

SOUTH AUSTRALIA

KANGAROO SEALED TAG REGULATIONS, 1990

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REGULATIONS UNDER THE NATIONAL PARKS AND WILDLIFE ACT, 1972

Kangaroo Sealed Tag Regulations, 1990

being

No. 228 of 1990: *Gaz.* 15 November 1990, p. 1527¹

as varied by

No. 259 of 1996: *Gaz.* 23 December 1996, p. 2262²

¹ Came into operation 15 November 1990: reg. 2.

² Came into operation 3 February 1997: reg. 2.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.

Citation

1. These regulations may be cited as the *Kangaroo Sealed Tag Regulations, 1990*.

Commencement

2. These regulations will come into operation on 15 November 1990.

Revocation

3. The *Kangaroo Sealed Tag Regulations, 1974* (see *Gazette*, 18 July, 1974, p. 574) as varied, are revoked.

Interpretation

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

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

"**carcass**" has the same meaning as in the Act except that the term does not include skin that has been removed from a kangaroo;

"**meat processor**" means a person who carries on the business of processing meat for human or animal consumption;

"**sealed tag**" means a tag issued by the Director to show that royalty has been paid in relation to the skin or carcass to which it is attached;

"**section 53(1)(c) permit**" means a permit granted under section 53(1)(c) of the Act;

"**section 58(3) permit**" means a permit granted under section 58(3) of the Act;

"**shooter**" means a person who takes kangaroos by shooting or by any other means pursuant to a section 53(1)(c) permit;

"**skin**" means skin that has been removed from the carcass of a kangaroo;

"**trade butt**" means a trade carcass from which all the flesh and bone (but not the skin) above the region of the first lumbar vertebra has been removed;

"**trade carcass**" means the carcass of a kangaroo from which the head, viscera and hind legs below the knees have been removed.

Application of regulations

5. Unless the contrary intention appears, these regulations apply only in relation to kangaroos that have been taken pursuant to a section 53(1)(c) permit.

Issue of sealed tags

6. (1) The Director may issue sealed tags for attachment to the skin or carcass of kangaroos in accordance with these regulations.

- (2) The Director may issue different kinds of sealed tags for use in relation to different species of kangaroo.

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(3) A meat processor to whom the Director has issued sealed tags may supply them to a shooter who has agreed with the processor to supply carcasses to the processor.

(4) Subject to subregulation (3), a person to whom a sealed tag has been issued or supplied must not sell or supply the tag to another person.

(5) A person who has possession of a sealed tag that has not yet been attached to the skin or carcass of a kangaroo or that has been removed from a skin or carcass and is being kept in accordance with regulation 10(3) must keep it in a place that is secure against theft, loss and damage but if the tag is stolen, lost or damaged the person must inform the Director in writing of the identity of the tag as soon as practicable.

Attachment of sealed tags

7. (1) Subject to subregulation (8), a shooter must, immediately after taking a kangaroo, attach a sealed tag to the skin or carcass of the kangaroo in accordance with these regulations.

(2) A sealed tag attached to a skin or carcass under subregulation (1)—

- (a) must not have been altered or damaged when it was attached;
- (b) must be the appropriate tag for the species of kangaroo taken and for the area in which the kangaroo was taken;
- (c) must not have been issued more than 12 months (or such longer period as the Director permits under subregulation (3)) before it is attached to the skin or carcass.

(3) A person who has a sealed tag that has not been used within 12 months of issue may, within 15 months of issue apply to the Director for an extension of the period within which it may be used and the Director may extend the period up to, but not exceeding, 24 months from the issue of the tag.

(4) Where a sealed tag is out of date the person to whom the tag was issued may, within three months of the last time that it became out of date, apply to the Director for repayment of the royalty paid in respect of the tag.

(5) An application under subregulation (3) or (4) must be made in a manner and form approved by the Director.

(6) A warden may seize a sealed tag that is more than three months out of date.

(7) A person must not—

- (a) attach a sealed tag or any other object to the skin or carcass of a kangaroo except a kangaroo that has been taken pursuant to a section 53(1)(c) permit;
- (b) attach a sealed tag in contravention of subregulation (2).

(8) A section 53(1)(c) permit may exempt the holder of the permit from the obligation to comply with subregulation (1).

Method of attaching sealed tag

8. (1) A sealed tag must be attached to the skin of a kangaroo at either of the points indicated in the schedule by enclosing at least three centimetres of skin in the tag and pulling the strap of the tag so that the tag is secured by the last notch in the strap.

(2) Where a sealed tag is to be attached to the carcass of a kangaroo it must be attached, in accordance with this regulation, at either of the points indicated in the schedule to skin that has not been removed from the carcass.

Requirements in relation to the taking of animals

9. (1) Subject to subregulation (3), a person must not take kangaroos pursuant to a section 53(1)(c) permit unless—

(a) he or she is in possession of sealed tags issued in respect of the area in which the kangaroos are taken;

and

(b) the person to whom the tags were issued by the Director, has, at least five working days before the kangaroos are taken, given the Director written notice—

(i) identifying the land from which the kangaroos are to be taken and, in the case of private land, the name of the owner of the land;

(ii) identifying the sealed tags (by the letters, numbers or marks assigned to them) that are to be used;

(iii) stating the name of the shooter who is to take the kangaroo and the number of his or her section 58(3) permit;

and

(iv) if the person giving the notice holds a section 58(3) permit—stating the number of that permit.

(2) The Director may issue forms of notice for the purposes of subregulation (1)(b).

(3) Subregulation (1) does not apply to a person who is exempted by a section 53(1)(c) permit from the obligation to comply with regulation 7(1).

(4) In subregulation (1)(b)—

"working day" means any day except Saturday, Sunday or a public holiday.

Removal of sealed tags

10. (1) A person must not remove, or attempt to remove, a sealed tag from the skin or carcass of a kangaroo unless—

5.

(a) the person carries on the business of tanning or dealing in skins and holds a section 58(3) permit;

or

(b) the person is authorized in writing to do so by the Director.

(2) Tags must be removed with sufficient care to ensure that letters, numbers or other identifying marks on, or forming part of, the tag are preserved.

(3) Tags must be kept for at least 12 months after removal unless the Director authorizes their earlier destruction or disposal and must be produced for inspection by a warden on request.

(4) A person must not alter or damage a sealed tag—

(a) that has not been attached to a skin or carcass;

(b) that has not been removed from a skin or carcass;

or

(c) that has been removed from a skin or carcass but which must be kept in order to comply with subregulation (3).

Restriction on sale, etc., of skins and carcasses

11. (1) A person must not sell or supply the skin of a kangaroo unless a sealed tag has been attached to the skin in accordance with these regulations or, in the case of a kangaroo taken before the commencement of these regulations, in accordance with the *Kangaroo Sealed Tag Regulations, 1974*.

(2) A person must not sell or supply the carcass of a kangaroo unless a sealed tag has been attached to the carcass in accordance with these regulations or, in the case of a kangaroo taken before the commencement of these regulations, in accordance with the *Kangaroo Sealed Tag Regulations, 1974*.

(3) Where a shooter attaches a sealed tag, that was issued by the Director to a meat processor, to the carcass of a kangaroo, the shooter must not, without the written approval of the Director, sell or supply the carcass to any person other than the meat processor who supplied the tag.

(4) The only forms in which a person may sell or supply the carcass of a kangaroo are as a trade carcass with the skin attached or in a form permitted by the Minister by endorsement on the section 58(3) permit pursuant to which the carcass is sold or supplied.

(5) A person must not sell, supply or have possession or control of a trade carcass or trade butt that does not comply with the weight limit (if any) declared by the Director under subregulation (6).

(6) The Director may, by notice in the *Gazette*, declare a weight limit for trade carcasses and trade butts and a notice may—

- (a) be restricted in its application to kangaroos taken in a specified part of the State;
- (b) declare different weights depending upon the species or sex of the kangaroo;
- (c) specify any other factors in relation to the application of the weight limit.

Possession, etc., of skin and carcasses

12. A person must not have possession or control of the skin or carcass of a kangaroo taken pursuant to a section 53(1)(c) permit unless a sealed tag has been attached to either the skin or carcass (but not to both) in accordance with these regulations or, in the case of a kangaroo taken before the commencement of these regulations, in accordance with the *Kangaroo Sealed Tag Regulations, 1974*.

Removal of animals from private land

13. Where a kangaroo is taken on private land pursuant to a section 53(1)(c) permit, the skin or carcass of the kangaroo must not be removed from the land unless a sealed tag has been attached to either the skin or carcass of the animal (but not to both) in accordance with these regulations or, in the case of a kangaroo taken before the commencement of these regulations, in accordance with the *Kangaroo Sealed Tag Regulations, 1974*.

Offences

14. (1) A person who contravenes or fails to comply with a provision in these regulations is guilty of an offence.

Penalty: Division 8 fine.
Expiation fee: \$100.

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SCHEDULE

[Diagrams appear in
Gaz. 15.11.90, p. 1527]

9.

APPENDIX

LEGISLATIVE HISTORY

Transitional Provisions

(Transitional provision from Regulation No. 259 of 1996, reg. 4)

4. A regulation varied or revoked by these regulations will continue to apply (as in force immediately prior to the variation or revocation coming into operation) to an expiration notice issued under the varied or revoked regulations.

Legislative History

Regulation 14(1):	varied by 259, 1996, reg. 3 (Sched. cl. 18)
Regulation 14(2) - (4):	revoked by 259, 1996, reg. 3 (Sched. cl. 18)