pterodroma leucoptera leucoptera

Soft-plumaged Petrel

Pterodroma mollis

Kermadec Petrel (western ssp.)

Pterodroma neglecta neglecta

Diomedeidae

Amsterdam Albatross

Diomedea amsterdamensis

Antipodean Albatross

Diomedea antipodensis

Tristan Albatross

Diomedea dabbenena

Southern Royal Albatross

Diomedea epomophora

Wandering Albatross

Diomedea exulans

Gibson's Albatross

Diomedea gibsoni

Northern Royal Albatross

Diomedea sanfordi

Sooty Albatross

Phoebetria fusca

Light-mantled Albatross

Phoebetria palpebrata

Buller's Albatross

Thalassarche bulleri

Indian Yellow-nosed Albatross

Thalassarche carteri

Shy Albatross

Thalassarche cauta

Atlantic Yellow-nosed Albatross

Thalassarche chlororhynchos

Grey-headed Albatross

Thalassarche chrysostoma

Chatham Albatross

Thalassarche eremita

Campbell Albatross

Thalassarche impavida

Black-browed Albatross

Thalassarche melanophrys

Pacific Albatross

_Thalassarche _nov._ sp.

Salvin's Albatross

Thalassarche salvini

White-capped Albatross

Thalassarche steadi

Hydrobatidae

White-bellied Storm-Petrel (A'asian ssp.)

Fregetta grallaria grallaria

Wilson's Storm-petrel

Oceanites oceanicus

Sulidae

Abbott's Booby

Sula abbotti

Phalacrocoracidae

Heard Island Shag

Leucocarbo atriceps nivalis

Macquarie Island Shag

Leucocarbo atriceps purpurascens

Fregatidae

Christmas Island Frigatebird

Fregata andrewsi

Accipitridae

Collared Sparrowhawk

Accipiter cirrhocephalus

Brown Goshawk

Accipiter fasciatus

Christmas Island Goshawk

Accipiter fasciatus natalis

Grey Goshawk

Accipiter novaehollandiae

Wedge-tailed Eagle (Tasmanian ssp.)

Aquila audax fleayi

Swamp Harrier

Circus approximans

Spotted Harrier

Circus assimilis

Red Goshawk

Erythrotriorchis radiatus

White-bellied Sea-Eagle

Haliaetus leucogaster

Brahminy Kite

Haliastur indus

Whistling Kite

Haliastur sphenurus

Black Kite

Milvus migrans

Osprey

Pandion haliaetus

Falconidae

Brown Falcon

Falco bengora

Nankeen Kestrel

Falco cenchroides

Australian Hobby (or Little Falcon)

Falco longipennis

Peregrine Falcon

Falco peregrinus

Rallidae

Buff-banded Rail (Cocos I. ssp.)

Gallirallus phillipensis andrewsi

Lord Howe Island Woodhen

Tricholimnas sylvestris

Turnicidae

Black-breasted Button-quail

Turnix melanogaster

Buff-breasted Button-quail

Turnix olivei

Abrolhos Painted Button-quail

Turnix varia scintillans

Pedionomidae

Plains-wanderer

Pedionomus torquatus

Laridae

Lesser Noddy

Anous tenuirostris melanops

Little Tern

Sterna albifrons sinensis

Fairy Tern

Sterna nereis

White-fronted Tern

Sterna striata

Antarctic Tern (New Zealand ssp.)

Sterna vittata bethunei

Antarctic Tern (Indian & Atlantic Ocean ssp.)

Sterna vittata vittata

Columbidae

Squatter Pigeon (southern ssp.)

Geophaps scripta scripta

Partridge Pigeon (western ssp.)

Geophaps smithii blaauwi

Partridge Pigeon (eastern ssp.)

Geophaps smithii smithii

South-eastern Red-tailed Black Cockatoo

Calyptorhynchus banksii graptogyne

Baudin's Black Cockatoo

Calyptorhynchus baudinii

Glossy Black Cockatoo (Kangaroo I. ssp.)

Calyptorhynchus lathami halmaturinus
Carnaby's Black Cockatoo

Calyptorhynchus latirostris
Psittacidae
Norfolk Island Green Parrot

Cyanoramphus novaezealandiae cookii
Coxen's Fig-parrot

Cyclopsitta diophthalma coxeni
Swift Parrot

Lathamus discolor
Orange-bellied Parrot

Neophema chrysogaster
Night Parrot

Pezoporus occidentalis
Ground Parrot

Pezoporus wallicus
Western Ground Parrot

Pezoporus wallicus flaviventris
Paradise Parrot

Psephotus pulcherrimus
Strigidae
Christmas Island Hawk-owl

Ninox natalis
Southern Boobook

Ninox novaeseelandiae
Norfolk Island Boobook Owl

Ninox novaeseelandiae undulata
Tytonidae
Barn Owl

Tyto alba
Masked Owl

Tyto novaehollandiae

Sooty Owl

Tyto tenebricosa

Podargidae

Tawny Frogmouth

Podargus strigoides

Aegothelidae

Australian Owlet-nightjar

Aegotheles cristatus

Atrichornithidae

Noisy Scrub-bird

Atrichornis clamosus

Maluridae

Thick-billed Grasswren (eastern ssp.)

Amytornis textilis modestus

Thick-billed Grasswren (Gawler Ra. ssp.)

Amytornis textilis myall

Western Grasswren (western ssp.)

Amytornis textilis textilis

Purple-crowned Fairy-wren (western ssp.)

Malurus coronatus coronatus

Barrow Island Black-and-white Fairy-wren

Malurus leucopterus edouardi

Dirk Hartog Black-and-white Fairy-wren

Malurus leucopterus leucopterus

Mount Lofty Southern Emu-wren

Stipiturus malachurus intermedius

Eyre Peninsula Southern Emu-wren

Stipiturus malachurus parimeda

Mallee Emu-wren

Stipiturus mallee

Pardalotidae

Slender-billed Thornbill (western ssp.)

Acanthiza iredalei iredalei

Brown Thornbill (King Island ssp.)

Acanthiza pusilla archibaldi

Eastern Bristlebird

Dasyornis brachypterus

Western Bristlebird

Dasyornis longirostris

Forty-spotted Pardalote

Pardalotus quadragintus

Meliphagidae

Helmeted Honeyeater

Lichenostomus melanops cassidix

Black-eared Miner

Manorina melanotis

Regent Honeyeater

Xanthomyza phrygia

Petroicidae

Scarlet Robin (Norfolk Island ssp.)

Petroica multicolor multicolor

Cinclosomatidae

Western Whipbird (eastern ssp.)

Psophodes nigrogularis leucogaster

Western Whipbird (western heath ssp.)

Psophodes nigrogularis nigrogularis

Western Whipbird (western mallee ssp.)

Psophodes nigrogularis oberon

Pachycephalidae

Crested Shrike-tit (northern ssp.)

Falcunculus frontatus whitei

Golden Whistler (Norfolk Is. ssp.)

Pachycephala pectoralis xanthoprocta

Red-lored Whistler

Pachycephala rufogularis

Artamidae

Lord Howe Island Currawong

Strepera graculina crissalis

Passeridae

Crimson Finch (white-bellied ssp.)

Neochmia phaeton evangelinae

Star Finch (eastern ssp)

Neochmia ruficauda ruficauda

Black-throated Finch (southern ssp.)

Poephila cincta cincta

Mammals

Order or Family

Common Name

Species

Myrmecobiidae

Numbat

Myrmecobius fasciatus

Dasyuridae

Kowari

Dasycercus byrnei

Mulgara

Dasycercus cristicauda

Ampurta

Dasycercus hillieri

Chuditch

Dasyurus geoffroii

Spotted-tailed Quoll or Yarri (N. Qld. ssp.)

Dasyurus maculatus gracilis

Spotted-tailed Quoll (SE mainland & Tas. ssp.)

Dasyurus maculatus maculatus

Dibbler

Parantechinus apicalis

Red-tailed Phascogale

Phascogale calura

Carpentarian Antechinus

Pseudantechinus mimulus

Kangaroo Island Dunnart

Sminthopsis aitkeni

Butler's Dunnart

Sminthopsis butleri

Julia Creek Dunnart

Sminthopsis douglasi

Boullanger Island Dunnart

Sminthopsis griseoventer boullangerensis

Sandhill Dunnart

Sminthopsis psammophila

Peramelidae

Golden Bandicoot (mainland)

Isoodon auratus auratus

Golden Bandicoot (Barrow Island)

Isoodon auratus barrowensis

Southern Brown Bandicoot (Nuyts Archipelago)

Isoodon obesulus nauticus

Western Barred Bandicoot (Shark Bay)

Perameles bougainville bougainville

Eastern Barred Bandicoot (Tasmania)

Perameles gunnii gunnii

Eastern Barred Bandicoot (mainland)

_Perameles gunnii _unnamed ssp._

Thylacomyidae

Greater Bilby

Macrotis lagotis

Notoryctidae

Karkarratul (Northern Marsupial Mole)

Notoryctes caurinus

Yitjarritjarri (Southern Marsupial Mole)

Notoryctes typhlops

Vombatidae

Northern Hairy-nosed Wombat

Lasiorhinus krefftii

Common Wombat (Bass Strait)

Vombatus ursinus ursinus

Potoroidae

Boodie or Burrowing Bettong (Shark Bay)

Bettongia lesueur lesueur

Boodie or Burrowing Bettong (Barrow & Boodie Islands)

_Bettongia lesueur _unnamed ssp._

Northern Bettong

Bettongia tropica

Gilbert's Potoroo

Potorous gilberti

Long-footed Potoroo

Potorous longipes

Long-nosed Potoroo (south-east mainland)

Potorous tridactylus tridactylus

Macropodidae

Spectacled Hare-wallaby (Barrow Island)

Lagorchestes conspicillatus conspicillatus

Rufous Hare-wallaby (Bernier Island)

Lagorchestes hirsutus bernieri

Rufous Hare-wallaby (Dorre Island)

Lagorchestes hirsutus dorrae

Mala or Rufous Hare-wallaby

Lagorchestes hirsutus _unnamed ssp.

Banded Hare-wallaby or Marnine or Munning

Lagostrophus fasciatus fasciatus

Barrow Island Euro

Macropus robustus isabellinus

Bridled Nailtail Wallaby

Onychogalea fraenata

Recherche Rock-wallaby

Petrogale lateralis hackettii

Black-flanked Rock-wallaby

Petrogale lateralis lateralis

Warru or Black-footed Rock-wallaby (MacDonnell Ranges race)

Petrogale lateralis _MacDonnell Ranges race

Pearson Island Rock-wallaby

Petrogale lateralis pearsoni

Black-footed Rock-wallaby (West Kimberley race)

Petrogale lateralis _West Kimberley race

Brush-tailed Rock-wallaby

Petrogale penicillata

Proserpine Rock-wallaby

Petrogale persephone

Yellow-footed Rock-wallaby (S. Aust. & NSW)

Petrogale xanthopus xanthopus

Quokka

Setonix brachyurus

Burramyidae

Mountain Pygmy-possum

Burramys parvus

Petauridae

Leadbeater's Possum

Gymnobelideus leadbeateri

Fluffy or Yellow-bellied Glider (Wet Tropics)

_Petaurus australis _unnamed ssp._

Mahogany Glider

Petaurus gracilis

Western Ringtail

Pseudocheirus occidentalis

Microchiroptera

Ghost Bat

Macroderma gigas

Otariidae

New Zealand Fur Seal

Arctocephalus forsteri

Australian Fur Seal

Arctocephalus pusillus

Leopard Seal

Hydrurga leptonyx

Crab-eater Seal

Lobodon carcinophagus

Australian Sea-lion

Neophoca cinerea

Phocidae

Southern Elephant Seal

Mirounga leonina

Cetacea

Sei Whale

Balaenoptera borealis

Blue Whale

Balaenoptera musculus

Fin Whale

Balaenoptera physalus

Southern Right Whale

Eubalaena australis

Humpback Whale

Megaptera novaeangliae

Muridae

Christmas Island Shrew

Crocidura attenuata trichura

Wopilkara or Greater Stick-nest Rat

Leporillus conditor

Bramble Cay Melomys

Melomys rubicola

Golden-backed Tree-rat

Mesembriomys macrurus

Northern Hopping-mouse

Notomys aquilo

Wilkinti or Dusky Hopping-mouse

Notomys fuscus

Plains Rat

Pseudomys australis

Djoongari

Pseudomys fieldi

Konoom or Smoky Mouse

Pseudomys fumeus

New Holland Mouse

Pseudomys novaehollandiae

Hastings River Mouse

Pseudomys oralis

Pilliga Mouse

Pseudomys pillagaensis

Dayang or Heath Rat

Pseudomys shortridgei

False Water-rat

Xeromys myoides

Carpentarian Rock-rat

Zyzomys palatalis

Central Rock-rat

Zyzomys pedunculatus

SCHEDULE 2 - Protected wildlife

Regulation 3(1)

Invertebrates

Order

Common Name

Species

Opiliones

cave harvestman

_Lomanella _spp._

cave harvestman

_Monoxyomma _spp._

Pseudoscorpionida

pseudoscorpion

Pseudotyrannochthonius tasmanicus

Orthoptera

cave crickets

_Cavernotettix _spp._

Cave crickets

Micropathus spp. except kiernani

cave crickets

Parvotettix spp. except rangaensis

Diptera

Tasmanian Glow-worm

Arachnocampa tasmaniensis

Amphibians

Family

Common Name

Species

Myobatrachidae (Leptodactylidae)

Moss Froglet

Bryobatrachus nimbus

Common Froglet

Crinia signifera

Tasmanian Froglet

Crinia tasmaniensis

Smooth Froglet

Geocrinia laevis

Eastern Banjo Frog

Limnodynastes dumerilii

Striped Marsh Frog

Limnodynastes peronii

Spotted Marsh Frog

Limnodynastes tasmaniensis

Southern Toadlet

Pseudophryne semimarmorata

Hylidae

Tasmanian Tree Frog

Litoria burrowsae

Brown Tree Frog

Litoria ewingii

Reptiles

Order or Family

Common Name

Species

Agamidae

Mountain Dragon

Tympanocryptis diemensis

Scincidae

Three-lined Skink

Bassiana duperreyi

She-oak Skink

Cyclodomorphus casuarinae

Whites Skink

Egernia whitii

Delicate Skink

Lampropholis delicata

Bougainvilles Skink

Lerista bougainvillii

Northern Snow Skink

Niveoscincus greeni

Metallic Skink

Niveoscincus metallicus

Southern Snow Skink

Niveoscincus microlepidotus

Spotted Skink

Niveoscincus ocellatus

Mountain Skink

Niveoscincus orocryptus

Tasmanian Tree Skink

Niveoscincus pretiosus

Southern Grass Skink

Pseudemoia entrecasteauxii

Tussock Skink

Pseudemoia pagenstecheri

Glossy Grass Skink

Pseudemoia rawlinsoni

Blotched Blue-tongue Skink

Tiliqua nigrolutea

Elapidae

Copperhead Snake

Austrelaps superbus

White-lipped (Whip) Snake

Drysdalia coronoides

Tiger Snake

Notechis ater

Hydrophiidae

Spotted Sea Snake

Hydrophis ornatus

Yellow-bellied Sea Snake

Pelamis platurus

Laticaudidae

Black-banded Sea Snake

Laticauda laticaudata

Birds

Family

Common Name

Species

Anatidae

Australasian (or Blue-winged) Shoveler

Anas rhynchotis
Hardhead (or White-eyed Duck)

Aythya australis
Musk Duck

Biziura lobata
Cape Barren Goose

Cereopsis novaehollandiae
Black Swan

Cygnus atratus
Pink-eared Duck

Malacorhynchus membranaceus
Blue-billed Duck

Oxyura australis
Freckled Duck

Stictonetta naevosa
Podicipedidae

Great Crested Grebe

Podiceps cristatus
Hoary-headed Grebe

Poliiocephalus poliocephalus
Australasian Grebe

Tachybaptus novaehollandiae
Spheniscidae

Emperor Penguin

Aptenodytes forsteri
King Penguin

Aptenodytes patagonicus
Rockhopper Penguin

Eudyptes chrysocome
Macaroni Penguin

Eudyptes chrysolophus
Fiordland Penguin

Eudyptes pachyrhynchus
Snares Penguin

Eudyptes robustus
Royal Penguin

Eudyptes schlegeli
Erect-crested Penguin

Eudyptes sclateri
Little Penguin

Eudyptula minor
Adelie Penguin

Pygoscelis adeliae
Chinstrap Penguin

Pygoscelis antarctica
Gentoo Penguin

Pygoscelis papua
Procariidae

Cape Petrel

Daption capense
Antarctic (or Southern) Fulmar

Fulmarus glacialis
Southern Giant-Petrel

Macronectes giganteus
Northern Giant-Petrel

Macronectes halli
Slender-billed Prion

Pachyptila belcheri
Antarctic Prion

Pachyptila desolata
Salvin's Prion

Pachyptila salvini

Fairy Prion

Pachyptila turtur

Broad-billed Prion

Pachyptila vittata

Common Diving-Petrel

Pelecanoides urinatrix

White-chinned Petrel

Procellaria aequinoctialis

Grey Petrel

Procellaria cinerea

Westland Petrel

Procellaria westlandica

Barau's Petrel

Pterodroma barau

Mottled Petrel

Pterodroma inexpectata

Great-winged Petrel

Pterodroma macroptera

Black-winged Petrel

Pterodroma nigripennis

Little Shearwater

Puffinus assimilis

Buller's Shearwater

Puffinus bulleri

Fluttering Shearwater

Puffinus gavia

Sooty Shearwater

Puffinus griseus

Hutton's Shearwater

Puffinus huttoni

Antarctic Petrel

Thalassoica antarctica

Hydrobatidae

White-bellied Storm-Petrel

Fregetta grallaria

Black-bellied Storm-Petrel

Fregetta tropica

Grey-backed Storm-Petrel

Garrodia nereis

White-faced Storm-Petrel

Pelagodroma marina

Sulidae

Australasian Gannet

Morus serrator

Phalacrocoracidae

Black-faced Cormorant

Phalacrocorax fuscescens

Little Black Cormorant

Phalacrocorax sulcirostris

Pied Cormorant

Phalacrocorax varius

Pelecanidae

Australian Pelican

Pelecanus conspicillatus

Ardeidae

Great Egret

Ardea alba

Cattle Egret

Ardea ibis

White-necked Heron

Ardea pacifica

Australasian Bittern

Botaurus poiciloptilus

Little Egret

Egretta garzetta

White-faced Heron

Egretta novaehollandiae

Eastern Reef Egret

Egretta sacra

Nankeen Night Heron

Nycticorax caledonicus

Threskiornithidae

Royal Spoonbill

Platelea regia

Glossy Ibis

Plegadis falcinellus

Australian White Ibis

Threskiornis molucca

Straw-necked Ibis

Threskiornis spinicollis

Rallidae

Eurasian Coot

Fulica atra

Tasmanian Native Hen

Gallinula mortierii

Buff-banded Rail

Gallirallus philippensis

Purple Swamphen

Porphyrio porphyrio

Australian Spotted Crake

Porzana fluminea
Baillon's Crake
Porzana pusilla
Spotless Crake
Porzana tabuensis
Lewin's Rail
Rallus pectoralis
Turnicidae
Painted Button-quail
Turnix varia
Scolopacidae
Ruddy Turnstone
Arenaria interpres
Sharp-tailed Sandpiper
Calidris acuminata
Sanderling
Calidris alba
Baird's Sandpiper
Calidris bairdii
Red Knot
Calidris canutus
Curlew Sandpiper
Calidris ferruginea
Pectoral Sandpiper
Calidris melanotos
Red-necked Stint
Calidris ruficollis
Great Knot
Calidris tenuirostris
Latham's Snipe
Gallinago hardwickii

Grey-tailed Tattler

Heteroscelus brevipes

Bar-tailed Godwit

Limosa lapponica

Black-tailed Godwit

Limosa limosa

Eastern Curlew

Numenius madagascariensis

Little Curlew (or Little Whimbrel)

Numenius minutus

Whimbrel

Numenius phaeopus

Red-necked phalarope

Phalaropus lobatus

Wood Sandpiper

Tringa glareola

Common Greenshank

Tringa nebularia

Marsh Sandpiper (or Little Greenshank)

Tringa stagnatilis

Terek Sandpiper

Xenus cinereus

Rostratulidae

Painted Snipe

Rostratula benghalensis

Burhinidae

Bush Stone-curlew

Burhinus grallarius

Haematopodidae

Sooty Oystercatcher

Haematopus fuliginosus

Pied Oystercatcher

Haematopus longirostris

Recurvirostridae

Banded Stilt

Cladorhynchus leucocephalus

Black-winged Stilt

Himantopus himantopus

Red-necked Avocet

Recurvirostra novaehollandiae

Charadriidae

Double-banded Plover

Charadrius bicinctus

Greater Sand Plover

Charadrius leschenaultii

Lesser Sand Plover

Charadrius mongolus

Red-capped Plover

Charadrius ruficapillus

Oriental Plover

Charadrius veredus

Black-fronted Dotterel

Elseyornis melanops

Red-kneed Dotterel

Erythrogonys cinctus

Pacific Golden Plover

Pluvialis fulva

Grey Plover

Pluvialis squatarola

Hooded Plover

Thinornis rubricollis

Masked Lapwing

Vanellus miles

Banded Lapwing

Vanellus tricolor

Laridae

Great Skua

Catharacta skua

Whiskered Tern

Chlidonias hybridus

White-winged Black Tern

Chlidonias leucopterus

Kelp (or Southern Black-backed) Gull

Larus dominicanus

Silver Gull

Larus novaehollandiae

Pacific Gull

Larus pacificus

Topknot Pigeon

Lopholaimus antarcticus

Arctic Jaeger

Stercorarius parasiticus

Crested Tern

Sterna bergii

Caspian Tern

Sterna caspia

Columbidae

Common Bronzewing

Phaps chalcoptera

Brush Bronzewing

Phaps elegans

Superb Fruit-Dove

Ptilinopus superbus

Arctic Tern

Sterna paradisaea

Cacatuidae

Major Mitchell Cockatoo

Cacatua leadbeateri

Gang-gang Cockatoo

Callocephalon fimbriatum

Red-tailed Black Cockatoo

Calyptorhynchus banksii

Yellow-tailed Black Cockatoo

Calyptorhynchus funereus

Glossy Black Cockatoo

Calyptorhynchus lathami

Psittacidae

Musk Lorikeet

Glossopsitta concinna

Blue-winged Parrot

Neophema chrysostoma

Green Rosella

Platycercus caledonicus

Eastern Rosella

Platycercus eximius

Cuculidae

Fan-tailed Cuckoo

Cacomantis flabelliformis

Horsfield's Bronze-Cuckoo

Chrysococcyx basalis

Shining Bronze-Cuckoo

Chrysococcyx lucidus

Pallid Cuckoo

Cuculus pallidus

Apodidae

Fork-tailed Swift

Apus pacificus

White-throated Needletail

Hirundapus caudacutus

Alcedinidae

Azure Kingfisher

Alcedo azurea

Halcyonidae

Sacred Kingfisher

Todiramphus sanctus

Coraciidae

Dollarbird

Eurystomus orientalis

Menuridae

Superb Lyrebird

Menura novaehollandiae

Climacteridae

White-throated Treecreeper

Cormobates leucophaeus

Maluridae

Superb Fairy-wren

Malurus cyaneus

Southern Emu-wren

Stipiturus malachurus

Pardalotidae

Yellow-rumped Thornbill

Acanthiza chrysorrhoa

Tasmanian Thornbill

Acanthiza ewingii

Brown Thornbill

Acanthiza pusilla

Scrubtit

Acanthornis magnus

Striated Fieldwren

Calamanthus fuliginosus

Spotted Pardalote

Pardalotus punctatus

Striated Pardalote

Pardalotus striatus

Tasmanian Scrubwren

Sericornis humilis

Meliphagidae

Eastern Spinebill

Acanthorhynchus tenuirostris

Little Wattlebird

Anthochaera chrysoptera

Yellow Wattlebird

Anthochaera paradoxa

White-fronted Chat

Ephthianura albifrons

Yellow-throated Honeyeater

Lichenostomus flavicollis

Noisy Miner

Manorina melanocephala

Black-headed Honeyeater

Melithreptus affinis

Strong-billed Honeyeater

Melithreptus validirostris

Tawny-crowned Honeyeater

Phylidonyris melanops

New Holland Honeyeater

Phylidonyris novaehollandiae

Crescent Honeyeater

Phylidonyris pyrrhoptera

Petroicidae

Dusky Robin

Melanodryas vittata

Scarlet Robin

Petroica multicolor

Flame Robin

Petroica phoenicea

Pink Robin

Petroica rodinogaster

Pachycephalidae

Grey Shrike-thrush

Colluricincla harmonica

Olive Whistler

Pachycephala olivacea

Golden Whistler

Pachycephala pectoralis

Dicruridae

Satin Flycatcher

Myiagra cyanoleuca

Leaden Flycatcher

Myiagra rubecula

Grey Fantail

Rhipidura fuliginosa

Campephagidae

Black-faced Cuckoo-shrike

Coracina novaehollandiae

White-winged Triller

Lalage sueurii

Artamidae

Dusky Woodswallow

Artamus cyanopterus

White-browed Woodswallow

Artamus superciliosus

Grey Butcherbird

Cracticus torquatus

Australian Magpie

Gymnorhina tibicen

Black Currawong

Strepera fuliginosa

Grey Currawong

Strepera versicolor

Corvidae

Little Raven

Corvus mellori

Motacillidae

Richard's (or Australian) Pipit

Anthus novaeseelandiae

Passeridae

Beautiful Firetail

Stagonopleura bella

Hirundinidae

Fairy Martin

Hirundo ariel

Welcome Swallow

Hirundo neoxena

Tree Martin

Hirundo nigricans

Sylviidae

Clamorous Reed-Warbler

Acrocephalus stentoreus

Golden-headed Cisticola

Cisticola exilis

Little Grassbird

Megalurus gramineus

Zosteropidae

Silvereye

Zosterops lateralis

Muscicapidae

Bassian Thrush

Zoothera lunulata

Mammals

Order or Family

Common Name

Species

Monotremata

Platypus

Ornithorhynchus anatinus

Echidna

Tachyglossus aculeatus

Dasyuridae

Swamp Antechinus

Antechinus minimus

Dusky Antechinus

Antechinus swainsonii

Eastern Quoll

Dasyurus viverrinus

Tasmanian Devil

Sarcophilus harrisii

White-footed Dunnart

Sminthopsis leucopus

Peramelidae

Southern Brown Bandicoot

Isodon obesulus

Potoroidae

Tasmanian Bettong

Bettongia gaimardi

Long-nosed Potoroo

Potorous tridactylus

Macropodidae

Forester Kangaroo

Macropus giganteus

Burramyidae

Little (Tasmanian) Pygmy Possum

Cercartetus lepidus

Eastern Pygmy Possum

Cercartetus nanus

Petauridae

Sugar Glider

Petaurus breviceps

Ringtail Possum

Pseudocheirus peregrinus

Megachiroptera

fruit bats

_Pteropus _spp._

Microchiroptera

Gould's Wattled Bat

Chalinolobus gouldi

Chocolate Wattled Bat

Chalinolobus morio

Great Pipistrelle Bat

Falsistrellus tasmaniensis

Lesser Long-eared Bat

Nyctophilus geoffroyi

Greater Long-eared Bat

Nyctophilus timoriensis

Large Forest Bat

Vespadelus darlingtoni

Southern Forest Bat

Vespadelus regulus

Little Forest Bat

Vespadelus vulturnus

Otariidae

Antarctic Fur Seal

Arctocephalus gazella

Subantarctic Fur Seal

Arctocephalus tropicalis

New Zealand Sea-lion

Phocaratos hookeri

Phocidae

Weddell Seal

Leptonychotes weddellii

Cetacea

All whales and dolphins of the order Cetacea, excluding those listed in Schedule 1

All species of Cetacea excluding those listed in Schedule 1

Muridae

Water Rat

Hydromys chrysogaster

Broad-toothed Rat

Mastacomys fuscus

Long-tailed Mouse

Pseudomys higginsi

Velvet-furred (Eastern Swamp) Rat

Rattus lutreolus

SCHEDULE 3 - Protected wildlife which may be bought, sold or held
without a permit

Regulations 3(1) and 16(2)

Birds

Family

Common Name

Species

Phasianidae

Stubble Quail

Coturnix pectoralis

Cacatuidae

Sulphur-crested Cockatoo

Cacatua galerita

Galah

Cacatua roseicapilla

Western Long-billed Corella (southern ssp.)

Cacatua pastinator pastinator

Fringillidae

Gouldian Finch

Erythrura gouldiae

Psittacidae

Rainbow Lorikeet

Trichoglossus haematodus

Little Lorikeet

Glossopsitta pusilla

Alexandra's Parrot

Polytelis alexandrae

Regent Parrot (eastern ssp.)

Polytelis anthopeplus anthopeplus

Superb Parrot

Polytelis swainsonii

Golden-shouldered Parrot

Psephotus chrysopterygius

Hooded Parrot

Psephotus dissimilis

SCHEDULE 4 - Partly protected wildlife

Regulations 3(1) and 17

Birds

Family

Common Name

Species

Phasianidae

Brown Quail

Coturnix ypsilophora

Common Pheasant

Phasianus colchicus

Anatidae

Chestnut Teal

Anas castanea

Grey Teal

Anas gracilis

Pacific Black Duck

Anas superciliosa

Australian Shelduck (Mountain Duck)

Tadorna tadornoides

Australian Wood Duck

Chenonetta jubata

Procellariidae

Short-tailed Shearwater (Muttonbird)

Puffinus tenuirostris

Mammals

Family

Common Name

Species

Vombatidae

Wombat

Vombatus ursinus tasmaniensis

Phalangeridae

Brushtail Possum

Trichosurus vulpecula

Macropodidae

Bennett's (or Red-necked) Wallaby

Macropus rufogriseus

Tasmanian Pademelon (or Rufous Wallaby)

Thylogale billardierii

Cervidae

European Fallow Deer that are not farm deer

Dama dama dama

SCHEDULE 5 - Prohibited animals

Regulation 3(3)

Birds

Family

Common Name

Species

Rallidae

Weka

Gallirallus australis

Columbidae

Ringneck Dove

Streptopelia capicola

Collared Dove

Streptopelia decaocto

Passeridae

White-winged Whydah (or Widowbird)

Euplectes albonotatus

Spice Finch (Nutmeg Mannikin)

Lonchura punctulata

Eurasian Tree Sparrow

Passer montanus

Red-billed Quelea

Quelea quelea

Fringillidae

Mexican Rose Finch (House Finch)

Carpodacus mexicanus

Yellowhammer

Emberiza citrinella

Chaffinch

Fringilla coelebs

Bullfinch

Pyrrhula pyrrhula

Pycnonotidae

Red-vented Bulbul

Pycnonotus cafer

Red-whiskered Bulbul

Pycnonotus jocosus

Muscicapidae

Song Thrush

Turdus philomelos

Sturnidae

Indian Mynah

Acridotheres tristis

SCHEDULE 6 - Restricted wildlife

Regulations 3(1) and 18

Amphibians

Order or Family

Common Name

Species

Bufonidae

Marine (or Cane) Toad

Bufo marinus

Caudata

Caudates (Newts, salamanders, etc.)

all kinds

Mexican Axolotl

Ambystoma mexicanum

Fire-bellied Newt

Cynops pyrrrogaster

Warty (Crested) Newt

Triturus cristatus

Common Newt

Triturus vulgaris

SCHEDULE 7 - Domestic stock

Regulation 3(4)

Birds

Family

Common Name

Species

Struthionidae

Ostrich

Ostriches, all kinds

Phasianidae

Japanese Quail

Coturnix japonica

Domestic Fowl

Gallus gallus

Domestic Turkey

Meleagris gallopavo

Anatidae

Mallard Duck

Anas platyrhynchos

Domestic Goose

Anser anser

Domestic (Chinese) Goose

Anser cygnoides

Mandarin Duck

Aix galericulata

Muscovy Duck

Cairina moschata

Columbidae

Domestic Pigeon

Columbia livia

Mammals

Family

Common Name

Species

Equidae

Donkey

Equus asinus

Horse

Equus caballus

Suidae

Pig

Sus scrofa

Camelidae

Camels, Alpacas, Llamas, Vicunas

Camelids, all kinds

Bovidae

Indian cattle

Bos indicus

European cattle

Bos taurus

Goat

Capra hircus

Sheep

Ovis aries

Caviidae

Guinea Pig

Cavia procellus

Leporidae

European rabbit

Oryctolagus cuniculus

SCHEDULE 8

SCHEDULE 9 - Licences

Regulations 5, 6 and 9

PART 1 - Skin dealer's licences

Name of licence

Authority given by licence

Fee (Fee Units)

Fauna dealer's licence (skins)

A licence authorising the holder, during a period of 12 months ending on 31 December in any year -

50

(a) to buy untreated skins and unmarked skins; and

(b) to sell any skins (including untreated skins) that are not unmarked skins.

PART 2 - Wallaby licences

Name of licence

Authority given by licence

Fee (Fee Units)

Commercial wallaby hunter's licence

A licence authorising the holder -

40

(a) to take wallaby during the open season specified in the licence; and

(b) to sell the skins of any wallaby taken by the holder under the licence; and

(c) to sell the meat of any wallaby taken by the holder under the licence to the holder of a licence in respect of any licensed game meat processing works or licensed pet food works, within the meaning of the Meat Hygiene Act 1985, or to the person in charge of the operation of any licensed game meat processing works or licensed pet food works, within the meaning of that Act.

Wallaby licence

A licence authorising the holder to take wallaby during the open season specified in the licence.

20

PART 3 - Muttonbird licences

Name of licence

Authority given by licence

Fee (Fee Units)

Commercial muttonbird catcher's licence

A licence authorising the holder -

(a) to take juvenile muttonbirds on the rookeries specified in the licence during the open season specified in the licence; and

(b) to sell any juvenile muttonbirds taken by the holder in pursuance of the licence to a person who is authorised under the Meat Hygiene Act 1985 to process juvenile muttonbirds or to the person in charge of any such authorised operation.

Muttonbird licence

A licence authorising the holder to take during the open season specified in the licence, in any one day, the following number of juvenile muttonbirds:

20

(a) in the Bass Strait Islands - 25; and

(b) elsewhere - 15.

PART 4 - Other licences

Name of licence

Authority given by licence

Fee (Fee Units)

Deer licence

A licence authorising the holder to take deer during the open season specified in the licence.

45

Duck licence

A licence authorising the holder to take wild duck during the open season specified in the licence.

20

Pheasant licence

A licence authorising the holder to take adult male pheasant during the open season specified in the licence.

10

Brown quail

A licence authorising the holder to take brown quail during the open season specified in the licence.

20

SCHEDULE 10 - Royalties

1

6.

24 (1)

1

7.

25 (4)

2

7A.

26 (2)

2

8.

30 (1)

1

9.

30 (3)

1

10.

32 (4) (b)

1

11.

33 (3)

2

12.

33 (4)

2

13.

33 (5)

2

14.

33 (6)

2
15.
34(5)
2
16.
55(1)
1
17.
55(2)
1
18.
55(5)
2
19.
55(6) (a)
2
20.
55(6) (b)
2

Displayed and numbered in accordance with the Rules Publication Act 1953.

Notified in the Gazette on 22 December 1999.

These regulations are administered in the Department of Primary Industries, Water and Environment.

Table Of Amendments

Citation	Serial Number	Date of commencement
Wildlife Regulations 1999	S.R. 1999, No. 168	1.1.2000
Wildlife Amendment Regulations 2000	S.R. 2000, No. 44	31.5.2000
Wildlife Amendment (Open Season) Regulations 2000	S.R. 2000, No. 230	27.12.2000
Wildlife Amendment Regulations 2001	S.R. 2001, No. 29	4.4.2001
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