

South Australia

Wildlife Variation Regulations 2003

under the *National Parks and Wildlife Act 1972*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Wildlife Variation Regulations 2003*.

2—Commencement

These regulations will come into operation on 1 July 2003.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Wildlife Regulations 2001* (Gazette 23.8.2001 p 3329) as varied

4—Substitution of regulation 1

Regulation 1—delete the regulation and substitute:

1—Short title

These regulations may be cited as the *National Parks and Wildlife (Wildlife) Regulations 2001*.

5—Variation of regulation 4—Interpretation

- (1) Regulation 4(1)—after the definition of *the Act* insert:

commercial harvesting authority has the same meaning as in the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2003*;

kangaroo field processor, *kangaroo meat processor* and *kangaroo skin tanner* have the same meaning as in the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2003*;

personal use of a kangaroo that has been taken has the same meaning as in the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2003*;

- (2) Regulation 4(1)—after the definition of "section 60C permit" insert:

section 60J permit means a permit granted under section 60J of the Act;

- (3) Regulation 4(2)—delete subregulation (2) and substitute:

- (2) A reference in these regulations to a class of permit is a reference to a permit of that class described in Schedule 3.

6—Variation of regulation 9—Records and returns in relation to sections 58 and 60C permits

- (1) Regulation 9(1)—delete "class 1, 2, 3" and substitute:

class 1, 1A, 2, 3, 3A

- (2) Regulation 9(7)(a)—delete "class 1, 3" and substitute:
class 1, 1A, 3, 3A
- (3) Regulation 9(7)(b)—delete "4, 5 or"
- (4) Regulation 9(11)—delete "the record book or books and the return book or copies of individual returns that are" and substitute:
any record book, return book or individual return under his or her custody or control that is
- (5) Regulation 9(12)—delete subregulation (12)

7—Insertion of regulations 9A and 9B

After regulation 9 insert:

9A—Director to supply record books, returns etc

- (1) Where a person, as a consequence of the grant of a permit, is required by or under the Act to record information in a record book, return book or return supplied by the Director, the Director must supply the necessary book or individual return forms (as appropriate) to that person on the grant of the permit.
- (2) If further books are required by the permit holder as the result of the loss of those provided or because animals are required to be kept in more than one place, the Director may require the payment of the fee in Schedule 1 for the supply of each additional book.

9B—Electronic form of record books, returns etc

Where a person is required by these regulations to record information in a record book, return book or return, and the Director authorises the book or return to be kept in electronic form or provided to the Director by means of an electronic communication—

- (a) a reference in these regulations to a record book, return book or return includes a reference to the book or return in that electronic form; and
- (b) a reference in these regulations to the provision or submission of a record book, return book or return to the Director includes a reference to provision or submission by means of that authorised electronic communication; and
- (c) a reference in these regulations to the supply by the Director of a record book, return book or return includes a reference to the supply by the Director of a template or other structure for that electronic form of the book or return; and
- (d) a reference in these regulations to the production of a record book, return book or return at the request of a warder, or to a court at the request of the Director or a warder, means production in the form (electronic or printed) requested.

8—Variation of regulation 13—Purchase etc only from permit holder

- (1) Regulation 13(1)—delete "if that person does not hold the required permit" and substitute:

if that person—

- (a) does not hold the required permit; or
- (b) does not hold any additional written authorisation from the Director for the sale or gift that he or she is required to hold as a condition of the permit.

- (2) Regulation 13(2)—after "produce the permit" insert:

(and any other document that he or she is required to hold under subregulation (1))

9—Variation of regulation 17—Exporting protected animals, carcasses and eggs

Regulation 17(2)—delete "class 1, 2, 3" and substitute:

class 1, 1A, 2, 3, 3A

10—Variation of regulation 20—Conditions of emu farming permits

Regulation 20(3)—delete subregulation (3)

11—Revocation of regulation 26

Regulation 26—delete the regulation

12—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute the Schedule in Schedule 1 of these regulations

13—Substitution of Schedule 3

Schedule 3—delete the Schedule and substitute the Schedule in Schedule 2 of these regulations

14—Variation of Schedule 4—Information required in returns provided under regulation 9(2)

- (1) Schedule 4—delete the item relating to permit classes 4 and 5 and substitute:

1A and 3A

Period of return

Name and address

Permit number

Date of return

Common name of species

Species code

Stock at beginning of period

Breeding results

Imports
Receipts (including gifts and other sources)
Escapes and deaths
Exports
Other disposals
Stock on hand

(2) Schedule 4—delete the item relating to permit class 7 and substitute:

7
(Kangaroo meat processor)

Month and year to which return relates
Kangaroo meat processor's permit number
Name of meat processor
Address of processing works
Date of purchases
Kangaroo field processor's/supplier's permit number
Name of field processor/supplier
Property where kangaroos taken
Commercial harvesting authority number
Number of red kangaroo carcasses
Number of western grey kangaroo carcasses
Number of euro carcasses
Total weight (kg) for kangaroos received
Date received for any imports
Import permit number
Name of supplier
Description of imported goods
Quantity imported (kg)
Date any exports dispatched
Export permit number
Name of recipient
Quantity exported (kg)
Date dispatched for local sales (skins, carcasses)
Recipient's name
Recipient's permit number
Description of goods (skins, carcasses) sold locally
Quantity sold (kg).

- (3) Schedule 4—delete the item relating to permit class 8 and substitute:

8 (Kangaroo skin tanner)	Month and year to which return relates Kangaroo skin tanner's permit number Name of tanner Address of tannery Date of purchases Supplier's name Supplier's permit number Number of kangaroo skins Date received for any imports Import permit number Date of sales Recipient's name and address Export permit number.
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15—Variation of Schedule 5—Times for provision of returns in relation to sections 58 and 60C permits

- (1) Schedule 5, table, item relating to Class 1 permit—delete "Class 1" and substitute:
Classes 1 and 1A
- (2) Schedule 5, table, item relating to Class 3 permit—delete "Class 3" and substitute:
Classes 3 and 3A
- (3) Schedule 5, table, item relating to permit classes 4 and 5—delete the item

16—Variation of Schedule 6

Schedule 6—delete the heading "Schedule 6" and substitute:

Schedule 6—Prescribed species: section 58(1)(a) and definition of Class 1 permit

17—Substitution of Schedule 9

Schedule 9—delete the Schedule and substitute the Schedule in Schedule 3 of these regulations

Schedule 1—Substitution of Schedule 1 of *Wildlife Regulations 2001*

Schedule 1—Fees

- | | |
|--|---------|
| 1. On application for a take permit under section 53(1)(d) | \$35.25 |
| 2. On application for the following permits under section 58, section 60C or section 60J of the Act: | |

Permits	Fee for a period of 1, 3 or 5 years (a period of less than 1 year but more than 6 months will be taken to be 1 year) ending on 30 June	Fee for a period of 6 months or less ending 30 June
Keep and sell permits under section 58		
Class 1	\$51.50 per year	\$28.25
Class 1A	Nil	Nil
Class 2 (Schedule 6 animals only)	\$779.00 per year	\$429.00
Class 2 (Schedule 6 and specialist animals)	\$1 115.00 per year	\$611.00
Class 3	\$90.00 per year	\$49.25
Class 3A	Nil	Nil
Class 7	\$1 442.00 per year	\$793.00
Class 8	\$721.00 per year	\$396.00
Class 10	Nil	Nil
Class 11	\$26.50 per year	\$14.40
Conversion of keep and sell permits		
conversion from class 1 to class 3	\$33.50	\$18.20
conversion from class 2 (Schedule 6 animals only) to class 2 (Schedule 6 and specialist animals)	\$335.00	\$183.00
Farming permits under section 60C		
Class 12 (Emus)	\$308.00	\$169.00
plus, for each additional property to which permit applies	\$124.00	\$68.00
Harvesting permits under section 60J		
Class 13 (Kangaroos)	\$361.00 per year	\$198.00
Class 14 (Kangaroos)	\$720.00 per year	\$396.00
3. On application for an additional record or return book under regulation 9A(2)		\$8.30
4. On application for approval of premises under regulation 10 or 11		\$153.00
5. Additional fee payable on application for a permit if the permit is to be issued in the form of a plastic card		\$7.60

Schedule 2—Substitution of Schedule 3 of *Wildlife Regulations 2001*

Schedule 3—Classes of permits

1—Reference to classes of permits

Permits described in the left hand column of the table in clause 2 will be referred to as permits of the class specified in the right hand column opposite that description.

2—Classes of permits

Permits issued under section 58, 60C or 60J of the Act:

Description	Class
A section 58 permit that entitles the holder (being a person who does not carry on the business of dealing in protected animals) to keep two or more of the animals of the species listed in Schedule 6 or to sell or give one or more of the animals of the species listed in Schedule 6	Class 1
A section 58 permit that entitles the holder (being a person who does not carry on the business of dealing in protected animals) to keep two or more of the animals of the species listed in Schedule 6 that have been rescued as sick, injured or orphaned animals and, if authorised in writing by the Director, to give one or more of the animals	Class 1A
A section 58 permit that entitles the holder in the course of carrying on the business of dealing in protected animals to keep and sell— (a) animals of the species listed in Schedule 6; and (b) specialist animals identified in the permit by reference to the species or other class to which they belong	Class 2
A section 58 permit that entitles the holder (being a person who does not carry on the business of dealing in protected animals) to keep, sell or give specialist animals identified in the permit by reference to the species or other class to which they belong	Class 3
A section 58 permit that entitles the holder (being a person who does not carry on the business of dealing in protected animals) to keep specialist animals identified in the permit by reference to the species or other class to which they belong that have been rescued as sick, injured or orphaned animals and, if authorised in writing by the Director, to give the animals	Class 3A
A section 58 permit that entitles the holder to sell carcasses and parts of carcasses of kangaroos after processing	Class 7
A section 58 permit that entitles the holder to sell skins of kangaroos or any other protected animal after tanning	Class 8
A section 58 permit that entitles the holder to have possession or control of eggs of a protected animal	Class 10
A section 58 permit that entitles the holder to have possession or control of, and to sell or give, eggs of a protected animal	Class 11
A section 60C permit that entitles the holder (subject to any limitations, restrictions or conditions)—	

Description	Class
(a) to take an emu, or the eggs of an emu, from the wild or to slaughter or destroy in any other manner an emu in captivity; or	
(b) to keep an emu or to have possession or control of the eggs of an emu; or	
(c) to sell an emu or the carcass or eggs of an emu, in the course of carrying on the business of farming emus	Class 12
A section 60J permit that entitles the holder (subject to any limitations, restrictions or conditions) to harvest kangaroos on land owned by the holder, or by a member of the family or the employer of the holder, and to sell or use the carcasses of the kangaroos that have been harvested	Class 13
A section 60J permit that entitles the holder (subject to any limitations, restrictions or conditions) to harvest kangaroos on land other than (or in addition to) land owned by the holder, or by a member of the family or the employer of the holder, and to sell or use the carcasses of the kangaroos that have been harvested	Class 14

Schedule 3—Substitution of Schedule 9 of *Wildlife Regulations 2001*

Schedule 9—Royalty

	Amount of royalty
1. An animal taken in accordance with a notice under section 52 of the Act or pursuant to a permit granted under section 53(1)(a), (b) or (d) of the Act, being—	
(a) an animal of an endangered species	\$216.00
(b) an animal of a vulnerable species	\$108.00
(c) an animal of a rare species	\$54.00
(d) an animal of any other species of protected animal	\$27.00
2. A kangaroo taken for personal use pursuant to a permit granted under section 53(1)(c) of the Act	\$1.10
3. An animal taken pursuant to a permit granted under section 60J of the Act	\$1.10

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 29 May 2003

No 113 of 2003

EC 03/0033 CS EC 03/0045 CS EC 03/0021 CS