

South Australia

National Parks and Wildlife (Wildlife) Regulations 2019

under the *National Parks and Wildlife Act 1972*

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Legislative history

Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Parks and Wildlife (Wildlife) Regulations 2019*.

3—Interpretation

(1) In these regulations, unless the contrary intention appears—

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

additional, in relation to premises, means premises in addition to single premises;

biological hazard—see subregulation (5);

carcass, of an animal—see subregulation (2);

dangerous, in relation to a protected animal, means an animal (whether venomous or otherwise) capable of causing significant injury or harm to a person handling, or exposed to contact with, the animal;

emu tag means a tag or other device issued by the Director under these regulations for attachment to the skin of an emu;

exempt species, in relation to a protected animal or the carcass or egg of a protected animal, means a protected animal, carcass or egg of a species excluded from the operation of subsections (1), (2) and (3) of section 58 of the Act by proclamation made under section 58(4) of the Act (see Schedule 7 of these regulations);

export permit means a section 59 permit that authorises the holder to export a protected animal, or the carcass or egg of a protected animal;

field chiller means an appliance or structure, whether mounted on or forming part of a vehicle or otherwise, approved under an accreditation under the *Primary Produce (Food Safety Schemes) Act 2004* for use for the provision of refrigeration facilities for the storage of the carcass of a kangaroo during the period between the field processing of the carcass and the transport of the carcass to the premises at which it is to be processed by a kangaroo meat processor;

import permit means a section 59 permit that authorises the holder to import a protected animal, or the carcass or egg of a protected animal;

kangaroo means an animal of the genus *Macropus*;

kangaroo field processor and **kangaroo meat processor** have the same respective meanings as in the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2018*;

kangaroo sealed tag means a sealed tag within the meaning of the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2018*;

permit means a permit granted under the Act (whether before or after the commencement of these regulations) and **permit** preceded by a section, or more than 1 section, of the Act means a permit granted wholly under that section, or those sections, of the Act;

personal use sealed tag has the same meaning as in the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2018*;

prescribed fee means the fee prescribed for the purposes of the Act and these regulations;

record book means a record book supplied by the Director to a permit holder;

return means a return required to be provided to the Director under these regulations;

return book means returns bound in the form of a book supplied by the Director to a permit holder;

skin, of an animal, means the skin of the animal whether still attached to, or separated from, the rest of the carcass of the animal;

specialist animal means a protected animal other than an animal of an exempt species or a species listed in Schedule 6;

species means species or subspecies;

to export, in relation to an animal, carcass or egg, includes to remove the animal, carcass or egg from the State for any reason;

to import, in relation to an animal, carcass or egg, includes to bring the animal, carcass or egg into the State for any reason.

- (2) A reference in these regulations to the **carcass** of an animal has the same meaning as in the Act and includes a reference to the skin of the animal when removed from the rest of the carcass of the animal.
- (3) A reference in these regulations to a permit of a specified name or class is a reference to a permit of that name or class described in Schedule 1.

- (4) A reference in these regulations to the expiration of a permit granted under the Act includes a reference to the surrender of the permit pursuant to a condition of the permit.
- (5) For the purposes of these regulations, a protected animal, or the carcass or egg of a protected animal, constitutes a *biological hazard* if it carries (or is of a species or from a location that significantly increases the likelihood that it carries) a bacterium, virus, fungus, insect or other organism or biological pathogen that poses a threat to the health of other animals or human beings.

4—Application of regulations to wardens and employees

A warden is not subject to these regulations in relation to the performance of the warden's functions or the exercise of the warden's powers as a warden, and an employee of the Department is not subject to these regulations in relation to the performance of the employee's duties as an employee.

Part 2—Maintenance of records and provision of information

Division 1—Records, returns, reports etc

5—Interpretation

In this Division, unless the contrary intention appears—
warden does not include a warden who is a police officer.

6—Report to be provided following expiry or revocation of section 53 permit

The report required by section 53(4) of the Act to be provided to the Minister by a person to whom a section 53 permit has been granted (following the expiry or revocation of that permit) must be provided in the form prescribed in Schedule 2.

7—Report to be provided following taking of animal or egg under section 60C permit

The report required by section 60C(8) of the Act to be provided to the Minister by the holder of a section 60C permit (following the taking of a protected animal or the egg of a protected animal from the wild pursuant to the permit) must be provided in the form prescribed in Schedule 2.

8—Information relating to certain section 58 or 60C permits to be kept in record book

A person who has been granted a section 58 permit that is a class 1, 2, 3, 4, 5, 6 or 11 permit or a Retain Protected Animals Unfit for Release permit, or a section 60C permit that is a class 12 permit, must keep a record of the following information in relation to the protected animals or eggs of protected animals to which the permit applies in a record book supplied by the Director for that purpose:

- (a) the species of animals or eggs, and the number of animals or eggs of each species, acquired or disposed of pursuant to the permit;
- (b) the date and method of acquisition or disposal (including the permit number of any import or export permit used in that acquisition or disposal);

- (c) the name and address of, and the number of the permit (if any) held by, the person from whom the animals or eggs were acquired or to whom the animals or eggs were disposed;
- (d) the species of animals, and the number of individuals of each species, born to animals kept pursuant to the permit, together with the dates on which the births occurred (and, in the case of a Retain Protected Animals Unfit for Release permit, if any such additional animals were not at the time of birth authorised to be held or disposed of under the permit, the authority under which the animals so born are now held, or were disposed of, by the person);
- (e) the species of animals, and the number of individuals of each species, that have died or escaped while being kept pursuant to the permit;
- (f) all other information (if any) that the person is required under these regulations to include in a return.

Maximum penalty: \$1 250.

Expiation fee: \$160.

9—Information relating to Wildlife Rehabilitation Facility or Wildlife Carer permit to be kept in record book

A person who has been granted a section 53, 55 and 58 permit that is a Wildlife Rehabilitation Facility permit or Wildlife Carer permit must keep a record of the following information in a record book supplied by the Director for that purpose:

- (a) the species of protected animals, and the number of individuals of each species, acquired or released or otherwise disposed of pursuant to the permit;
- (b) the date of acquisition or release or other disposal;
- (c) the manner in which the protected animals were acquired, whether from the wild or from another person, and, if acquired from another person, the name, address and number of the permit (if any) of that person;
- (d) the manner of disposal of the protected animals, whether by release into the wild, euthanasia or disposal to another person, and, if disposed of to another person, the name, address and number of the permit of that person;
- (e) the species of protected animals, and the number of individuals of each species, born to animals kept pursuant to the permit, together with the dates on which the births occurred (and, if any such additional animals were not at the time of birth authorised to be held or disposed of under the permit, the authority under which the animals so born are now held, or were disposed of, by the person);
- (f) the species of protected animals, and the number of individuals of each species, that have died or escaped while being kept pursuant to the permit;
- (g) all other information that the person is required under these regulations to include in a return.

Maximum penalty: \$1 250.

Expiation fee: \$160.

10—Where record book is to be kept

A person required to use a record book under these regulations must ensure that—

- (a) the book is kept in a safe and secure place at the premises at which the animals or eggs to which the records relate are kept; and
- (b) if animals or eggs are kept at more than 1 premises pursuant to a permit, a separate record book is kept at each such premises.

Maximum penalty: \$1 250.

Expiation fee: \$160.

11—Record book for section 58 class 2 permit to be provided to Director

- (1) A person who has been granted a section 58 permit that is a class 2 permit must provide a record book referred to in regulation 8, or a copy of the record book, to the Director within 14 days after 30 September, 31 December, 31 March and 30 June in each year.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) Provision of a record book to the Director in accordance with subregulation (1) will not be taken to contravene regulation 10.

12—Returns to be provided for purposes of section 55 permit or section 53 and 55 permit

- (1) A person who has been granted a section 55 permit must, within 14 days after the release of an animal pursuant to the permit, provide the Director with a return in a manner and form approved by the Director that—

- (a) sets out the information required by this regulation; and
- (b) is signed by the person to whom the permit was granted.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A person who has been granted a section 53 and 55 permit that is a Wildlife Management (Controller) permit, a Trap and Release Protected Animals permit or a Protected Animals Rescue permit must, within 14 days after the expiry or revocation of the permit or at such earlier time or times as may be specified in the permit, provide the Director with a return in a manner and form approved by the Director that—

- (a) sets out the information required by this regulation; and
- (b) is signed by the person to whom the permit was granted.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (3) The return required under subregulation (2) is in addition to any report required to be made by the person under section 53(4) of the Act in relation to a protected animal taken pursuant to the permit.

- (4) The following information must be provided in a return under this regulation:
- (a) the number of animals released under the permit;
 - (b) the species of each animal released under the permit (and, if more than 1 animal has been released, the number of animals of each species);
 - (c) the date, time and exact location of the release of each animal;
 - (d) such other information in relation to a release as the Director may require.

13—Returns to be provided for purposes of certain section 58, section 60C permits

- (1) A person who has been granted a section 58 permit that is a class 7 permit, must, at the times indicated in Schedule 3, provide the Director with a return in a manner and form approved by the Director that—
- (a) sets out the information specified in Schedule 4 and such other information as the Director may require; and
 - (b) is signed by the person to whom the permit was granted.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A person who has been granted a section 58 permit that is a class 1, 3, 4, 5, 6, 9 or 11 permit or a Retain Protected Animals Unfit for Release permit, or a section 60C permit that is a class 12 permit, must, at the times indicated in Schedule 3, provide the Director with a return that—
- (a) was supplied by the Director for that purpose (whether supplied individually or bound in the form of a return book); and
 - (b) sets out the information specified in Schedule 4 and such other information as the Director may require; and
 - (c) is signed by the person to whom the permit was granted.

Maximum penalty: \$1 250.

Expiation fee: \$160.

14—Returns to be provided for purposes of Wildlife Rehabilitation Facility or Wildlife Carer permit

- (1) A person who has been granted a section 53, 55 and 58 permit that is a Wildlife Rehabilitation Facility permit or Wildlife Carer permit must, within 14 days after the expiry or revocation of the permit, provide the Director with a return that—
- (a) was supplied by the Director for that purpose (whether supplied individually or bound in the form of a return book); and
 - (b) sets out such information as is required by the Director; and
 - (c) is signed by the person to whom the permit was granted.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) The return required under subregulation (1) is in addition to any report required to be made by the person under section 53(4) of the Act in relation to a protected animal taken pursuant to the permit.

15—Copies of returns to be retained in a safe place

- (1) A person who provides a return to the Director in accordance with these regulations must—
- (a) retain a copy of the return for the period specified in subregulation (2); and
 - (b) keep that copy in a safe and secure place—
 - (i) in the case of a section 53 and 55 permit that is a Wildlife Management (Controller) permit—at the principal premises at which the person undertakes the provision of wildlife management and control services; or
 - (ii) in the case of a section 53 and 55 permit that is a Trap and Release Protected Animals permit or Protected Animals Rescue permit—at the person's principal place of residence; or
 - (iii) in the case of a section 53, 55 and 58 permit that is a Wildlife Rehabilitation Facility permit or a Wildlife Carer permit—at the premises at which animals to which the return relates are kept; or
 - (iv) in the case of a section 55 permit—at the person's principal place of residence; or
 - (v) in the case of a section 58 permit that is a class 1, 3, 4, 5 or 6 permit or a Retain Protected Animals Unfit for Release permit, or a section 60C permit that is a class 12 permit—
 - (A) at the premises at which the animals to which the return relates are kept; or
 - (B) where, pursuant to the permit, animals are kept at more than 1 premises—at the principal premises at which the animals to which the return relates are kept; or
 - (vi) in the case of a section 58 permit that is a class 9 or 11 permit—at the person's principal place of residence; or
 - (vii) in the case of a section 58 permit that is a class 7 permit—at the principal premises at which the carcasses to which the permit relates are kept or sold pursuant to the permit.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A copy of a return referred to in subregulation (1) must be retained until—
- (a) 6 months after the day by which the return is required to be provided to the Director under the permit or these regulations; or
 - (b) the copy is produced to the Director or a court under regulation 19,
- whichever first occurs.

16—Entries to be made in record book or return within 48 hours

Where a transaction or event occurs in respect of which an entry is required to be made under these regulations in a record book or return, the person required under these regulations to use the record book or provide the return must ensure that the entry is made within 48 hours after the occurrence of the transaction or event.

Maximum penalty: \$1 250.

Expiation fee: \$160.

17—Notification of loss of record books or copies of returns

A person who has been granted a permit must notify the Director of any loss of, or damage to, a record book, return book or return, or a copy of a return required to be kept by the person under these regulations, within 7 days after becoming aware of the loss or damage.

Maximum penalty: \$1 250.

Expiation fee: \$160.

18—Record books and copies of returns to be produced for inspection at request of warden

A person who has custody or control of a record book, or a copy of a return required to be kept under these regulations (including a person who has custody or control as agent or employee of the permit holder) must, if requested by a warden, produce the book or copy for inspection by the warden.

Maximum penalty: \$1 250.

Expiation fee: \$160.

19—Record books, return books etc to be returned to Director or provided to court

(1) A person who has been granted—

- (a) a section 58 permit that is a class 1, 2, 3, 4, 5, 6 or 11 permit or a Retain Protected Animals Unfit for Release permit; or
- (b) a section 53, 55 and 58 permit that is a Wildlife Rehabilitation Facility or Wildlife Carer permit; or
- (c) a section 60C permit that is a class 12 permit,

must produce to the Director any record book or return book relating to the permit that is under the person's custody or control within 14 days after the person—

- (d) ceases to hold such a permit; or
- (e) completes the book.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) Where a person who has been granted a relevant permit is charged with an offence against the Act or these regulations and the person has custody or control of a record book, return book or return, or a copy of a return required to be kept by the person under these regulations, that is in the opinion of the Director or a warden relevant to the charge, the person must, at the request of the Director or warden, produce the book, return or copy to the court that hears the charge.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (3) In this regulation—

relevant permit means a permit granted wholly or partly under section 53, 55, 58 or 60C of the Act.

20—Notification of change of address or name

A person to whom a permit has been granted under the Act and whose address or name changes during the period that the permit remains in force must, within 14 days after that change of address or name—

- (a) notify the Director in writing of the change; and
- (b) provide documentary evidence to the satisfaction of the Director of the new address or change of name.

Maximum penalty: \$1 250.

Expiation fee: \$160.

21—Exemption from Division

The Director may exempt a person from compliance with any provision of this Division other than regulation 6, 7 or 20.

Division 2—Form of records, returns, applications, approvals etc

22—Director to supply certain record books, return books and returns

- (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 person as the result of the loss of those provided or because, pursuant to the permit, animals or eggs are kept at more than 1 premises, the Director may require the payment of the prescribed fee for the supply of each additional book.
- (3) A record book, return book or return supplied by the Director (other than in electronic form or by means of an electronic communication) pursuant to the Act or these regulations remains the property of the Crown.

23—Record books, return books and returns in electronic form

- (1) Where a person is required by these regulations to record information in a record book, return book or return, and the Director authorises such a book or return to be maintained 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 (or copy of a record book), or a 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, return or copy of a return at the request of the Director or a warden, means production in the form (electronic or printed) requested.
- (2) A requirement in these regulations that a record book or copy of a return be kept in a safe and secure place at specified premises will, if such a book or copy is maintained in electronic form, be taken to be a requirement that the book or copy be kept at a safe and secure place that is readily accessible at those premises.

24—Form of applications, notifications etc

- (1) An application to the Director for an approval, authorisation or exemption, or a waiver, under these regulations must—
 - (a) be made in the manner and form approved by the Director; and
 - (b) include such information as the Director requires.
- (2) Where, under these regulations, a person is required to give notice or otherwise provide information to the Director (other than through a record book or return referred to in this Part), the notice or information must, unless otherwise specified in these regulations or approved by the Director, be—
 - (a) provided in writing; and
 - (b) signed by the person required to provide the information.

25—Requirement for signature

Where, for the purposes of these regulations—

- (a) there is a requirement that a person must sign a record, return, notification or other instrument or document that is to be provided to the Director; and
 - (b) the instrument or document is provided in electronic form,
- that requirement will be taken to have been satisfied if an electronic signature or other method, approved by the Director, is used to identify the person providing the instrument or document.

26—Approvals, exemptions etc by Director and wardens

- (1) An approval, authorisation or exemption, or a waiver or requirement, by the Director or a warden under these regulations must be in writing, or, if given orally, must be confirmed in writing as soon as is practicable.
- (2) An approval, authorisation or exemption, or a waiver, referred to in subregulation (1) is subject to such limitations, restrictions or conditions (if any) as are specified in the approval, authorisation, exemption or waiver.
- (3) If a person to whom an approval is given by a warden under these regulations (or a person acting in the employment or with the authority of that person) contravenes or fails to comply with a limitation, restriction, condition or provision of the approval, the person to whom the approval was given is guilty of an offence.

Maximum penalty: \$1 250.

Expiation fee: \$160.

Note—

Where a permission or other authority is granted by the Director, it is an offence under section 70A(1) of the Act for the holder of the permission or other authority (or a person acting in the employment or with the authority of the holder) to contravene or fail to comply with any limitation, restriction, condition or provision of the permission or other authority.

Part 3—Conservation of animals

Division 1—Keeping, sale etc of animals, carcasses or eggs

27—Sale or gift only to permit holder

A person must not sell or give a protected animal or the egg of a protected animal to a person who is required by the Act to hold a permit authorising the keeping of the animal or the possession or control of the egg if that person does not hold such a permit.

Maximum penalty: \$1 250.

Expiation fee: \$160.

Note—

A person may be entitled under the Act to keep a protected animal, or have possession or control of an egg of a protected animal, without a permit if (for example) the number of animals or eggs does not exceed a number permitted under the Act.

28—Purchase or receipt as gift only from permit holder

- (1) A person must not purchase a protected animal or the carcass or egg of a protected animal, or receive a protected animal or the carcass or egg of a protected animal as a gift, from a person who is required by the Act to hold a permit authorising the sale or gift 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 the person is required to hold as a condition of the permit.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A person must not sell or give a protected animal or the carcass or egg of a protected animal pursuant to a permit unless the person has, if requested by the prospective purchaser or donee, produced the permit (and any additional written authorisation referred to in subregulation (1) that the person is required to hold) for inspection.

Maximum penalty: \$1 250.

Expiation fee: \$160.

29—Advertisement for sale of protected animal to include permit number

Where section 58 of the Act requires that the sale of a protected animal be authorised by a permit granted under that section, a person who advertises the animal for sale (by whatever means) must state in the advertisement—

- (a) in the case of a sale by the holder of a section 58 permit that is a class 2 permit—
- (i) that the vendor is the holder of a class 2 Fauna Dealer's permit; and
 - (ii) the number of that permit; or
- (b) in any other case—the number of the permit that authorises the sale.

Maximum penalty: \$1 250.

Expiation fee: \$160.

30—Sale of juvenile animals

- (1) Subject to this regulation, a person must not sell an animal that is a protected animal or is of a species listed in Schedule 10 of the Act if—
- (a) in the case of a bird—the bird is too young to fly or to feed itself; or
 - (b) in the case of a mammal—the mammal is unweaned.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) Subregulation (1) does not apply—
- (a) to the sale of an emu pursuant to a section 60C permit; or
 - (b) if the sale is made pursuant to a permit granted under the Act that expressly authorises the sale of such a young animal.

31—Premises from which protected animals may be sold under section 58 permit

- (1) A person must not sell a protected animal pursuant to a section 58 permit unless—
- (a) in the case of a section 58 permit that is a class 2 permit—the premises from which the animal is sold are premises at which the person is authorised pursuant to these regulations to carry on a business of dealing in protected animals to which the permit relates; or
 - (b) in the case of a section 58 permit that is a class 9 permit—the premises from which the animal is sold—
 - (i) are the premises at which the animal was kept by the person; or

- (ii) are other premises approved by the Director for the purposes of the sale of the animal pursuant to the class 9 permit; or
- (c) in the case of any other section 58 permit that authorises such a sale—the premises from which the animal is sold—
 - (i) are the premises at which the animal was kept by the person, or from which the animal is authorised to be sold, pursuant to a permit; or
 - (ii) are other premises approved by the Director for the purposes of the sale of the animal; or
- (d) in the case of any section 58 permit or class of section 58 permits (including permits referred to in paragraph (a), (b) or (c))—the premises from which the animal is sold are premises approved by the Director for the purposes of sale by holders of section 58 permits or section 58 permits of that class.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) An application for approval for the purposes of subregulation (1) must be accompanied by the prescribed fee (if any).

Note—

It may constitute an offence against section 13 of the *Animal Welfare Act 1985* if the animal is not provided with appropriate and adequate food, water, exercise and living conditions, or is caused unnecessary harm, at the premises from which the animal is sold.

32—Prohibition on carrying on business of dealing in protected animals except under section 58 class 2 permit

- (1) A person must not carry on a business of dealing in protected animals (other than protected animals of an exempt species) unless the person is the holder of a section 58 permit that is a class 2 permit.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) For the purposes of subregulation (1), a person who is the holder of a section 58 permit that is a class 4, 5 or 6 permit will not be taken to carry on a business of dealing in protected animals by reason only of the fact that the person buys or sells protected animals for the purposes of another business or activity conducted pursuant to the permit.

33—Restrictions on carrying on business of dealing in protected animals under section 58 class 2 permit

- (1) The holder of a section 58 permit that is a class 2 permit must not carry on a business of dealing in protected animals to which the permit relates except at premises approved by the Director.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) An application for the approval of additional premises for the purposes of subregulation (1) must be accompanied by the prescribed fee.

- (3) The holder of a section 58 permit that is a class 2 permit must display at all premises at which the holder carries on a business of dealing in protected animals to which the permit relates a certificate signed by or on behalf of the Director to the effect that the dealer is the holder of a class 2 permit.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) A certificate referred to in subregulation (3) may include such further information as the Director thinks fit.

- (5) The holder of a section 58 permit that is a class 2 permit must not, except with the approval of the Director or a warden, sell a protected animal to which the permit relates unless the animal has been in the possession of the permit holder for at least 7 days.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (6) The Director may exempt a person from compliance with subregulation (5).

- (7) For the purposes of this regulation, the holder of a section 58 permit that is a class 2 permit will be taken to carry on a business of dealing in protected animals to which the permit relates at all premises at which those protected animals are kept by the holder.

- (8) In this regulation—

warden does not include a warden who is a police officer.

34—Restrictions on sale or gift of protected animals under certain section 58 permits

- (1) The holder of a section 58 permit that is a class 1, 3, 4, 5 or 6 permit must not, except with the approval of the Director or a warden, sell or give a protected animal to which the permit relates unless—

- (a) the animal was bred by the permit holder; or
(b) the animal has been in the possession of the permit holder for at least 6 months.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) The Director may exempt a person from compliance with subregulation (1).

- (3) In this regulation—

warden does not include a warden who is a police officer.

35—Restrictions on breeding protected animals under certain permits

- (1) The holder of a section 53, 55 and 58 permit that is a Wildlife Rehabilitation Facility permit or Wildlife Carer permit, or a section 58 permit that is a Retain Protected Animals Unfit for Release permit, must not, except with the approval of the Director—

- (a) allow or permit a protected animal in the holder's possession pursuant to the permit to breed; or

- (b) if breeding does occur, sell or otherwise dispose of any offspring.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) It is a defence to a charge of an offence against subregulation (1)(a) to prove that—
- (a) the permit holder took reasonable precautions to prevent breeding; or
- (b) any birth was the result of activity that took place before the animal came into the possession of the permit holder.

36—Premises at which kangaroo carcasses may be kept under section 58 permit

- (1) The holder of a section 58 permit that is a class 7 or 8 permit must not, subject to any provision, limitation, restriction or condition of the permit, keep the carcass of a kangaroo at premises other than premises—
- (a) approved by the Director for that purpose; or
- (b) in the case of premises comprised of a field chiller at a specified location—notified to the Director, in a manner and form approved by the Director, at least 24 hours before the chiller is to be used for that purpose at that location.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) For the purposes of subregulation (1)(b), a notification of premises comprised of a field chiller at a specified location does not constitute a notification of premises comprised of the same chiller at a different location.

37—Prevention of escape and facilitation of inspection of protected animals

- (1) Subject to this regulation, a person who keeps a protected animal must—
- (a) keep the animal in a cage or enclosure that is adequate in size and is designed, constructed, located and maintained so as to—
- (i) prevent the animal from escaping; and
- (ii) in the case of an animal that is dangerous or constitutes a biological hazard—enable the cage or enclosure to be locked or otherwise secured against unauthorised access; and
- (iii) as far as is practicable, facilitate the inspection of the animal by a warden under the Act; and
- (b) in the case of an animal that is dangerous or constitutes a biological hazard—ensure that the cage or enclosure in which the animal is kept is, except when the person is present, securely locked or otherwise secured so as to prevent unauthorised access to the animal; and
- (c) produce the animal for inspection at the request of a warden.

Maximum penalty: \$1 250.

Expiation fee: \$160.

Note—

It is an offence under section 13 of the *Animal Welfare Act 1985* for a person to ill treat an animal. Under that section, ill treatment includes intentionally, unreasonably or recklessly causing the animal unnecessary harm and, in the case of the owner of the animal, includes failing to provide it with appropriate and adequate food, water, living conditions or exercise.

- (2) Where, on application by a person who keeps a protected animal, the Director approves the keeping of the animal in a manner that does not comply with a requirement of subregulation (1), the person will be taken to comply with that subregulation if the person keeps the animal in accordance with that approval and its limitations, restrictions or conditions (if any).

- (3) In this regulation—

enclosure, in relation to an animal, includes a house or other building or a yard, or a portion of a house or other building or yard, to which the animal normally has access, but is unable to leave.

38—Hybridization

A person must not, except with the approval of the Director, permit a protected animal to mate with an animal of another species or subspecies if conception and production of live offspring may result from the union.

Maximum penalty: \$1 250.

Expiation fee: \$160.

Division 2—Transport, import or export of animals, carcasses or eggs

39—Construction and labelling of containers for transport of protected animals, carcasses or eggs

- (1) This regulation applies to a protected animal, or the carcass or egg of a protected animal, that is transported from 1 location to another (other than within the premises at which it is kept) either within the State or for the purposes of importing or exporting the animal, carcass or egg.
- (2) A protected animal, or the carcass or egg of a protected animal, to which this regulation applies must be transported in a cage, container or package that complies with the requirements of this regulation.
- (3) If a protected animal, or the carcass or egg of a protected animal, is transported in contravention of subregulation (2), then—
- (a) if it is transported by the permit holder or owner—the permit holder or owner is guilty of an offence; or
 - (b) if it is transported by any other person—
 - (i) the person who was in possession of the animal, carcass or egg as permit holder or owner immediately before it was transported; and
 - (ii) the person who arranged for the transport of the animal, carcass or egg (if not the person referred to in subparagraph (i)),

are each guilty of an offence.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) A person who knowingly transports a protected animal, or the carcass or egg of a protected animal, to which this regulation applies without the information required by this regulation to be displayed on the cage, container or package in which it is transported being so displayed, is guilty of an offence.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (5) In proceedings against a person for an offence against subregulation (3), it is a defence to prove that the person could not by the exercise of reasonable diligence have prevented the commission of the offence.

- (6) In proceedings against a person for an offence against subregulation (3) or (4) relating to the transport of a protected animal, it is a defence to prove that—

- (a) the animal was an injured, sick or orphaned animal that was not dangerous or a biological hazard and was being transported from the wild to a veterinary surgeon or the holder of a Wildlife Rehabilitation Facility permit or a Wildlife Carer permit; or
- (b) the animal was an injured, sick, orphaned or very young animal that was not dangerous or a biological hazard and was being transported in a sling or similar device worn by a person, or in another manner approved by the Director, that was necessary to enable the proper treatment, feeding or care of the animal.

- (7) The cage, container or package in which a protected animal, or the carcass or egg of a protected animal, is transported must be designed, constructed and maintained so as to—

- (a) withstand the process of transporting the animal, carcass or egg; and
- (b) in the case of an animal—
 - (i) protect the animal against injury and against other animals likely to injure or kill it; and
 - (ii) prevent the animal from escaping; and
 - (iii) resist unauthorised interference with the animal; and
 - (iv) allow adequate airflow; and
- (c) in the case of a carcass or egg—
 - (i) protect the carcass or egg against damage or deterioration; and
 - (ii) resist unauthorised interference with the carcass or egg.

- (8) Subject to subregulation (9), the cage, container or package in which a protected animal, or the carcass or egg of a protected animal, is transported must display the following information:
- (a) subject to paragraph (c), if the animal, carcass or egg is transported by the permit holder, or a person authorised by the permit holder (other than a third party carrier):
 - (i) the number of the permit; and
 - (ii) such other information as the Director may require;
 - (b) subject to paragraph (c), if the animal, carcass or egg is transported by a third party carrier:
 - (i) the name and residential or business address of the owner of the animal, carcass or egg; and
 - (ii) if the owner is the permit holder—the number of the permit; and
 - (iii) the common name of the type of animal that is (or whose carcass or egg is) being transported and the number of such animals, carcasses or eggs; and
 - (iv) such other information as the Director may require;
 - (c) if the animal is dangerous, or if the animal, carcass or egg constitutes a biological hazard:
 - (i) the information specified in paragraph (b); and
 - (ii) a statement that the animal, carcass or egg is dangerous or constitutes a biological hazard (as the case requires); and
 - (iii) such other information as the Director may require.
- (9) Subregulation (8) does not apply to the transport of a protected animal, or the carcass or egg of a protected animal, if—
- (a) the information required by that subregulation to be displayed on the cage, container or package in which the animal, carcass or egg is transported is—
 - (i) in the case of an emu, or the carcass of a kangaroo or emu, to which regulation 40 applies—set out in an export permit or other transport documentation specified in regulation 40 that is carried by the driver of the vehicle in which the animal or carcass is transported; or
 - (ii) in any other case—set out in an export permit (or copy of an export permit) that is attached to the cage, container or package in the manner referred to in regulation 42; or
 - (b) in the case of the carcass of a kangaroo or emu—a kangaroo sealed tag or an emu tag (as the case requires) is attached to the carcass or has been removed from the carcass in accordance with the Act or regulations under the Act.
- (10) For the purposes of this regulation, a cage, container or package displays information if the information is clearly displayed on the outside of the cage, container or package (whether by means of a securely attached label or otherwise) in a position and manner that allows it to easily be read.

(11) In this regulation—

export permit means an export permit or a corresponding permit or licence under the law of another State or a Territory of the Commonwealth;

owner, in relation to a protected animal taken from the wild pursuant to a section 53 permit, a section 53 and 55 permit or a section 53, 55 and 58 permit (and not now kept under another permit), means the holder of the permit;

permit holder, in relation to a protected animal, or the carcass or egg of a protected animal, means a person who holds a permit under the Act relating to the taking, keeping or selling of the animal, carcass or egg, or a corresponding permit or licence under the law of another State or a Territory of the Commonwealth;

third party carrier, in relation to a protected animal, or the carcass or egg of a protected animal, means a person who transports the animal, carcass or egg for fee or reward;

transported means transported in the circumstances described in subregulation (1);

veterinary surgeon means a person who is registered as a veterinary surgeon under the *Veterinary Practice Act 2003*.

(12) For the purposes of this regulation, a reference to the attachment or removal of a kangaroo sealed tag or an emu tag includes a reference to the attachment or removal of a corresponding tag attached or removed in accordance with the laws of another State or a Territory of the Commonwealth.

40—Kangaroos, emus, or their carcasses, not to be imported or exported without transport documentation

(1) Subject to subregulation (8), this regulation applies to—

- (a) an emu, or the carcass of an emu; or
- (b) a kangaroo of a prescribed species, or the carcass of such a kangaroo,

that is transported for the purpose of importing or exporting the animal or carcass.

(2) An animal or carcass to which this regulation applies must not be transported in a vehicle unless transport documentation containing the information set out in subregulation (7) has been provided to the driver of the vehicle.

(3) If an animal or carcass is transported in a vehicle in contravention of subregulation (2)—

- (a) the person who was in possession of the animal or carcass as permit holder or owner immediately before it was transported; and
- (b) the person who arranged for the transport of the animal or carcass (if not the person referred to in paragraph (a)),

are each guilty of an offence.

Maximum penalty: \$1 250.

Expiation fee: \$160.

(4) In proceedings against a person for an offence against subregulation (3), it is a defence to prove that the person could not by the exercise of reasonable diligence have prevented the commission of the offence.

- (5) The driver of a vehicle must not knowingly transport an animal or carcass to which this regulation applies unless the driver carries in the vehicle transport documentation containing the information set out in subregulation (7).

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (6) If an animal or carcass to which this regulation applies is transported in a vehicle—
- (a) the driver of the vehicle; or
 - (b) a person who has custody or control of the transport documentation referred to in subregulation (2),

must, if requested by the Director or a warden, produce the transport documentation for inspection.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (7) Transport documentation in relation to an animal or carcass to which this regulation applies must set out the following:
- (a) the name, address and import or export permit number of the person importing or exporting the animal or carcass;
 - (b) the destination to which the animal or carcass is to be delivered and the name and address of the person who will have possession of the animal or carcass after delivery;
 - (c) the species and total number of animals or carcasses (and if there is more than 1 species, the list of species and the total number of animals or carcasses for each species).
- (8) This regulation does not apply to the transport of—
- (a) an animal or carcass in any ship, boat, vessel or aircraft; or
 - (b) an animal that is transported by the permit holder or owner; or
 - (c) an animal, or carcass of an animal, taken pursuant to a section 53 permit, or the carcass of a kangaroo to which a personal use sealed tag is attached; or
 - (d) the carcass of a kangaroo or emu from which a kangaroo sealed tag or emu tag (as the case may be) has been removed in accordance with the Act or regulations under the Act; or
 - (e) the carcass of an emu that died or was slaughtered on the property of a section 60C permit holder and to which an emu tag has been attached in accordance with regulation 43(1)(g).

- (9) In this regulation—

copy, in relation to a permit under the Act or a corresponding permit or licence under the law of another State or a Territory of the Commonwealth, has the same meaning as in regulation 42;

permit holder, in relation to an animal or carcass, means a person who holds a permit under the Act relating to the taking, keeping or selling of the animal or carcass, or a corresponding permit or licence under the law of another State or a Territory of the Commonwealth;

prescribed species, in relation to a kangaroo, means a species of kangaroo in relation to which a section 60J permit may be granted under the Act;

transport documentation, in relation to an animal or carcass, means any documentation directly or indirectly related to the transport or proposed transport of the animal or carcass (or a transaction associated with that transport or proposed transport), whether the documentation is in paper, electronic or any other form, and whether or not the documentation has been transmitted physically, electronically or in any other manner, and includes (for example)—

- (a) a document prepared under or for the purposes of the Act or a corresponding law of another State or a Territory of the Commonwealth (including an import or export permit, or copy of such a permit, prepared under the Act or a corresponding permit or licence or copy prepared under such a corresponding law); or
- (b) an invoice, vendor declaration, delivery order, consignment note, load manifest, bill of lading or contract of carriage document,

relating to the animal or carcass (but does not include a label, permit or other documentation attached to the cage, container or package in which the animal or carcass is transported).

41—Importing protected animals, carcasses or eggs

- (1) Subject to this regulation, a person who imports into the State a protected animal, or the carcass or egg of a protected animal, must not, except with the approval of the Director or a warden, sell, give or otherwise dispose of the animal, carcass or egg—
 - (a) in the case of the importation of a protected animal by the holder of a section 58 permit that is a class 2 permit or the importation of an emu or the egg of an emu by the holder of a section 60C permit that is a class 12 permit—for at least 7 days after importation; or
 - (b) in any other case—for at least 6 months after importation.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) Subregulation (1) does not apply to—
 - (a) the holder of a section 58 permit that is a class 7 or 8 permit who imports the carcass of a kangaroo pursuant to the permit; or
 - (b) a person who—
 - (i) owns a protected animal, or the carcass or egg of a protected animal, while residing outside the State; and
 - (ii) changes residence to a place within the State; and
 - (iii) imports the animal, carcass or egg into the State when the person relocates to that new place of residence; and

(iv) keeps the animal, carcass or egg at that new place of residence.

(3) In this regulation—

warden does not include a warden who is a police officer.

42—Exporting protected animals, carcasses or eggs

(1) A person who exports a protected animal, or the carcass or egg of a protected animal, pursuant to an export permit must ensure that the original permit or a copy of the permit is—

- (a) in the case of an emu, or the carcass of a kangaroo or emu, to which regulation 40 applies that is transported in a vehicle—provided to the driver of the vehicle; or
- (b) in any other case—securely attached to the outside of the cage, container or package containing the animal, carcass or egg in a conspicuous position that allows it to easily be read.

Maximum penalty: \$1 250.

Expiation fee: \$160.

(2) The driver of a vehicle must not knowingly transport for export a protected animal, or the carcass or egg of a protected animal, unless an export permit that authorises the animal, carcass or egg to be exported (or a copy of such a permit) is—

- (a) in the case of an emu, or the carcass of a kangaroo or emu, to which regulation 40 applies—carried in the vehicle by the driver; or
- (b) in any other case—securely attached to the cage, container or package containing the animal, carcass or egg in accordance with subregulation (1).

Maximum penalty: \$1 250.

Expiation fee: \$160.

(3) In this regulation—

copy, in relation to a permit, means—

- (a) where the permit was transmitted to the permit holder by means of a fax, email or other electronic communication—a printed copy of the permit produced from the fax, email or other communication; or
- (b) a photocopy of the original permit or of a document referred to in paragraph (a); or
- (c) a printed copy of the permit produced in such other manner as may be approved by the Director,

(including, with the approval of the Director, such a copy of the permit (or part of such a copy) containing information added by the permit holder) that is legible and can be read without difficulty;

vehicle does not include any ship, boat, vessel or aircraft.

Division 3—Emu farming under section 60C permit

43—Conditions of emu farming permits

- (1) A section 60C permit that is a class 12 permit is subject to the following conditions in addition to any conditions imposed by the Act or the Minister:
 - (a) that the holder of the permit must not acquire an emu, or the egg of an emu, in the course of carrying on the business of farming emus, from a person who does not hold a class 12 permit;
 - (b) that the holder of the permit must not sell an emu, or the egg of an emu, from premises other than premises approved by the Director;
 - (c) that the holder of the permit must not sell a live emu or live emu egg to a person who does not hold a class 12 permit;
 - (d) that the holder of the permit must comply with the requirements of the emu code of management relating to fencing, gates and emu handling facilities and must maintain fences, gates and handling facilities in accordance with those requirements in a proper state of repair;
 - (e) that the holder of the permit must not send an emu for slaughter to an abattoir or slaughterhouse unless—
 - (i) the abattoir or slaughterhouse has been approved for that purpose by the Director; and
 - (ii) the holder of the permit has been issued with an emu tag in relation to the emu by the Director; and
 - (iii) the holder of the permit has taken all reasonable steps to ensure that the tag is delivered to the person in charge of the abattoir or slaughterhouse when the emu is delivered;
 - (f) that the holder of the permit must not slaughter an emu, or cause an emu to be slaughtered, on the holder's property without the approval of the Director;
 - (g) that the holder of the permit must, if an emu is slaughtered or dies in any other manner on the holder's property, attach an emu tag (issued to the permit holder by the Director) to the skin of the emu in the manner provided by these regulations before the skin leaves the property;
 - (h) that the holder of the permit must comply with regulation 44 insofar as that regulation is applicable to the holder.
- (2) The Director may waive compliance by the holder of the permit with a condition imposed by subregulation (1).
- (3) An application for the approval of additional premises for the purposes of the condition in subregulation (1)(b) must be accompanied by the prescribed fee.
- (4) In this regulation—

class 12 permit, in subregulation (1)(a) and (c), means—

 - (a) a section 60C permit that is a class 12 permit; or

- (b) a corresponding permit or licence under the law of another State or a Territory of the Commonwealth;

emu code of management means the code of management for the time being adopted under section 60D of the Act in relation to emu farming.

44—Emu tags

- (1) The Director may issue tags or other devices (*emu tags*) for attachment to the skins of emus in accordance with these regulations.
- (2) A person must not sell or supply an emu tag to another person except in accordance with these regulations or, in the case of a tag attached to an emu skin, when selling or supplying the skin to another person.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (3) The person in charge of an abattoir or slaughterhouse at which an emu is slaughtered must ensure that an emu tag issued by the Director for that purpose is attached to the skin of the emu in the manner provided by these regulations as soon as is practicable after the emu is slaughtered.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) A person must not remove, or attempt to remove, an emu tag from the skin of an emu unless—
- (a) the person carries on a business of tanning or dealing in skins pursuant to a section 58 permit that is a class 8 permit and removes, or attempts to remove, the tag in the course of carrying on that business; or
- (b) the person is authorised to do so by the Director.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (5) A person who removes an emu tag from an emu skin must ensure that letters, numbers or other identifying marks on, or forming part of, the tag are preserved.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (6) A person who removes an emu tag from an emu skin pursuant to subregulation (4) must—

- (a) keep the tag for at least 12 months after removal unless the Director authorises its earlier destruction or disposal; and
- (b) produce the tag for inspection by a warden on request.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (7) A person who has possession of an emu tag that has not yet been attached to the skin of an emu or that has been removed from an emu skin and is being kept in accordance with subregulation (6) must—

- (a) keep it in a place that is secure against theft, loss or damage; and

- (b) if it is stolen, lost or damaged, notify the Director of the identity of the tag as soon as is practicable.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (8) An emu tag must be attached to the skin of an emu in the manner specified by the Director on issue of the tag.
- (9) A person must not alter or damage an emu tag—
- (a) that has not been attached to a skin; or
 - (b) that has been attached to a skin but has not been removed from the skin; or
 - (c) that has been removed from a skin but must be kept in accordance with these regulations.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (10) A holder of a section 60C permit that is a class 12 permit, or a person acting in the employment or with the authority of the holder of such a permit, who contravenes or fails to comply with a provision of this regulation will not be taken to be guilty of an offence against that provision.

Note—

Under regulation 43 it is a condition of a section 60C permit that the holder of the permit comply with regulation 44. If the permit holder, or a person acting in the employment or with the authority of the holder, fails to comply with regulation 44, then the holder will be in breach of a condition of the permit and the offence in section 70A of the Act will apply.

Part 4—Miscellaneous provisions

44A—Acts or activities in relation to protected animals

- (1) For the purposes of this regulation, the Minister must, by notice in the Gazette, determine what activities will constitute *controlled activities* in relation to protected animals, or a class of protected animals.
- (2) For the purposes of section 68(1)(c) of the Act, a person undertaking or continuing a controlled activity in relation to protected animals, or a class of protected animals, must do so in compliance with a plan (a *controlled activity management plan*) approved by the Minister in accordance with this regulation.
- (3) For the purposes of subregulation (2), a person who proposes to undertake or continue a controlled activity in relation to protected animals, or a class of protected animals must, in accordance with any requirements specified by the Minister, prepare and submit to the Minister a controlled activity management plan relating to the controlled activity and containing the information required by the Minister.
- (4) The Minister may approve a controlled activity management plan submitted under this regulation.
- (5) A controlled activity management plan approved under this regulation must be published on a website determined by the Minister.

- (6) The Minister may revoke an approval of a controlled activity management plan by written notice to the person who submitted the plan in accordance with subregulation (3) (and the controlled activity management plan will cease to have effect for the purposes of this regulation from the date of the revocation).

45—Permit not to be used by another

A person to whom a permit has been granted under the Act must not allow or permit that permit to be used by any other person.

Maximum penalty: \$1 250.

Expiation fee: \$160.

Schedule 1—Permit descriptions, names and classes

1—References to names or classes of permits

- (1) A reference in these regulations to a permit with a name specified in the first column of the table in clause 2 will be taken to be a reference to a permit described in the second column of the table opposite that name.
- (2) A reference in these regulations to a permit of a class specified in the third column of the table in clause 2 will be taken to be a reference to a permit described in the second column of the table opposite that class.

2—Descriptions, names and classes of permits

Name	Description (subject to any limitations, restrictions or conditions specified in the permit)	Class
Permit to Collect Native Plant Material - Commercial	A section 49 permit that entitles the holder to collect native plant material, in a sustainable manner, for commercial activities from all native plant species other than— <ol style="list-style-type: none"> (a) endangered, vulnerable or rare species referred to in Schedule 7, 8 or 9 of the <i>National Parks and Wildlife Act 1972</i>; or (b) species or ecological communities listed as threatened under Commonwealth legislation. 	Class A
Permit to Collect Native Plant Material - Bush Food Collection	A section 49 permit that entitles the holder to harvest, in a sustainable manner, native plant material (bush food) from native plant species, identified in the permit, other than— <ol style="list-style-type: none"> (a) endangered, vulnerable or rare species referred to in Schedule 7, 8 or 9 of the <i>National Parks and Wildlife Act 1972</i>; or (b) species or ecological communities listed as threatened under Commonwealth legislation. 	Class B

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Permit descriptions, names and classes—Schedule 1

Name	Description (subject to any limitations, restrictions or conditions specified in the permit)	Class
Permit to Collect Native Plant Material - Individual/Community Group/Botanic Garden	<p>A section 49 permit that entitles the holder to collect native plant material in a sustainable manner from native plant species, identified in the permit, other than—</p> <p>(a) endangered, vulnerable or rare species referred to in Schedule 7, 8 or 9 of the <i>National Parks and Wildlife Act 1972</i>; or</p> <p>(b) species or ecological communities listed as threatened under Commonwealth legislation.</p>	Class C
Permit to Collect Native Plant Material - Threatened Species	<p>A section 49 permit that entitles the holder to collect native plant material in a sustainable manner from native plant species identified in the permit that are—</p> <p>(a) endangered, vulnerable or rare species referred to in Schedule 7, 8 or 9 of the <i>National Parks and Wildlife Act 1972</i>; or</p> <p>(b) species or ecological communities listed as threatened under Commonwealth legislation.</p>	Class D
Permit to Destroy Wildlife	<p>A section 53(1)(c), 53(1)(d) or 53(1)(c) and (d) permit that entitles the holder to destroy protected animals (identified in the permit by reference to their species) that are causing or likely to cause damage to the environment or to crops, stock or other property, or that are causing or likely to cause damage to environmental amenity (including built structures), or that constitute a safety risk or hazard to people or industry.</p>	
Take Protected Animals from the Wild Permit	<p>A section 53(1)(d) permit that entitles the holder to take protected animals or the eggs of protected animals (identified in the permit by reference to their species) from the wild for the purposes of breeding, translocation, education, training or production of biological products or for other purposes.</p>	
Trap and Release Protected Animals Permit	<p>A section 53(1)(c) or (d) and 55 permit that entitles the holder to trap and release (not as part of an ongoing activity) protected animals, identified in the permit by reference to their species, that are causing or likely to cause damage to environmental amenity (including built structures) or may constitute a safety risk or hazard to people or industry, but are not dangerous or a biological hazard.</p>	
Wildlife Management (Controller) Permit	<p>A section 53(1)(c) or (d) and 55 permit that entitles the holder to provide a range of wildlife management and control services on an ongoing basis (whether or not for commercial gain), including relocation or destruction, for protected animals identified in the permit by reference to their species or other class to which they belong.</p>	
Protected Animals Rescue Permit	<p>A section 53 and 55 permit that entitles the holder to take from the wild injured, sick or orphaned protected animals for the purpose of short term rehabilitation and release.</p>	

National Parks and Wildlife (Wildlife) Regulations 2019—7.3.2024

Schedule 1—Permit descriptions, names and classes

Name	Description (subject to any limitations, restrictions or conditions specified in the permit)	Class
Wildlife Rehabilitation Facility Permit	<p>A section 53, 55 and 58 permit that entitles the holder to obtain from the wild—</p> <ul style="list-style-type: none"> (a) protected animals of an exempt species; and (b) protected animals of a species listed in Schedule 6, or specialist animals, identified in the permit by reference to their species or other class to which they belong, <p>that are injured, sick or orphaned, for the purpose of rehabilitation (at 1 or more facilities specified in the permit that are dedicated to that purpose by the holder) and release to the wild.</p>	
Wildlife Carer Permit	<p>A section 53, 55 and 58 permit that entitles the holder to obtain from the wild—</p> <ul style="list-style-type: none"> (a) protected animals of an exempt species; and (b) protected animals of a species listed in Schedule 6, or specialist animals, identified in the permit by reference to their species or other class to which they belong, <p>that are injured, sick or orphaned, for the purpose of rehabilitation and release to the wild.</p>	
Retain Protected Animals Unfit for Release Permit	<p>A section 58 permit that entitles the holder to keep—</p> <ul style="list-style-type: none"> (a) 2 or more protected animals of the species listed in Schedule 6 identified in the permit by reference to their species or other class to which they belong; or (b) specialist animals identified in the permit by reference to their species or other class to which they belong, <p>brought into captivity for the purpose of rehabilitation but deemed unsuitable for release.</p>	
Basic Permit to Keep and Sell Protected Animals (Hobbyist/Recreational)	<p>A section 58 permit that entitles the holder (being a person who keeps protected animals to which the permit relates for private use and does not carry on a business of dealing in those protected animals) to keep 2 or more protected animals of the species listed in Schedule 6 or to sell or give 1 or more protected animals of the species listed in Schedule 6.</p>	Class 1
Basic Permit to Keep and Sell Protected Animals (Fauna Dealer)	<p>A section 58 permit that entitles the holder in the course of carrying on a business of dealing in protected animals to which the permit relates to keep and sell protected animals of the species listed in Schedule 6.</p>	Class 2
Specialist Permit to Keep and Sell Protected Animals (Fauna Dealer)	<p>A section 58 permit that entitles the holder in the course of carrying on a business of dealing in protected animals to which the permit relates to keep and sell—</p> <ul style="list-style-type: none"> (a) protected animals of the species listed in Schedule 6; and (b) specialist animals identified in the permit by reference to their species or other class to which they belong. 	Class 2

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Permit descriptions, names and classes—Schedule 1

Name	Description (subject to any limitations, restrictions or conditions specified in the permit)	Class
Specialist Permit to Keep and Sell Protected Animals (Hobbyist/Recreational)	<p>A section 58 permit that entitles the holder (being a person who keeps protected animals to which the permit relates for private use and does not carry on a business of dealing in those protected animals) to keep and sell or give—</p> <p>(a) protected animals of the species listed in Schedule 6; and</p> <p>(b) specialist animals identified in the permit by reference to their species or other class to which they belong.</p>	Class 3
Wildlife Displayer Permit (Commercial)	<p>A section 58 permit that entitles the holder to keep, sell (or give) and display—</p> <p>(a) protected animals of the species listed in Schedule 6; and</p> <p>(b) specialist animals identified in the permit by reference to their species or other class to which they belong,</p> <p>in the course of carrying on a business of wildlife display, demonstration, education or entertainment at a permanent facility as well as at temporary locations elsewhere.</p>	Class 4
Mobile Wildlife Educator/Demonstrator Permit (Commercial)	<p>A section 58 permit that entitles the holder to keep, sell (or give) and display—</p> <p>(a) protected animals of the species listed in Schedule 6; and</p> <p>(b) specialist animals identified in the permit by reference to their species or other class to which they belong,</p> <p>at temporary locations in the course of carrying on a business of wildlife demonstration, display, education or entertainment.</p>	Class 5
Permit to Keep and Sell Protected Animals (Scientific/Biological Products)	<p>A section 58 permit that entitles the holder to keep, sell (or give) and use for scientific purposes, or purposes related to the production of biological products, (whether or not for commercial gain), protected animals identified in the permit by reference to their species or other class to which they belong.</p>	Class 6
Permit to Sell Protected Animals (Kangaroo Meat Processor)	<p>A section 58 permit that entitles the holder to keep and sell carcasses and parts of carcasses of kangaroos (identified in the permit by reference to their species or other class to which they belong).</p>	Class 7
Permit to Sell Protected Animals (Tannery and Skins)	<p>A section 58 permit that entitles the holder to keep and sell skins of kangaroos or any other protected animals (identified in the permit by reference to their species or other class to which they belong).</p>	Class 8
Sell Protected Animal Permit	<p>A section 58 permit that entitles the keeper of a single protected animal listed in Schedule 6 (being a person who is not required to hold a permit to keep that animal) to sell or give the animal.</p>	Class 9

Schedule 3—Times for provision of returns in relation to certain section 58 or 60C permits (regulation 13)

Returns for the permits specified in the table below must be provided to the Director (following the completion of the period to which the return relates) within 14 days after the days specified in the table.

Class or Name of permit	Day
Class 1	30 June
Class 3	30 June
Class 4	30 June
Class 5	30 June
Class 6	30 June
Class 7	the last day of each month
Class 9	30 June
Class 11	30 June
Class 12	30 June
Retain Protected Animals Unfit for Release	30 June

Schedule 4—Information required in returns for certain section 58 or 60C permits (regulation 13)

Class or Name of permit	Information required
Class 1, 3, 4, 5 and 6	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 Purchases (including gifts and other sources) Escapes and deaths Sales Exports Other disposals Stock on hand at end of period
Retain Protected Animals Unfit for Release	Period of return Name and address Permit number Date of return Common name of species Species code Stock at beginning of period Breeding Acquisitions (including other sources)

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Information required in returns for certain section 58 or 60C permits (regulation 13)—Schedule 4

Class or Name of permit	Information required
	Escapes and deaths Disposals Stock on hand at end of period
Class 7 (Kangaroo Meat Processor)	Month and year to which return relates Name of meat processor Address of processing works Date of purchases Kangaroo field processor's/supplier's permit number Name of field processor/supplier Number of carcasses of each species of kangaroo Total weight (kg) for each species of kangaroo received Date received for any imports Import permit number Name of supplier Description of imported goods (species, carcasses/separated skins) Quantity imported (number of each species) Date any exports dispatched Export permit number Name of recipient Description of exported goods (species, carcasses/separated skins) Quantity exported (number of each species) Date dispatched for local sales (carcasses/separated skins) Recipient's name Recipient's permit number Description of goods (species, carcasses/separated skins) sold locally Quantity sold (number of each species)
Class 9 (Sell Protected Animal)	Name and address Permit number Date of return Common name of species Species code Date of sale (or gift) Date of other disposal Purchaser's name and address Exports Stock on hand at end of period
Class 11 (Keep and Sell Eggs)	Period of return Name and address Permit number Date of return Common name of species Species code Stock at beginning of period Imports Purchases (including gifts or other sources) Sales Exports Other disposals Stock on hand at end of period
Class 12 (Emu Farming)	Permit number Name of the permit holder Address of the permit holder Location of farming property Date of the return

Class or Name of permit	Information required
	Stock at the beginning of the period
	Purchases (including gifts and other sources)
	Breeding results
	Imports
	Escapes and deaths
	Sales for slaughter or live trade
	Exports
	Stock on hand at end of period

Schedule 5—Possession or control of eggs: species prescribed under section 58(2)(a) of the Act

The species Emu (*Dromaius novaehollandiae*) is prescribed for the purposes of section 58(2)(a) of the Act.

Schedule 6—Basic species: species prescribed under section 58(1)(a) of the Act

Protected animals of the species identified in this Schedule are prescribed for the purposes of section 58(1)(a) of the Act.

BIRDS

Emu

Species code	Common name	Zoological name
C00001	Emu	<i>Dromaius novaehollandiae</i>

Buttonquails

Species code	Common name	Zoological name
K00013	Red-backed Buttonquail	<i>Turnix maculosus</i>
W00019	Red-chested Buttonquail	<i>Turnix pyrrhоторax</i>

Swans, geese and ducks

Species code	Common name	Zoological name
M04182	Australasian Shoveler (Blue-winged)	<i>Anas rhynchos</i>
G00207	Australian Shelduck	<i>Tadorna tadornoides</i>
W00203	Black Swan	<i>Cygnus atratus</i>
M00198	Cape Barren Goose	<i>Cereopsis novaehollandiae novaehollandiae</i>
Y04148	Grey Teal (Australasian Teal)	<i>Anas gracilis</i>
G00215	Hardhead (White-eyed Duck)	<i>Aythya australis</i>
Z00199	Magpie Goose	<i>Anseranas semipalmata</i>
E00206	Raja Shelduck	<i>Tadorna radjah</i>
A00204	Wandering Whistling Duck	<i>Dendrocygna arcuata</i>

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Basic species: species prescribed under section 58(1)(a) of the Act—Schedule 6

Nativehens

Species code	Common name	Zoological name
G00055	Black-tailed Nativehen	<i>Tribonyx ventralis</i>
C04145	Dusky Moorhen	<i>Gallinula tenebrosa</i>
E04250	Tasmanian Nativehen	<i>Tribonyx mortierii</i>

Stonecurlews

Species code	Common name	Zoological name
U00174	Bush Stonecurlew	<i>Burhinus grallarius</i>

Plovers and gulls

Species code	Common name	Zoological name
G00135	Banded Lapwing	<i>Vanellus tricolor</i>
C00133	Masked Lapwing (northern subspecies)	<i>Vanellus miles miles</i>
W09343	Spur-winged Plover	<i>Vanellus miles novaehollandiae</i>

Dotterels and stilts

Species code	Common name	Zoological name
K00145	Inland Dotterel	<i>Peltohyas australis</i>
M00146	White-headed (Black-winged) Stilt	<i>Himantopus leucocephalus</i>

Pigeons and doves

Species code	Common name	Zoological name
C00029	Brown Cuckoo-dove	<i>Macropygia amboinensis</i>
Q00040	Partridge Pigeon	<i>Geophaps smithii</i>
K00021	Rose-crowned Fruit-dove	<i>Ptilinopus regina</i>
Z00023	Superb Fruit-dove	<i>Ptilinopus superbis</i>

Cuckooshrikes

Species code	Common name	Zoological name
Y04120	Black-faced Cuckooshrike	<i>Coracina novaehollandiae</i>

Cockatoos and parrots

Species code	Common name	Zoological name
G00283	Adelaide Rosellas	<i>Platycercus elegans (fleuriensis & subadelaidae)</i>
C00281	Australian King-parrot	<i>Alisterus scapularis</i>
W21031	Cloncurry	<i>Barnardius zonarius macgillivrayi</i>
A15072	Crimson Rosellas	<i>Platycercus elegans (elegans & melanopterus)</i>
C21033	Eclectus Parrot	<i>Eclectus roratus macgillivrayi</i>
A00300	Golden-shouldered Parrot	<i>Psephotus chrysopterygius</i>
K00285	Green Rosella	<i>Platycercus caledonicus</i>
Q00260	Little Lorikeet	<i>Parvipsitta pusilla</i>
U00270	Major Mitchell's Cockatoo	<i>Lophochroa leadbeateri</i>

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 Schedule 6—Basic species: species prescribed under section 58(1)(a) of the Act

U21030	Mallee Ringneck	<i>Barnardius zonarius barnardi</i>
Q00296	Mulga Parrot	<i>Psephotellus varius</i>
S05489	Port Lincoln Parrot	<i>Barnardius zonarius zonarius</i>
G00259	Purple-crowned Lorikeet	<i>Parvipsitta porphyrocephala</i>
E00290	Red-capped Parrot	<i>Purpureicephalus spurius</i>
M08002	Red-vented Blue Bonnet	<i>Northiella haematogaster haematorrhous</i>
M04246	Red-winged Parrot	<i>Aprosmictus erythropterus</i>
C04381	Regent Parrot (eastern subspecies)	<i>Polytelis anthopeplus monarchoides</i>
E05490	Regent Parrot (WA subspecies)	<i>Polytelis anthopeplus anthopeplus</i>
Q00308	Rock Parrot	<i>Neophema petrophila</i>
K00277	Superb Parrot	<i>Polytelis swainsonii</i>
C00257	Varied Lorikeet	<i>Psitteuteles versicolor</i>
Y00284	Yellow Rosella	<i>Platycercus elegans flaveolus</i>
A21032	Yellow-vented Blue Bonnet	<i>Northiella haematogaster haematogaster</i>
Owls		
Species code	Common name	Zoological name
M00242	Southern Boobook	<i>Ninox boobook</i>
Frogmouths		
Species code	Common name	Zoological name
K00313	Tawny Frogmouth	<i>Podargus strigoides</i>
Kingfishers		
Species code	Common name	Zoological name
Z00323	Blue-winged Kookaburra	<i>Dacelo leachii</i>
S04169	Laughing Kookaburra	<i>Dacelo novaeguineae</i>
Fairywrens		
Species code	Common name	Zoological name
E00530	Black-backed Fairywren	<i>Malurus splendens melanotis</i>
K00541	Red-backed Fairywren	<i>Malurus melanocephalus</i>
E21034	Splendid Fairywren	<i>Malurus splendens splendens</i>
S00529	Superb Fairywren	<i>Malurus cyaneus</i>
G05491	Turquoise Fairywren	<i>Malurus splendens callainus</i>
Q00536	Variegated Fairywren	<i>Malurus lamberti</i>
Z00535	White-winged Fairywren	<i>Malurus leucopterus</i>
Robins		
Species code	Common name	Zoological name
Q00392	Eastern Yellow Robin	<i>Eopsaltria australis</i>

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Basic species: species prescribed under section 58(1)(a) of the Act—Schedule 6

S00385	Hooded Robin	<i>Melanodryas cucullata</i>
K00381	Red-capped Robin	<i>Petroica goodenovii</i>
Grass-finches		
Species code	Common name	Zoological name
G21019	Crimson Finch (white-bellied subspecies)	<i>Neochmia phaeton evangelinae</i>
A00652	Diamond Firetail	<i>Stagonopleura guttata</i>
G04075	Red-browed Finch	<i>Neochmia temporalis</i>
W00651	Red-eared Firetail	<i>Stagonopleura oculata</i>
Honeyeaters and chats		
Species code	Common name	Zoological name
Y04200	Blue-faced Honeyeater	<i>Entomyzon cyanotis</i>
M00630	Crescent Honeyeater	<i>Phylidonyris pyrrhopterus</i>
S00449	Crimson Chat	<i>Epthianura tricolor</i>
E00450	Orange Chat	<i>Epthianura aurifrons</i>
E00602	Pied Honeyeater	<i>Certhionyx variegatus</i>
M00586	Scarlet Honeyeater	<i>Myzomela sanguinolenta</i>
Z04131	White-fronted Chat	<i>Epthianura albifrons</i>
M00594	White-fronted Honeyeater	<i>Purnella albifrons</i>
Woodswallows		
Species code	Common name	Zoological name
W00547	Dusky Woodswallow	<i>Artamus cyanopterus</i>
Q00544	Masked Woodswallow	<i>Artamus personatus</i>
Z00543	White-breasted Woodswallow	<i>Artamus leucorhynchus</i>
S00545	White-browed Woodswallow	<i>Artamus superciliosus</i>
MAMMALS		
Carnivorous marsupials		
Species code	Common name	Zoological name
A01072	Fat-tailed Dunnart	<i>Sminthopsis crassicaudata</i>
Possums		
Species code	Common name	Zoological name
K01113	Common Brushtail Possum	<i>Trichosurus vulpecula</i>
Wallabies		
Species code	Common name	Zoological name
K01245	Parma Wallaby	<i>Macropus parma</i>
Y01236	Red-necked Pademelon	<i>Thylogale thetis</i>
K01261	Red-necked Wallaby	<i>Macropus rufogriseus</i>
E01242	Swamp Wallaby	<i>Wallabia bicolor</i>

C05889	Tammar Wallaby	<i>Macropus eugenii eugenii</i>
G01235	Tasmanian Pademelon	<i>Thylogale billardierii</i>
Rodents		
Species code	Common name	Zoological name
Y01480	Mitchell's Hopping-mouse	<i>Notomys mitchellii</i>
S01469	Plains Mouse (Rat)	<i>Pseudomys australis</i>
Potoroos and bettongs		
Species code	Common name	Zoological name
M21002	Brush-tailed Bettong (Woylie)	<i>Bettongia penicillata ogilbyi</i>
Z01175	Long-nosed Potoroo	<i>Potorous tridactylus</i>
W01187	Rufous Bettong	<i>Aepyprymnus rufescens</i>
Gliders		
Species code	Common name	Zoological name
E04226	Squirrel Glider	<i>Petaurus norfolcensis</i>
E01138	Sugar Glider	<i>Petaurus breviceps</i>
REPTILES		
Turtles and tortoises		
Species code	Common name	Zoological name
A02016	Broadshelled Tortoise	<i>Chelodina expansa</i>
S05585	Jardine River Turtle	<i>Emydura subglobosa</i>
C02033	Kreffft's River Turtle	<i>Emydura macquarii krefftii</i>
Q02020	Northern Snake-necked Turtle	<i>Chelodina oblonga</i>
Y02028	Northern Snapping Turtle	<i>Elseya dentata</i>
Q05584	Northern Yellow-faced Turtle	<i>Emydura tanybaraga</i>
Y05580	North-west Red-faced Turtle	<i>Emydura victoriae</i>
G02019	Oblong Turtle	<i>Chelodina colliei</i>
K02029	Saw-shelled Turtle	<i>Wollumbinia latisternum</i>
Legless lizards		
Species code	Common name	Zoological name
E02174	Common Scaly-foot	<i>Pygopus lepidopodus</i>
Q04044	Eastern Hooded Scaly-foot	<i>Pygopus schraderi</i>
C02165	Excitable Delma	<i>Delma tincta</i>
S02161	Gulfs Delma	<i>Delma mollerii</i>
Q02160	Patternless Delma	<i>Delma inornata</i>
G02175	Western Hooded Scaly-foot	<i>Pygopus nigriceps</i>
Dragon lizards		
Species code	Common name	Zoological name
Z02179	Black-collared Dragon	<i>Ctenophorus clayi</i>

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Q02196	Central Netted Dragon	<i>Ctenophorus nuchalis</i>
A02180	Crested Dragon	<i>Ctenophorus cristatus</i>
U05586	Downs Bearded Dragon	<i>Pogona henrylawsoni</i>
G21035	Dwarf Bearded Dragon	<i>Pogona minor minor</i>
K02177	Eastern Bearded Dragon	<i>Pogona barbata</i>
K02257	Eyrean Earless Dragon	<i>Tympanocryptis tetraporophora</i>
Y02184	Eyre Peninsula Dragon	<i>Ctenophorus fionni</i>
E02246	Gilbert's Dragon	<i>Lophognathus gilberti</i>
M02194	Jacky Lizard	<i>Amphibolurus muricatus</i>
W05587	Kimberley Bearded Dragon	<i>Pogona microlepidota</i>
G02255	Lined Earless Dragon	<i>Tympanocryptis lineata</i>
G02247	Long-nosed Dragon	<i>Gowidon longirostris</i>
K02185	Mallee Dragon	<i>Ctenophorus fordi</i>
Z02187	Military Dragon	<i>Ctenophorus isolepis</i>
E02182	Mountain Dragon	<i>Rankinia diemensis</i>
Z02195	Nobbi Dragon	<i>Diporiphora nobbi</i>
C04313	North-west Bearded Dragon	<i>Pogona minor mitchelli</i>
U02198	Ornate Dragon	<i>Ctenophorus ornatus</i>
W02199	Painted Dragon	<i>Ctenophorus pictus</i>
G02203	Red-barred Dragon	<i>Ctenophorus vadrappa</i>
M02178	Ring-tailed Dragon	<i>Ctenophorus caudicinctus</i>
C02245	Southern Angle-headed Dragon	<i>Lophosaurus spinipes</i>
C02181	Tawny Dragon	<i>Ctenophorus decresii</i>
A02252	Water Dragon	<i>Intellagama lesueurii</i>
G02191	Western Bearded Dragon	<i>Pogona minor minima</i>
A02200	Western Netted Dragon	<i>Ctenophorus reticulatus</i>
Geckos		
Species code	Common name	Zoological name
M05590	Banded Knob-tail	<i>Nephrurus wheeleri</i>
Z02119	Banded Velvet Gecko	<i>Oedura cincta</i>
K02109	Beaded Gecko	<i>Lucasium damaeum</i>
A04312	Centralian Knob-tailed Gecko	<i>Nephrurus amya</i>
A02112	Common Knob-tailed Gecko	<i>Nephrurus levis</i>
C05589	Dotted Velvet Gecko	<i>Oedura gemmata</i>
Q04492	Eastern Stone Gecko	<i>Diplodactylus vittatus (revised)</i>
A05588	Fringe-toed Velvet Gecko	<i>Oedura filicipoda</i>
Y02052	Gibber Gecko	<i>Lucasium byrnei</i>
W02075	Golden-tailed Gecko	<i>Strophurus taenicauda</i>

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S02057	Helmeted Gecko	<i>Diplodactylus galeatus</i>
Z02055	Jewelled Gecko	<i>Strophurus elderi</i>
M02118	Lesueur's Velvet Gecko	<i>Amalosia lesueurii</i>
K04261	Map Gecko	<i>Lucasium steindachneri</i>
Z02135	Northern Giant Cave Gecko	<i>Pseudothecadactylus lindneri</i>
Z05583	Northern Knob-tailed Gecko	<i>Nephrurus sheai</i>
K02053	Northern Spiny-tailed Gecko	<i>Strophurus ciliaris</i>
K02117	Northern Spotted Velvet Gecko	<i>Oedura coggeri</i>
Y02116	Northern Velvet Gecko	<i>Oedura castelnaui</i>
A02120	Ocellated Velvet Gecko	<i>Oedura monilis</i>
W02111	Pale Knob-tailed Gecko	<i>Nephrurus laevisissimus</i>
A05596	Phasmid Striped Gecko	<i>Strophurus taeniatus</i>
S02049	Ring-tailed Gecko	<i>Cyrtodactylus tuberculatus</i>
K02089	Robust Tree Dtella	<i>Gehyra purpurascens</i>
G02123	Robust Velvet Gecko	<i>Nebulifera robusta</i>
U02110	Rough Knob-tail	<i>Nephrurus asper</i>
C05597	Rough-throated Leaf-tailed Gecko	<i>Saltuarius salebrosus</i>
Q04424	Sandplain Gecko	<i>Lucasium stenodactylum</i>
G05599	Short-tailed Dtella	<i>Gehyra baliola</i>
W02059	Southern Spiny-tailed Gecko	<i>Strophurus intermedius</i>
Y02124	Southern Spotted Velvet Gecko	<i>Oedura tryoni</i>
C02113	Starred Knob-tailed Gecko	<i>Nephrurus stellatus</i>
Y05600	Western Spiny-tailed Gecko	<i>Strophurus strophurus</i>
U05622	Wheat-belt Stone Gecko	<i>Diplodactylus granariensis</i> (revised)

Skinks

Species code	Common name	Zoological name
K02425	Black Rock Skink	<i>Egernia saxatilis</i>
Q04192	Blacksoil Skink	<i>Proablepharus kinghorni</i>
U02578	Blotched Bluetongue	<i>Tiliqua nigrolutea</i>
U02438	Broad-banded Sandswimmer	<i>Eremiascincus richardsonii</i>
A02420	Bull Skink	<i>Liopholis multiscutata</i>
S02577	Centralian Bluetongue	<i>Tiliqua multifasciata</i>
M02418	Centralian Ranges Rock-skink	<i>Liopholis margaretae</i>
S02365	Common Desert Ctenotus	<i>Ctenotus leonhardii</i>
E02386	Copper-tailed Skink	<i>Ctenotus taeniolatus</i>
Y02408	Cunningham's Skink	<i>Egernia cunninghami</i>
Q05620	Dampier Land Limbless Slider	<i>Lerista apoda</i>

7.3.2024—National Parks and Wildlife (Wildlife) Regulations 2019
Basic species: species prescribed under section 58(1)(a) of the Act—Schedule 6

W04507	Dark Barsided Skink	<i>Concinnia martini</i>
C02413	Desert Skink	<i>Liopholis inornata</i>
S04505	Eastern Crevice Skink	<i>Egernia mcphreei</i>
U02374	Eastern Desert Ctenotus	<i>Ctenotus regius</i>
W02375	Eastern Striped Skink	<i>Ctenotus spaldingi</i>
U02682	Eastern Three-lined Skink	<i>Acritoscincus duperreyi</i>
Z02427	Gidgee Skink	<i>Egernia stokesii</i>
M05610	Goldfields Crevice-skink	<i>Egernia formosa</i>
A02412	Hosmer's Skink	<i>Egernia hosmeri</i>
E02414	King's Skink	<i>Egernia kingii</i>
K02417	Land Mullet	<i>Bellatorias major</i>
Z05611	Lined Soil-crevice Skink	<i>Notoscincus butleri</i>
U04506	Mainland She-oak Skink	<i>Cyclodomorphus michaeli</i>
W02411	Major Skink	<i>Bellatorias frerei</i>
Q05612	Murray's Skink	<i>Silvascincus murrayi</i>
S05621	Narrow-banded Sandswimmer	<i>Eremiascincus fasciolatus (revised)</i>
Q02428	Night Skink	<i>Liopholis striata</i>
S05613	Northern Bar-lipped Skink	<i>Eremiascincus isolepis</i>
Y05492	Pink-tongued Lizard	<i>Cyclodomorphus gerrardii</i>
Z02339	Pin-striped Ctenotus	<i>Ctenotus ariadnae</i>
K02409	Pygmy Spiny-tailed Skink	<i>Egernia depressa</i>
U05614	Robust Rainbow-skink	<i>Carlia schmeltzii</i>
G02343	Sandhill Ctenotus	<i>Ctenotus brooksi</i>
E02482	Southern Four-toed Slider	<i>Lerista dorsalis</i>
E02502	Southern Three-toed Slider	<i>Lerista terdigitata</i>
C02561	Southern Water Skink	<i>Eulamprus tympanum</i>
Q04328	Speckled Wall Skink	<i>Cryptoblepharus pannosus</i>
W02331	Striped Wall Skink	<i>Cryptoblepharus pulcher</i>
E05618	Taper-tailed West-coast Slider	<i>Lerista humphriesi</i>
G05619	Three-toed Skink	<i>Saiphos equalis</i>
W02579	Western Bluetongue	<i>Tiliqua occipitalis</i>
Z02443	Western Earless Skink	<i>Hemiergus initialis</i>
Monitors and goannas		
Species code	Common name	Zoological name
M02282	Black-headed Monitor	<i>Varanus tristis</i>
K05601	Black-palmed Monitor	<i>Varanus glebopalma</i>
G04315	Black-spotted Spiny-tailed Monitor	<i>Varanus baritji</i>
M02266	Desert Pygmy Goanna	<i>Varanus eremius</i>

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 Schedule 6—Basic species: species prescribed under section 58(1)(a) of the Act

U21022	Gould's Goanna	<i>Varanus gouldii gouldii</i>
S02269	Kimberley Rock Monitor	<i>Varanus glauerti</i>
M05602	Long-tailed Rock Monitor	<i>Varanus kingorum</i>
Y02272	Mangrove Monitor	<i>Varanus indicus</i>
K02273	Mertens' Water Monitor	<i>Varanus mertensi</i>
M02274	Mitchell's Water Monitor	<i>Varanus mitchelli</i>
Z05603	Northern Ridge-tailed Monitor	<i>Varanus primordius</i>
K05581	Pilbara Mulga Monitor	<i>Varanus bushi</i>
Q05604	Pilbara Rock Monitor	<i>Varanus pilbarensis</i>
Q02268	Pygmy Mulga Goanna	<i>Varanus gilleni</i>
G02263	Ridge-tailed Monitor	<i>Varanus acanthurus</i>
U02278	Rusty Monitor	<i>Varanus semiremex</i>
W21023	Sand Monitor (arid subspecies)	<i>Varanus gouldii flavirufus</i>
Y04112	Short-tailed Pygmy Goanna	<i>Varanus brevicauda</i>
W02279	Spencer's Monitor	<i>Varanus spenceri</i>
K05493	Spotted Tree Monitor	<i>Varanus scalaris</i>
S05605	Storr's Monitor	<i>Varanus storri</i>
U05606	Stripe-tailed Monitor	<i>Varanus caudolineatus</i>

Pythons

Species code	Common name	Zoological name
Q02612	Black-headed Python	<i>Aspidites melanocephalus</i>
C02625	Carpet Python	<i>Morelia spilota</i>
W05607	Centralian Carpet Python	<i>Morelia bredli</i>
M05582	Childrens Python	<i>Antaresia childreni</i>
S02621	Olive Python	<i>Liasis olivaceus</i>
A05608	Rough-scaled Python	<i>Morelia carinata</i>
C05609	Spotted Python	<i>Antaresia maculosa</i>
G02619	Stimson's Python	<i>Antaresia stimsoni</i>
Q02620	Water Python	<i>Liasis fuscus</i>
S02613	Woma	<i>Aspidites ramsayi</i>

Colubridae snakes

Species code	Common name	Zoological name
U02630	Brown Tree Snake	<i>Boiga irregularis</i>
C02633	Common (Green) Tree Snake	<i>Dendrelaphis punctulatus</i>
K02629	Keelback Snake	<i>Tropidonophis mairii</i>
A02632	Northern Tree Snake	<i>Dendrelaphis calligastra</i>
M02638	Slaty-grey Snake	<i>Stegonotus cucullatus</i>

AMPHIBIANS

Tree frogs

Species code	Common name	Zoological name
G03207	Southern Bell Frog	<i>Litoria raniformis</i>

Froglets and toadlets

Species code	Common name	Zoological name
C03029	Smooth Frog	<i>Geocrinia laevis</i>

Schedule 7—Exempt species: species excluded by proclamation under section 58(4) of the Act

Note—

This Schedule records the species excluded by proclamation under section 58(4) of the Act and is included in these regulations for information purposes only. The proclamation under section 58(4) may be revoked or varied from time to time in which event this Schedule will no longer be accurate.

BIRDS

Quails

Species code	Common name	Zoological name
S00017	Black-breasted Buttonquail	<i>Turnix melanogaster</i>
W21015	Brown Quail (Swamp Partridge)	<i>Coturnix ypsilophora ypsilophora</i>
Y09304	Brown Quail (Swamp Quail)	<i>Coturnix ypsilophora australis</i>
Y00012	King Quail	<i>Excalfactoria chinensis</i>
U00018	Little Buttonquail	<i>Turnix velox</i>
U04178	Painted Buttonquail	<i>Turnix varius</i>
A04240	Stubble Quail	<i>Coturnix pectoralis</i>

Swans, geese and ducks

Species code	Common name	Zoological name
U00210	Chestnut Teal	<i>Anas castanea</i>
U00202	Maned Duck (Australian Wood Duck)	<i>Chenonetta jubata</i>
E04146	Pacific Black Duck	<i>Anas superciliosa</i>
C00205	Plumed Whistling Duck	<i>Dendrocygna eytoni</i>

Plovers and gulls

Species code	Common name	Zoological name
C04065	Silver Gull	<i>Chroicocephalus novaehollandiae</i>

Pigeons and doves

Species code	Common name	Zoological name
Q00032	Bar-shouldered Dove	<i>Geopelia humeralis</i>
U04142	Brush Bronzewing	<i>Phaps elegans</i>

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Schedule 7—Exempt species: species excluded by proclamation under section 58(4) of the Act

U00034	Common Bronzewing	<i>Phaps chalcoptera</i>
W00043	Crested Pigeon	<i>Ocyphaps lophotes</i>
Z00031	Diamond Dove	<i>Geopelia cuneata</i>
S00033	Emerald Dove	<i>Chalcophaps indica</i>
A00036	Flock Bronzewing	<i>Phaps histrionica</i>
Q04168	Peaceful Dove	<i>Geopelia placida</i>
U00042	Spinifex Pigeon	<i>Geophaps plumifera</i>
K21029	Spinifex Pigeon (Red Fronted)	<i>Geophaps plumifera ferruginea</i>
G00039	Squatter Pigeon	<i>Geophaps scripta</i>
U00026	Torresian Imperial-Pigeon	<i>Ducula bicolor spilorrhoea</i>
A00028	White-headed Pigeon	<i>Columba leucomela</i>
A00044	Wonga Pigeon	<i>Leucosarcia melanoleuca</i>
Honeyeaters		
Species code	Common name	Zoological name
G04163	Little Wattlebird	<i>Anthochaera chrysoptera</i>
U04126	New Holland Honeyeater	<i>Phylidonyris novaehollandiae</i>
U00634	Noisy Miner	<i>Manorina melanocephala</i>
S00625	White-plumed Honeyeater	<i>Ptilotula penicillata</i>
Magpielarks		
Species code	Common name	Zoological name
W00415	Magpielark	<i>Grallina cyanoleuca</i>
Magpies		
Species code	Common name	Zoological name
S00705	Australian Magpie	<i>Gymnorhina tibicen</i>
Cockatoos and parrots		
Species code	Common name	Zoological name
A21024	Blue-cheeked Rosella	<i>Platycercus adscitus adscitus</i>
M00306	Blue-winged Parrot	<i>Neophema chrysostoma</i>
Y00304	Bourke's Parrot	<i>Neopsephotus bourkii</i>
E00274	Cockatiel	<i>Nymphicus hollandicus</i>
S04177	Eastern Rosella	<i>Platycercus eximius</i>
Z00307	Elegant Parrot	<i>Neophema elegans</i>
C00301	Hooded Parrot	<i>Psephotus dissimilis</i>
Q05488	Kimberley Northern Rosella	<i>Platycercus venustus hilli</i>
A00272	Long-billed Corella	<i>Cacatua tenuirostris</i>
E00258	Musk Lorikeet	<i>Glossopsitta concinna</i>
Z00287	Northern Rosella (Brown's Rosella)	<i>Platycercus venustus</i>

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Exempt species: species excluded by proclamation under section 58(4) of the Act—Schedule 7

M00286	Pale-headed Rosella	<i>Platycercus adscitus</i>
Z00279	Princess Parrot	<i>Polytelis alexandrae</i>
U00254	Rainbow Lorikeet	<i>Trichoglossus haematodus</i>
W00255	Red-collared Lorikeet	<i>Trichoglossus haematodus rubritorquis</i>
Z00295	Red-rumped Parrot	<i>Psephotus haematonotus</i>
A00256	Scaly-breasted Lorikeet	<i>Trichoglossus chlorolepidotus</i>
G00303	Scarlet-chested Parrot	<i>Neophema splendida</i>
Q04176	Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
E00302	Turquoise Parrot	<i>Neophema pulchella</i>
K00293	Twenty-eight Parrot	<i>Barnardius zonarius semitorquatus</i>
G05503	Western Corella	<i>Cacatua pastinator</i>
S00289	Western Rosella	<i>Platycercus icterotis</i>
Grass-finches		
Species code	Common name	Zoological name
Y05504	Black-throated Finch (Diggles)	<i>Poephila cincta atropygialis</i>
C21025	Black-throated Finch (Parson)	<i>Poephila cincta cincta</i>
K00657	Chestnut-breasted Mannikin	<i>Lonchura castaneothorax</i>
E21018	Crimson Finch (common)	<i>Neochmia phaeton phaeton</i>
G21027	Double-barred Finch (black rump)	<i>Stizoptera bichenovii annulosa</i>
Y21028	Double-barred Finch (white rump)	<i>Stizoptera bichenovii bichenovii</i>
E00670	Gouldian Finch	<i>Erythrura gouldiae</i>
K05505	Long-tailed Finch (Hecks)	<i>Poephila acuticauda hecki</i>
E21026	Long-tailed Finch (Longtail)	<i>Poephila acuticauda acuticauda</i>
A21016	Masked Finch (Masked)	<i>Poephila personata personata</i>
C21017	Masked Finch (White-eared)	<i>Poephila personata leucotis</i>
E00654	Painted Finch	<i>Emblema pictum</i>
Z00659	Pictorella Mannikin	<i>Heteromunia pectoralis</i>
Q04512	Plum-headed Finch	<i>Neochmia modesta</i>
G00663	Star Finch	<i>Neochmia ruficauda</i>
M00658	Yellow-rumped Mannikin	<i>Lonchura flaviprymna</i>
MAMMALS		
Rodents		
Species code	Common name	Zoological name
K01481	Spinifex Hopping-mouse	<i>Notomys alexis</i>

National Parks and Wildlife (Wildlife) Regulations 2019—7.3.2024

Schedule 7—Exempt species: species excluded by proclamation under section 58(4) of the Act

REPTILES**Turtles and tortoises**

Species code	Common name	Zoological name
C02017	Eastern Long-necked Tortoise	<i>Chelodina longicollis</i>
W05579	Macquarie River Turtle	<i>Emydura macquarii macquarii</i>

Dragon lizards

Species code	Common name	Zoological name
Y02204	Central Bearded Dragon	<i>Pogona vitticeps</i>

Geckos

Species code	Common name	Zoological name
C02105	Bynoe's Gecko	<i>Heteronotia binoei</i>
U02138	Common Barking Gecko	<i>Underwoodisaurus milii</i>
M02126	Marbled Gecko	<i>Christinus marmoratus</i>
Z05371	Western Tree Dtella	<i>Gehyra variegata</i>

Skinks

Species code	Common name	Zoological name
S02525	Adelaide Snake-eye	<i>Morethia adelaidensis</i>
G02475	Bougainville's Skink	<i>Lerista bougainvillii</i>
U02526	Common Snake-eye	<i>Morethia boulengeri</i>
M02450	Delicate Skink	<i>Lampropholis delicata</i>
W02519	Dwarf Skink	<i>Menetia greyii</i>
Y02580	Eastern Bluetongue	<i>Tiliqua scincoides</i>
S02429	Eastern Tree Skink	<i>Egernia striolata</i>
K02557	Eastern Water Skink	<i>Eulamprus quoyii</i>
U02446	Four-toed Earless Skink	<i>Hemiergus peronii</i>
Z02451	Garden Skink	<i>Lampropholis guichenoti</i>
C02529	Mallee Snake-eye	<i>Morethia obscura</i>
G04023	Myall Slider	<i>Lerista edwardsae</i>
G02379	Sandplain Ctenotus	<i>Ctenotus schomburgkii</i>
Z02583	Sleepy Lizard	<i>Tiliqua rugosa</i>
Q02496	Southern Robust Slider	<i>Lerista picturata</i>
W02499	Spotted Slider	<i>Lerista punctatovittata</i>
K02441	Three-toed Earless Skink	<i>Hemiergus decresiensis</i>
E02430	White's Skink	<i>Liopholis whitii</i>

Schedule 8—Transitional provisions

Part 1—Preliminary

1—Interpretation

In this Schedule—

the revoked regulations means the *National Parks and Wildlife (Wildlife) Regulations 2016*.

Part 3—Transitional provisions

3—Permits

- (1) A section 53 permit headed as a "Basic Protected Animals Rescue Permit" or "Specialist Protected Animals Rescue Permit"—
 - (a) granted for a period commencing before, and ending after, the commencement of these regulations; and
 - (b) in force immediately before that commencement,will not be taken to be a Protected Animals Rescue Permit for the purposes of these regulations.
- (2) A section 53 and 55 permit entitled "Permit to Trap and Release (Possum)" (or words to the same effect) that permits the holder to trap and relocate possums—
 - (a) granted for a period commencing before, and ending after, the commencement of these regulations; and
 - (b) in force immediately before that commencement; and
 - (c) that is subject to a condition requiring the provision of a separate return with details relating to building type, nature of damage, installation of possum nest boxes, the health of captured animals and other matters,will be taken to be a Wildlife Management (Controller) permit for the purposes of these regulations.
- (3) A section 53 and 55 permit entitled "Permit to Trap and Release (Possum)" (or words to the same effect) that permits the holder to trap and relocate possums—
 - (a) granted for a period commencing before, and ending after, the commencement of these regulations; and
 - (b) in force immediately before that commencement; and
 - (c) that is not subject to a condition requiring a separate return with the details referred to in subclause (2)(c),will not be taken to be a Wildlife Management (Controller) permit or a Trap and Release Protected Animals permit for the purposes of these regulations.
- (4) A section 58 permit that was a class 1 or 3 permit for the purposes of the revoked regulations—
 - (a) granted for a period commencing before, and ending after, the commencement of these regulations; and

- (b) in force immediately before that commencement,
will be taken to be, for the purposes of these regulations—
- (c) if the use of animals on an ongoing basis in displays or wildlife demonstrations (among other things) at temporary locations within the State was authorised pursuant to the permit immediately before the commencement of these regulations—a section 58 permit that is a class 5 permit; or
 - (d) if the use of animals on an ongoing basis in displays or wildlife demonstrations (among other things) at a permanent facility (or at a permanent facility as well as at temporary locations within the State) was authorised pursuant to the permit immediately before the commencement of these regulations—a section 58 permit that is a class 4 permit; or
 - (e) in any other case—
 - (i) if the permit was a class 1 permit—a section 58 permit that is a class 1 permit; or
 - (ii) if the permit was a class 3 permit—a section 58 permit that is a class 3 permit.
- (5) A section 58 permit that was a class 10 or 11 permit, or a section 60C permit that was a class 12 permit, for the purposes of the revoked regulations—
- (a) granted for a period commencing before, and ending after, the commencement of these regulations; and
 - (b) in force immediately before that commencement,
will be taken to be a section 58 or 60C permit of the same class (as the case requires) for the purposes of these regulations.
- (6) Nothing in this clause will be taken to vary the protected animals, or carcasses or eggs of protected animals, that may be taken, kept or sold pursuant to a permit—
- (a) granted for a period commencing before, and ending after, the commencement of these regulations; and
 - (b) in force immediately before that commencement.

4—Requirements under revoked regulations to provide or keep record books, returns or information, or to make entries etc

- (1) Subject to these regulations, if, under a provision of the revoked regulations for which there is a substantially corresponding provision in these regulations, a person was required to—
- (a) provide a record book (or copy of a record book), or a return or information, to the Director; or
 - (b) make an entry in a record book or return,

within a specified period, and that period did not end before the commencement of these regulations, and the requirement was not complied with before the commencement of these regulations, then, on the commencement of these regulations, the requirement will instead be taken to be a requirement under the corresponding provision of these regulations to provide the book (or copy), return or information, or make the entry, (in the manner and form required by the revoked regulations) within the portion of the period that remains after the commencement of these regulations.

- (2) If the period referred to in subclause (1) extends beyond the expiry or revocation of the permit to which the requirement relates, this clause applies despite that expiry or revocation.
- (3) Subject to these regulations, if a person was, immediately before the commencement of these regulations, required under regulation 9(5) or (7) of the revoked regulations to keep a record book or copy of a return, then the requirement to which the person was subject will, on the commencement of these regulations, be taken to be a requirement to keep the book or copy of a return in accordance with regulation 10 or 15 of these regulations (as the case requires).

5—Requirements under revoked regulations to keep animals, carcasses or eggs for specified periods

Subject to these regulations, if a person was, immediately before the commencement of these regulations—

- (a) prohibited under regulation 9(13) or (14) of the revoked regulations from selling or giving an animal; or
- (b) prohibited under regulation 16(2) of the revoked regulations from disposing of a protected animal, or the carcass or egg of a protected animal,

for a specified period, and that period did not end before the commencement of these regulations, then, on the commencement of these regulations, the prohibition to which the person was subject will be taken to be a prohibition—

- (c) in the case of a prohibition under regulation 9(13) or (14)—under regulation 34(1) or 33(5) of these regulations (as the case requires); or
- (d) in the case of a prohibition under regulation 16(2)—under regulation 41 of these regulations,

against selling, giving or disposing of the protected animal, carcass or egg (as the case may be) for the portion of the period that remains after the commencement of these regulations.

6—Applications, requests etc made under revoked regulations

Subject to clause 4, an application or a request, or the provision of a return, report or other information, made or undertaken before the commencement of these regulations pursuant to and in accordance with a provision of the revoked regulations will be taken to have been made or undertaken pursuant to and in accordance with these regulations.

7—Emu tags issued under revoked regulations

Subject to these regulations, a sealed tag issued by the Director under regulation 21 of the revoked regulations, will, on the commencement of these regulations, be taken to be an emu tag issued by the Director under regulation 44 of these regulations, provided that if—

- (a) the tag was attached to and then removed from the skin of an emu prior to the commencement of these regulations; and
- (b) the period for which the tag was required under regulation 21(6) of the revoked regulations to be kept after removal did not end before the commencement of these regulations,

then the requirement that the used tag be kept for that period will, on the commencement of these regulations, be taken to be a requirement under regulation 44(6) of these regulations that the tag be kept for the portion of that period that remains after the commencement of these regulations.

8—Approvals, authorisations, exemptions etc given or made under revoked regulations

Subject to these regulations, an approval, authorisation, exemption, waiver, certificate, notice or request by the Director or a warden—

- (a) given or made for the purposes of a provision of the revoked regulations; and
- (b) the effect of which has not been exhausted at the time of the commencement of these regulations,

will, if a provision of these regulations substantially corresponds to that provision of the revoked regulations, be taken to have been given or made for the purposes of that corresponding provision (and if given or made for a limited period, will be taken to have been so given or made for the portion of the period that remains after the commencement of these regulations).

Legislative history

Notes

- 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 or www.legislation.sa.gov.au.

Legislation revoked by principal regulations

The *National Parks and Wildlife (Wildlife) Regulations 2019* revoked the following:

National Parks and Wildlife (Wildlife) Regulations 2016

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2019	36	<i>Gazette 2.5.2019 p1163</i>	1.7.2019: r 2
2021	45	<i>Gazette 6.5.2021 p1281</i>	1.7.2021: r 2
2024	12	<i>Gazette 7.3.2024 p383</i>	7.3.2024: 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
Pt 1		
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2021</i>
r 3		
r 3(1)		
prescribed fee	varied by 45/2021 r 4	1.7.2021
Pt 4		
r 44A	inserted by 12/2024 r 3	7.3.2024
Sch 8		
<i>Pt 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2021</i>

Historical versions

1.7.2021

