

South Australia

National Parks and Wildlife (Hunting) Regulations 2011

under the *National Parks and Wildlife Act 1972*

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Legislative history

1—Short title

These regulations may be cited as the *National Parks and Wildlife (Hunting) Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 September 2011.

3—Interpretation

In these regulations—

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

personal watercraft means a jet ski or other motorised vessel designed to be operated by a person standing, sitting astride or kneeling on the vessel but not seated within the vessel;

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.

4—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.

Maximum penalty: \$1 250.

Expiation fee: \$160.

5—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.

Maximum penalty: \$1 250.

Expiation fee: \$160.

6—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.

Maximum penalty: \$1 250.

Expiation fee: \$160.

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

7—Waterfowl identification test

An applicant for a permit to hunt protected ducks during an open season must, if required to do so by the Minister, sit for and pass a test in identifying waterfowl approved by the Minister.

8—Further restrictions applicable to open seasons

- (1) 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 personal watercraft or any other vessel (whether propelled by engine, sail, oars or any other means) while it is underway;
- (b) a person must not use an engine driven vessel, personal watercraft, 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 (other than a bird caller or decoy) 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 19 mm (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.
- (2) A person who contravenes a restriction prescribed by subregulation (1) is guilty of an offence.
- Maximum penalty: \$1 250.
- Expiation fee: \$160.

9—Duty of open season hunting permit holder to complete and lodge hunting survey

- (1) The holder of a permit to hunt game during an open season must, if required to do so by the Minister—
 - (a) complete a hunting survey in accordance with the instructions specified in the survey form; and
 - (b) lodge the completed hunting survey with the Minister in the manner, and within the period, specified in the form.
- Maximum penalty: \$1 250.
- Expiation fee: \$160.
- (2) A hunting survey will be in a form determined by the Minister.

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.

Maximum penalty: \$1 250.

Expiation fee: \$160.

11—Fees

The fees prescribed by Schedule 1 are payable in respect of the matters set out in that Schedule.

Schedule 1—Fees

1—Interpretation

In this Schedule—

concession cardholder means a person who is the holder of—

- (a) a current concession card issued by Centrelink or the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Family and Community Services Act 1972*; or
- (b) a current student identification card issued to a student of a secondary or tertiary educational institution by that institution;

junior means a person of or over the age of 14 years but under the age of 18 years;

subjunior means a person under 14 years of age.

2—Fees

1	General hunting permit—	
	(a) in the case of a concession cardholder or a junior	\$10.70
	(b) in the case of a subjunior	\$6.75
	(c) in any other case	\$21.20
2	Open season quail hunting permit—	
	(a) in the case of a concession cardholder or a junior	\$20.05
	(b) in any other case	\$38.80
3	Open season duck hunting permit—	
	(a) in the case of a concession cardholder or a junior	\$20.05
	(b) in any other case	\$38.80
4	Permit to take Galahs or Little Corellas other than by shooting	\$75.50

Schedule 2—Revocation of *National Parks and Wildlife (Hunting) Regulations 1996*

The *National Parks and Wildlife (Hunting) Regulations 1996* are revoked.

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2011	188	<i>Gazette 28.7.2011 p3169</i>	1.9.2011: r 2
2012	70	<i>Gazette 31.5.2012 p2313</i>	1.7.2012: r 2