

South Australia

## National Parks and Wildlife (Hunting) Regulations 1996

under the *National Parks and Wildlife Act 1972*

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#### 1—Short title

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

#### 4—Interpretation

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.

#### 5—Prohibition of use of protected animal as decoy etc

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

#### 6—Prohibition of taking galahs and little corellas except by shooting

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.

## **7—Prohibition of damaging trees, nests etc for purposes of hunting wildlife**

- (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.

## **8—Waterfowl Identification Test**

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.

## **9—Further restrictions applicable to open seasons**

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):

- (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.

## 10—Notification of change of address

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.

## 11—Penalties

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.

## 12—Fees

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

## Schedule—Fees

### 1—Interpretation

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.

### 2—Fees

1	Basic hunting permit	\$17.50
2	Basic hunting permit (concession cardholder and junior concession rate)	\$8.85
3	Hunting permit with open season endorsement for quail only	\$49.50
4	Hunting permit with open season endorsement for quail only (concession cardholder and junior concession rate)	\$24.70

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5	Hunting permit with open season endorsement (duck or quail)	\$49.50
6	Hunting permit with open season endorsement (duck or quail) (concession cardholder and junior concession rate)	\$25.50
7	Hunting permit (subjunior concession rate)	\$5.65
8	Transfer to endorsed permit	\$32.25
9	Transfer to endorsed permit (concession cardholder and junior concession rate)	\$16.10
10	Permit to take galahs or corellas other than by shooting	\$60.75

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

### Legislation revoked by principal regulations

The *National Parks and Wildlife (Hunting) Regulations 1996* revoked the following:

*Hunting Regulations 1975*

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1996	203	<i>Gazette 29.8.1996 p984</i>	1.9.1996: r 2
1997	113	<i>Gazette 13.5.1997 p1932</i>	1.7.1997: r 2
1998	105	<i>Gazette 28.5.1998 p2417</i>	1.7.1998: r 2
1999	40	<i>Gazette 27.5.1999 p2775</i>	1.7.1999: r 2
2000	117	<i>Gazette 25.5.2000 p2828</i>	1.7.2000: r 2
2001	58	<i>Gazette 31.5.2001 p1965</i>	1.7.2001: r 2
2002	58	<i>Gazette 20.6.2002 p2525</i>	1.7.2002: r 2
2003	112	<i>Gazette 29.5.2003 p2289</i>	1.7.2003: r 2
2004	92	<i>Gazette 27.5.2004 p1596</i>	1.7.2004: r 2
<b>2005</b>	<b>66</b>	<b><i>Gazette 26.5.2005 p1431</i></b>	<b>1.7.2005: r 2</b>
2006	78	<i>Gazette 15.6.2006 p1701</i>	1.7.2006: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>rr 2 and 3</i>	<i>omitted under Legislation Revision and Publication Regulations 2002</i>	<i>1.7.2004</i>
Sch		
cl 2	varied by 113/1997 r 3	1.7.1997
	substituted by 105/1998 r 3	1.7.1998

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varied by 40/1999 r 3	1.7.1999
substituted by 117/2000 r 3	1.7.2000
substituted by 58/2001 r 3	1.7.2001
substituted by 58/2002 r 3	1.7.2002
substituted by 112/2003 r 4	1.7.2003
substituted by 92/2004 r 4	1.7.2004
<b>substituted by 66/2005 r 4</b>	<b>1.7.2005</b>

## **Historical versions**

1.7.2004