

SOUTH AUSTRALIA

WILDLIFE REGULATIONS, 1990

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DIVISIONAL PENALTIES AND EXPIATION FEES

REGULATIONS UNDER THE NATIONAL PARKS AND WILDLIFE ACT, 1972

Wildlife Regulations, 1990

being

No. 217 of 1990: *Gaz.* 1 November 1990, p. 1400¹

as amended by

- No. 77 of 1992: *Gaz.* 11 June 1992, p. 1695
- No. 48 of 1994: *Gaz.* 2 June 1994, p. 1572²
- No. 110 of 1994: *Gaz.* 30 June 1994, p. 1960³
- No. 93 of 1995: *Gaz.* 10 May 1995, p. 2089⁴
- No. 131 of 1996: *Gaz.* 30 May 1996, p. 2798⁵
- No. 259 of 1996: *Gaz.* 23 December 1996, p. 2262⁶
- No. 114 of 1997: *Gaz.* 13 May 1997, p. 1933⁷
- No. 104 of 1998: *Gaz.* 28 May 1998, p. 2415⁸

- ¹ Came into operation 1 November 1990: reg. 2
- ² Came into operation 2 June 1994: reg. 2.
- ³ Came into operation 30 June 1994: reg. 2.
- ⁴ Came into operation 10 May 1995: reg. 2.
- ⁵ Came into operation 30 May 1996: reg. 2.
- ⁶ Came into operation 3 February 1997: reg. 2.
- ⁷ Came into operation 13 May 1997: reg. 2.
- ⁸ Came into operation 28 May 1998: reg. 2.

N.B. The amendments effected to these regulations by Regulation No. 39 of 1999 had not been brought into operation at the date of, and have not been included in, this consolidation.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix 1.

Citation

1. These regulations may be cited as the *Wildlife Regulations, 1990*.

Commencement

2. These regulations will come into operation on 1 November, 1990.

Revocation

3. The *Wildlife Regulations, 1975* (see *Gazette*, 18 December, 1975, p. 3299) as varied, are revoked.

Interpretation

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

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

"pensioner" means—

- (a) a person receiving benefits under the *Social Security Act 1947* of the Commonwealth;
- (b) a person who holds a State Concession Card;
- (c) a full-time student at primary, secondary or tertiary level.

Note: For definition of divisional penalties see Appendix 2.

Application

5. A warden is not subject to these regulations in relation to the performance of the functions or the exercise of the powers of a warden and an employee of the Department is not subject to these regulations in relation to the performance of the duties of his or her employment.

Taking of native plants

6. A person must, within 14 days after the expiration or revocation of a permit granted to him or her under section 49 of the Act, provide the Director with the following information in writing:

- (a) the species and number of native plants taken;
- (b) the date on which they were taken;
- (c) the location at which they were taken.

Release of animals

7. (1) A person must, within 14 days after releasing an animal pursuant to a permit granted under section 55 of the Act, provide the Director with the following information in writing:

- (a) the species of the animal released;
- (b) the date and time of release;

3.

- (c) if more than one animal was released at the time—the number of animals of each species released;
- (d) the exact location at which the animal was or animals were released.

(2) The person referred to in subregulation (1) must provide the Director with such further information in writing in relation to the release as the Director requires.

Information to be provided on application for section 58 or 60c permit

8. A person must, when applying for a section 58 or section 60c permit, provide the Director with—

- (a) a written statement setting out—
 - (i) the number of each species of protected animal (if any) in the applicant's possession;
 - (ii) the number of carcasses, eggs or skins (if any) of protected animals in the applicant's possession and the species to which those animals belong;

and

- (b) such other information as the Director may require.

Records and returns in relation to sections 58 and 60c permits

9. (1) The holder of a class 1, 2, 3, 6, 9 or 12 permit must keep a record of the following information in a book (the record book) supplied by the Director for that purpose:

- (a) the species of animals, and number of individuals of each species, acquired and disposed of pursuant to the permit;
- (b) the date of acquisition and disposal;
- (c) the name and address of, and the number of the permit held by, the person from whom the animals were acquired or to whom the animals were disposed;
- (d) the species of animals, and number of individuals of each species, born to animals kept pursuant to the permit;
- (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 that must be included in a return by virtue of subregulation (2).

(2) The holder of a section 58 or section 60c permit must at the times indicated in schedule 5 provide the Director with a return that has been signed by the holder of the permit and that sets out the information required by schedule 4.

(3) The permit holder must use a return supplied by the Director for that purpose (whether supplied individually or bound in the form of a book (the return book)) and a copy of each return must be kept by the permit holder.

4.

(4) The record book must be kept in a safe and secure place at the place at which the animals to which the records relate are kept and, if the permit holder keeps animals at more than one place, separate records must be kept in respect of each place at which the animals are kept.

(5) Copies of returns must be kept in a safe and secure place—

(a) in the case of a class 1, 2, 3, 6, 9 or 12 permit—at the principal place at which animals to which the returns relate are kept;

(b) in the case of a class 4 or 5 permit—at the permit holder's principal place of residence;

and

(c) in the case of a class 7 or 8 permit—at the principal place at which the permit holder carries on the business of processing or tanning.

(6) Where a transaction or event occurs in respect of which an entry must be made in a record or return book, the entry must be made as soon as reasonably practicable after the occurrence of that transaction or event.

(7) A permit holder must notify the Director of any loss of, or damage to, the record book or copies of returns within seven days after becoming aware of that loss or damage.

(8) A person who has the custody or control of the record book or copies of returns must, if requested by a warden, produce the book or copies for inspection by the warden.

(9) A permit holder who is charged with an offence against the Act or these regulations must, at the request of the Director or a warden, produce to the court that hears the charge the record book or books and the return book or copies of individual returns that are, in the opinion of the Director or warden, relevant to the charge.

(10) The Director must supply a record book and a return book or individual return forms to the permit holder when granting the permit but if further books are required because of loss or because animals are kept at more than one place, the Director may require payment of the prescribed fee for the supply of each additional record or return book.

(11) Subject to this regulation, a person must not sell or give an animal pursuant to a class 1, 2, or 3 permit 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 six months.

(12) Subject to this regulation, a person must not sell an animal pursuant to a class 6 or 9 permit unless the animal has been in the possession of the permit holder for at least seven days.

(13) An animal may be sold or given in contravention of sub-regulation (11) or sold in contravention of sub-regulation (12) with the approval of the Director or a warden.

5.

(14) A reference in this regulation to a warden does not include a member of the police force.

(15) The Director may, on such conditions as the Director thinks fit, exempt a person from compliance with any provision of this regulation.

Class 6 and 9 permits

10. (1) A person must not carry on the business of a dealer in protected animals or the carcasses or eggs of protected animals except at premises approved by the Director.

(2) An application for the Director's approval—

(a) must be in a form approved by the Director;

(b) must be accompanied by such information as the Director requires;

and

(c) must be accompanied by the prescribed fee.

(3) The holder of a class 6 or 9 permit must display at all premises at which he or she carries on the business of a dealer in protected animals a certificate signed by or on behalf of the Director to the effect that the dealer is the holder of a class 6 or 9 permit.

(4) The certificate may include such further information as the Director thinks fit.

Premises from which animals are sold

11. (1) A person must not sell a protected animal pursuant to a section 58 permit unless—

(a) in the case of a class 6 or 9 permit—the premises from which the animal is sold have been approved by the Director pursuant to these regulations;

or

(b) in any other case—the premises from which the animal is sold—

(i) are the premises at which the animal was kept pursuant to the permit or any other permit;

or

(ii) are the premises approved by the Director for the purposes of sale.

(2) The premises from which a protected animal is sold (whether pursuant to a permit or not) must afford protection to the animal from weather conditions that would be likely to cause distress to the animal.

Purchase, etc., only from permit holder

12. (1) A person must not purchase a protected animal or the carcass or eggs of a protected animal or receive a protected animal or the carcass or eggs of a protected animal as a gift from a person who does not hold a permit authorizing the sale or gift of the animal, carcass or eggs.

(2) Subregulation (1) does not apply in relation to an animal of a species in relation to which a permit is not required under section 58 of the Act.

(3) A person who sells or gives protected animals or the carcasses or eggs of protected animals pursuant to a section 58 permit must, if requested by the prospective purchaser or donee, produce the permit for inspection.

Labelling containers of protected animals, carcasses or eggs

13. (1) Where a protected animal or the carcass or egg of a protected animal is consigned or conveyed from the premises at which the animal is or was kept pursuant to a section 58 permit, the holder of the permit must ensure that the receptacle or container containing the animal, carcass or egg has securely attached to it a label clearly displaying the following information:

- (a) the permit holder's name and residential or business address;
- (b) the number of the permit;
- (c) the name and address of the person to whom the animal, carcass or egg is being consigned or conveyed and, if that person also holds a section 58 permit, the number of that permit.

(2) A person must not knowingly transport a protected animal or the carcass or egg of a protected animal from premises at which the animal is or has been kept pursuant to a section 58 permit unless a label is attached to the receptacle or package containing the animal, carcass or egg in accordance with this regulation.

Dealing in juvenile birds

14. (1) Subject to subregulation (2), a person must not sell a bird (whether pursuant to a section 58 permit or not) if the bird is a protected animal or is of a species listed in the tenth schedule to the Act and is too young to fly or to feed itself.

(2) Subregulation (1) does not apply to the sale of an emu pursuant to a section 60c permit.

Importing protected animals, carcasses and eggs

15. (1) A person who intends importing a protected animal or the carcass or egg of a protected animal must—

- (a) at least 48 hours before importation give the Director notice in writing stating—
 - (i) the species of the animal which is, or the carcass or egg of which is, to be imported;
 - (ii) the name and address of the person who had possession of the animal, carcass or egg before importation and the name and address of the person who will have possession of the animal, carcass or egg after importation;
 - (iii) the manner of importation;
- and
- (iv) the time and place of importation;

and

- (b) within 48 hours after importation inform the Director that the animal, carcass or egg has been imported.

(2) A person who imports a protected animal or the carcass or egg of a protected animal pursuant to a section 59 permit must not dispose of the animal, carcass or egg for seven days after importation without the written authority of the Director or a warden.

(3) The reference in subregulation (2) to a warden does not include a member of the police force.

Exporting protected animals, carcasses and eggs

16. (1) A person who exports a protected animal or the carcass or egg of a protected animal pursuant to a section 59 permit must ensure that the original permit (or, in the circumstances prescribed by subregulation (1a), a facsimile of the original permit transmitted to the person by the Minister) is securely attached in a conspicuous position to the receptacle or package containing the protected animal, carcass or egg.

(1a) If a facsimile referred to in subregulation (1) can be read without difficulty, it may be used instead of the original permit by a person who is the holder of a class 6, 7, 8, 9 or 12 permit in relation to the animal, carcass or egg being exported.

(2) A person must not knowingly transport for export a protected animal or the carcass or egg of a protected animal unless a permit to export, or a facsimile of such a permit, is attached to the receptacle or package containing the animal, carcass or egg in accordance with this regulation.

Standards for keeping protected animals

17. (1) A person who keeps a protected animal must—

- (a) keep the animal in a cage or enclosure adequate in size and providing adequate shelter in all the circumstances for the keeping of the animal;
- (b) keep the cage or enclosure within which the animal is kept in a clean and sanitary condition;
- (c) keep an adequate supply of clean water in the cage or enclosure;
- (d) provide sufficient and appropriate food in the cage or enclosure;
- (e) not keep the animal with another animal that is likely to injure or kill it;
- (f) protect the animal from weather conditions that would be likely to cause it distress;
- (g) not permit the animal to suffer distress from any other cause that can be reasonably avoided.

(2) If, in the opinion of a warden, a person is contravening or is failing to comply with, a requirement of subregulation (1) in relation to an animal, the warden may remove the animal from that person's possession or control.

(3) In order to remove an animal a warden may use such force as is necessary to open a cage or enclosure in which the animal is kept.

(4) A warden is not bound to return an animal removed under subregulation (2) unless the warden is satisfied that there will not be a further contravention of, or non-compliance with, subregulation (1) in relation to that animal.

Cross-breeding

18. A person must not, without the approval of the Director, permit a protected animal to mate with an animal of another species or sub-species if conception and a live birth may result from the union.

Conditions of emu farming permits

18a. (1) 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 a live emu to a person who does not hold a class 12 permit;
 - (c) 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 provided in accordance with those requirements in a proper state of repair;
 - (d) 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;
 - (ii) the holder of the permit has been issued with a sealed tag in relation to the emu by the Director;
- and
- (iii) the permit holder 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;
- (e) that the holder of the permit must not slaughter an emu, or cause an emu to be slaughtered, on his or her property without the written approval of the Director;
 - (f) that the holder of the permit must, if an emu is slaughtered or dies in any other manner on his or her property, attach a sealed 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;

9.

(g) that the holder of the permit must comply with regulation 18b insofar as that regulation is applicable to him or her.

(2) The Director may, by written notice given to a permit holder, waive compliance by the permit holder with a condition referred to in subregulation (1).

(3) The holder of a class 12 permit who contravenes or fails to comply with a condition of the permit referred to in subregulation (1) is guilty of an offence.

Penalty: Division 8 fine.

Expiation fee: \$50.

(4) In subregulation (1)—

"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.

Sealed tags for emus

18b. (1) The Director may issue sealed tags for attachment to the skins of emus in accordance with these regulations.

(2) A person must not sell or supply a sealed 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.

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

(4) A person must not remove, or attempt to remove, a sealed tag from the skin of an emu unless—

(a) the person carries on the business of tanning or dealing in skins pursuant to 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 in writing to do so by the Director.

(5) When a sealed tag is removed from an emu skin, it must be removed with sufficient care to ensure that letters, numbers or other identifying marks on, or forming part of, the tag are preserved.

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

(7) A person who has possession of a sealed 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 keep it in a place that is secure against theft, loss and damage but if the tag is stolen, lost or damaged the person must inform the Director in writing of the identity of the tag as soon as practicable.

(8) A sealed tag must be attached to the skin of an emu by enclosing at least two centimetres of skin in the tag and pulling the strap of the tag so that the tag is secured by the last notch in the strap.

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

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

(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 which must be kept in accordance with these regulations.

Notification of change of address

19. A person to whom a permit has been granted under the Act and who changes his or her address during the currency of the permit must, within fourteen days after changing his or her address, notify the Director of the new address.

Permit not to be used by another

20. 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.

General offence

21. A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.

Penalty: Division 8 fine.
Expiation fee: \$50.

False or misleading statement

22. (1) A person must not make a false or misleading statement in a record or return under these regulations.

Penalty: Division 8 fine.
Expiation fee: \$50.

(2) It is a defence to a charge of an offence against subregulation (1), if it is proved that the defendant believed on reasonable grounds that the statement was true.

* * * * *

SCHEDULE 1*Fees*

1. Take Permit (s. 53(1)(d)) \$32.00

2. Subject to clause 3, the following fees are payable under the Act and these regulations:

(a) on application for a permit—

	Fee for a period of 12 months or less (but for longer than 6 months), ending 30 June	Fee for a period of 6 months or less, ending 30 June
Keep and sell permit (s. 58)—		
class 1	\$15.00	\$9.00
class 2	\$37.00	\$21.00
class 3	\$74.00	\$41.00
class 4	\$323.00	\$180.00
class 5	\$646.00	\$359.00
class 6	\$688.00	\$380.00
class 7	\$1 292.00	\$719.00
class 8	\$646.00	\$359.00
class 9	\$1 375.00	\$760.00
class 10	Nil	Nil
class 11	\$15.00	\$9.00
transfer class 1 to 2	\$22.00	\$12.00
transfer class 1 to 3	\$59.00	\$32.00
transfer class 2 to 3	\$37.00	\$20.00
Emu farming permit (s. 60C)—		
class 12	\$276.00	\$149.50
for each additional property to which permit applies	\$111.00	\$66.50

[Note: Pensioner concession of 50% applies for class 1, 2, 3 and 11 permits and for transfers.]

(b) on application for an additional record or return book under reg. 9(10) \$7.50

(c) on application for approval of premises under reg. 10 or 11 \$137.50

3. Despite clause 2, the fee payable—

(a) on application for a permit for a period ending 30 June 1998; and

(b) on application for approval of premises or for an additional record or return book prior to 30 June 1998,

is the fee payable immediately prior to the commencement of this Schedule.

12.

SCHEDULE 2
Form of Section 53(4) Report

A person to whom a permit to take protected animals has been granted must, within 14 days after the expiration or revocation of the permit, deliver to the Minister a report in the following form:

Report on Taking Protected Animals

TO: The Director
National Parks and Wildlife
Box 1782, G.P.O.
Adelaide, S.A. 5001

Permit Number:

.....

Name of Permit Holder:

.....

Address:

.....
.....

Summary of Animals Taken

Species	Number (indicate sex)	Date Taken	Property from which taken
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Date

Signature

If no protected animal was taken pursuant to the permit, the report must indicate that fact.

SCHEDULE 3

*Classes of Permits under Sections 58 and 60c**Classes of Permits under Section 58*

Permits granted under section 58 of the Act are divided into the following classes:

- Class 1: entitles the holder to keep, sell or give animals of the species listed in schedule 6.
- Class 2: entitles the holder to keep, sell or give animals of the species listed in schedules 6 and 7.
- Class 3: entitles the holder to keep, sell or give any protected animal including an animal of the species listed in schedules 6 and 7.
- Class 4: entitles the holder, being the owner of the property on which a kangaroo is taken or being a member of the family, or an employee, of the owner of the property, to sell the carcass of the animal.
- Class 5: entitles the holder, being a person who is neither the owner of the property on which a kangaroo is taken nor a member of the family, or an employee of the owner of the property, to sell the carcass of the animal.
- Class 6: entitles the holder to keep or sell protected animals of the species listed in schedules 6 and 7 in the course of carrying on the business of dealing in protected animals.
- Class 7: entitles the holder to sell carcasses and parts of carcasses of kangaroos after processing.
- Class 8: entitles the holder to sell skins of kangaroos or any other protected animal after tanning.
- Class 9: entitles the holder to keep or sell protected animals, including an animal of the species listed in schedules 6 and 7, in the course of carrying on the business of dealing in protected animals.
- Class 10: entitles the holder to have possession or control of eggs of a protected animal.
- Class 11: entitles the holder to have possession or control of, and to sell or give, eggs of a protected animal.

Class of Permits under Section 60c

- Class 12: permits granted under section 60c of the Act relating to the farming of emus will be known as class 12 permits and may entitle the holder (subject to any limitations, restrictions or conditions)—

- (a) to take an emu, or the eggs of an emu, from the wild or to slaughter or destroy in any other manner an emu in captivity;

14.

(b) to keep an emu or to have possession or control of the eggs of an emu;

or

(c) to sell an emu or the carcass or eggs of an emu,

in the course of carrying on the business of farming emus.

SCHEDULE 4

Information Required in Returns Provided under Regulation 9(2)

Class of Permit	Information Required
1	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
2, 3, 6 and 9	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
4 and 5	Permit number Name of permit holder Address of permit holder Location of chiller Date of return Date shooting took place Property where animal was taken Destruction permit number Kangaroo sealed tag numbers Number of male Red Kangaroo carcasses Number of female Red Kangaroo carcasses Number of male Western Grey Kangaroo carcasses Number of female Western Grey Kangaroo carcasses Number of male Euro carcasses Number of female Euro carcasses Total weight in kilograms for male carcasses Total weight in kilograms for female carcasses Date kangaroos sold Number of butts, whole carcasses and skins only Total weight in kilograms of kangaroos sold Name of purchaser of kangaroos

- 7 Kangaroo processor's permit number
 Return for month ending
 Name of processor
 Date of return
 Address of processor
 Date of purchases
 Shooter/supplier's permit number
 Name of shooter/supplier
 Destruction permit number for animals taken
 Property where animals were taken
 Number of Red Kangaroo carcasses
 Number of Western Grey Kangaroo carcasses
 Number of Euro carcasses
 Date received for any imports
 Import permit number
 Supplier's name
 Description of imported goods
 Quantity imported
 Date of exports despatched
 Export permit number
 Person/company goods sold to
 Description of exported goods
 Quantity exported
 Date despatched for local sales (skins, carcasses, butts)
 Recipient's permit number
 Recipient's name
 Description of goods
 Quantity sold
 Total number of carcasses of Reds, Western Greys and Euros purchased
 Total weight in kilograms of kangaroo carcasses purchased
- 8 Tanner's permit number
 Return for month ending
 Name of tannery
 Address of tannery
 Date of purchases
 Supplier's permit number
 Supplier's name
 Import permit number
 Number of Red Kangaroo skins
 Number of Western Grey Kangaroo skins
 Number of Euro skins
 Number of skins of other species
 Kangaroo sealed tag numbers
 Date of sales
 Recipient's name
 Export permit number
 Number of Red Kangaroo skins
 Number of Western Grey Kangaroo skins
 Number of Euro skins
 Number of skins of other species
 Total of skins of Reds, Western Greys, Euros and other species purchased
 Total of skins of Reds, Western Greys, Euros and other species sold

12

Permit number
Name of the permit holder
Address of the permit holder
Location of farming property
Date of the return
Common name of the species
Species code
Stock at the beginning of the period
Breeding results
Imports and exports
Purchases (including gifts)
Escapes and deaths
Sales for slaughter or live trade
Sales of eggs
Other disposals
Skin tag numbers
Stock on hand.

18.

SCHEDULE 5

*Times for Provision of Returns in Relation to
Sections 58 and 60c Permits*

Returns must be provided to the Director under regulation 9(2) within 14 days after the days set out below—

Class of permit	Day
Class 1	30 April
Class 2	31 July, 31 January
Classes 3, 4 and 5	30 September, 31 December, 31 March, 30 June
Classes 6, 7, 8 and 9	the last day of each month
Class 11	30 June
Class 12	30 April, 31 October

SCHEDULE 6

Prescribed Species: Section 58(1)(a)

The species of animals listed below are prescribed for the purposes of section 58(1)(a) of the Act.

(NOTE: See schedule 3 for references to schedules 6 and 7).

Mammals

Dama Wallaby	<i>(Macropus eugenii)</i>
Red Kangaroo	<i>(Macropus rufus)</i>
Western Grey Kangaroo	<i>(Macropus fuliginosus)</i>
Common Brushtail Possum	<i>(Trichosurus vulpecula)</i>
Spinifex Hopping Mouse	<i>(Notomys alexis)</i>

Birds

Emu	<i>(Dromaius novaehollandiae)</i>
Australian Shelduck	<i>(Tadorna tadornoides)</i>
Black Duck	<i>(Anas superciliosa)</i>
Grey Teal	<i>(Anas gracilis)</i>
Wood Duck	<i>(Chenonetta jubata)</i>
Cape Barren Goose	<i>(Cereopsis novaehollandiae)</i>
Brown Quail	<i>(Coturnix australis)</i>
Stubble Quail	<i>(Coturnix novaezelandiae)</i>
Little Button Quail	<i>(Turnix velox)</i>
Silver Gull	<i>(Larus novaehollandiae)</i>
Bar-shouldered Dove	<i>(Geopelia humeralis)</i>
Common Bronzewing	<i>(Phaps chalcoptera)</i>
Crested Pigeon	<i>(Ocyphaps lophotes)</i>
Green-winged Pigeon	<i>(Chalcophaps indica)</i>
Long-billed Corella	<i>(Cacatua tenuirostris)</i>
Rainbow Lorikeet	<i>(Tricholgossus haematodus)</i>
Western Rosella	<i>(Platycercus icterotis)</i>
Bourke's Parrot	<i>(Neophema bourkii)</i>
Princess Parrot	<i>(Polytelis alexandrae)</i>
Red-rumped Parrot	<i>(Psephotus haematonotus)</i>
Scarlet-chested Parrot	<i>(Neophema splendida)</i>
White-backed Magpie	<i>(Gymnorhina tibicen leuconota)</i>
Black-backed Magpie	<i>(Gymnorhina tibicen)</i>
Emblema Finch	<i>(Emblema picta)</i>
Chestnut-breasted Finch	<i>(Lonchura castaneothorax)</i>
Longtailed Finch	<i>(Peophila acuticauda)</i>
Plum-headed Finch	<i>(Aidemosyne modesta)</i>
Star Finch	<i>(Neochmia ruficauda)</i>
Gouldian Finch	<i>(Erythrura gouldiae)</i>
Masked Finch	<i>(Peophila personata)</i>
Banded Finch (Double Bar)	<i>(Peophila bichenovii)</i>

Reptiles

Central Netted Dragon	<i>(Ctenophorus nuchalis)</i>
Common Bearded Dragon	<i>(Pogona barbatus)</i>
Eastern Water Dragon	<i>(Physignathus lesueurii)</i>
Mallee Dragon	<i>(Ctenophorus fordi)</i>
Military Dragon	<i>(Ctenophorus isolepis)</i>
Painted Dragon	<i>(Ctenophorus pictus)</i>
Beaded Gecko	<i>(Lucasium damaeum)</i>
Eastern Spiny-tailed Gecko	<i>(Diplodactylus intermedius)</i>
House Gecko	<i>(Gehyra australis)</i>
Knob-tailed Gecko	<i>(Nephrurus levis)</i>
Smooth-flanked Gecko	<i>(Nephrurus laevisimus)</i>
Spiny-tailed Gecko	<i>(Diplodactylus ciliaris)</i>
Thick-tailed Gecko	<i>(Underwoodisaurus milii)</i>
Western Stone Gecko	<i>(Diplodactylus granariensis)</i>
Blotched Blue-tongued Lizard	<i>(Tiliqua nigrolutea)</i>
Common Blue-tongued Lizard	<i>(Tiliqua scincoides)</i>
Eastern Water Skink	<i>(Sphenomorphus quoyii)</i>
Gidgee Skink	<i>(Egernia strokesii)</i>
Sleepy Lizard	<i>(Trachydosaurus rugosus)</i>

SCHEDULE 7

Prescribed Species: Section 58(1)(a)

The species of animals listed below are prescribed for the purposes of section 58(1)(a) of the Act.

(NOTE: See schedule 3 for references to schedules 6 and 7).

Mammals

Fan-tailed Dunnart	<i>(Smithopsis crassicaudata)</i>
Agile Wallaby	<i>(Macropus agilis)</i>
Red-necked Wallaby	<i>(Macropus rufogriseus)</i>
Black-striped Wallaby	<i>(Macropus dorsalis)</i>
Common Wallaroo	<i>(Macropus robustus)</i>
Eastern Grey Kangaroo	<i>(Macropus giganteus)</i>
Kangaroo Island Kangaroo	<i>(Macropus fuliginosus fuliginosus)</i>
Red-bellied Pademelon	<i>(Thylogale billardierii)</i>
Red-legged Pademelon	<i>(Thylogale stigmatica)</i>
Red-necked Pademelon	<i>(Thylogale thetus)</i>
Rufous Bettong	<i>(Aepyprymnus rufescens)</i>
Swamp Wallaby	<i>(Wallabia bicolor)</i>
Tasmanian Bettong	<i>(Bettongia gaimardi)</i>
Common Ringtail	<i>(Pseudocheirus peregrinus)</i>
Sugar Glider	<i>(Petaurus breviceps)</i>
Mitchell's Hopping Mouse	<i>(Notomys mitchelli)</i>
Plain's Rat	<i>(Pseudomys australis)</i>
Western Chestnut Mouse	<i>(Pseudomys nanus)</i>

Birds

Burdekin Duck	<i>Tadorna radjah)</i>
Chestnut Teal	<i>(Anas castanea)</i>
Plumed Whistling Duck	<i>(Dendrocygna eytoni)</i>
Wandering Whistling Duck	<i>(Dendrocygna arcuata)</i>
Magpie Goose	<i>(Anseranas semipalmata)</i>
Black Swan	<i>(Cygnus atratus)</i>
Black-tailed Native Hen	<i>(Gallinula ventralis)</i>
Black-breasted Button Quail	<i>(Turnix melanogaster)</i>
Red-chested Button Quail	<i>(Turnix pyrrhоторax)</i>
Red-backed Button Quail	<i>(Turnix maculosa)</i>
Painted Button Quail	<i>(Turnix varia)</i>
Masked Lapwing	<i>(Vanellus miles)</i>
Spur-winged Plover	<i>(Vanellus miles novaehollandiae)</i>
Brush Bronzewing	<i>(Phaps elegans)</i>
Brown Pigeon	<i>(Macropygia amboinensis)</i>
Flock Pigeon	<i>(Phaps histrionica)</i>
Spinifex Pigeon	<i>(Petrophassa plumifera)</i>
Squatter Pigeon	<i>(Petrophassa scripta)</i>
White-headed Pigeon	<i>(Columba leucomela)</i>
Wonga Pigeon	<i>(Leucosarcia melanoleuca)</i>
Adelaide Rosella	<i>(Platycercus elegans adalaidae)</i>
Blue-cheeked Rosella	<i>(Platycercus adscitus amathusia)</i>
Pale-headed Rosella	<i>(Platycercus adscitus)</i>
Crimson Rosella	<i>(Platycercus elegans)</i>
Eastern Rosella	<i>(Platycercus eximius)</i>

Green Rosella	<i>(Platycercus claedonicus)</i>
Northern Rosella	<i>(Platycercus venustus)</i>
Yellow Rosella	<i>(Platycercus elegans flaveolus)</i>
King Parrot	<i>(Alisterus scapularis)</i>
Blue-winged Parrot	<i>(Neophema chrysostoma)</i>
Cloncurry Parrot	<i>(Barnardius barnardi macgillivrayt)</i>
Crimson-winged Parrot	<i>(Aprosmictus erythropterus)</i>
Elegant Parrot	<i>(Neophema elegans)</i>
Hooded Parrot	<i>(Psephotus dissimilis)</i>
Mulga Parrot	<i>(Psephotus varius)</i>
Port Lincoln Parrot	<i>(Barnardius zonarius myrtae)</i>
Regent Parrot	<i>(Polytelis anthopeplus)</i>
Red-capped Parrot	<i>(Purpureicephalus spurius)</i>
Rock Parrot	<i>(Neophema petrophila)</i>
Superb Parrot	<i>(Polytelis swainsonii)</i>
Turquoise Parrot	<i>(Neophema pulchella)</i>
Twenty Eight Parrot	<i>(Barnardius zonarius semitorquatus)</i>
Mallee Ringneck	<i>(Barnardius zonarius barnardi)</i>
Pink Cockatoo	<i>(Cacatua leadbeateri)</i>
Red-vented Blue Bonnet	<i>(Northiella haematogaster haematorrhous)</i>
Yellow-vented Blue Bonnet	<i>(Northiella haematogaster haematogaster)</i>
Little Lorikeet	<i>(Glossopsitta pusilla)</i>
Musk Lorikeet	<i>(Glossopsitta concinna)</i>
Purple-crowned Lorikeet	<i>(Glossopsitta porphyrocephala)</i>
Red-collared Lorikeet	<i>(Trichoglossus rubritorquis)</i>
Scaly-breasted Lorikeet	<i>(Trichoglossus chlorolepidotus)</i>
Varied Lorikeet	<i>(Psitteuteles versicolor)</i>
Laughing Kookaburra	<i>(Dacelo novaeguineae)</i>
Splendid Blue Wren	<i>(Malurus cyaneus)</i>
Crimson Finch	<i>(Neochmis phaeton)</i>
Black Throated Finch (Parsons)	<i>(Peophila cincta cincta)</i>
Black Throated Finch (Diggles)	<i>(Peophila cincta atropygialis)</i>
Diamond Firetail	<i>(Emblema guttata)</i>
Red-browed Finch	<i>(Aegintha temporalis)</i>
Yellow-rumped Finch	<i>(Lonchura flaviprymna)</i>
Pictorella Finch	<i>(Lonchura pectoralis)</i>
Blanded Plover	<i>(Vanellus tricolor)</i>
Murray Magpie	<i>(Grallina cyanoleuca)</i>
Splendid Blue Wren	<i>(Malurus splendens)</i>
Superb Blue Wren	<i>(Malurus cyaneus)</i>

Reptiles

Australian Snapping Turtle	<i>(Elseya dentata)</i>
Broad-shelled River Turtle	<i>(Chelodina expansa)</i>
Kreffft's River Turtle	<i>(Emydura krefftii)</i>
Oblong River Turtle	<i>(Chelodina oblonga)</i>
Saw-shelled Turtle	<i>(Elseya latisternum)</i>
Crested Dragon	<i>(Ctenophorus cristatus)</i>
Gilbert's Dragon	<i>(Gemmatophora gilberti)</i>
Jacky Dragon	<i>(Gemmatophora muricatus)</i>
Lined Earless Dragon	<i>(Tympnocryptis lineata)</i>
Long-nosed Water Dragon	<i>(Gemmatophora longirostris)</i>
Northern Bearded Dragon	<i>(Pogona vitticeps)</i>
Peninsula Dragon	<i>(Ctenophorus fionii)</i>
Pored Earless Dragon	<i>(Tympnocryptis tetraporophora)</i>

Red-barred Dragon	<i>(Ctenophorus vadrappa)</i>
Tawny Dragon	<i>(Ctenophorus decresii)</i>
Western Netted Dragon	<i>(Ctenophorus reticulatus)</i>
Beaked Gecko	<i>(Rhynchoedura ornata)</i>
Fat-tailed Gecko	<i>(Diplodactylus conspicillatus)</i>
Jewelled Gecko	<i>(Diplodactylus elderi)</i>
Southern Velvet Gecko	<i>(Oedura tryonii)</i>
Brook's Striped Skink	<i>(Ctenotus brooksi)</i>
Burton's Legless Lizard	<i>(Lialis burtonis)</i>
Black Rock Skink	<i>(Egernia saxatilis)</i>
Broad-banded Sand Swimmer	<i>(Eremiascincus richardsonii)</i>
Centralian Blue-tongued Lizard	<i>(Tiliqua multifasciata)</i>
Cunningham's Skink	<i>(Egernia cunninghami)</i>
Desert Skink	<i>(Egernia inornata)</i>
Flinder's Range Skink	<i>(Egernia margaretae)</i>
King's Skink	<i>(Egernia kingii)</i>
Land Mullet	<i>(Egernia major)</i>
Major Skink	<i>(Egernia frerei)</i>
Moller's Legless Lizard	<i>(Delma mollerii)</i>
Narrow-banded Sand Swimmer	<i>(Eremiascincus fasciolatus)</i>
Ocellated Skink	<i>(Ctenotus pantherinus)</i>
Pink-tongued Skink	<i>(Tiliqua gerrardii)</i>
Regal Striped Skink	<i>(Ctenotus regius)</i>
Robust Skink	<i>(Ctenotus robustus)</i>
Schomburgk's Skink	<i>(Ctenotus schomburgkii)</i>
Water Skink	<i>(Shenomorphus tympanum)</i>
Western Blue-tongued Lizard	<i>(Tiliqua occipitalis)</i>
Common Scaly-foot	<i>(Pygopus lepidopodus)</i>
Hooded Scaly-foot	<i>(Pygopus nigriceps)</i>
Gould's Goanna	<i>(Varanus gouldii)</i>
Pigmy Mulga Monitor	<i>(Varanus gilleni)</i>
Black-headed Python	<i>(Aspidites melanocephalus)</i>
Carpet (Diamond) Python	<i>(Morelia spilota)</i>
Children's Python	<i>(Bothriochilus childreni)</i>
Olive Python	<i>(Bothriochilus olivaceus)</i>
Water Python	<i>(Bothriochilus fuscus)</i>
Brown Tree Snake	<i>(Bioga irregularis)</i>
Common Tree Snake	<i>(Dendrelaphis punctulata)</i>
Freshwater Snake	<i>(Styporphynchus mairii)</i>
Slaty-grey Snake	<i>(Stegonotus cucullatus)</i>
Collett's Snake	<i>(Pseudechis colletti)</i>
Black-striped Snake	<i>(Unechis nigriceps)</i>
Little Whip Snake	<i>(Unechis flagellum)</i>
Spotted Black Snake	<i>(Pseudechis guttatus)</i>
Whip Snake	<i>(Unechis spectabilis)</i>
Yellow-faced Whip Snake	<i>(Demansia psammophis)</i>

SCHEDULE 8

Prescribed Species: Section 58(2)(a)

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

APPENDIX 1

LEGISLATIVE HISTORY

Transitional Provisions

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

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

Legislative History

Regulation 8:	varied by 110, 1994, reg. 3
Regulation 9(1):	varied by 110, 1994, reg. 4(a)
Regulation 9(2):	varied by 110, 1994, reg. 4(b)
Regulation 9(5):	varied by 110, 1994, reg. 4(c)
Regulation 14:	varied and redesignated as reg. 14(1) by 110, 1994, reg. 5(a), (b)
Regulation 14(2):	inserted by 110, 1994, reg. 5(b)
Regulation 16(1):	varied by 110, 1994, reg. 6(a)
Regulation 16(1a):	inserted by 110, 1994, reg. 6(b)
Regulation 16(2):	varied by 110, 1994, reg. 6(c)
Regulation 18a:	inserted by 110, 1994, reg. 7
Regulation 18a(3):	varied by 259, 1996, reg. 3 (Sched. cl. 18)
Regulation 18b:	inserted by 110, 1994, reg. 7
Regulation 21:	varied by 259, 1996, reg. 3 (Sched. cl. 18)
Regulation 22(1):	varied by 259, 1996, reg. 3 (Sched. cl. 18)
Regulation 23:	revoked by 259, 1996, reg. 3 (Sched. cl. 18)
Schedule 1:	substituted by 77, 1992, reg. 2; 48, 1994, reg. 3; varied by 110, 1994, reg. 8; substituted by 93, 1995, reg. 3; 131, 1996, reg. 3; 114, 1997, reg. 3; 104, 1998, reg. 3
Schedule 3:	varied by 110, 1994, reg. 9
Schedule 4:	varied by 110, 1994, reg. 10
Schedule 5:	varied by 110, 1994, reg. 11
Schedule 7:	varied by 77, 1992, reg. 3

APPENDIX 2**DIVISIONAL PENALTIES AND EXPIATION FEES**

At the date of publication of this reprint divisional penalties and expiation fees are, as provided by section 28A of the *Acts Interpretation Act 1915*, as follows:

Division	Maximum imprisonment	Maximum fine	Expiation fee
1	15 years	\$60 000	—
2	10 years	\$40 000	—
3	7 years	\$30 000	—
4	4 years	\$15 000	—
5	2 years	\$8 000	—
6	1 year	\$4 000	\$300
7	6 months	\$2 000	\$200
8	3 months	\$1 000	\$150
9	—	\$500	\$100
10	—	\$200	\$75
11	—	\$100	\$50
12	—	\$50	\$25

Note: This appendix is provided for convenience of reference only.