

Authorised Version No. 013
Wildlife (Game) Regulations 2001

S.R. No. 90/2001

Authorised Version incorporating amendments as at
6 September 2011

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PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are—

- (a) to make further provision for the procedure for granting and administering game licences;
- (b) to make further provision for open and close seasons and bag limits;
- (c) to regulate methods of hunting;
- (d) to provide for the management of hunting and the identification, possession and use of game;
- (e) to make further provision for specified hunting areas.

2 Authorising provisions

These Regulations are made under sections 22A, 58C and 87 of the **Wildlife Act 1975**.

3 Commencement

- (1) These Regulations, except for regulations 10, 11, 19, 20, 21, 22 and 31(10), come into operation on 16 September 2001.
- (2) Regulations 10 and 11 come into operation on 3 May 2003.
- (3) Regulations 19, 20, 21, 22 and 31(10) come into operation on 24 April 2004.

4 Revocation

The Regulations set out in Schedule 1 are **revoked**.

5 Sunset provision—Revocation of Divisions 2 and 3 of Part 2 of Schedule 5

Divisions 2 and 3 of Part 2 of Schedule 5 are **revoked** on 24 April 2004.

6 Definitions

In these Regulations—

bag limit in relation to a taxon of game means the bag limit prescribed by these Regulations for that taxon of game;

Deer Hunting Test means the test that is conducted by the Secretary under regulation 10(1);

established pest animal has the same meaning as in the **Catchment and Land Protection Act 1994**;

freezing chamber means any facility capable of being used for freezing or cold storage;

game bird means any taxon of bird listed in Part 2 of Schedule 3;

gundog means a dog from a breed listed in Part 1 of Schedule 5;

Hog Deer Tag means a tag that is issued in accordance with regulation 44;

motor boat means a boat which has at least one motor fitted or attached which when operating is capable of propelling the boat and includes any craft known as an "airboat" or "hovercraft";

park has the same meaning as in the **National Parks Act 1975**;

possession in relation to shot, a firearm or a spotlight includes any of the following—

- (a) physical possession of the shot, firearm or spotlight;
- (b) custody or control of the shot, firearm or spotlight;
- (c) access to the shot, firearm or spotlight, either solely or in common with others;

recognised deer habitat means an area referred to in Schedule 6;

regulated spotlight means a spotlight that is not—

- (a) an artificial light with a power source of 4·5 volts or less; or
- (b) a domestic source of light used for domestic purposes; or
- (c) an emergency source of light used for emergency purposes; or
- (d) light on a motor vehicle fixed in accordance with the **Road Safety Act 1986**;

scent-trailing hound means a dog from a breed or class referred to in Part 2 of Schedule 5;

secured in relation to a firearm, magazine, ammunition or shot in a vehicle means—

- (a) in the case of a vehicle with a boot or storage area (that is not a glove box), being in a securely fastened case or container locked in the boot or storage area of the vehicle; or

- (b) in the case of a vehicle without a boot or other storage area (that is not a glove box), being in a securely fastened case or container stowed in a part of the vehicle not readily accessible by any occupant of the vehicle;

spotlight means any of the following—

- (a) a source of artificial light;
- (b) an infrared device;
- (c) a night viewing device;

State Game Reserve means an area classified as a State Game Reserve under section 15 of the Act;

take means to gain possession or control of wildlife by any means and also includes causing, permitting or assisting in taking wildlife;

the Act means the **Wildlife Act 1975**;

toxic shot means shot which is not of a class or type described in Schedule 7;

Waterfowl Identification Test means the test that is conducted by the Secretary under regulation 8(1);

waterway means—

- (a) a river, creek, stream or watercourse; or
- (b) a natural channel in which water regularly flows, whether or not the flow is continuous; or
- (c) a channel formed wholly or partly by the alteration or relocation of any such river, creek, stream, watercourse or channel.

PART 2—GAME LICENCES

7 Application for a game licence

- (1) A person who is applying for a game licence must do so in the form provided for the purpose by the Secretary.
- (2) A person who is applying for a game licence may be required by the Secretary—
 - (a) to set out in the application—
 - (i) his or her personal particulars; and
 - (ii) details of any convictions for offences under the Act, the **Firearms Act 1996** or the **Prevention of Cruelty to Animals Act 1986** during the 10 years preceding the application; and
 - (iii) the class or classes of game for which the licence is required; and
 - (b) to provide with the application—
 - (i) evidence to verify his or her personal particulars; and
 - (ii) the fee to be paid for the licence under regulation 12.

8 Waterfowl Identification Test

- (1) The Secretary may conduct a test on the identification of taxons of waterfowl.
- (2) Where a person is required to take part in the Waterfowl Identification Test, the person must pay the fee determined by the Secretary.
- (3) The fee determined by the Secretary for the Waterfowl Identification Test must not exceed 5.5 fee units.

Reg. 8(3)
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 54.1).

9 Granting of game licence for duck

A person applying for a game licence under section 22A of the Act, or for a variation to such a licence, for the hunting or taking of duck must undertake and obtain a pass in the Waterfowl Identification Test.

10 Deer Hunting Test

- (1) The Secretary may conduct a test in relation to deer hunting which includes the following matters—
 - (a) understanding the Act and these Regulations and the law relating to the hunting of deer; and
 - (b) principles for the use of firearms or bows or both; and
 - (c) ethics of hunting; and
 - (d) any other matters determined by the Secretary.
- (2) Where a person is required to take part in the Deer Hunting Test, the person must pay the fee determined by the Secretary.
- (3) The fee determined by the Secretary for the Deer Hunting Test must not exceed 5.5 fee units.

Reg. 10(3)
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 54.1).

11 Granting of game licence for deer

A person applying for a game licence or for a variation of a game licence for the hunting or taking of Sambar Deer with the use of scent-trailing hounds must undertake and obtain a pass in the Deer Hunting Test.

12 Game licence fees

- (1) Subject to subregulations (2) and (3), the fees to be paid to the Secretary by an applicant for a game licence for the hunting or taking of the category of game listed in Column 1 of the Table of Game Licence Fees is the amount set out opposite that category of game in Column 2 of that Table.

Table of game licence fees		Reg. 12(1) Table amended by S.R. No. 88/2004 reg. 4(Sch. 1 item 54.2(a) (b)).
Column 1	Column 2	
<i>Category of game</i>	<i>Fee</i>	
Game birds	4 fee units per year or part year	
Deer	4 fee units per year or part year	
Game birds and deer	6.4 fee units per year or part year	

- (2) If an applicant for a game licence satisfies the Secretary that he or she is an eligible recipient within the meaning of the **State Concessions Act 1986** the fee to be paid for a game licence is half that of the fee to be paid under subregulation (1).
- (3) The fee to be paid by an applicant for a game licence who is under the age of 18 years is a fee which is half that of the fee in subregulation (1).
- (4) A person who holds a game licence to hunt or take a category of game listed in Column 1 of the Table of Game Licence Fees who applies to have the licence varied to hunt or take another category of game listed in that Table, in addition to the variation fee payable under regulation 13, must pay the difference, if any, between the fees for the categories of game listed in the Table.

Reg. 13
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 54.3).

13 Fee for variation of game licence

The fee for an application for a variation of a game licence is 1 fee unit.

14 Issue of replacement game licence

Reg. 14(1)
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 54.3).

- (1) The Secretary may, upon payment by the game licence holder of a fee of 1 fee unit, issue a game licence to replace one which has been stolen, lost, damaged or destroyed.
- (2) A game licence holder who applies for a replacement game licence must provide personal particulars necessary to identify the applicant, including evidence to verify those particulars.
- (3) The Secretary may require a game licence holder who applies for a replacement game licence to comply with any of the requirements of regulation 7.

15 Licence document as evidence

- (1) If the Secretary has granted a game licence to a person, the Secretary may issue a document to that person as evidence of that fact.
- (2) It is a condition of a game licence that a document issued under subregulation (1) must be signed by the holder of the licence.

16 Change of address

A person who holds a game licence must notify the Secretary if that person changes his or her address and must forward his or her game licence to the Secretary for amendment within 7 days of changing address.

Penalty: 2 penalty units.

17 Fee for ballot

- (1) Where a game licence holder is required to take part in a ballot, the game licence holder must pay the fee determined by the Secretary.
- (2) The fee determined by the Secretary under subregulation (1) must not exceed 5 fee units.

Reg. 17(2)
amended by
S.R. No.
88/2004
reg. 4(Sch. 1
item 54.4).

18 Condition of game licences allowing the hunting or taking of Sambar Deer with scent-trailing hounds

For the purposes of section 22A(3) of the Act, a game licence which allows a person to hunt or take Sambar Deer with the use of a scent-trailing hound is subject to the condition that the person must not hunt or take Sambar Deer with the use of a scent-trailing hound unless—

- (a) if—
 - (i) the person is hunting alone, the person is using at the time of hunting, no more than 5 scent-trailing hounds; or
 - (ii) the person is hunting in a team, the team is using, at the time of hunting, no more than 5 scent-trailing hounds; and
- (b) if a person is hunting in a team, the team consists of not more than 10 persons.

19 Condition of game licence requiring only registered scent-trailing hounds to be used

- (1) For the purposes of section 22A(3) of the Act, a game licence which allows a person to hunt or take Sambar Deer with the use of a scent-trailing hound is subject to the condition that the holder of a licence must not use a scent-trailing hound for the hunting or taking of Sambar Deer, unless that hound is registered with the Secretary.

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- (2) On application by the owner of a scent-trailing hound, the Secretary may register a scent-trailing hound if—
- (a) the Secretary has consulted with a person or body approved by the person responsible for the regulation of hunting under the **Prevention of Cruelty to Animals Act 1986**; and
 - (b) the hound is identified by—
 - (i) in the case of a scent-trailing hound which is 12 months of age or older, the implantation of a microchip, the information on which can be detected and decoded by a multireader capable of reading Destron and Trovan microchips; or
 - (ii) in the case of a scent-trailing hound which is less than 12 months of age, a legible ear tattoo of the registration number of that hound.
- (3) The registration of a scent-trailing hound, unless sooner cancelled, suspended or surrendered, remains in force for the period specified in the notice of registration, which must not exceed three years.

20 Power of Secretary to cancel registration of a scent-trailing hound

- (1) The Secretary may cancel the registration of a scent-trailing hound, by notice in writing given to the owner of the hound, if the Secretary is satisfied, on reasonable grounds, that—
 - (a) the owner knowingly provided false or misleading information with the application for registration; or

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- (b) the hound has been found in circumstances in which the owner and possessor (within the meaning of regulation 31) would be guilty of an offence against regulation 31(4) in respect of the hound; or
 - (c) the owner has been found guilty of an offence against the Act or these Regulations in respect of the hound; or
 - (d) the hound no longer complies with the conditions of registration under regulation 19(2)(b).
- (2) Before cancelling the registration of a hound the Secretary must—
- (a) notify the owner that he or she proposes to cancel the registration; and
 - (b) allow the owner an opportunity to make written submissions.
- (3) Submissions under subregulation (2) must be made within the period specified in the notice.
- (4) In making a decision as to whether or not to cancel the registration of a hound, the Secretary must—
- (a) have regard to any submissions made under subregulation (2) within the period specified in the notice; and
 - (b) must notify the owner of his or her decision.

21 Power of Secretary to suspend registration of a scent-trailing hound

- (1) The Secretary may suspend the registration of a scent-trailing hound, by notice in writing to the owner, if the Secretary is satisfied, on reasonable grounds, that—
- (a) the owner knowingly provided false or misleading information with the application for registration; or
 - (b) the hound has been found in circumstances in which the owner and possessor (within the meaning of regulation 31) would be guilty of an offence against regulation 31(4) in respect of the hound; or
 - (c) the owner has been found guilty of an offence against the Act or these Regulations in respect of the hound; or
 - (d) the hound no longer complies with the conditions of registration under regulation 19(2)(b).
- (2) A suspension under this regulation has effect—
- (a) from the time specified in the notice given under subregulation (1), which must be after the day on which the notice is given; and
 - (b) subject to regulation 22, for the period (not exceeding 90 days) specified in the notice.

22 Making submissions on suspension of the registration of a scent-trailing hound

- (1) On suspending the registration of a hound, the Secretary must allow the owner of the hound an opportunity to make written submissions.
- (2) Submissions must be made within the period specified in the notice of suspension.

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- (3) On receiving any submissions under subregulation (2), the Secretary must review the decision to suspend the registration, and in doing so must have regard to the submissions and may decide—
- (a) not to revoke or amend the suspension; or
 - (b) to revoke or amend the suspension.
- (4) The Secretary must notify the owner of the outcome of the review.
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PART 3—OPEN AND CLOSE SEASONS AND BAG LIMITS

23 Close season

For the purposes of the Act, the close season for a kind or taxon of game is set out in Schedule 2.

24 Open season

For the purposes of the Act, the open season for a kind or taxon of game is set out in Schedule 3.

25 Bag limit

A person must not, in relation to a taxon of game set out in Schedule 4, take or destroy more than the number of game set out in that Schedule for that taxon, in the period set out in that Schedule for that number of game.

Penalty: 20 penalty units.

PART 4—HUNTING METHODS

26 Twelve-gauge shotgun to be used when hunting game birds

A person must not hunt, take or destroy game birds other than with a shotgun having a gauge no greater than 12 gauge.

Penalty: 20 penalty units.

27 Use of toxic shot

(1) A person must not—

(a) use toxic shot to hunt, take or destroy ducks;
or

(b) be in possession of toxic shot—

(i) in the course of hunting ducks; or

(ii) within an area in which he or she intends to hunt ducks; or

(iii) within a State Game Reserve.

Penalty: 20 penalty units.

(2) Subregulation (1) does not apply in the following circumstances—

(a) in any period from 1 January 2002 to 31 December 2004 when a person is hunting or taking or intending to hunt or take ducks in the open season for duck if the person is using a shotgun with a gauge of less than 12 gauge; or

(b) when a person is hunting or taking or intending to hunt or take ducks in the open season for duck, if the person is using a muzzle-loading, Damascus steel or twist barrelled shotgun.

(3) Subregulation (1)(b) does not apply where the shot is secured in a vehicle.

r. 28

Reg. 27(4)
amended by
S.R. No.
147/2004
reg. 39.

- (4) Subregulation (1)(b)(iii) does not apply when a person is in possession of toxic shot while hunting or intending to hunt quail in an area specified in Schedule 2 of the Wildlife (State Game Reserve) Regulations 2004.¹

28 Approved methods for hunting deer

Reg. 28(1)
amended by
S.R. No.
10/2009 reg. 5.

- (1) A person must not hunt, take or destroy Red Deer, Rusa Deer or Sambar Deer other than by the use of—
- (a) a centre-fire rifle having a calibre of no less than 6.85 mm (0.270") with ammunition which has a cartridge case length of no less than 51 mm (2") and a projectile weight of no less than 8.45 grams (130 grains); or
 - (b) a muzzle-loading rifle having a calibre of no less than 11.45 mm (0.45"), with a projectile of not less than 14.91 grams (230 grains) in weight; or
 - (c) a long bow having a draw-weight of no less than 22.5 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades; or
 - (d) a recurved bow having a draw-weight of no less than 22.5 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades; or
 - (e) a compound bow having a peak-weight of no less than 22.5 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades; or

- (f) a cross-bow having a draw-weight of no less than 36·6 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades.

Penalty: 20 penalty units.

- (2) A person must not hunt, take or destroy any other deer declared to be game other than by the use of—

- (a) a centre-fire rifle having a calibre of no less than 6·17 mm (0·243") with ammunition which has a cartridge case length of no less than 51 mm (2") and a projectile weight of no less than 5·51 grams (85 grains); or
- (b) a muzzle-loading rifle having a calibre of no less than 11·45 mm (0·45") with a projectile of not less than 8·62 grams (133 grains) in weight; or
- (c) a long bow having a draw-weight of no less than 22·5 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades; or
- (d) a recurved bow having a draw-weight of no less than 22·5 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades; or
- (e) a compound bow having a peak-weight of no less than 22·5 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades; or

- (f) a cross-bow having a draw-weight of no less than 36·6 kilograms, using a broad-head arrow having a minimum weight of no less than 25 grams and a minimum of two sharpened cutting blades.

Penalty: 20 penalty units.

29 Use of baits, lures and decoys when hunting game

- (1) A person must not hunt or take game or cause, permit or assist in the hunting or taking of game using any bait, lure, decoy or live animal to attract game.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a decoy made or constructed to resemble or represent a waterbird or any call resembling the call of a waterbird or deer.

30 Use of dogs when hunting game birds

- (1) A person must not use a dog when hunting or taking game birds or cause or permit a dog to be so used.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to—
 - (a) gundogs used to locate, flush, point or retrieve game birds during an open season; or
 - (b) gundogs used in any field trials conducted during an open season, by an organisation approved by the Secretary; or
 - (c) gundogs being trained to locate, point or flush game birds during the close season if a person accompanying a dog being so trained is not carrying or using any firearm other than a starter's pistol.

31 Use of dogs for hunting deer

- (1) A person must not use a dog for hunting deer other than—
 - (a) a registered scent-trailing hound for the purpose of scent-trailing Sambar Deer; or
 - (b) a gundog for the purpose of locating, pointing or flushing Sambar Deer.

Penalty: 20 penalty units.
- (2) A person hunting alone must not use more than 2 gundogs for the purpose of locating, pointing or flushing Sambar Deer.

Penalty: 20 penalty units.
- (3) A person hunting in a team must ensure that the team does not use more than 2 gundogs for the purpose of locating, pointing or flushing Sambar Deer.

Penalty: 20 penalty units.
- (4) If while hunting deer, a scent-trailing hound is found—
 - (a) on private property; or
 - (b) in a park, other than in accordance with the **National Parks Act 1975**; or
 - (c) in any area prohibited by these Regulations; or
 - (d) in any other area closed under Part XI of the Act—

the owner of the scent-trailing hound or the possessor of the scent-trailing hound (if the possessor of the hound is not the owner) is guilty of an offence and liable to a penalty of not more than 20 penalty units.

(5) Subregulation (4) does not apply to a scent-trailing hound found on private property where the owner or possessor of the scent-trailing hound has permission to hunt deer on that property using scent-trailing hounds from the owner of the property, or, where the owner is not the occupier, from the occupier of the property.

(6) For the purposes of subregulation (4), *possessor* in relation to a scent-trailing hound means a person who keeps or harbours the hound or has the scent-trailing hound in his or her care for the time being whether the hound is at large, is restrained or is in confinement.

(7) A person who uses a dog for hunting deer in accordance with this regulation, must ensure that the dog is wearing a collar to which is securely attached a metal tag or label on which is legibly printed the name and address or name, address and telephone number of the owner of the dog.

Penalty: 20 penalty units.

(8) A person who uses a scent-trailing hound for hunting deer must ensure that the hound does not attack, bite or maim wildlife.

Penalty: 20 penalty units.

* * * * *

(10) In this regulation and in regulation 32 *registered scent-trailing hound* means a scent-trailing hound that is registered by the Secretary under regulation 19.

(11) Subregulation (9) is revoked on the day on which subregulation (10) comes into operation.

Reg. 31(9)
revoked by
S.R. No.
90/2001
reg. 31(11).

32 Use of dogs in recognised deer habitat

- (1) A person who is hunting on public land in recognised deer habitat must not have in his or her care or control a dog (that is not a registered scent-trailing hound or gundog) unless the dog is restrained or confined.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a person who has the approval in writing of the Secretary to have such a dog in his or her care or control.

33 Use of spotlights or electronic devices for hunting

- (1) A person must not use any of the following to hunt game—

- (a) a spotlight;
- (b) an electronic device (that is not a dot sight that does not project a beam);
- (c) a recorded sound.

Penalty: 20 penalty units.

- (2) A person must not—

- (a) be in possession of a regulated spotlight and a firearm; or
- (b) be in possession of a regulated spotlight and be in company with a person in possession of a firearm; or
- (c) be in possession of a firearm and be in company with a person in possession of a regulated spotlight—

in a recognised deer habitat between the hours of sunset and sunrise.

Penalty: 20 penalty units.

- (3) Subregulation (2) does not apply to a person—
- (a) if the person is in the process of controlling established pest animals within 500 metres outside of the boundary of freehold land which is owned or occupied by that person or a person for whom that person acts as agent; or
 - (b) if the person is in the company of a person to whom paragraph (a) applies; or
 - (c) if the person is the holder of an authorisation under section 28A of the Act and is acting in accordance with that authorisation; or
 - (d) in the case of a person who is in a vehicle in which there is a firearm, magazine or ammunition if—
 - (i) any such firearm is unloaded and secured; and
 - (ii) any such magazine is unloaded and secured; and
 - (iii) any such ammunition is secured; and
 - (iv) any regulated spotlight in or on the vehicle is not in use.

34 Aircraft and motor vehicles not to be used for hunting game

A person must not hunt or take game or cause, permit or assist in the hunting or taking of game from an aircraft or motor vehicle.

Penalty: 20 penalty units.

35 Game fleeing from fire or smoke not to be hunted

A person must not hunt, take or destroy game that is fleeing from fire or smoke.

Penalty: 20 penalty units.

36 Hunting at night prohibited

A person must not hunt, take or destroy game during the period commencing a half-hour after sunset on any day and ending a half-hour before sunrise on the next day.

Penalty: 20 penalty units.

37 Hunting from motorboats prohibited

- (1) A person must not hunt, take or destroy duck or cause, permit or assist in the hunting, taking or destroying of duck from a motor boat whose motor is running whether in gear or not.

Penalty: 20 penalty units.

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

- (a) a motor boat under power which is operating at a speed of 5 knots or less in any waterway;
or
 - (b) a motor boat under power which is operating at a speed of 5 knots or less for the purpose of retrieving dead or wounded duck.
-

PART 5—POSSESSION AND USE OF GAME

38 Person taking or wounding game to kill that game on recovery

A person who takes game which is alive when recovered must immediately kill that game.

Penalty: 20 penalty units.

39 Possession of duck

A person who has in his or her possession any taxon of duck must leave one fully feathered wing attached to the duck until immediately prior to cooking or until that duck has been taken to the person's ordinary place of residence.

Penalty: 2 penalty units.

40 Storage of game in freezing chamber

(1) A person must not have game in his or her possession or control in a freezing chamber in any shop, commercial premises or business premises except in accordance with the following conditions—

- (a) the game must be contained within a bag or receptacle;
- (b) any bag or receptacle containing any game must have a tag securely attached on which the following particulars are legibly written—
 - (i) the name and address of the owner of the game; and
 - (ii) the date on which the game was placed in the freezing chamber; and
 - (iii) the game licence number under which the game was taken.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to any refrigerator, deep freeze or cold storage in any domestic premises.

41 Game prohibited on commercial premises where food is cooked

- (1) A person must not have in his or her possession or control on commercial premises in which food is cooked or served, any game other than game which has been obtained from a Game Bird Farm, Deer Farm or Wildlife Processor licensed under the Act or from licensed interstate sources.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to the possession or control of game by an organisation which has the approval in writing of the Secretary to serve that game at a meal conducted by that organisation.

42 Sale of game prohibited unless obtained lawfully

- (1) A person must not sell or expose for sale any game.

Penalty: 20 penalty units.

- (2) Subregulation (1)—

(a) does not apply to any person—

- (i) who holds a licence, permit or other authority issued under section 22 or 28A or Part IX of the Act which entitles the person to sell any taxon of wildlife declared to be game; and
- (ii) who is acting in accordance with that licence, permit or authority; and

Wildlife (Game) Regulations 2001

S.R. No. 90/2001

Part 5—Possession and Use of Game

r. 42

-
- (b) does not apply to any person who receives game from a commercial interstate source authorised under the laws of that State or Territory to sell the game.
-

PART 6—HOG DEER TAGS

43 Application for Hog Deer Tags

- (1) A person who is applying for Hog Deer Tags must do so in a manner determined by the Secretary.
- (2) A person who is applying for Hog Deer Tags may be required by the Secretary to provide evidence of a game licence held by that person.

44 Issue of Hog Deer Tags

The Secretary may issue 2 Hog Deer Tags per year to any holder of a game licence under section 22A of the Act for the hunting or taking of deer.

45 Validity of Hog Deer Tags

A Hog Deer Tag is valid only for the year for which it is issued.

46 Possession of Hog Deer

- (1) A person must not have in his or her possession or control the carcass of any female Hog Deer unless a Hog Deer Tag marked with the letter "F" is affixed to the hind leg.

Penalty: 20 penalty units.

- (2) A person must not have in his or her possession or control the carcass of any male Hog Deer unless a Hog Deer Tag marked with the letter "M" is affixed to the hind leg.

Penalty: 20 penalty units.

47 Requirement to attach tags to Hog Deer killed

A person who kills a Hog Deer must immediately affix a Hog Deer Tag to the hind leg of the deer in the following manner—

- (a) the tag must be affixed above the hock by inserting the end of the tag between the main bone of the leg and the main tendon;
- (b) the tag must then completely encircle the main bone and must be securely locked in position.

Penalty: 20 penalty units.

48 Hog Deer not to be removed until tag is affixed

A person who kills any Hog Deer must not remove the Hog Deer from where it has been killed unless a Hog Deer Tag is affixed to the hind leg in accordance with regulation 47.

Penalty: 20 penalty units.

49 Removal of Hog Deer Tags

A person must not, without the written approval of the Secretary—

- (a) remove the Hog Deer Tag from the body of any Hog Deer killed until the body of that deer has been removed to a checking station in accordance with regulation 54 by the holder of the game licence under the authority of which the Hog Deer was taken; or
- (b) remove the head or dismember any Hog Deer killed until the body of that deer has been removed to a checking station in accordance with regulation 54 by the holder of the game licence under the authority of which the Hog Deer was taken.

Penalty: 20 penalty units.

50 Hog Deer Tags to be obtained

A person must not hunt, take or destroy Hog Deer without having in his or her possession one Hog Deer Tag marked with the letter "F" for female or one Hog Deer Tag marked with the letter "M" for male.

Penalty: 20 penalty units.

51 Hog Deer Tags not to be sold etc.

A person issued with a Hog Deer Tag must not sell, give, lend or transfer that Hog Deer Tag to any other person.

Penalty: 20 penalty units.

52 Hog Deer Tags not to be altered, defaced or reproduced

A person must not alter, deface or reproduce a Hog Deer Tag.

Penalty: 20 penalty units.

53 Unused Hog Deer Tags to be returned

A person who is issued with Hog Deer Tags for a year must, within 28 days of the last day of each open season in the year for which the Hog Deer Tags were issued, forward to the Secretary, by registered post—

- (a) a complete and accurate return for the year detailing—
 - (i) the name, and address of the person and the game licence number of the licence under which the tags have been issued; and
 - (ii) if the person has taken any Hog Deer in the year, where and when the person took the deer; and

- (iii) the amount of time the person spent hunting for Hog Deer; and
- (iv) any other particulars regarding the taking of Hog Deer by the person that the Secretary requires; and
- (b) any Hog Deer Tags issued to the person for the year which the person has not used.

Penalty: 10 penalty units.

54 Hog Deer carcass to be taken to checking station

- (1) The Secretary may nominate places, to be known as checking stations, for the purposes of recording biological, physical and other information about Hog Deer taken.
- (2) The Secretary must publish a notice in the Government Gazette giving details of the location and opening times of the checking stations.
- (3) A person who takes a Hog Deer during the open season must—
 - (a) within 24 hours of the taking of the deer, take the Hog Deer carcass to a checking station nominated under subregulation (1) during the hours that the checking station is open for business; and
 - (b) provide any biological sample from the Hog Deer carcass that is requested by the Secretary for the purpose of examination for any disease or disorder.

Penalty: 20 penalty units.

PART 7—SPECIFIED HUNTING AREAS AND SPECIFIED TIMES—OPEN SEASON FOR DUCK

55 Specified hunting areas

For the purposes of section 58C of the Act, the following are declared to be specified hunting areas—

- (a) the waters of any State Game Reserve and the land within 5 metres of the water shoreline of those waters;
- (b) the waters of the hunting areas described in Schedule 8 and the land within 5 metres of the water shoreline of those waters.

56 Times when entry onto or remaining in specified hunting areas are prohibited

For the purposes of section 58C(1) of the Act, the following times are specified as the times during which entry onto or remaining in a specified hunting area is prohibited—

- (a) from the commencement of the open season for ducks until 10.00 a.m. on the first Saturday of the open season for ducks in each year;
- (b) between the hours of 5.00 p.m. on the first Saturday of the open season for ducks and 10.00 a.m. on the first Sunday of the open season for ducks in each year.

PART 8—DEER HUNTING AREAS

57 Prohibited deer hunting areas

A person must not hunt, take or destroy deer within the areas of Victoria indicated by shading on the plans in Parts 1, 2 and 3 of Schedule 9.

Penalty: 20 penalty units.

58 Areas for hunting Sambar Deer with dogs

A person must not hunt, take or destroy Sambar Deer with scent-trailing hounds or gundogs in any area of Victoria other than within that part of the area shown by shading on the plan in Part 1 of Schedule 10 (part of the boundary of which is shown in greater detail on the plan in Part 2 of Schedule 10) that does not include the area shown by shading on the plan in Part 3 of Schedule 10.

Penalty: 20 penalty units.

* * * * *

Reg. 59
revoked by
S.R. No.
50/2008 reg. 4.

Wildlife (Game) Regulations 2001
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Sch. 1

SCHEDULES

SCHEDULE 1

Regulation 4

REGULATIONS REVOKED

<i>S.R. No.</i>	<i>Title</i>
254/1990	Wildlife (Game) Regulations 1990
32/1991	Wildlife (Game) (Hunting) Regulations 1991
34/1991	Wildlife (Game) (Amendment) Regulations 1991
9/1992	Wildlife (Game) (Licence Fees) Regulations 1992
56/1992	Wildlife (Game) (Amendment) Regulations 1992
25/1994	Wildlife (Game) (Amendment) Regulations 1994
27/1994	Wildlife (Game) (Hunting Season) Regulations 1994
15/1996	Wildlife (Game) (Human Safety) Regulations 1996
21/1996	Wildlife (Game) (Ducks – Open Season) Regulations 1996
98/1996	Wildlife (Game) (Amendment) Regulations 1996
20/1998	Wildlife (Game) (Specified Hunting Area) Regulations 1998
10/2000	Wildlife (Game) (Amendment) Regulations 2000
25/2001	Wildlife (Game) (Deer Amendment) Regulations 2001

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S.R. No. 90/2001

Sch. 2

Sch. 2
amended by
S.R. Nos
20/2004 reg. 3,
10/2009 reg. 6.

SCHEDULE 2

Regulation 23

CLOSE SEASONS FOR GAME

<i>Common Name</i>	<i>Scientific Name</i>	<i>Close Season</i>
PART 1—DEER		
Hog Deer	<i>Axis porcinus</i>	From 30 minutes after sunset on the last day in April in each year to 30 minutes before sunrise on the first day in April in the next year following.
Red Deer	<i>Cervus elaphus</i>	From 30 minutes after sunset on the last day in July in each year to 30 minutes before sunrise on the first day in June in the next year following.
Sambar Deer	<i>Cervus unicolor</i>	When taken or hunted with scent-trailing hounds, from 30 minutes after sunset on the last day of November in each year to 30 minutes before sunrise on the second Saturday after Easter Sunday in the next year following.

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Sch. 2

<i>Common Name</i>	<i>Scientific Name</i>	<i>Close Season</i>
PART 2—GAME BIRDS		
Stubble Quail	<i>Coturnix pectoralis</i>	From 30 minutes after sunset on the last day in June to 30 minutes before sunrise on the first Saturday in April in the next year following.
Latham's (Japanese or Jack) Snipe	<i>Gallinago hardwickii</i>	For the whole of each year.
Pacific Black Duck	<i>Anas superciliosa</i>	<div style="display: flex; align-items: center;"> <div style="font-size: 4em; margin-right: 10px;">}</div> <div> From 30 minutes after sunset on the second Monday in June in each year until midnight on the day before the third Saturday in March in the next year following. </div> </div>
Australasian (Blue Winged) Shoveler	<i>Anas rhynchotis</i>	
Chestnut Teal	<i>Anas castanea</i>	
Grey Teal	<i>Anas gibberifrons</i>	
Hardhead (White-eyed) Duck	<i>Aythya australis</i>	
Australian Shelduck (Mountain Duck)	<i>Tadorna tadornoides</i>	
Pink-eared Duck	<i>Malacorhynchus membranaceus</i>	
Australian Wood Duck (Maned Duck)	<i>Chenonetta jubata</i>	

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S.R. No. 90/2001

Sch. 3

Sch. 3
amended by
S.R. Nos
20/2004 reg. 4,
50/2008 reg. 5,
10/2009 reg. 7.

SCHEDULE 3

Regulation 24

OPEN SEASONS FOR GAME

<i>Common Name</i>	<i>Scientific Name</i>	<i>Open Season</i>
PART 1—DEER		
Chital Deer	<i>Axis axis</i>	For the whole of each year.
Fallow Deer	<i>Dama dama</i>	For the whole of each year.
Hog Deer	<i>Axis porcinus</i>	From 30 minutes before sunset on the first day in April until 30 minutes after sunset on the last day of April in each year.
Red Deer	<i>Cervus elaphus</i>	From 30 minutes before sunrise on the first day in June until 30 minutes after sunset on the last day in July each year.
Rusa Deer	<i>Cervus timorensis</i>	For the whole of each year.
Sambar Deer	<i>Cervus unicolor</i>	When not taken or hunted with scent-trailing hounds, for the whole of the year. When taken or hunted with scent-trailing hounds, from 30 minutes before sunrise on the second Saturday after Easter Sunday until 30 minutes after sunset on the last day of November in each year.

Wildlife (Game) Regulations 2001
S.R. No. 90/2001

Sch. 3

<i>Common Name</i>	<i>Scientific Name</i>	<i>Open Season</i>
PART 2—GAME BIRDS		
Stubble Quail	<i>Coturnix pectoralis</i>	From 30 minutes before sunrise on the first Saturday in April until 30 minutes after sunset on the last day in June in each year.
Pacific Black Duck	<i>Anas superciliosa</i>	From the beginning of the third Saturday in March in each year until 30 minutes after sunset on the second Monday in June in each year.
Australasian (Blue Winged) Shoveler	<i>Anas rhynchotis</i>	
Chestnut Teal	<i>Anas castanea</i>	
Grey Teal	<i>Anas gibberifrons</i>	
Hardhead (White-eyed Duck)	<i>Aythya australis</i>	
Australian Shelduck (Mountain Duck)	<i>Tadorna tadornoides</i>	
Pink-eared Duck	<i>Malacorhynchus membranaceus</i>	
Australian Wood Duck (Maned Duck)	<i>Chenonetta jubata</i>	
Pheasants	<i>Phasianus</i> spp.	For the whole of each year.
Partridges	<i>Alectoris and Perdix</i> spp.	
European and Japanese Quail	<i>Coturnix coturnix</i>	
Californian Quail	<i>Lophortyx californicus</i>	

Wildlife (Game) Regulations 2001
S.R. No. 90/2001

Sch. 4

Sch. 4
amended by
S.R. No.
50/2008 reg. 6,
substituted by
S.R. No.
10/2009 reg. 8.

SCHEDULE 4

Regulation 25

BAG LIMITS FOR GAME

<i>Column 1</i> <i>Item</i> <i>number</i>	<i>Column 2</i> <i>Common</i> <i>Name</i>	<i>Column 3</i> <i>Scientific Name</i>	<i>Column 4</i> <i>Bag Limit</i>
1.	Chital Deer	<i>Axis axis</i>	No limit.
2.	Fallow Deer	<i>Dama dama</i>	No limit.
3.	Hog Deer	<i>Axis porcinus</i>	A maximum of one male and one female during an open season.
4.	Sambar Deer	<i>Cervus unicolor</i>	No limit.
5.	Red Deer	<i>Cervus elaphus</i>	No limit.
6.	Rusa Deer	<i>Cervus timorensis</i>	No limit.
7.	Stubble Quail	<i>Conturnix pectoralis</i>	A maximum of twenty on any day during an open season.

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S.R. No. 90/2001

Sch. 4

<i>Column 1</i> <i>Item</i> <i>number</i>	<i>Column 2</i> <i>Common</i> <i>Name</i>	<i>Column 3</i> <i>Scientific Name</i>	<i>Column 4</i> <i>Bag Limit</i>
8.	Pacific Black Duck	<i>Anas superciliosa</i>	A maximum of ten ducks, which may include no more than two Australasian (Blue Winged) Shovelers, on any day during an open season.
9.	Australasian (Blue Winged) Shoveler	<i>Anas rhynchotis</i>	
10.	Chestnut Teal	<i>Anas castanea</i>	
11.	Grey Teal	<i>Anas gibberifrons</i>	
12.	Hardhead (White-eyed Duck)	<i>Aythya australis</i>	
13.	Australian Shelduck (Mountain Duck)	<i>Tadorna tadornoides</i>	
14.	Pink-eared Duck	<i>Malacorhynchus membranaceus</i>	No limit.
15.	Australian Wood Duck (Maned Duck)	<i>Chenonetta jubata</i>	
16.	Pheasants	<i>Phasianus spp.</i>	
17.	Partridges	<i>Alectoris and Perdix spp.</i>	
18.	European and Japanese Quail	<i>Coturnix coturnix</i>	
19.	Californian Quail	<i>Lophortyx californicus</i>	

Sch. 5

Sch. 5
amended by
S.R. No.
90/2001 reg. 5.

SCHEDULE 5

Regulation 6

PART 1—GUNDOGS

Brittany Spaniel (Epagneul Breton)
Chesapeake Bay Retriever
Clumber Spaniel
Cocker Spaniel
Cocker Spaniel (American)
Curly Coated Retriever
English Setter
English Springer Spaniel
Field Spaniel
Flat Coated Retriever
German Shorthaired Pointer
German Wirehaired Pointer (Deutsch Drahthaar)
Golden Retriever
Gordon Setter
Hungarian Vizsla
Irish Red and White Setter
Irish Setter
Irish Water Spaniel
Italian Spinone
Labrador Retriever
Large Munsterlander
Nova Scotia Duck Tolling Retriever
Pointer
Sussex Spaniel
Weimaraner
Welsh Springer Spaniel

PART 2—SCENT-TRAILING HOUNDS

Division 1

Bloodhound

Beagle

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Sch. 6

Sch. 6
substituted by
S.R. No.
20/2004 reg. 5.

SCHEDULE 6

Regulation 6

RECOGNISED DEER HABITAT

All Crown land in the municipal districts of the following municipal councils—

Alpine Shire Council
Ararat Rural City Council
Baw Baw Shire Council
Benalla Rural City Council
Cardinia Shire Council
Colac-Otway Shire Council
Corangamite Shire Council
East Gippsland Shire Council
Glenelg Shire Council
Horsham Rural City Council
Mansfield Shire Council
Murrindindi Shire Council
Northern Grampians Shire Council
Pyrenees Shire Council
South Gippsland Shire Council
Southern Grampians Shire Council
Strathbogie Shire Council
Towong Shire Council
Wangaratta Rural City Council
Wellington Shire Council
Whittlesea City Council
Yarra Ranges Shire Council.

SCHEDULE 7

Regulation 6

SHOT WHICH IS NOT TOXIC SHOT

Shot commonly known by the description set out in Column 1 and constituted as described in the corresponding part of Column 2

<i>Column 1</i>	<i>Column 2</i>
Steel	(a) At least 98 per cent by weight iron; and (b) Not more than 1 per cent each by weight of any other element.
Bismuth	(a) At least 96 per cent by weight bismuth; and (b) Not more than 4 per cent by weight tin; and (c) Not more than 1 per cent by weight of any other element.
Tungsten—Matrix	(a) At least 86 per cent by weight tungsten; and (b) Not more than 5 per cent by weight nickel; and (c) Not more than 3 per cent by weight iron; and (d) Not more than 3 per cent by weight ethylene methacrylic acid copolymer; and (e) Not more than 1 per cent by weight of any other element or compound.
Tungsten—Iron	(a) At least 45 per cent by weight iron; and (b) Not more than 55 per cent by weight tungsten; and (c) Not more than 1 per cent by weight of any other element.

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Sch. 7

<i>Column 1</i>	<i>Column 2</i>
Tungsten—Polymer	(a) At least 93 per cent by weight tungsten; and (b) Not more than 7 per cent by weight Nylon 6 or Nylon 11; and (c) Not more than 1 per cent by weight of any other element or compound.
Tin	(a) At least 98 per cent by weight tin; and (b) Not more than 1 per cent by weight of any other element.

SCHEDULE 8

Regulation 55

HUNTING AREAS

<i>Area</i>	<i>Municipal district of the Council of</i>
Backwater Morass	Wellington and East Gippsland
Browns Lake (Cope Cope)	Buloke
Cullens Lake	Gannawarra
Cundare Pool	Colac-Otway
Fosters Swamp	Gannawarra
Grassy Lake	Buloke
Green Lake	Campaspe
Lake Batyo Catyo	Northern Grampians
Lake Boort	Loddon
Lake Buloke	Buloke
Lake Charm	Gannawarra
Lake Colongulac	Corangamite
Lake Coradgill	Corangamite
Lake Gnarpurt	Corangamite
Lake Kakydra	Wellington
Lake Kanagulk	Horsham
Lake Kelly	Gannawarra
Lake Lalbert	Gannawarra
Lake Leaghur	Loddon
Lake Lyndger	Loddon
Lake MacDonald	Gannawarra
Lake Marmal	Loddon
Lake Martin	Corangamite and Colac-Otway
Lake Melanhydra	Wellington
Lake Murphy	Gannawarra
Lake Nillahcootie	Delatite

Wildlife (Game) Regulations 2001
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Sch. 8

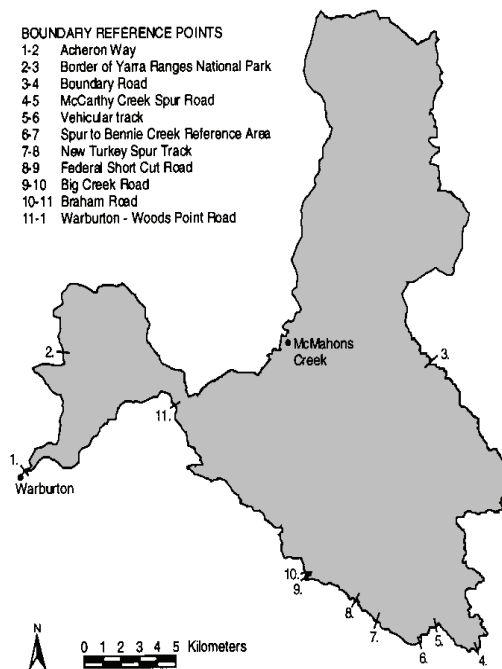
<i>Area</i>	<i>Municipal district of the Council of</i>
Lake Nurrumbeet	Buloke
Lake Reeve	Wellington
Lake Tutchewop	Gannawarra
Lake William	Gnangara
Little Lake Buloke	Buloke
Little Lake Charm	Gannawarra
Loch Garry	Greater Shepparton
Meridian Road Basins	Mildura
Morley Swamp	Wellington
Racecourse Lake	Campaspe
Red Morass	Wellington
Town Swamp	Gannawarra
Two Tree Swamp	Campaspe
Victoria Lagoon	Wellington
Woolshed Swamp	Loddon
Wooroonook Lakes	Buloke.

SCHEDULE 9

Regulation 57

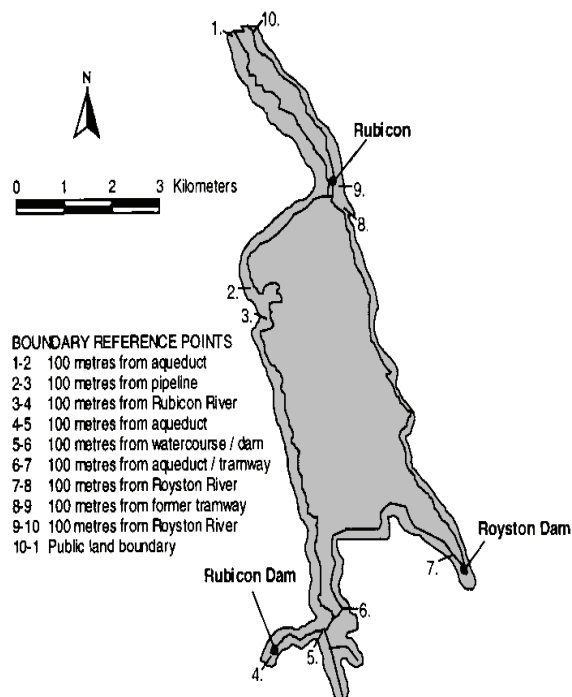
PROHIBITED DEER HUNTING AREAS

PART 1



Sch. 9

PART 2

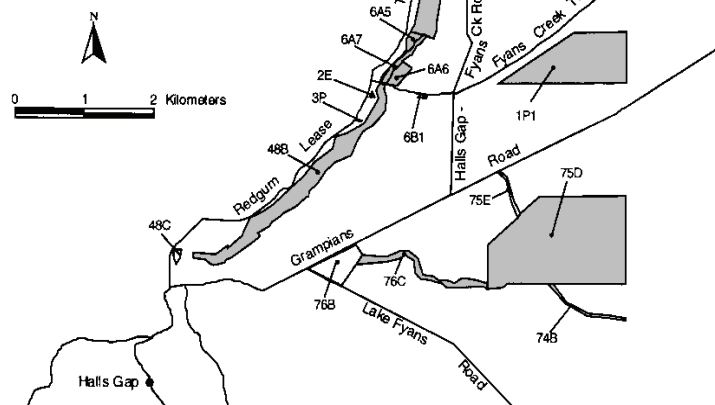


Wildlife (Game) Regulations 2001
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Sch. 9

PART 3

BOUNDARY REFERENCES
The land being, Crown Allotments,
1P1, 2A1, 2D, 2E, 3P, 6A5, 6A6,
6A7, 6B1, 48B, 48C, 53E, 74B,
75E, 75D, 76B, 76C, No Section,
Parish of BOROKA.

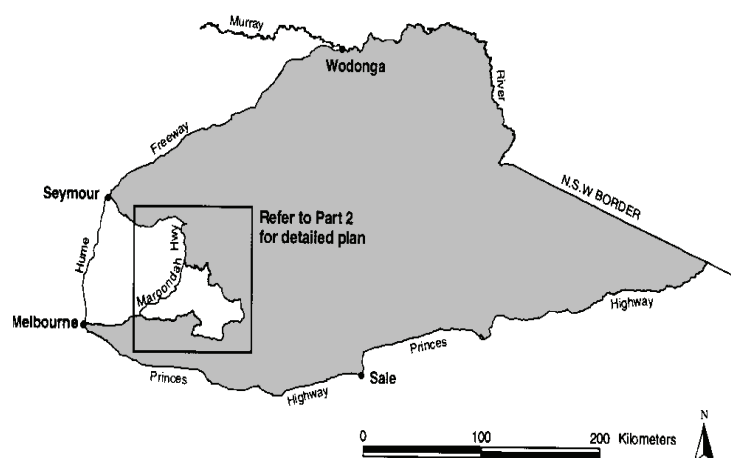


SCHEDULE 10

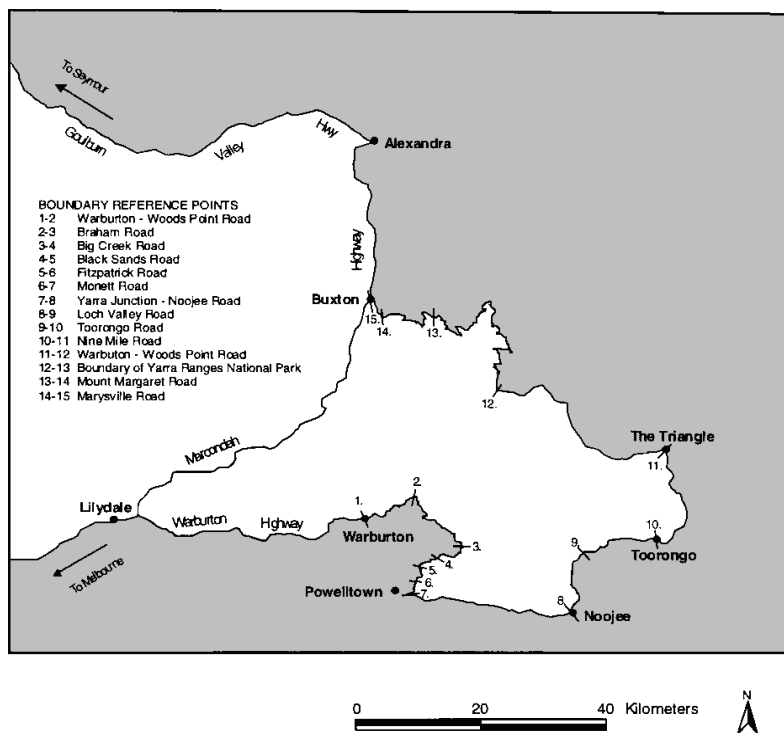
Regulation 58

AREAS FOR HUNTING SAMBAR DEER WITH DOGS

PART 1

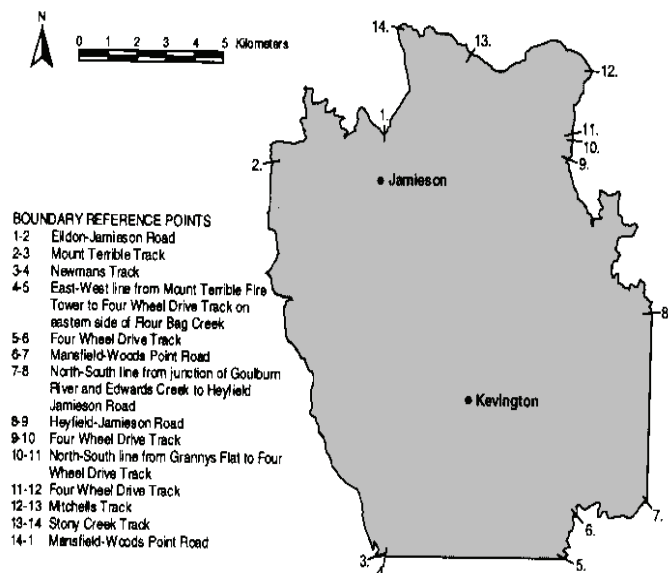


PART 2



Sch. 10

PART 3



ENDNOTES

1. General Information

The Wildlife (Game) Regulations 2001, S.R. No. 90/2001 were made on 11 September 2001 by the Governor in Council under sections 22A, 58C and 87 of the **Wildlife Act 1975**, No. 8699/1975 and came into operation as follows:

Regulations 1–9, 12–18, 23–31(9), 31(11)–59 and Schedules on 16 September 2001: regulation 3(1); regulations 10, 11 on 3 May 2003: regulation 3(2); regulations 19–22, 31(10) on 24 April 2004: regulation 3(3).

The Wildlife (Game) Regulations 2001 will sunset on 10 September 2012: see Subordinate Legislation (Wildlife (Game) Regulations 2001) Extension Regulations 2011, S.R. No. 98/2011.

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Endnotes

2. Table of Amendments

This Version incorporates amendments made to the Wildlife (Game) Regulations 2001 by statutory rules, subordinate instruments and Acts.

Where a provision has expired, the provision has been omitted and an explanatory sidenote included.

Wildlife (Game) (Amendment) Regulations 2004, S.R. No. 20/2004

Date of Making: 10.3.04

Date of Commencement: 10.3.04

Monetary Units Regulations 2004, S.R. No. 88/2004

Date of Making: 29.6.04

Date of Commencement: 1.7.04: reg. 3

Wildlife (State Game Reserve) Regulations 2004, S.R. No. 147/2004

Date of Making: 30.11.04

Date of Commencement: 30.11.04: reg. 3

Wildlife (Game) (Hunting of Fallow Deer) (Amendment) Regulations 2008,
S.R. No. 50/2008

Date of Making: 27.5.08

Date of Commencement: 27.5.08

Wildlife (Game) Amendment Regulations 2009, S.R. No. 10/2009

Date of Making: 18.2.09

Date of Commencement: 23.02.09: reg. 3

3. Explanatory Details

¹ Reg. 27(4): S.R. No. 147/2004.