

South Australia

NATIONAL PARKS AND WILDLIFE (HUNTING) REGULATIONS 1996

REGULATIONS UNDER THE NATIONAL PARKS AND WILDLIFE ACT 1972

National Parks and Wildlife (Hunting) Regulations 1996

being

No. 203 of 1996: *Gaz.* 29 August 1996, p. 984¹

as varied by

No. 113 of 1997: *Gaz.* 13 May 1997, p. 1932²

No. 105 of 1998: *Gaz.* 28 May 1998, p. 2417³

No. 40 of 1999: *Gaz.* 27 May 1999, p. 2775⁴

No. 117 of 2000: *Gaz.* 25 May 2000, p. 2828⁵

¹ Came into operation 1 September 1996: reg. 2.

² Came into operation 1 July 1997: reg. 2.

³ Came into operation 1 July 1998: reg. 2.

⁴ Came into operation 1 July 1999: reg. 2.

⁵ **Came into operation 1 July 2000: reg. 2.**

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last consolidation.*
- *For the legislative history of the regulations see Appendix.*

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LEGISLATIVE HISTORY

Citation

1. These regulations may be cited as the *National Parks and Wildlife (Hunting) Regulations 1996*.

Commencement

2. These regulations will come into operation on 1 September 1996.

Revocation

3. The *Hunting Regulations 1975* (see *Gazette* 30 January 1975, p. 346), as varied, are revoked.

Interpretation

4. In these regulations, unless the contrary intention appears—

"the Act" means the *National Parks and Wildlife Act 1972*;

"protected ducks", in relation to an open season, means ducks of a species to which the open season applies;

"protected game", in relation to an open season, means protected animals of a species to which the open season applies.

Prohibition of use of protected animal as decoy, etc.

5. A person must not use a protected animal for the purposes of hunting, whether as a decoy or otherwise.

Prohibition of taking galahs and little corellas except by shooting

6. A person must not, except in accordance with a permit issued by the Minister, take a Galah (*Cacatua roseicapilla*) or a Little Corella (*Cacatua sanguinea*) by means other than shooting with a firearm.

Prohibition of damaging trees, nests, etc., for purposes of hunting wildlife

7. (1) A person must not, for the purposes of hunting any vertebrate animal that is indigenous to Australia (whether a protected animal or not)—

(a) cut down, lop branches from or otherwise destroy or damage any tree (whether living or dead); or

(b) destroy, damage or disturb the animal's burrow or nest.

(2) Subregulation (1) does not apply to a person acting in accordance with the written permission of the Minister.

Waterfowl Identification Test

8. A person will not be granted a permit to hunt protected ducks during an open season unless he or she has at some time (whether before or after the commencement of these regulations) passed a test in identifying waterfowl conducted by or on behalf of the Minister.

Further restrictions applicable to open seasons

9. The following restrictions apply to an open season declared by notice under section 52 of the Act (in addition to the restrictions set out in the notice):

5.

- (a) a person must not hunt protected *game* from a boat while it is under way (whether propelled by engine, sail, oars or any other means);
- (b) a person must not use an engine driven boat, any type of aircraft (including model planes), agricultural gas guns, bird scarers or any other noisy device for the purpose of rousing protected *game* so that it may be hunted;
- (c) a person must not scatter grain or other material or use any other means to entice protected *game* into an area so that it may be hunted;
- (d) a person must not take protected *game* otherwise than by shooting with a firearm—
 - (i) that has a smooth bore the diameter of which does not exceed 1.9 cm (12 gauge); and
 - (ii) that is capable of being raised and held at arm's length and fired from the shoulder without any other support;
- (e) a person must not shoot protected *game* with shot the diameter of which exceeds 4.1 mm;
- (f) a person must not be in possession of a firearm or shot the use of which is prohibited under paragraph (d) or (e) while in the course of hunting protected *game* or while within a game reserve or within any other area in which he or she intends to hunt protected *game*;
- (g) a person must not shoot protected *ducks* except with steel, bismuth or molybdenum shot or any other non toxic shot approved by the Minister for the purpose;
- (h) a person must not be in possession of shot the use of which is prohibited under paragraph (g) while in the course of hunting protected *ducks* or while within a game reserve or within any other area in which he or she intends to hunt protected *ducks*;
- (i) a person must not, except in accordance with the written permission of the Minister, retain alive any protected *game* taken during the open season;
- (j) a person must not sell the carcass of any protected *game* taken (whether by that person or some other person) during the open season.

Notification of change of address

10. The holder of a hunting permit or a permit issued under these regulations must, if his or her address changes during the currency of the permit, give the Director notice in writing of the new address within 14 days of the change.

Penalties

11. A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.

Maximum penalty: \$1 250.

Expiation fee: \$160.

Fees

12. The fees specified in the schedule are payable in respect of the matters set out in the schedule.

SCHEDULE
Fees

Interpretation

1. In this schedule—

"**concession cardholder**" means a person who is the holder of—

- (a) a current concession card issued by the Commonwealth Department of Social Security or the State Department of Family and Community Services; or
- (b) a current student identification card issued to a student of a secondary or tertiary educational institution by that institution;

"**junior**", in relation to a concession rate for a permit, means a person of or over the age of 15 years but under the age of 18 years;

"**subjunior**", in relation to a concession rate for a permit, means a person of or under 14 years of age.

Fees

2. The following fees are payable:

| | | |
|-----|---|---------|
| (a) | basic hunting permit | \$12.80 |
| (b) | basic hunting permit (concession cardholder and junior concession rate) | \$6.40 |
| (c) | hunting permit with open season endorsement for quail only | \$35.75 |
| (d) | hunting permit with open season endorsement for quail only (concession cardholder and junior concession rate) | \$17.90 |
| (e) | hunting permit with open season endorsement (duck or quail) | \$35.75 |
| (f) | hunting permit with open season endorsement (duck or quail) (concession cardholder and junior concession rate) | \$18.00 |
| (g) | hunting permit (subjunior concession rate) | \$4.10 |
| (h) | transfer to endorsed permit | \$23.10 |
| (i) | transfer to endorsed permit (concession cardholder and junior concession rate) | \$11.50 |
| (j) | permit to take galahs or corellas other than by shooting | \$51.40 |

8.

APPENDIX

LEGISLATIVE HISTORY

(entries in bold type indicate amendments incorporated since the last consolidation)

Schedule

Clause 2:

varied by 113, 1997, reg. 3; substituted by 105, 1998, reg. 3; varied by 40, 1999, reg. 3; **substituted by 117, 2000, reg. 3**