

I certify that this is a copy of the authorised version of this Statutory Rule as at 24 May 2023, and that it incorporates all amendments, if any, made before and in force as at that date and any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 24 May 2023.

K Woodward
Acting Chief Parliamentary Counsel
Dated 26 May 2023

TASMANIA

NATURE CONSERVATION (WILDLIFE) REGULATIONS 2021

STATUTORY RULES 2021, No. 93

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NATURE CONSERVATION (WILDLIFE) REGULATIONS 2021

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Nature Conservation Act 2002*.

Dated 22 November 2021.

B. BAKER
Governor

By Her Excellency's Command,

GUY BARNETT
Minister for Primary Industries and Water

PART 1 – PRELIMINARY

1. Short title

These regulations may be cited as the *Nature Conservation (Wildlife) Regulations 2021*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

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3. Interpretation

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

Act means the *Nature Conservation Act 2002*;

adult male deer means a male deer with branching antlers;

antlerless deer means a deer that is without antlers;

applicant means a person who makes an application for –

- (a) a licence or permit under these regulations; or
- (b) an authorisation of the Secretary under regulation 96;

approved means determined by the Secretary;

brow tine, in relation to a deer, means the tine closest to the deer's brow;

buy includes –

- (a) acquire, or offer to acquire, for any consideration; and
- (b) receive, or accept, under a contract to sell; and
- (c) offer to receive, or to accept, under a contract to sell; and

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- (d) cause, or suffer, to be received, or accepted, under a contract to sell;

certified forest practices plan means a certified forest practices plan, within the meaning of the *Forest Practices Act 1985*;

commercial purpose means for the purpose of sale, purchase, processing, manufacture or any other purpose that is directed to gain or reward;

commercial purposes licence means a licence, referred to in regulation 29, that is in force;

commercial taxidermy includes taxidermy performed for a commercial purpose;

commercial taxidermy licence means a licence, referred to in regulation 30, that is in force;

commercial wildlife traders licence means a licence, referred to in regulation 31, that is in force;

deer means a deer, including an immature male deer, that –

- (a) is an animal of the species *European Fallow Deer (Dama dama dama)*; and
- (b) is partly protected wildlife; and

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- (c) is not a deer that is in captivity at a farm authorised under regulations made under the Act;

detection device means –

- (a) a light, lamp, lantern or other device that is, or can be, used for the purpose of providing illumination; and
- (b) night vision equipment; and
- (c) a thermal imaging device;

deterrent device means a device, or a device of a class of devices, approved under regulation 97;

display, in relation to wildlife, means the showing or presentation of wildlife in captivity for viewing by the public or otherwise;

dog race means a race involving the pursuit, by dogs, of a lure that is the carcass, or part of the carcass, of an animal;

drag-hunt means a hunt in which dogs are encouraged to follow a scent trail made by dragging the carcass, or part of the carcass, of an animal over the ground;

emergency rescue, in relation to wildlife, means the rescue of wildlife, by a person, that is found and assessed by the person to be suffering from, or at risk of

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suffering from, injury, illness or abandonment;

enclosure includes each of the following in which, or by means of which, wildlife is contained:

- (a) a pen, aviary or cage;
- (b) a building, structure or fence;

exhibited wildlife means wildlife that is predominantly kept in a wildlife or fauna park, or a similar location, for the purpose of public viewing, public education or public entertainment, on payment of a fee or otherwise;

hunting licence means a licence, referred to in regulation 32, that is in force;

immature male deer means a male deer with antlers that do not branch;

injured, in relation to wildlife, includes wildlife that –

- (a) is one or more of the following:
 - (i) injured;
 - (ii) diseased;
 - (iii) orphaned; and
- (b) requires treatment, or intervention, to ensure the health,

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wellbeing or survival of the
wildlife;

lead shot means shot that is made of lead or
an alloy containing lead;

licence means a licence, granted under these
regulations, that is in force;

naturally cast, in relation to a material or
thing from wildlife or product of wildlife,
includes where the material or thing has
not been removed from the wildlife, or
product of wildlife –

(a) by a human; or

(b) as a result of human intervention
or interaction with the wildlife or
product of wildlife;

open season, in relation to a species of partly
protected wildlife, means the season
during which the taking of the species is
specified and permitted by order under
section 30 of the Act;

permit means a permit that is granted under
these regulations and is in force;

pheasant means a bird of the species
Phasianus colchicus;

prescribed tag, in relation to deer, means a tag
issued, to the holder of a licence
authorising the taking of deer, at the time
at which the licence is issued;

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property protection permit means a permit, referred to in regulation 34, that is in force;

protected wildlife means wildlife of a species specified in Schedule 1 or 2;

public authority management agreement means a public authority management agreement, within the meaning of the *Threatened Species Protection Act 1995*;

public land includes –

- (a) land that is managed by a statutory authority and that is land to which members of the public have lawful access; and
- (b) Crown land that is subject to a lease and that is land to which members of the public have lawful access;

public street has the same meaning as in the *Traffic Act 1925*;

rehabilitated wildlife means wildlife that –

- (a) has been injured; and
- (b) after those injuries have been treated, has been assessed by the Secretary, a veterinary surgeon or the holder of a wildlife rehabilitation permit as being

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able to survive if released from
captivity;

relevant fee, in relation to a matter, means the
fee specified for that matter in
Schedule 3;

relevant offence means an offence determined
as a relevant offence in accordance with
regulation 4;

relevant waters means –

- (a) a wetland; and
- (b) a lake, dam or harbour; and
- (c) an estuary or lagoon; and
- (d) a river, creek, canal or other
watercourse;

restricted (special purpose) wildlife means
wildlife of a species specified in
Schedule 4;

restricted (special purpose) wildlife permit
means a permit, referred to in
regulation 35, that is in force;

scientific or educational wildlife permit
means a permit, referred to in
regulation 36, that is in force;

seal deterrent permit means a permit, referred
to in regulation 37, that is in force;

sell, whether by wholesale or retail, includes –

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-
- (a) offer, display or expose for sale; and
 - (b) keep, or have in possession, for sale; and
 - (c) barter or exchange; and
 - (d) deal in or agree to sell; and
 - (e) supply, send, forward or deliver for sale or for, or in expectation of receiving, payment or other consideration; and
 - (f) authorise, cause, attempt or permit an act referred to in this definition;

specially protected wildlife means wildlife of a species specified in Schedule 5;

special purposes wildlife permit means a permit, referred to in regulation 38, that is in force;

stock includes –

- (a) goats, horses, cattle, sheep, swine, cervids and camelids; and
- (b) poultry of any kind; and
- (c) oysters, mussels, abalone, scallops and clams; and
- (d) fish of the family Salmonidae and goldfish;

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taxidermy means –

- (a) preparing and mounting parts, or complete specimens, of products of wildlife for the purpose of preserving those parts or specimens of products of wildlife in lifelike form; or
- (b) restoring already preserved parts or specimens that are products of wildlife;

travelling wildlife exhibition means the keeping, or display, of exhibited wildlife at a location other than a location specified in a wildlife exhibition licence under which the exhibited wildlife are so kept or displayed;

travelling wildlife exhibition permit means a permit, referred to in regulation 39, that is in force;

trez tine, in relation to a deer, means the first major tine after the brow tine of the deer;

veterinary surgeon means a registered veterinary surgeon within the meaning of the *Veterinary Surgeons Act 1987*;

wallaby means an animal of the species –

- (a) *Notamacropus rufogriseus rufogriseus*; or
- (b) *Thylogale billardierii*;

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wetland means a marsh, mudflat, or other expanse of land, that is permanently, intermittently or cyclically inundated with water, whether –

- (a) the water is static or flowing; or
- (b) the water is fresh, brackish or salt; or
- (c) the inundation occurs as a result of a natural or artificial process;

wild duck means a bird of a species that is –

- (a) a member of the family *Anatidae*; and
- (b) partly protected wildlife;

wildlife display permit means a permit, referred to in regulation 40, that is in force;

wildlife exhibition licence means a licence, referred to in regulation 33, that is in force;

wildlife export permit means a permit, referred to in regulation 41, that is in force;

wildlife officer means –

- (a) the Secretary; and

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- (b) an inspector within the meaning of the *Animal Health Act 1995*; and
- (c) an authorised officer; and
- (d) a person employed in the Department who is appointed by the Secretary to be a wildlife officer;

wildlife rehabilitation permit means a permit, referred to in regulation 42, that is in force.

- (2) In these regulations, a reference to an animal by its scientific name is taken to include a reference to that scientific name as amended or updated from time to time.
- (3) In these regulations, a reference to products of wildlife does not include a reference to an item specified in regulation 5.

4. Meaning of *relevant offence*

- (1) The Secretary may determine an offence to be a relevant offence for the purposes of the definition of *relevant offence* in regulation 3(1).
- (2) If the Secretary makes a determination under subregulation (1), the Secretary is to ensure that a list of relevant offences –
 - (a) is kept and maintained on a website operated by or on behalf of the Department; and

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- (b) is made available to a person if the person requests a copy of the list of relevant offences.
- (3) For the avoidance of doubt, an offence under any of the following Acts may be determined to be a relevant offence under subregulation (1):
 - (a) the Act;
 - (b) the *Animal Welfare Act 1993*;
 - (c) the *Firearms Act 1996*;
 - (d) the *National Parks and Reserves Management Act 2002*;
 - (e) the *Threatened Species Protection Act 1995*;
 - (f) any other Act that the Secretary considers relevant for the purposes of these regulations.

5. Items that are not products of wildlife

For the purposes of these regulations, the following items are not products of wildlife:

- (a) a product of wildlife that has been canned or tinned or otherwise processed –
 - (i) by the holder of a relevant accreditation under the *Primary Produce Safety Act 2011*, in

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- accordance with the
accreditation; or
- (ii) by a person holding an authority, under an Act of another State or a Territory, authorising the processing of such wildlife products;
- (b) a product of wildlife that has been tanned or processed in a manner similar to tanning;
 - (c) a product of partly protected wildlife that –
 - (i) has been completely, and lawfully, prepared and preserved by a taxidermist; and
 - (ii) is not a product of partly protected wildlife that is known, or is reasonably suspected, to have been taken unlawfully;
 - (d) a product of wildlife where a royalty has been paid under regulation 89 in respect of the product of wildlife;
 - (e) fur, hair or skin, or a feather, scat, tooth, claw, antler or other material, of wildlife that –
 - (i) has been naturally cast by the wildlife; or

- (ii) has been removed from the wildlife, or product of wildlife, without human intervention or interaction.

6. Controlled animal

For the purposes of the definition of *controlled animal* in section 32 of the Act, an animal specified in Schedule 6 is prescribed to be a controlled animal.

7. Domestic stock

For the purposes of the definition of *domestic stock* in section 3(1) of the Act, an animal specified in Schedule 7 is prescribed to be domestic stock.

8. Partly protected wildlife

For the purposes of the definition of *partly protected wildlife* in section 3(1) of the Act, the species of wildlife specified in Schedule 8 are prescribed as partly protected wildlife.

9. Restricted animal

For the purposes of section 32 of the Act, an animal specified in Schedule 9 is prescribed to be a restricted animal.

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10. Non-application of regulations

For the avoidance of doubt, these regulations do not apply to deer that are in captivity at a farm that is authorised under regulations made under the Act.

**PART 2 – PROHIBITED OR RESTRICTED
ACTIVITIES RELATING TO WILDLIFE**

Division 1 – Buying or selling certain wildlife

11. Buying or selling specially protected wildlife

A person must not buy or sell specially protected wildlife, or a product of specially protected wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

12. Buying or selling restricted (special purpose) wildlife

A person must not buy or sell restricted (special purpose) wildlife, or a product of restricted (special purpose) wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

13. Buying or selling partly protected wildlife

- (1) A person must not buy or sell partly protected wildlife, or a product of partly protected wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subregulation (1) does not apply to a product of partly protected wildlife that is –

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- (a) an egg that was laid by a pheasant, or brown quail, that was held in captivity at the time at which the egg was so laid; or
- (b) a juvenile muttonbird supplied by a person authorised by the *Primary Produce Safety Act 2011* to process juvenile muttonbird; or
- (c) the skin of a wallaby or brushtail possum if the skin has been subjected to a process for tanning or otherwise preserving the skin.

14. Buying or selling protected wildlife

- (1) A person must not buy or sell protected wildlife, or a product of protected wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subregulation (1) does not apply in respect of the buying or selling of protected wildlife or a product of protected wildlife, of a species specified in Schedule 2.

15. Buying or selling untreated skins

- (1) A person must not buy or sell products of wildlife that are the untreated skins, or the fur, of products of wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subregulation (1) does not apply to the purchase of products of wildlife if the products of wildlife are untreated skins that are purchased for personal use.

Division 2 – Taking or possessing certain wildlife

16. Taking or possessing specially protected wildlife

- (1) A person must not take specially protected wildlife, or a product of specially protected wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subregulation (1) does not apply to the taking of specially protected wildlife, or a product of specially protected wildlife, by a person in the course of –
- (a) undertaking the clearance of native vegetation, or the harvesting of trees, in accordance with a certified forest practices plan or a public authority management agreement; or
 - (b) undertaking dam works in accordance with a permit issued under Part 8 of the *Water Management Act 1999*; or
 - (c) undertaking an activity in accordance with a public authority management agreement, within the meaning of the *Threatened Species Protection Act 1995*.

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- (3) A person must not possess specially protected wildlife, or a product of specially protected wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

17. Possessing restricted (special purpose) wildlife

A person must not possess restricted (special purpose) wildlife, or a product of restricted (special purpose) wildlife unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

18. Taking or possessing partly protected wildlife

- (1) A person must not take partly protected wildlife, or a product of partly protected wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not take partly protected wildlife, or a product of partly protected wildlife, other than during the open season for the wildlife unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

- (3) Subregulations (1) and (2) do not apply to the taking of partly protected wildlife, or a product of partly protected wildlife –

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- (a) if the product of wildlife is an egg that was laid by a pheasant, or brown quail, that was in captivity at the time at which the egg was so laid; or
- (b) by a person in the course of –
- (i) undertaking the clearance of native vegetation, or the harvesting of trees, in accordance with a certified forest practices plan or a public authority management agreement; or
 - (ii) undertaking dam works in accordance with a permit issued under Part 8 of the *Water Management Act 1999*; or
 - (iii) undertaking an activity in accordance with a public authority management agreement, within the meaning of the *Threatened Species Protection Act 1995*.
- (4) A person must not possess partly protected wildlife, or a product of partly protected wildlife, to which this regulation applies, unless –
- (a) the person is authorised to do so by a licence or permit; or
 - (b) the wildlife is a wallaby, brushtail possum, pheasant, brown quail or wild duck; or

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- (c) the product of wildlife is an egg that was laid by a pheasant, or brown quail, that was in captivity at the time at which the egg was so laid; or
- (d) the partly protected wildlife, or product of partly protected wildlife, is a juvenile muttonbird that has been taken as part of an Aboriginal cultural activity within the meaning of section 73 of the Act.

Penalty: Fine not exceeding 100 penalty units.

19. Taking or possessing protected wildlife

- (1) A person must not take or possess protected wildlife, or a product of protected wildlife, unless the person is authorised to do so by a licence or permit.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subregulation (1) does not apply to the taking of protected wildlife, or of a product of protected wildlife, by a person –
 - (a) in the course of undertaking the clearance of native vegetation, or the harvesting of trees, in accordance with a certified forest practices plan or a public authority management agreement; or
 - (b) in the course of undertaking dam works in accordance with a permit issued under Part 8 of the *Water Management Act 1999*; or

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- (c) undertaking an activity in accordance with a public authority management agreement, within the meaning of the *Threatened Species Protection Act 1995*; or
 - (d) if –
 - (i) the protected wildlife is a snake; and
 - (ii) the person taking the snake reasonably believed it was a threat to the life of a person or a domestic animal; or
 - (e) if the protected wildlife is amphibian eggs or tadpoles; or
 - (f) if –
 - (i) the protected wildlife is a metallic skink, spotted skink, common froglet and brown tree frog; and
 - (ii) not more than 6 of each such wildlife are possessed by the relevant person at any one time.
- (3) Subregulation (1) does not apply to the possession of protected wildlife, or of a product of protected wildlife, of a species specified in Schedule 2.

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Part 2 – Prohibited or Restricted Activities Relating to Wildlife

20. Possessing exhibited wildlife

- (1) A person must not possess exhibited wildlife, unless the person is authorised to do so by a wildlife exhibition licence.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not keep exhibited wildlife at a location, unless the person is authorised to do so by a wildlife exhibition licence.

Penalty: Fine not exceeding 100 penalty units.

- (3) A person must not conduct a travelling wildlife exhibition unless the person is authorised to do so by a travelling wildlife exhibition permit.

Penalty: Fine not exceeding 100 penalty units.

Division 3 – Other matters for which licences, permits or authorities are required

21. Receiving certain products of wildlife

A person must not receive products of protected wildlife, or of partly protected wildlife, unless –

- (a) the person is the holder of a commercial wildlife traders licence or a commercial taxidermy licence that authorises the person to possess the products; or
- (b) the person is listed on a commercial wildlife traders licence or a commercial taxidermy licence, or is a member of a class of persons listed on such a licence,

as a person who may possess or receive the products under that licence; or

- (c) the person is otherwise authorised under the Act, or any other Act, to possess the products; or
- (d) the products are for the personal use of the person.

Penalty: Fine not exceeding 100 penalty units.

22. Displaying wildlife

- (1) A person must not display exhibited wildlife, unless the person is authorised to do so by –
 - (a) a wildlife exhibition licence; or
 - (b) a travelling wildlife exhibition permit.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not display wildlife other than exhibited wildlife, unless the person is authorised to do so by a wildlife display permit.

Penalty: Fine not exceeding 100 penalty units.

23. Taxidermy of wildlife

- (1) A person must not carry out commercial taxidermy unless the person is the holder of a commercial taxidermy licence.

Penalty: Fine not exceeding 100 penalty units.

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- (2) A person must not carry out taxidermy other than commercial taxidermy unless the person is –
- (a) the holder of a commercial taxidermy licence; or
 - (b) the holder of an authority of the Secretary, under regulation 96, that authorises the taxidermy.

Penalty: Fine not exceeding 100 penalty units.

24. Using devices to deter seals

A person must not use a device to deter seals unless the person is authorised to do so by a permit.

Penalty: Fine not exceeding 100 penalty units.

25. Removing certain wildlife from State

A person must not remove, or cause or permit to be removed, partly protected wildlife, protected wildlife or specially protected wildlife, or a product of such wildlife, from the State other than in accordance with a wildlife export permit.

Penalty: Fine not exceeding 100 penalty units.

Division 4 – Exemptions

26. Exemptions for emergency rescue

- (1) A person is not guilty of an offence under these regulations in relation to the taking or possessing of wildlife if –
- (a) the person is conducting an emergency rescue of the wildlife; and
 - (b) at all times during the emergency rescue of the wildlife, the person is acting in a lawful manner; and
 - (c) as soon as practicable after completing the emergency rescue, the person –
 - (i) releases the wildlife into the wild; or
 - (ii) transfers possession of the wildlife to a wildlife officer, a veterinary surgeon or the holder of a wildlife rehabilitation permit; or
 - (iii) complies with a direction, in respect of the wildlife, given by a person referred to in subparagraph (ii).
- (2) A person is not guilty of an offence under these regulations in relation to the taking or possessing of a product of wildlife if –

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- (a) the person is conducting an emergency rescue of wildlife and the person becomes aware that the wildlife is deceased; and
- (b) at all times during the emergency rescue of the wildlife, the person is acting in a lawful manner; and
- (c) as soon as practicable after becoming aware that the wildlife is deceased –
 - (i) the person –
 - (A) notifies the Secretary that the person has possession of the deceased wildlife; and
 - (B) complies with the directions, in respect of the deceased wildlife, of the Secretary; or
 - (ii) the person destroys, or otherwise disposes of, the deceased wildlife in a lawful manner.

27. Exemptions for roadkill

A person is not guilty of an offence against these regulations in relation to taking or possessing wildlife, or a product of wildlife, if the person –

- (a) is acting on behalf of a person or authority that has responsibility for the maintenance of, or for traffic

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management relating to, a public street;
and

- (b) takes or possesses wildlife, or a product of wildlife, as part of, or as a consequence of, the removal of the wildlife or product of wildlife from the public street for the purpose of the safe operation of the public street; and
- (c) in the case of a product of wildlife, destroys, or otherwise disposes of, the product of wildlife in a lawful manner as soon as practicable after coming into possession of the product of wildlife.

28. Exemptions for veterinary surgeon

A person is not guilty of an offence against these regulations in relation to the possession of wildlife, or of a product of wildlife, if –

- (a) the person is –
 - (i) a veterinary surgeon who is acting within the person's capacity as a veterinary surgeon;
or
 - (ii) acting under the supervision or direction of a veterinary surgeon acting within the person's capacity as a veterinary surgeon;
and

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- (b) the person is providing, or has provided or attempted to provide, veterinary services, within the meaning of the *Veterinary Surgeons Act 1987*, to the wildlife.

PART 3 – TYPES OF LICENCES

29. Commercial purposes licences

- (1) A commercial purposes licence authorises the holder of the licence to perform one or more of the following actions as specified on the licence:
 - (a) to take the partly protected wildlife, or protected wildlife, specified on the licence;
 - (b) to possess the products of partly protected wildlife or of protected wildlife;
 - (c) to sell, or otherwise dispose of, the products of partly protected wildlife, and of protected wildlife, that are in the possession of the person.
- (2) A commercial purposes licence may specify that the holder of the licence may only perform an action specified on the licence for one or more of the following purposes as specified on the licence:
 - (a) the sale or supply, of products of partly protected wildlife, or of protected wildlife, specified on the licence, to a person, or a class of persons, specified on the licence;
 - (b) if the product of wildlife is the meat or carcass of partly protected wildlife, or of protected wildlife, specified on the

licence, the sale or supply of such products of wildlife to a person who is authorised under the *Primary Produce Safety Act 2011* to process such products of wildlife;

- (c) the sale or supply, of products of partly protected wildlife, and of protected wildlife, specified on the licence, to a person who is specified on a commercial wildlife traders licence or a commercial taxidermy licence as a person who may possess those products of wildlife under the relevant licence.

30. Commercial taxidermy licences

- (1) A commercial taxidermy licence authorises the holder of the licence to do any one or more of the following actions, as part of commercial taxidermy, as specified on the licence:
 - (a) to buy, receive, acquire or obtain, whether for consideration or not, one or more of the following products of wildlife as specified on the licence:
 - (i) products of partly protected wildlife;
 - (ii) products of protected wildlife;
 - (iii) products of specially protected wildlife;

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- (iv) products of restricted (special purpose) wildlife;
 - (b) to possess one or more of the following products of wildlife as specified on the licence:
 - (i) products of partly protected wildlife;
 - (ii) products of protected wildlife;
 - (iii) products of specially protected wildlife;
 - (iv) products of restricted (special purpose) wildlife;
 - (c) to prepare and preserve products of wildlife, as specified on the licence, as part of the taxidermy process;
 - (d) to dispose of products of wildlife as specified on the licence.
- (2) A commercial taxidermy licence may also authorise a person specified on the licence, or a member of a class of persons specified on the licence, to perform an action under the licence as specified on the licence.
- (3) If a commercial taxidermy licence authorises an action under subregulation (1)(a) in respect of products of protected wildlife, specially protected wildlife and restricted (special purpose) wildlife, the holder of the licence must ensure that the holder of the licence only

acquires such products of wildlife from a person who is authorised under these regulations to possess and sell or supply such products of wildlife.

Penalty: Fine not exceeding 100 penalty units.

31. Commercial wildlife traders licence

- (1) This regulation applies to each of the following:
 - (a) products of partly protected wildlife;
 - (b) products of protected wildlife;
 - (c) products of specially protected wildlife;
 - (d) products of restricted (special purpose) wildlife.
- (2) A commercial wildlife traders licence authorises the holder of the licence to do any one or more of the following actions as specified on the licence:
 - (a) to buy, receive or acquire such products of wildlife, to which this regulation applies, as specified on the licence;
 - (b) to possess, sell or dispose of products of wildlife referred to in paragraph (a).
- (3) A commercial wildlife traders licence may also authorise a person specified on the licence, or a member of a class of persons specified on the licence, to perform an action under the licence as specified on the licence.

- (4) The holder of a commercial wildlife traders licence must ensure that the holder of the licence only –
- (a) sells products of wildlife to a person who is authorised to possess such products; and
 - (b) purchases, receives or acquires products of wildlife from a person who is authorised to possess, sell or dispose of those products.

Penalty: Fine not exceeding 100 penalty units.

32. Hunting licences

- (1) A hunting licence authorises the holder of the licence to perform one or more of the following actions as specified on the licence:
- (a) to take one or more of the following as specified on the licence during the relevant open season:
 - (i) one or more species of partly protected wildlife;
 - (ii) the products of partly protected wildlife from wildlife taken under the licence;
 - (b) to possess one or more of the following as specified on the licence:
 - (i) one or more species of partly protected wildlife;

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- (ii) the products of partly protected wildlife from wildlife taken under the licence.
- (2) A hunting licence is to specify the open season for each species of partly protected wildlife that may be taken under the authority of the licence.
- (3) The holder of a hunting licence may not use, for a commercial purpose, wildlife, or any products of wildlife from wildlife, taken under the authority of the licence.

Penalty: Fine not exceeding 100 penalty units.

33. Wildlife exhibition licences

A wildlife exhibition licence authorises the holder of the licence to do any one or more of the following actions as specified on the licence:

- (a) to possess the wildlife specified on the licence as exhibited wildlife;
- (b) to keep the wildlife, that is specified on the licence, at the location specified on the licence;
- (c) to exhibit and display the wildlife that is specified on the licence;
- (d) to dispose of –
 - (i) wildlife that is specified on the licence; or

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- (ii) products of wildlife from wildlife that is specified on the licence;
- (e) to rehome wildlife that is specified on the licence.

PART 4 – TYPES OF PERMITS

34. Property protection permits

- (1) A property protection permit authorises –
 - (a) the holder of the permit to take protected wildlife, or partly protected wildlife, as specified on the permit, for one or more of the following reasons as specified:
 - (i) to protect crops or stock, or both;
 - (ii) to protect equipment or infrastructure, or both, used in the production of crops or stock at the location to which the permit relates; and
 - (b) a person other than the holder of the permit to perform an action under the authority of the permit, as specified on the permit –
 - (i) as if the person were the holder of the permit; and
 - (ii) while the person is under the direction or supervision of the holder of the permit.
- (2) The holder of a property protection permit may also do one or more of the following, as specified on the permit:

- (a) to possess the products of wildlife from wildlife taken in accordance with subregulation (1);
- (b) to dispose of such products of wildlife.

35. Restricted (special purpose) wildlife permits

- (1) A permit to possess restricted (special purpose) wildlife authorises the holder of the permit to do one or more of the following in respect of restricted (special purpose) wildlife, as specified on the permit:
 - (a) to possess restricted (special purpose) wildlife;
 - (b) to buy restricted (special purpose) wildlife;
 - (c) to sell or otherwise dispose of, restricted (special purpose) wildlife.
- (2) For the avoidance of doubt, a permit to possess restricted (special purpose) wildlife does not, of itself, authorise the release of restricted (special purpose) wildlife from captivity.

36. Scientific or educational wildlife permits

- (1) A scientific or educational wildlife permit authorises, for scientific or educational purposes –
 - (a) the taking and possessing of one or more of the following species of wildlife, or

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products of such wildlife, as specified on the permit:

- (i) partly protected wildlife;
 - (ii) protected wildlife;
 - (iii) specially protected wildlife;
 - (iv) restricted (special purpose) wildlife; and
- (b) the disposal of wildlife, or products of wildlife, taken or possessed in accordance with the permit, as specified on the permit; and
- (c) one or more of the following persons to perform an action under the permit:
- (i) the holder of the permit;
 - (ii) a person specified on the permit, or a member of a class of persons specified on the permit, if the person –
 - (A) is under the direction of the holder of the permit; or
 - (B) is under the direct supervision of the holder of the permit.
- (2) For the purposes of this regulation a person (the *supervised person*) is under the direct

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supervision of the holder of a permit if the holder of the permit –

- (a) is at the same location as the supervised person while the activity that is to be supervised is taking place; and
- (b) provides instructions and guidance to the supervised person in relation to the activity being supervised, if necessary; and
- (c) oversees the performance of the activity by the supervised person; and
- (d) is able to immediately render assistance to the supervised person, if required, at any time during which the activity is being performed.

37. Seal deterrent permits

A seal deterrent permit authorises one or more of the following persons, as specified on the permit, to possess, and use, a deterrent device to deter seals from interfering with fish farming and other fishing activities as specified on the permit:

- (a) the holder of a permit;
- (b) a person other than the holder of the permit if the person –
 - (i) is under the direction or supervision of the holder of the permit; and

- (ii) is specified on the permit, or is a member of a class of persons specified on the permit, as being authorised to perform an action under the authority of the permit.

38. Special purposes wildlife permits

- (1) This regulation applies to the following wildlife:
 - (a) partly protected wildlife and products of partly protected wildlife;
 - (b) protected wildlife and products of protected wildlife;
 - (c) specially protected wildlife and products of specially protected wildlife;
 - (d) restricted (special purposes) wildlife.
- (2) A special purposes wildlife permit authorises the holder of the permit to do any one or more of the following actions as specified on the permit:
 - (a) to take and possess wildlife, to which this regulation applies;
 - (b) to take and possess products of wildlife, to which this regulation applies;
 - (c) to buy wildlife, and products of wildlife, to which this regulation applies;
 - (d) to sell wildlife, and products of wildlife, to which this regulation applies;

- (e) to dispose of wildlife, and products of wildlife, to which this regulation applies;
- (f) to authorise a person other than the holder of the permit to perform an action under the authority of the permit, as specified on the permit –
 - (i) as if the person were the holder of the permit; and
 - (ii) while the person is under the direction or supervision of the holder of the permit.

39. Travelling wildlife exhibition permits

- (1) Subject to subregulation (2), a travelling wildlife exhibition permit authorises the holder of the permit to do each of the following, in relation to exhibited wildlife specified on the permit:
 - (a) to conduct a travelling wildlife exhibition, including the transportation of the exhibited wildlife specified on the permit;
 - (b) to conduct that travelling wildlife exhibition at a location specified on the permit;
 - (c) to display the exhibited wildlife as part of the travelling wildlife exhibition.
- (2) The holder of a travelling wildlife exhibition permit is only authorised to perform an action

under the permit while the holder of the permit also holds a wildlife exhibition licence.

40. Wildlife display permits

A wildlife display permit authorises the holder of the permit to display the wildlife as specified on the permit.

41. Wildlife export permits

- (1) This regulation applies to the following wildlife:
 - (a) partly protected wildlife;
 - (b) protected wildlife;
 - (c) specially protected wildlife.
- (2) A wildlife export permit authorises the holder of the permit to do both of the following:
 - (a) to possess wildlife, and the products of wildlife, specified on the permit, for the purposes of removing that wildlife, or products of wildlife, from the State;
 - (b) to remove, or cause to be removed, wildlife, or products of wildlife, specified on the permit.

42. Wildlife rehabilitation permits

A wildlife rehabilitation permit authorises the holder of the permit to do one or more of the following, as specified on the permit:

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- (a) to take injured wildlife for the purpose of providing treatment or intervention;
 - (b) to possess injured wildlife, as specified on the permit, for the purpose of providing one or more of the following, as specified on the permit:
 - (i) treatment or intervention in respect of the injuries to the wildlife;
 - (ii) rehabilitation of the wildlife;
 - (c) to release rehabilitated wildlife from captivity;
 - (d) to lawfully destroy injured wildlife, in specified circumstances;
 - (e) to take, possess or dispose of products of wildlife;
 - (f) if the holder of the permit is a body corporate, to authorise a member of the body corporate, or a member of a class of members of the body corporate, other than the holder of the permit, to perform an action under the authority of the permit, as specified on the permit –
 - (i) as if the person were the holder of the permit; and
 - (ii) while the person is under the direction or supervision of the holder of the permit.

PART 5 – ISSUE, &C., OF LICENCES AND PERMITS

Division 1 – Applications for licences and permits

43. Eligibility for certain licences and permits

- (1) An application for a licence or permit under these regulations, other than a licence or permit specified in subregulation (2), may be made by –
 - (a) one or more natural persons together; or
 - (b) a body corporate.
- (2) An application for the following licences and permits may only be made by a natural person:
 - (a) commercial purposes licence;
 - (b) hunting licence;
 - (c) property protection permit.
- (3) An application for a travelling wildlife exhibition permit may only be made by the holder of a wildlife exhibition licence.

44. Application for licences and permits

- (1) An application for a licence or permit under these regulations –
 - (a) is to be made to the Secretary; and
 - (b) is to be in writing in an approved form; and

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- (c) must include the information that is required by the Secretary in respect of the application; and
 - (d) must include written evidence of all convictions for relevant offences, if any, within the period of 5 years immediately before the day on which the application is made, of –
 - (i) the applicant; and
 - (ii) each person to be listed on the licence or permit if granted under the application; and
 - (e) must be accompanied by the relevant fee, if any.
- (2) An applicant for a licence or permit under these regulations may withdraw the application, at any time, by written notice to the Secretary.

45. Person must not hold permits or licences of identical type

- (1) Except as determined under subregulation (2), the holder of a licence or permit must not, at any one time, hold 2 or more of the same licence, or permit, under these regulations that substantially relates –
- (a) to the same commercial purpose; or
 - (b) to the same wildlife or products of wildlife.

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Penalty: Fine not exceeding 100 penalty units.

- (2) The Secretary may determine that a person may, at any one time, hold 2 or more of the same licence, or permit, under these regulations that are substantially the same if the Secretary is satisfied that it is reasonable in the circumstances for the person to do so.
- (3) A second or subsequent licence, or permit, other than a licence or permit determined under subregulation (2), or an application for such a licence or permit, is void and of no effect.

Division 2 – Renewal of certain licences

46. Permits and licences not renewable

- (1) Except as specified in this regulation, a licence or permit issued under these regulations is not renewable.
- (2) A wildlife exhibition licence may be renewed in accordance with this Division.

47. Application for renewal of wildlife exhibition licences

- (1) The holder of a wildlife exhibition licence may apply to the Secretary for the renewal of the licence.
- (2) An application for the renewal of a wildlife exhibition licence under subregulation (1) –
 - (a) is to be in an approved form; and

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- (b) must be accompanied by the relevant fee; and
 - (c) must be made within the 28-day period before the day on which the licence, to which the application relates, expires.
 - (3) An applicant may withdraw his or her application under subregulation (1) at any time by written notice to the Secretary.
 - (4) If the Secretary receives an application under subregulation (1) for the renewal of a wildlife exhibition licence, the Secretary –
 - (a) is to renew the licence, to which an application relates, except where the Secretary is satisfied that there are grounds for the suspension or cancellation of the licence; or
 - (b) is to refuse to renew the licence if the Secretary is satisfied that there are grounds for the suspension or cancellation of the licence.
 - (5) The Secretary may renew a wildlife exhibition licence subject to such conditions as the Secretary considers reasonable in the circumstances.
 - (6) As soon as practicable after renewing a wildlife exhibition licence under this regulation, the Secretary is to –
 - (a) notify the applicant, by written notice –

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- (i) that the licence has been renewed; and
 - (ii) of the conditions imposed on the licence so renewed; and
 - (b) issue to the applicant the new licence.
- (7) If the Secretary refuses to renew a licence under this regulation, the Secretary is to notify, by written notice, the holder of the licence of –
 - (a) the decision to refuse to renew the licence; and
 - (b) the reason for that decision; and
 - (c) the applicant's right under subregulation (9) to apply for a review of the decision.
- (8) If an application is made under subregulation (1) for the renewal of a wildlife exhibition licence and the application is not determined, or withdrawn, before the day on which the licence is to expire –
 - (a) the licence is taken to continue in force from the day on which, but for the renewal, the licence would have expired, until the first of the following occurs:
 - (i) the licence is renewed;
 - (ii) the application is withdrawn;
 - (iii) the end of the relevant period under the *Magistrates Court*

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(Administrative Appeals
Division) Act 2001 if –

- (A) the application is refused;
and
 - (B) the applicant does not
apply for a review of that
decision under
subregulation (9);
- (iv) on the determination of a review
under the *Magistrates Court*
(Administrative Appeals
Division) Act 2001 if –
- (A) the application is refused;
and
 - (B) the applicant applies for a
review of that decision
under subregulation (9)
within the relevant period
under that Act; and
- (b) if the licence is renewed under this
regulation, the renewed licence –
- (i) is taken to have been granted on
the day after the day on which,
but for the renewal, the previous
licence would have expired; and
 - (ii) is to be expressed to have taken
effect on and from that day.

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- (9) A decision of the Secretary under subregulation (4)(b) is a reviewable decision for the purposes of the *Magistrates Court (Administrative Appeals Division) Act 2001*.

Division 3 – Determination of applications

48. Grant or refusal of applications

- (1) If the Secretary receives an application for a licence or permit under regulation 44, the Secretary may –
- (a) subject to this Division, grant the licence or permit, subject to the conditions, if any, imposed on the licence or permit under these regulations; or
 - (b) refuse to grant the licence or permit; or
 - (c) if the Secretary is satisfied that another licence or permit within these regulations is more appropriate in respect of the activity to which the application relates –
 - (i) refuse to grant the licence, or permit, specified in the application; and
 - (ii) subject to this Division, grant another licence or permit, subject to the conditions, if any, imposed on the licence or permit under these regulations.

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- (2) Without limiting subregulation (1)(b), the Secretary must refuse to grant a licence or permit if satisfied that –
- (a) subject to subregulation (3), within the period of 5 years immediately before the day on which the application was made –
 - (i) the applicant has been convicted of a relevant offence; or
 - (ii) a person to be listed on the licence or permit, if granted under the application, has been convicted of a relevant offence; or
 - (b) the applicant or a person to be listed on the licence or permit –
 - (i) previously held a licence or permit under the Act; and
 - (ii) was required to pay a royalty under the Act in relation to the licence or permit; and
 - (iii) has not, at the time of the application for a licence or permit, paid the royalty referred to in subparagraph (ii).
- (3) Subregulation (2)(a) does not apply in relation to an application if the Secretary is satisfied that there are exceptional circumstances in respect of the relevant offence.

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- (4) For the avoidance of doubt, subregulation (1)(c) does not prevent the Secretary from refusing an application for a licence or permit under regulation 44 solely on the basis that the Secretary is satisfied that another licence or permit within these regulations is more appropriate in respect of the activity to which the application relates.
- (5) A decision of the Secretary under subregulation (1)(c) is a reviewable decision for the purposes of the *Magistrates Court (Administrative Appeals Division) Act 2001*.

49. Special requirements for grant of certain licences and permits

- (1) Without limiting regulation 48, the Secretary may only grant a wildlife exhibition licence if satisfied that –
 - (a) the location where the wildlife, that is to be exhibited under the licence, is to be kept is suitable for that purpose; and
 - (b) the conditions under which the wildlife, that is to be exhibited under the licence, is to be kept are in accordance with each relevant code of practice, or relevant management plan, approved for the purposes of this regulation; and
 - (c) the facilities and services for the care and treatment of wildlife, to be exhibited under the licence, are suitable for that purpose; and

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- (d) the nature and construction of enclosures, at the location where the wildlife is to be kept and which are to be used to contain wildlife at that location, or any part of that location, are suitable for that purpose; and
 - (e) the wildlife, that is to be exhibited under the licence, is unlikely to escape from the location where the wildlife is to be exhibited.
- (2) Without limiting regulation 48, the Secretary may only grant a property protection permit if satisfied that –
- (a) the permit is required for the purpose of protecting crops or stock, or equipment or infrastructure used in the production of crops or stock, from wildlife; and
 - (b) the holder of the permit is likely to suffer financial loss if the crops, stock, equipment or infrastructure are not protected.
- (3) Without limiting regulation 48, the Secretary may only grant a seal deterrent permit if satisfied that –
- (a) the permit is to relate to a fish farm or fishing activity that is for a commercial purpose; and
 - (b) the device specified on the application is a deterrent device; and

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- (c) the person intending to operate the deterrent device under the permit is appropriately instructed and trained in the effective use of the deterrent device; and
 - (d) the use of the deterrent device is necessary for the viability of the fish farm, or fishing activity, to which the application relates; and
 - (e) the applicant has a sufficient interest, or authority, in respect of the fish farm, or fishing activity, to which the application relates.
- (4) Without limiting regulation 48, the Secretary may only grant a wildlife display permit if satisfied that –
- (a) the location where the wildlife, that is to be displayed under the permit, is suitable for the purpose of display of that wildlife; and
 - (b) the conditions under which the wildlife, that is to be displayed under the permit, is to be kept are in accordance with each relevant code of practice approved for the purposes of this regulation; and
 - (c) the facilities and services for the care and treatment of wildlife, that is to be displayed under the permit, are suitable for the purpose of display of that wildlife; and

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- (d) the nature and construction of enclosures, at the location where the wildlife is to be displayed and which are to be used to contain wildlife at that location, or any part of that location, are suitable for the purpose of display of that wildlife; and
- (e) the wildlife, that is to be displayed under the permit, is unlikely to escape from the location where the wildlife is to be displayed.

50. Issue of licences and permits

- (1) As soon as practicable after granting a licence or permit under regulation 48(1)(a), the Secretary is to –
 - (a) notify the applicant of the grant of the licence or permit; and
 - (b) issue the licence or permit.
- (2) A licence or permit issued under these regulations –
 - (a) is to be in a form determined by the Secretary; and
 - (b) is to specify the conditions imposed under these regulations in respect of the licence, or permit, so issued.
- (3) As soon as practicable after refusing to grant a licence or permit under regulation 48(1)(b), the Secretary is to give to the applicant a written notice specifying –

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- (a) that the application for the licence or permit has been refused; and
- (b) the reasons for refusing to grant the licence or permit.

51. Duration of licences and permits

- (1) The following licences and permits are in force for the period specified on the licence or permit, being a period not exceeding 12 months:
 - (a) commercial purposes licence;
 - (b) commercial wildlife traders licence;
 - (c) hunting licence;
 - (d) wildlife exhibition licence;
 - (e) wildlife display permit;
 - (f) wildlife export permit.
- (2) A licence or permit not specified in subregulation (1) is in force for the period specified on the licence or permit, being a period not exceeding 5 years.
- (3) A licence or permit comes into force –
 - (a) on the day specified on the licence or permit as the day on which the licence or permit takes effect; or
 - (b) if no day is so specified, on the day on which the licence or permit is granted.

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- (4) A licence or permit ceases to be in force under this regulation when whichever of the following first occurs:
- (a) the licence or permit is cancelled under regulation 59;
 - (b) the licence or permit is surrendered under regulation 62;
 - (c) the period, for which the licence or permit is in force under this regulation, expires.

Division 4 – Conditions of licences and permits

52. Conditions of licences and permits generally

- (1) A licence or permit may be granted subject to such conditions, as specified on the licence or permit in accordance with regulation 50, that the Secretary considers appropriate.
- (2) Without limiting the generality of subregulation (1), a condition of a licence or permit may relate to one or more of the following:
- (a) the species of wildlife to which the licence or permit applies;
 - (b) the products of wildlife to which the licence or permit applies;
 - (c) the number of specimens of wildlife that may be taken under the licence or permit;

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- (d) the total number of wildlife or products of wildlife that may be possessed under the licence or permit at any one time;
- (e) the requirement to comply with a code of practice or management plan, specified on the licence or permit, while acting under the authority of the licence or permit;
- (f) the requirement to tag, or otherwise identify, wildlife as specified on the licence or permit;
- (g) the requirements in respect of wildlife to be kept under the licence or permit including, but not limited to, the following requirements:
 - (i) to microchip wildlife to be kept under the licence or permit;
 - (ii) to only keep wildlife of a single sex, as specified on the licence or permit;
- (h) the time at which an action authorised by the licence or permit may be performed;
- (i) the period within which an action authorised by the licence or permit may be performed;
- (j) the location where an action authorised by the licence or permit may be performed;

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- (k) the requirement to restrict or prohibit handling of the wildlife as specified on the licence or permit;
 - (l) the requirement to keep a record, or provide a return, in accordance with these regulations.
- (3) The holder of a licence or permit must comply with each condition imposed in respect of the licence or permit.

Penalty: Fine not exceeding 100 penalty units.

53. Conditions imposed on all wildlife exhibition licences and travelling wildlife exhibition permits

- (1) Each wildlife exhibition licence granted under these regulations is subject to the following conditions:
- (a) that the holder of the licence must not, without the prior written approval of the Secretary –
 - (i) erect in the location to which the licence relates, or cause or permit to be erected in that location, a building or cage for the containment of wildlife; or
 - (ii) alter, or cause or permit to be altered, a building or cage erected for the containment of wildlife at that location; or

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- (iii) keep any wildlife, or cause or permit wildlife to be kept, in that location; or
 - (iv) release any wildlife, or cause or permit wildlife to be released, from that location; or
 - (v) rehome or otherwise dispose of wildlife kept in that location;
 - (b) that the holder of the licence must not cause or permit wildlife to escape from that location.
- (2) Each travelling wildlife exhibition permit granted under these regulations is subject to the following conditions:
 - (a) that the holder of the permit must comply with any conditions imposed on the wildlife exhibition licence held by the holder of the permit;
 - (b) that, during the transporting of wildlife under the authority of the permit, the wildlife –
 - (i) is not subjected to excessive noise, exhaust fumes, heat or cold; and
 - (ii) is provided with adequate ventilation;
 - (c) that the holder of the permit must not, without the prior written approval of the

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Secretary, release any wildlife or cause or permit any wildlife to be released from captivity.

- (3) Nothing in this regulation prevents the Secretary from imposing another condition on a wildlife exhibition licence, or a travelling wildlife exhibition permit, under this Division if the other condition is not inconsistent with a condition imposed under this regulation.

54. Conditions of licences and permits relating to taking wildlife

Without limiting regulation 52, a licence or permit that authorises the holder of the licence or permit to take wildlife may be granted subject to one or more of the following conditions:

- (a) the species of wildlife that may be taken under the authority of the licence or permit;
- (b) the manner in which, and the method by which, that wildlife must be taken;
- (c) the locations from which wildlife may be taken under the authority of the licence or permit;
- (d) the manner in which wildlife taken under the licence or permit is to be tagged or otherwise labelled or identified;
- (e) the manner in which wildlife so taken may be received, sold, purchased,

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acquired, obtained without consideration, traded or possessed;

- (f) the payment of a royalty on products of wildlife so taken;
- (g) the person by whom an act authorised by the licence or permit is to be done, or the supervision or control under which such an act is to be done.

55. Conditions of licences and permits relating to products of wildlife

Without limiting regulation 52, a licence or permit that authorises the holder of the licence or permit to take products of wildlife, to possess products of wildlife or to buy or sell products of wildlife, may be granted subject to one or more of the following conditions:

- (a) the manner in which the products of wildlife are to be identified;
- (b) the specific products of wildlife that may be taken, possessed, bought or sold under the authority of the licence or permit;
- (c) the manner in which the products of wildlife may be acquired, obtained, purchased, received, traded or possessed under the authority of the licence or permit;
- (d) the manner in which products of the wildlife may be sold, gifted without

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consideration, or disposed of, under the authority of the licence or permit;

- (e) the requirement to affix a tag to, or otherwise identify, products of wildlife taken or possessed under the authority of the licence or permit;
- (f) the manner in which products of the wildlife are to be tagged or otherwise labelled or identified;
- (g) the person by whom an action under the authority of the licence or permit may be performed, or the supervision or control under which such an action is to be performed.

56. Conditions of licences and permits relating to exhibited wildlife

Without limiting regulation 52, a licence or permit that authorises the possession of exhibited wildlife may be granted subject to one or more of the following conditions:

- (a) the location where exhibited wildlife is to be kept under the licence;
- (b) the manner in which, and the method by which, the exhibited wildlife is to be kept under the licence;
- (c) the erection, or alteration of, an enclosure for containment of the exhibited wildlife;

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- (d) the requirements and specifications for the containment and confinement of exhibited wildlife in an enclosure;
- (e) the provision of adequate ventilation and space available to exhibited wildlife in an enclosure for containment of the exhibited wildlife;
- (f) the release or removal of exhibited wildlife from an enclosure in which the wildlife is kept;
- (g) the provision of, and access to, appropriate and sufficient food and water for the exhibited wildlife;
- (h) the care and treatment of the exhibited wildlife;
- (i) the rehoming or disposal of the exhibited wildlife;
- (j) the manner in which, and the method by which, the exhibited wildlife is to be displayed;
- (k) the manner in which, and the method by which, the exhibited wildlife may be handled by a member of the public;
- (l) the acquiring or obtaining of exhibited wildlife;
- (m) the manner in which a direction issued to the holder of the licence is to be complied with.

57. Conditions relating to seal deterrent permits

Without limiting regulation 52, a seal deterrent permit may be granted subject to one or more of the following conditions:

- (a) the manner, time or location in which a deterrent device, specified on the permit, may be in the possession and control of the holder of the permit;
- (b) the manner, time or location in which a deterrent device may be operated under the authority of the permit;
- (c) the requirement to comply with guidelines, procedures or frameworks that relate to seals, or deterrent devices, as specified on the permit.

58. Variation of conditions of licences and permits

- (1) Subject to subregulation (3), the Secretary may amend a licence or permit granted under these regulations by –
 - (a) adding a condition to, or revoking a condition from, the licence or permit; or
 - (b) varying a condition imposed on the licence or permit.
- (2) The Secretary may amend a licence or permit under this regulation –
 - (a) on the application of the holder of the licence or permit; or

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- (b) on the Secretary's own initiative.
- (3) A condition imposed on a wildlife exhibition licence, or on a travelling wildlife exhibition permit, under regulation 53 may not be amended under this regulation.
- (4) If the Secretary amends a licence or permit under this regulation, the Secretary must give written notice to the holder of the licence or permit of –
 - (a) each condition added to, or revoked from, the licence or permit under this regulation; and
 - (b) if a condition on the licence or permit is varied under this regulation, details of the variation of the condition; and
 - (c) the reasons for the amendment of the licence or permit under this regulation.
- (5) An amendment of a licence or permit under this regulation takes effect –
 - (a) on the date on which the holder of the licence or permit is given written notice of the amendment by the Secretary under subregulation (4); or
 - (b) on such later date as is specified in that written notice as the date on which the amendment takes effect.

***Division 5 – Suspension, cancellation and surrender of
licences and permits***

59. Cancellation of licences and permits generally

- (1) Subject to this Division, the Secretary may, by written notice to the holder of a licence or permit granted under these regulations, cancel the licence or permit if satisfied that there are grounds to do so.
- (2) Without limiting the generality of subregulation (1), each of the following is a ground for cancelling a licence or permit:
 - (a) the holder of the licence or permit has not complied with a condition of the licence or permit;
 - (b) the holder of the licence or permit has not complied with a condition in a notice given to the holder of the licence or permit under regulation 60(1);
 - (c) the holder of the licence or permit has not complied with a direction issued under these regulations to the holder of the licence or permit;
 - (d) the holder of the licence or permit has been convicted of a relevant offence;
 - (e) the Secretary is satisfied that the cancellation of the licence or permit is reasonable in the circumstances.

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- (3) A notice under subregulation (1) in relation to a licence or permit is to specify –
- (a) that the licence or permit has been cancelled; and
 - (b) the grounds for the cancellation of the licence or permit; and
 - (c) the date or time on or at which the cancellation takes effect; and
 - (d) the right of the holder of the licence or permit, under subregulation (6), to apply for a review of the decision.
- (4) A licence or permit cancelled under this regulation –
- (a) has no value; and
 - (b) if the decision to cancel the licence or permit is the subject of a review under the *Magistrates Court (Administrative Appeals Division) Act 2001*, is not in force while the decision is under review.
- (5) A travelling wildlife exhibition permit is cancelled if the wildlife exhibition licence of the holder of the permit is cancelled under this regulation.
- (6) A decision of the Secretary under subregulation (1) is a reviewable decision for the purposes of the *Magistrates Court (Administrative Appeals Division) Act 2001*.

60. Suspension of licences and permits

- (1) The Secretary may suspend a licence or permit, by written notice to the holder of the licence or permit, if the Secretary is satisfied that –
 - (a) there are grounds for cancelling the licence or permit; and
 - (b) in the circumstances, it is more appropriate for the licence or permit to be suspended.
- (2) A notice under subregulation (1) in relation to a licence or permit is to specify –
 - (a) that the licence or permit has been suspended; and
 - (b) the grounds for the suspension of the licence or permit; and
 - (c) the date or time on or at which the suspension takes effect or, if subregulation (4) applies, that the suspension takes effect immediately; and
 - (d) the period of the suspension; and
 - (e) the actions required to be taken, or the conditions or directions that must be complied with, if any, by the holder of the licence or permit for the suspension to be lifted; and
 - (f) the right of the holder of the licence or permit to apply for a review of the decision.

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- (3) The holder of a licence or permit to which a notice under subregulation (1) relates must comply with the notice within the period specified in the notice.

Penalty: Fine not exceeding 100 penalty units.

- (4) A suspension of a licence or permit under this regulation is to take effect immediately if the Secretary is satisfied that –
- (a) there is a risk to public health or public safety if the licence or permit is not immediately suspended; or
 - (b) there is a risk to wildlife taken, possessed or kept under the licence or permit if the licence or permit is not immediately suspended.
- (5) A licence or permit that is suspended under this regulation is of no effect for the duration of the suspension.
- (6) A travelling wildlife exhibition permit is suspended if the wildlife exhibition licence of the holder of the permit is suspended.
- (7) A decision of the Secretary under subregulation (1) is a reviewable decision for the purposes of the *Magistrates Court (Administrative Appeals Division) Act 2001*.

61. Effect of cancellation of certain licences and permits

- (1) If a licence or permit that authorises the keeping or possession of wildlife is cancelled, the

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Secretary may give to the holder of the licence or permit –

- (a) directions relating to the rehoming or disposal of the wildlife to which the licence or permit relates including, but not limited to, specifying the day by which the holder of the licence or permit is to comply with those directions; and
 - (b) other directions in relation to the wildlife that the Secretary considers appropriate.
- (2) A person to whom a direction is given under subregulation (1) must comply with the direction.

Penalty: Fine not exceeding 100 penalty units.

- (3) If a licence or permit authorising the keeping or possession of wildlife is cancelled, the former holder of the licence or permit –
- (a) must not surrender, rehome or dispose of the wildlife kept under the licence or permit –
 - (i) without first obtaining the written approval of the Secretary; or
 - (ii) contrary to any directions given in a notice under subregulation (1); and
 - (b) despite any other provision of these regulations, is authorised to keep the wildlife –

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- (i) until a day notified to the holder of the licence or permit by the Secretary; or
- (ii) until the day, if any, specified as the day by which the wildlife is, in a direction under subregulation (1), to be disposed of.

62. Voluntary surrender of licences and permits

- (1) The holder of a licence or permit may, by notice in writing to the Secretary, surrender the licence or permit at any time.
- (2) The surrender of a licence or permit under subregulation (1) –
 - (a) must be in an approved form; and
 - (b) does not take effect until the Secretary has given to the holder of the licence or permit a notice under subregulation (3) in respect of the licence or permit.
- (3) After receiving a notice under subregulation (1) in respect of a licence or permit, the Secretary is to, by notice in writing, notify the holder of the licence or permit that –
 - (a) the Secretary is satisfied that all matters relating to the licence or permit have been dealt with appropriately by the holder of the licence or permit; and
 - (b) the licence or permit is cancelled.

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- (4) A licence or permit surrendered under this regulation has no value.

PART 6 – HUNTING AND TAKING OF WILDLIFE

Division 1 – Hunting generally

63. Prohibited methods of hunting

- (1) Except as authorised by the Secretary under regulation 96 or as authorised under this Part, a person must not, for the purpose of taking partly protected wildlife, protected wildlife or specially protected wildlife –
- (a) use or possess a firearm that has a bore that is greater than the bore of the shotgun commonly known as a No. 12; or
 - (b) use or possess a firearm that is fitted with a silencer; or
 - (c) use or possess a spear, cross-bow, bow and arrow or other form of projectile weapon; or
 - (d) use a poison, chemical or other similar substance.

Penalty: Fine not exceeding 100 penalty units.

- (2) Except as authorised by the Secretary under regulation 96, a person must not take partly protected wildlife, protected wildlife or specially protected wildlife during the period beginning one hour after sunset on any day and ending one hour before sunrise on the next day.

Penalty: Fine not exceeding 100 penalty units.

64. Taking birds

- (1) A person hunting wildlife must not take any bird that is partly protected wildlife, protected wildlife or specially protected wildlife by any method of hunting other than by shooting it with a firearm, unless –
- (a) the person is authorised to do so by a licence, permit or authority of the Secretary under regulation 96; or
 - (b) otherwise authorised to do so under these regulations.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subregulation (1) does not apply in relation to the taking of muttonbird.

65. Taking deer

- (1) Except as authorised by a licence or permit, a person must not take a deer otherwise than by shooting it with a rifle that –
- (a) has a calibre of not less than 6 millimetres; and
 - (b) is capable of delivering a projectile having a kinetic energy of 1,350 joules at a distance of 100 metres from that rifle.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not remove the head, or sever the body, of a deer at a location other than the usual

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residence of the holder of the licence under which the deer was taken unless –

- (a) the removal of the head, or the severing of the body, was authorised by the Secretary under regulation 96; or
- (b) the deer was tagged in accordance with the licence and all products of wildlife relating to the deer have been labelled with –
 - (i) the name and residential address of the holder of the licence; and
 - (ii) the number of both the relevant licence and the tag attached to the deer.

Penalty: Fine not exceeding 100 penalty units.

- (3) A person must not take a deer by means of, or with the assistance of, a dog.

Penalty: Fine not exceeding 100 penalty units.

66. Taking muttonbirds

- (1) A person must not use, or possess, for the purpose of taking muttonbird from a burrow, an implement that is pointed, barbed, hook-shaped or sharpened.

Penalty: Fine not exceeding 100 penalty units.

- (2) Except as authorised by the Secretary under regulation 96, a person must not –

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- (a) dig out, destroy, damage or in any way render useless a muttonbird burrow; or
 - (b) wilfully interfere with muttonbird or a muttonbird burrow on or in the vicinity of a muttonbird rookery; or
 - (c) take adult muttonbird.

Penalty: Fine not exceeding 100 penalty units.

- (3) A person must not take muttonbird by means of, or with the assistance of, a dog.

Penalty: Fine not exceeding 100 penalty units.

67. Taking wild ducks

A person must not –

- (a) remove the head from a wild duck that has had its wings removed; or
- (b) remove the wings from a wild duck that has had its head removed –

unless the person is at the residence, camp or shack of the holder of the licence under which the duck was taken.

Penalty: Fine not exceeding 100 penalty units.

Division 2 – Hunting equipment

68. Using lead shot for taking wild ducks

- (1) Except as authorised by the Secretary under regulation 96, a person must not use or possess, for the purpose of taking wild duck, ammunition containing lead shot while the person is on relevant waters, or public land, during the open season for wild duck.

Penalty: Fine not exceeding 100 penalty units.

- (2) Except as authorised by the Secretary under regulation 96, a person must not discharge lead shot from a firearm onto or across relevant waters, during the open season for wild duck.

Penalty: Fine not exceeding 100 penalty units.

69. Using other items to take wild ducks

- (1) A person must not take or wilfully rouse or disturb wild duck while the person is in a vessel that is being driven, or propelled, by an engine or other mechanical means.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not use, or assist in the use of, aircraft, including a remote controlled aircraft, for the purpose of rousing or disturbing wild duck.

Penalty: Fine not exceeding 100 penalty units.

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- (3) A person must not use bait, live bird, a tape recorder, or an electronic device for the purpose of attracting or taking wild duck.

Penalty: Fine not exceeding 100 penalty units.

- (4) A person must not use a weapon, other than a shotgun with a smooth bore, for the purpose of taking, rousing or wilfully disturbing wild duck.

Penalty: Fine not exceeding 100 penalty units.

70. Using wildlife as bait

- (1) A person must not use partly protected wildlife, protected wildlife, specially protected wildlife or restricted (special purpose) wildlife as bait for the purpose of taking wildlife.

Penalty: Fine not exceeding 100 penalty units.

- (2) Except as authorised by the Secretary under regulation 96 or under a licence or permit, a person must not use a product of partly protected wildlife, protected wildlife, specially protected wildlife or restricted (special purpose) wildlife as bait for the purpose of taking wildlife.

Penalty: Fine not exceeding 100 penalty units.

71. Using detection devices

Except as authorised under these regulations, a person must not use, or possess, a detection device for the purpose of taking, or while taking, partly protected wildlife, protected wildlife or

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especially protected wildlife during the period beginning one hour after sunset on any day and ending one hour before sunrise on the next day.

Penalty: Fine not exceeding 100 penalty units.

72. Using nets or traps

- (1) A person who uses or sets a net, or trap, of any kind, for the purpose of taking wildlife must remove, destroy or render harmless the net or trap when it ceases to be in use.

Penalty: Fine not exceeding 100 penalty units.

- (2) Except as authorised by the Secretary under regulation 96, or as authorised under a licence or permit, a person who uses or sets a net, or trap, of any kind, for the purpose of taking wildlife, must inspect that net or trap at intervals of not more than 24 hours during the period when the net or trap is being used or is set, lies or is in position.

Penalty: Fine not exceeding 100 penalty units.

- (3) A person who uses or sets a net or trap, for the purpose of taking wildlife, must, as soon as practicable after the trap is inspected in accordance with subregulation (2) –

- (a) if the net or trap is inspected electronically, ensure the removal or release from the net each –

- (i) wildlife found in the net or trap;
and

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- (ii) product of wildlife found in the net or trap; and
- (b) if the net or trap is inspected in any other manner, remove or release from the net of each –
 - (i) wildlife found in the net or trap; and
 - (ii) product of wildlife found in the net or trap; and
- (c) if the net or trap contains an animal other than wildlife, take the appropriate action in respect of that animal.

Penalty: Fine not exceeding 100 penalty units.

73. Using firearms

- (1) Except as authorised under these regulations, a person must not discharge a firearm for the purpose of taking wildlife, if the person is –
 - (a) in a conveyance; or
 - (b) within 10 metres of a conveyance that the person has left for the purpose of taking wildlife.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subregulation (1) does not apply to a person taking wild duck if the person –

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- (a) is in a vessel that is not under way when the firearm is discharged; and
 - (b) takes the wild duck in accordance with a licence or permit.
- (3) For the purposes of subregulation (2), a vessel is taken to be under way if it is being propelled, directly or indirectly, by one or more of the following:
- (a) an engine;
 - (b) a sail;
 - (c) an oar, paddle or pole.

Division 3 – Other matters

74. Wildlife to be destroyed in certain circumstances

Unless otherwise authorised by a licence or permit, a person authorised to take wildlife must ensure that the wildlife is humanely killed, as soon as practicable, if the wildlife –

- (a) is taken under the authority of the licence or permit; or
- (b) has been injured to the extent that the wildlife is unlikely to survive in the wild with the injuries; or
- (c) is juvenile wildlife –
 - (i) of wildlife that has been taken under the licence or permit; and

- (ii) that is unlikely to survive in the wild due to its age.

Penalty: Fine not exceeding 100 penalty units.

75. Directions to tag wildlife

- (1) The Secretary may issue a direction to the holder of a licence or permit for the holder of the licence or permit to tag, or otherwise label or identify, the products of wildlife taken under the licence or permit.
- (2) Without limiting subregulation (1), a direction under that subregulation may require the holder of a licence or permit to tag, or otherwise label or identify, the products of wildlife taken under the licence or permit if –
 - (a) the wildlife is diseased when taken; or
 - (b) the wildlife taken is of a species of wildlife listed in Schedule 1, 2, 5 or 8; or
 - (c) the Secretary is satisfied on reasonable grounds that the products of the wildlife taken are or were held, or were acquired or disposed of, in contravention of the Act or a corresponding law of another State, or a Territory, of the Commonwealth.
- (3) A direction under subregulation (1) may specify –

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- (a) the type or form of tag, label or means of identification to be used in accordance with the direction; and
 - (b) the manner in which, or the method by which, the tag, label or means of identification referred to in paragraph (a) must be affixed to the products of wildlife specified in the direction; and
 - (c) a period of time in which the tag, label or means of identification referred to in paragraph (a) is to remain affixed to the products of wildlife.
- (4) A holder of a licence or permit to whom a direction is given under subregulation (1) must comply with the direction.

Penalty: Fine not exceeding 100 penalty units.

- (5) If a direction given under subregulation (1) to the holder of a licence or permit is inconsistent with a condition of the licence or permit relating to tagging, or otherwise labelling or identifying, the direction prevails over the condition to the extent of the inconsistency.

76. Tagging products of wildlife – deer

- (1) A person must, immediately after taking an adult male deer, affix and lock a prescribed tag to the antler of that deer, around the beam between the brow tine and the trez tine.

Penalty: Fine not exceeding 100 penalty units.

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- (2) A person must not affix to a deer, in accordance with subregulation (1), a prescribed tag that has been issued to another person.

Penalty: Fine not exceeding 100 penalty units.

- (3) Except as authorised by the Secretary under regulation 96, a person must not remove a prescribed tag that has been fixed to a deer in accordance with subregulation (1).

Penalty: Fine not exceeding 100 penalty units.

- (4) A person must not interfere with, damage or deface a prescribed tag.

Penalty: Fine not exceeding 100 penalty units.

**PART 7 – OTHER ACTIONS RELATING TO
WILDLIFE**

Division 1 – Displays of wildlife

77. Directions to holders of certain licences and permits

- (1) The Secretary may give the holder of a wildlife exhibition licence, a wildlife display permit or a travelling wildlife exhibition permit a direction in respect of one or more of the following matters:
 - (a) the provision of food and water for the wildlife kept under the licence or permit;
 - (b) in relation to a species of wildlife, or an individual animal, kept under the licence or permit, one or more of the following:
 - (i) the amount of space to be provided;
 - (ii) the kind of shelter to be provided;
 - (iii) the requirement to keep the species of wildlife, or individual animal, separate from other species or types of wildlife;
 - (c) restrictions or prohibitions on displaying wildlife including, but not limited to, wildlife that is diseased, injured or orphaned;
 - (d) restrictions or prohibitions on the handling of wildlife by the public.

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- (2) A person given a direction under subregulation (1) must comply with the direction.

Penalty: Fine not exceeding 100 penalty units.

78. Acquisition and disposal of exhibited wildlife

- (1) A holder of a wildlife exhibition licence must not acquire wildlife with the intention of the wildlife becoming exhibited wildlife unless the licence holder is authorised to do so under these regulations.

Penalty: Fine not exceeding 100 penalty units.

- (2) A holder of a wildlife exhibition licence must not acquire wildlife from another person for the purpose of that wildlife becoming exhibited wildlife, if the licence holder knows, or ought reasonably be expected to know, that the other person committed an offence by acquiring, possessing or disposing of, the wildlife.

Penalty: Fine not exceeding 100 penalty units.

- (3) A holder of a wildlife exhibition licence must not dispose of exhibited wildlife specified in the licence, unless the person is authorised to do so by the licence.

Penalty: Fine not exceeding 100 penalty units.

- (4) A holder of a wildlife exhibition licence must not dispose of exhibited wildlife specified in licence to another person if the licence holder knows, or ought reasonably be expected to

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know, that the other person would commit an offence if the other person acquires or possesses the exhibited wildlife.

Penalty: Fine not exceeding 100 penalty units.

Division 2 – Actions relating to escaped or released wildlife

79. Escaped or released wildlife generally

- (1) This regulation applies to wildlife kept under a licence or permit.
- (2) A person must not –
 - (a) cause or permit any wildlife, to which this regulation applies, to escape –
 - (i) from the location in which it is usually kept; or
 - (ii) from the location where the wildlife is being kept that is not its usual location to be kept; or
 - (iii) while travelling to or from locations; or
 - (b) unless otherwise authorised by the Secretary in writing, release any wildlife to which this regulation applies, or cause or permit any such wildlife to be released –
 - (i) from the location in which it is usually kept; or

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(ii) from the location where the wildlife is being kept that is not its usual location to be kept; or

(iii) while travelling to or from locations.

Penalty: Fine not exceeding 100 penalty units.

(3) A person must not interfere with a fence, gate, cage, building or other structure, or with any equipment, so as to cause or permit any wildlife to which this regulation applies to escape, or with the intention of causing or permitting any such wildlife to escape –

(a) from an enclosure –

(i) at a location where it is usually kept; or

(ii) at a location where the wildlife is being kept that is not its usual location to be kept; or

(iii) which is being used to house the wildlife while travelling to or from locations; or

(b) from the location –

(i) where the wildlife is usually kept; or

(ii) where the wildlife is being kept that is not its usual location to be kept.

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Penalty: Fine not exceeding 100 penalty units.

- (4) A person must not take any wildlife, to which this regulation applies, from the location –
- (a) where the wildlife is kept; or
 - (b) where the wildlife is being kept that is not its normal location to be kept.

Penalty: Fine not exceeding 100 penalty units.

80. Notification of escaped or released wildlife

- (1) If wildlife that is kept under a licence or permit has escaped, or has been released, from captivity contrary to a condition of the licence or permit, the holder of the licence or permit must –
- (a) within 2 hours after becoming aware of the escape or release, notify the Secretary of the escape or release; and
 - (b) take all reasonable steps to –
 - (i) recapture and contain the escaped or released wildlife; or
 - (ii) if it is necessary to prevent an immediate threat to the public, the environment or property, humanely destroy the escaped or released wildlife.

Penalty: Fine not exceeding 100 penalty units.

- (2) If wildlife is recaptured in accordance with subregulation (1)(b)(i), the holder of the licence or permit under which the wildlife is kept must, within 2 hours after the wildlife's recapture, notify the Secretary that the wildlife has been recaptured.

Penalty: Fine not exceeding 100 penalty units.

81. Powers of wildlife officer in relation to escaped or released wildlife

- (1) A wildlife officer who believes that wildlife kept under a licence or permit has escaped from captivity, or has been released from captivity contrary to a condition of the licence or permit, is to do one or more of the following:
- (a) take reasonable steps to recapture and contain the wildlife;
 - (b) humanely destroy and dispose of the wildlife, if the wildlife officer believes that the escaped or released wildlife is an immediate threat to the public or the environment;
 - (c) issue a direction to the holder of the licence or permit requiring the holder to do one or more of the following:
 - (i) take reasonable steps to recapture and contain the wildlife;
 - (ii) humanely destroy the wildlife;

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(iii) ensure the prevention of any further escape or release of the wildlife.

(2) A holder of a licence or permit who is given a notice under subregulation (1)(c) must comply with the notice.

Penalty: Fine not exceeding 100 penalty units.

82. Crown may recover expenses incurred in relation to escaped or released wildlife

(1) The holder of a licence or permit is liable to pay to the Crown all expenses reasonably incurred by a wildlife officer in the recapture or destruction, or attempted recapture or destruction, of wildlife that –

(a) is kept under the authority of the licence or permit; and

(b) has escaped, or has been released, from captivity contrary to a condition of the licence or permit.

(2) The Crown is not liable to pay compensation in respect of escaped or released wildlife that has been destroyed in accordance with these regulations.

83. Forfeiture of escaped or released wildlife

Wildlife is forfeited to the Crown if that wildlife –

- (a) is kept under a licence or permit; and
- (b) has escaped, or has been released, from captivity contrary to a condition of the licence or permit; and
- (c) is not recovered within 48 hours after the holder of the licence or permit became aware of the escape or release.

Division 3 – Actions relating to diseased or distressed wildlife

84. Diseased wildlife to be isolated

A holder of a wildlife exhibition licence or wildlife display permit who knows, or has reason to suspect, that wildlife to which the licence or permit relates is infected with, or is liable to spread, disease must –

- (a) as soon as practicable and no later than 48 hours after becoming aware of the infection with disease or liability to spread disease, notify the Secretary of the infection or liability; and
- (b) as soon as practicable after becoming aware of the infection with disease or liability to spread disease, ensure that the wildlife is quarantined from other wildlife capable of contracting the disease.

Penalty: Fine not exceeding 100 penalty units.

85. Seizing of wildlife kept under licence or permit

A wildlife officer may seize any wildlife kept, or purportedly kept, under a licence or permit if the wildlife officer is satisfied that –

- (a) the wildlife is distressed; or
- (b) the wildlife is –
 - (i) infected with disease; or
 - (ii) likely to be infected with disease;
or
 - (iii) liable to spread disease; or
- (c) the wildlife is not authorised to be kept under the licence or permit.

PART 8 – TAXIDERMY

86. Restrictions on holder of commercial taxidermy licence

- (1) A holder of a commercial taxidermy licence must not buy or acquire a product of wildlife, from a person, unless the person –
- (a) holds a licence authorising the person to sell or dispose of products of wildlife to the holder of a commercial taxidermy licence; or
 - (b) is otherwise authorised by the Secretary under regulation 96 to sell or dispose of wildlife, or a product of wildlife, to the holder of a commercial taxidermy licence.

Penalty: Fine not exceeding 100 penalty units.

- (2) A holder of a commercial taxidermy licence must not sell or otherwise dispose of a product of wildlife to another person, unless the other person –
- (a) holds a licence authorising the other person to buy or acquire a product of wildlife from the holder of a commercial taxidermy licence; or
 - (b) is authorised by the Secretary under regulation 96 to buy or acquire a product of wildlife from the holder of a commercial taxidermy licence.

Penalty: Fine not exceeding 100 penalty units.

87. Receiving and delivering certain products of wildlife for taxidermy

- (1) A person must not receive products of wildlife of a species of protected wildlife, specially protected wildlife or restricted (special purpose) wildlife for the purpose of taxidermy, unless the person is authorised to do so –
 - (a) by a licence or permit; or
 - (b) by the Secretary under regulation 96.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not deliver to another person products of wildlife of a species of protected wildlife, specially protected wildlife or restricted (special purpose) wildlife for the purpose of taxidermy, unless the other person is authorised to receive those products of wildlife under –
 - (a) a licence or permit; or
 - (b) an authorisation of the Secretary under regulation 96.

Penalty: Fine not exceeding 100 penalty units.

- (3) If a person is required under this regulation to be authorised to receive or deliver products of wildlife, the person must –

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- (a) produce the authorisation at the time of receiving or delivering the products of wildlife; and
 - (b) enable any other party to the transaction relating to the products of wildlife to inspect the authorisation.

Penalty: Fine not exceeding 100 penalty units.

- (4) If the holder of a commercial taxidermy licence receives a product of wildlife from a person who is required to produce an authorisation under subregulation (3) in respect of delivering the products of wildlife, and the person delivering fails to produce the authorisation as required, the holder of the commercial taxidermy licence is to –
 - (a) take possession of the products of wildlife; and
 - (b) place the products of wildlife in a freezing chamber; and
 - (c) notify a wildlife officer of the delivery of the products of wildlife and the details of the person who delivered the products of wildlife.
- (5) The Secretary may reimburse the holder of a commercial taxidermy licence for reasonable expenditure incurred by the licence holder when complying with subregulation (4).

PART 9 – FEES AND ROYALTIES

88. Fees

- (1) Subject to these regulations, the relevant fee payable in respect of a matter specified in column 2 of the table in Schedule 3, is the fee specified in column 3 of that table adjacent to the relevant matter.
- (2) The Secretary may, if satisfied that it is reasonable in the circumstances to do so, in relation to a relevant fee –
 - (a) exempt a person from liability for all, or a specified part, of payment of the relevant fee; or
 - (b) remit all, or a specified part, of the relevant fee.

89. Royalties for certain products of wildlife

- (1) For the purposes of the Act, a royalty is payable in respect of an animal of the following species of wildlife:
 - (a) Bennett’s wallaby;
 - (b) brushtail possum;
 - (c) Forester kangaroo;
 - (d) Rufous wallaby.
- (2) The holder of a commercial wildlife traders licence must pay to the Secretary a royalty for

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each deceased animal of a species in respect of which a royalty is payable under this regulation that –

- (a) is purchased under the authority of the licence; and
 - (b) is intended for sale under the authority of the licence –
 - (i) as one or more products of wildlife; or
 - (ii) as an item that is no longer a product of wildlife.
- (3) The royalty payable under subregulation (1) for each deceased animal of a species of wildlife is 0.2 fee units per animal, whether or not the animal is whole or in parts.
- (4) The holder of a commercial wildlife traders licence must pay the royalty payable under this regulation in respect of a deceased animal before selling a product of wildlife of, or other item from, the deceased animal.

Penalty: Fine not exceeding 100 penalty units.

PART 10 – RETURNS AND RECORD KEEPING

90. Requirement to complete returns

- (1) The Secretary may, by written notice to the holder of a licence or permit, require the holder of the licence or permit to –
 - (a) complete a return in the approved form; and
 - (b) provide that return to the Secretary.
- (2) A notice under subregulation (1) may specify –
 - (a) the particulars in relation to the return under subregulation (1)(a) that the Secretary considers reasonable in the circumstances; and
 - (b) a day by which, or intervals of time at the end of which, the holder of the licence or permit must comply with the requirement under subregulation (1)(b).
- (3) A holder of a licence or permit who receives a notice under subregulation (1) must comply with the notice.

Penalty: Fine not exceeding 100 penalty units.

91. Requirement to keep record

- (1) The Secretary may, by notice in writing to a holder of a licence or permit, require the holder of the licence or permit to –

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- (a) keep a record, in the approved form –
 - (i) in relation to wildlife, exhibited wildlife or products of wildlife, specified on the licence or permit; and
 - (ii) any other matter specified in the notice; and
 - (b) produce the record kept under these regulations, or a copy of that record, to the Secretary.
- (2) The Secretary may inspect, and make a copy of, a record that is produced to the Secretary in accordance with subregulation (1)(b).
- (3) Without limiting subregulation (1), a notice under that subregulation may specify one or more of the following:
- (a) in relation to a licence or permit generally –
 - (i) any particulars, in relation to wildlife specified on the licence or permit, that the Secretary considers reasonable in the circumstances; and
 - (ii) a day by which, or intervals at the end of which, the holder of the licence or permit must produce the record in accordance with subregulation (1)(b); and

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- (iii) a day by which, or intervals at the end of which, the holder of the licence or permit must comply with the requirements specified in the notice;
- (b) in relation to a licence or permit that authorises the holder of the licence or permit to sell or buy products of wildlife –
 - (i) the date of sale or purchase of the products of wildlife; and
 - (ii) the total number of products of wildlife sold under the licence or permit; and
 - (iii) the total number of products of wildlife bought under the licence or permit; and
 - (iv) the name and residential or business address of the person to whom the products of wildlife were sold or from whom the products of wildlife were bought;
- (c) in relation to a wildlife exhibition licence in respect of exhibited wildlife specified on the licence –
 - (i) each natural increase in the exhibited wildlife; and
 - (ii) each death of exhibited wildlife; and

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- (iii) each acquisition of exhibited wildlife, other than by natural increase; and
 - (iv) each loss of exhibited wildlife, other than by death; and
 - (v) the name and business or residential address of a person from whom, or to whom, exhibited wildlife was obtained or disposed of; and
 - (vi) the age, sex and identifying marks, if any, of the exhibited wildlife; and
 - (vii) any other matter that the Secretary considers to be appropriate in respect of the exhibited wildlife specified on the licence.
- (4) If a notice is given under subregulation (1) to the holder of a licence or permit relating to the sale or purchase of products of wildlife, a record required to be kept in accordance with subregulation (1)(a) must be signed and dated in relation to each sale or purchase of products of wildlife, by –
- (a) the holder of the licence or permit; and
 - (b) the person to whom products of wildlife were sold; and

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- (c) the person from whom products of wildlife were purchased.
- (5) A holder of a licence or permit to whom a notice is given under subregulation (1) must comply with the notice.

Penalty: Fine not exceeding 100 penalty units.

PART 11 – MISCELLANEOUS

92. Wildlife and products of wildlife taken contrary to regulations

- (1) A person must not buy or sell –
- (a) wildlife that has been taken in contravention of these regulations; or
 - (b) products of wildlife that have been taken in contravention of these regulations.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not have possession of –
- (a) wildlife that has been taken contrary to these regulations; or
 - (b) products of wildlife that have been taken contrary to these regulations.

Penalty: Fine not exceeding 100 penalty units.

93. Using products of wildlife for dog races, drag-hunts or dog training

- (1) A person must not use, for the purposes of a drag-hunt, dog race or dog training –
- (a) partly protected wildlife, protected wildlife or specially protected wildlife; or
 - (b) subject to subregulation (2), the products of such wildlife.

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Penalty: Fine not exceeding 100 penalty units.

- (2) The Secretary may authorise, under regulation 96, the use of a carcass of an animal that is partly protected wildlife, protected wildlife or specially protected wildlife for the purposes of a drag-hunt, dog race or dog training.

94. Unauthorised use of licences, permits and authorisations

- (1) A person must not produce to a wildlife officer a document that is, or purports to be, a licence, a permit or an authorisation of the Secretary under regulation 96, with the intention of falsely representing the person to be the holder of the licence, permit or authorisation.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not intentionally tamper with, alter, amend or deface a licence, a permit or an authorisation of the Secretary under regulation 96, or a document that resembles such a licence, permit or authorisation of the Secretary so as to make the licence, permit or authority misleading in a material particular.

Penalty: Fine not exceeding 100 penalty units.

- (3) The holder of a licence, a permit or an authorisation of the Secretary under regulation 96, must not –

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- (a) give, lend or lease the licence, permit or authority to another person; or
- (b) cause or permit the licence, permit or authority to be used in a manner intended to deceive a wildlife officer.

Penalty: Fine not exceeding 100 penalty units.

- (4) A person must not represent to a wildlife officer that the person is the holder of a licence, a permit or an authorisation of the Secretary under regulation 96, if the person is not the holder of such a licence, permit or authorisation.

Penalty: Fine not exceeding 100 penalty units.

95. False or misleading information

- (1) A person must not provide information that is false or misleading in a material particular –
 - (a) in, or in connection with, an application or document made, given, provided, or required to be kept, under these regulations; or
 - (b) in purported compliance with these regulations.

Penalty: Fine not exceeding 100 penalty units.

- (2) A person must not omit information that relates to a material particular –
 - (a) in, or in connection with, an application or document made, given, provided, or

required to be kept, under these regulations; or

- (b) in purported compliance with these regulations.

Penalty: Fine not exceeding 100 penalty units.

96. Authorisations issued by Secretary

- (1) A person may apply, in writing, to the Secretary for authorisation under this regulation to undertake an activity as specified in the authorisation.
- (2) Regulation 44 applies to an application under subregulation (1) as if an application under this regulation were an application for a permit.
- (3) The Secretary may issue to a person, in writing, an authorisation for the purposes of a provision of these regulations that refers to an authorisation issued under this regulation.
- (4) An authorisation issued under subregulation (3) –
 - (a) may be issued on the Secretary’s own initiative or on the written application of a person under subregulation (1); and
 - (b) may specify each condition imposed by the Secretary on the authorisation issued under this regulation.

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- (5) The Secretary may, in writing to a person, cancel an authorisation issued to the person under subregulation (3).
- (6) The holder of an authorisation issued under this regulation must comply with the authorisation.

Penalty: Fine not exceeding 100 penalty units.

97. Approval of deterrent devices

The Secretary may, in writing, approve for the purposes of these regulations a device, or a class of devices, as a deterrent device if the Secretary is satisfied that the device is designed to, or is able to, deter seals from –

- (a) entering or remaining in a particular area in which the device is in operation; or
- (b) affecting the day-to-day operations of a fish farm.

98. Infringement notices

For the purposes of section 62 of the Act –

- (a) an offence against a regulation specified in column 2 of the table in Schedule 10 is prescribed to be an infringement offence for which an infringement notice may be issued; and
- (b) the penalty specified in column 3 of that table for that infringement offence is prescribed as the penalty applicable to

that infringement offence that is payable under an infringement notice.

99. Savings and transitional

(1) In this regulation –

commencement day means the day on which these regulations take effect;

superseded regulations means –

(a) the *Wildlife (General) Regulations 2010*; and

(b) the *Wildlife (Exhibited Animals) Regulations 2010*.

(2) A licence or permit that was, immediately before the commencement day, in force under the superseded regulations is taken to be a licence or permit of the type of licence or permit under these regulations that most closely approximates the type of licence or permit under the superseded regulations.

(3) Regulation 33 of the *Wildlife (General) Regulations 2010* continues to apply, after the commencement day, to a commercial wallaby licence or a wallaby licence to which subregulation (2) applies, as if the requirements of Regulation 33 of the *Wildlife (General) Regulations 2010* were a condition of the licence.

(4) An application made to the Secretary under the superseded regulations that is not determined or

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withdrawn before the commencement day is taken, on and after the commencement day, to be an application made under these regulations in respect of the type of licence or permit that most closely approximates the type of licence under the superseded regulations to which the application related.

- (5) For an application made to the Secretary in the circumstances described in subregulation (4), a decision made in respect of that application is taken to be a decision made under these regulations.
- (6) An authority or permission given by the Secretary under the superseded regulations and in force before the commencement day is taken to be an authorisation of the Secretary under regulation 96.

100. Legislation rescinded

The legislation specified in Schedule 11 is rescinded.

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SCHEDULE 1 – PROTECTED WILDLIFE

Regulation 3(1)

PART 1 – AMPHIBIANS

	Family	Common Name	Species
1.	Hylidae	Tasmanian Tree Frog	<i>Litoria burrowsae</i>
		Brown Tree Frog	<i>Litoria ewingii</i>
2.	Myobatrachidae	Moss Froglet	<i>Bryobatrachus nimbus</i>
		Common Froglet	<i>Crinia signifera</i>
		Tasmanian Froglet	<i>Crinia tasmaniensis</i>
		Smooth Froglet	<i>Geocrinia laevis</i>
		Eastern Banjo Frog	<i>Limnodynastes dumerilii</i>
		Spotted Marsh Frog	<i>Limnodynastes tasmaniensis</i>
		Southern Toadlet	<i>Pseudophryne semimarmorata</i>

PART 2 – BIRDS

	Family	Common Name	Species
1.	Accipitridae	Collared Sparrowhawk	<i>Accipiter cirrhocephalus</i>
		Brown Goshawk	<i>Accipiter fasciatus</i>
		Swamp Harrier	<i>Circus approximans</i>
		Spotted Harrier	<i>Circus assimilis</i>
		Whistling Kite	<i>Haliastur sphenurus</i>

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	Family	Common Name	Species
		Black Kite	<i>Milvus migrans</i>
2.	Aegothelidae	Australian Owlet-nightjar	<i>Aegotheles cristatus</i>
3.	Anatidae	Australasian Shoveler, Blue-winged Shoveler	<i>Anas rhynchotis</i>
		Hardhead Duck, White-eyed Duck	<i>Aythya australis</i>
		Musk Duck	<i>Biziura lobata</i>
		Cape Barren Goose	<i>Cereopsis novaehollandiae</i>
		Black Swan	<i>Cygnus atratus</i>
		Pink-eared Duck	<i>Malacorhynchus membranaceus</i>
		Blue-billed Duck	<i>Oxyura australis</i>
		Freckled Duck	<i>Stictonetta naevosa</i>
4.	Apodidae	Fork-tailed Swift	<i>Apus pacificus</i>
		White-throated Needletail	<i>Hirundapus caudacutus</i>
5.	Ardeidae	Great Egret	<i>Ardea alba</i>
		Cattle Egret	<i>Ardea ibis</i>
		White-necked Heron	<i>Ardea pacifica</i>
		Australasian Bittern	<i>Botaurus poiciloptilus</i>
		Little Egret	<i>Egretta garzetta</i>
		White-faced Heron	<i>Egretta novaehollandiae</i>
		Eastern Reef Egret	<i>Egretta sacra</i>

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	Family	Common Name	Species
		Nankeen Night Heron	<i>Nycticorax caledonicus</i>
6.	Artamidae	Dusky Woodswallow	<i>Artamus cyanopterus</i>
		White-browed Woodswallow	<i>Artamus superciliosus</i>
		Australian Magpie	<i>Cracticus tibicen</i>
		Grey Butcherbird	<i>Cracticus torquatus</i>
		Black Currawong	<i>Strepera fuliginosa</i>
		Grey Currawong	<i>Strepera versicolor</i>
7.	Cacatuidae	Major Mitchell Cockatoo	<i>Cacatua leadbeateri</i>
		Red-tailed Black Cockatoo	<i>Calyptorhynchus banksii</i>
		Yellow-tailed Black Cockatoo	<i>Calyptorhynchus funereus</i>
		Glossy Black Cockatoo	<i>Calyptorhynchus lathami</i>
8.	Campephagidae	Black-faced Cuckoo-shrike	<i>Coracina novaehollandiae</i>
		White-winged Triller	<i>Lalage sueurii</i>
9.	Charadriidae	Double-banded Plover	<i>Charadrius bicinctus</i>
		Greater Sand Plover	<i>Charadrius leschenaultii</i>
		Lesser Sand Plover	<i>Charadrius mongolus</i>
		Red-capped Plover	<i>Charadrius ruficapillus</i>
		Oriental Plover	<i>Charadrius veredus</i>
		Black-fronted Dotterel	<i>Euseyornis melanops</i>

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	Family	Common Name	Species
		Red-kneed Dotterel	<i>Erythrogonys cinctus</i>
		Pacific Golden Plover	<i>Pluvialis fulva</i>
		Grey Plover	<i>Pluvialis squatarola</i>
		Hooded Plover	<i>Thinornis rubricollis</i>
		Masked Lapwing	<i>Vanellus miles</i>
		Banded Lapwing	<i>Vanellus tricolor</i>
10.	Columbidae	Topknot Pigeon	<i>Lopholaimus antarcticus</i>
		Common Bronzewing	<i>Phaps chalcoptera</i>
		Brush Bronzewing	<i>Phaps elegans</i>
		Superb Fruit-dove	<i>Ptilinopus superbus</i>
11.	Coraciidae	Dollarbird	<i>Eurystomus orientalis</i>
12.	Corvidae	Little Raven	<i>Corvus mellori</i>
13.	Cuculidae	Fan-tailed Cuckoo	<i>Cacomantis flabelliformis</i>
		Horsfield's Bronze-Cuckoo	<i>Chalcites basalis</i>
		Shining Bronze-Cuckoo	<i>Chalcites lucidus</i>
		Pallid Cuckoo	<i>Cuculus pallidus</i>
14.	Dicruridae	Satin Flycatcher	<i>Myiagra cyanoleuca</i>
		Leaden Flycatcher	<i>Myiagra rubecula</i>
		Grey Fantail	<i>Rhipidura albiscapa</i>
15.	Diomedeidae	Antipodean Albatross	<i>Diomedea antipodensis</i>

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	Family	Common Name	Species
		Southern Royal Albatross	<i>Diomedea epomophora</i>
		Northern Royal Albatross	<i>Diomedea sanfordi</i>
		Buller's Albatross	<i>Thalassarche bulleri</i>
		Indian Yellow-nosed Albatross	<i>Thalassarche carteri</i>
		Atlantic Yellow-nosed Albatross	<i>Thalassarche chlororhynchos</i>
		Chatham Albatross	<i>Thalassarche eremita</i>
		Campbell Albatross	<i>Thalassarche impavida</i>
16.	Falconidae	Brown Falcon	<i>Falco berigora</i>
		Nankeen Kestrel	<i>Falco cenchroides</i>
		Australian Hobby, Little Falcon	<i>Falco longipennis</i>
		Peregrine Falcon	<i>Falco peregrinus</i>
17.	Haematopodidae	Sooty Oystercatcher	<i>Haematopus fuliginosus</i>
		Pied Oystercatcher	<i>Haematopus longirostris</i>
18.	Halcyonidae	Sacred Kingfisher	<i>Todiramphus sanctus</i>
19.	Hirundinidae	Welcome Swallow	<i>Hirundo neoxena</i>
		Fairy Martin	<i>Petrochelidon ariel</i>
		Tree Martin	<i>Petrochelidon nigricans</i>
20.	Hydrobatidae	Australasian White-bellied Storm-Petrel	<i>Fregetta grallaria grallaria</i>
		Black-bellied Storm-Petrel	<i>Fregetta tropica</i>
		Grey-backed Storm-Petrel	<i>Garrodia nereis</i>

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	Family	Common Name	Species
21.	Laridae	White-faced Storm-Petrel	<i>Pelagodroma marina</i>
		Great Skua	<i>Catharacta skua</i>
		Whiskered Tern	<i>Chlidonias hybridus</i>
		White-winged Black Tern	<i>Chlidonias leucopterus</i>
		Caspian Tern	<i>Hydroprogne caspia</i>
		Kelp Gull, Southern Black-backed Gull	<i>Larus dominicanus</i>
		Silver Gull	<i>Larus novaehollandiae</i>
		Pacific Gull	<i>Larus pacificus</i>
		Arctic Jaeger	<i>Stercorarius parasiticus</i>
		Arctic Tern	<i>Sterna paradisaea</i>
		Crested Tern	<i>Thalasseus bergii</i>
22.	Maluridae	Superb Fairy-wren	<i>Malurus cyaneus</i>
		Southern Emu-wren	<i>Stipiturus malachurus</i>
23.	Meliphagidae	Eastern Spinebill	<i>Acanthorhynchus tenuirostris</i>
		Little Wattlebird	<i>Anthochaera chrysoptera</i>
		Yellow Wattlebird	<i>Anthochaera paradoxa</i>
		White-fronted Chat	<i>Ephthianura albifrons</i>
		Tawny-crowned Honeyeater	<i>Glyciphila melanops</i>
		Yellow-throated Honeyeater	<i>Lichenostomus flavicollis</i>

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	Family	Common Name	Species
		Noisy Miner	<i>Manorina melanocephala</i>
		Black-headed Honeyeater	<i>Melithreptus affinis</i>
		Strong-billed Honeyeater	<i>Melithreptus validirostris</i>
		New Holland Honeyeater	<i>Phylidonyris novaehollandiae</i>
		Crescent Honeyeater	<i>Phylidonyris pyrrhoptera</i>
24.	Motacillidae	Richard's Pipit, Australian Pipit	<i>Anthus novaeseelandiae</i>
25.	Muscicapidae	Bassian Thrush	<i>Zoothera lunulata</i>
26.	Pachycephalidae	Grey Shrike-thrush	<i>Colluricincla harmonica</i>
		Olive Whistler	<i>Pachycephala olivacea</i>
		Golden Whistler	<i>Pachycephala pectoralis</i>
27.	Pardalotidae	Yellow-rumped Thornbill	<i>Acanthiza chrysorrhoa</i>
		Tasmanian Thornbill	<i>Acanthiza ewingii</i>
		Tasmanian Brown Thornbill	<i>Acanthiza pusilla diemenensis</i>
		Tasmanian Scrubtit	<i>Acanthornis magna</i>
		Striated Fieldwren	<i>Calamanthus fuliginosus</i>
		Spotted Pardalote	<i>Pardalotus punctatus</i>
		Striated Pardalote	<i>Pardalotus striatus</i>
		Tasmanian Scrubwren	<i>Sericornis humilis</i>
28.	Passeridae	Beautiful Firetail	<i>Stagonopleura bella</i>
29.	Pelecanidae	Australian Pelican	<i>Pelecanus conspicillatus</i>

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	Family	Common Name	Species
30.	Petroicidae	Dusky Robin	<i>Melanodryas vittata</i>
		Scarlet Robin	<i>Petroica boodang</i>
		Flame Robin	<i>Petroica phoenicea</i>
		Pink Robin	<i>Petroica rodinogaster</i>
31.	Phalacrocoracidae	Great Cormorant	<i>Phalacrocorax carbo</i>
		Black-faced Cormorant	<i>Phalacrocorax fuscescens</i>
		Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>
		Pied Cormorant	<i>Phalacrocorax varius</i>
32.	Podargidae	Tawny Frogmouth	<i>Podargus strigoides</i>
33.	Podicipedidae	Hoary-headed Grebe	<i>Poliiocephalus poliocephalus</i>
		Australasian Grebe	<i>Tachybaptus novaehollandiae</i>
34.	Procellariidae	Buller's Shearwater	<i>Ardenna bulleri</i>
		Sooty Shearwater	<i>Ardenna grisea</i>
		Cape Petrel	<i>Daption capense</i>
		Antarctic Fulmar, Southern Fulmar	<i>Fulmarus glacialoides</i>
		Slender-billed Prion	<i>Pachyptila belcheri</i>
		Antarctic Prion	<i>Pachyptila desolata</i>
		Salvin's Prion	<i>Pachyptila salvini</i>
		Broad-billed Prion	<i>Pachyptila vittata</i>
		Common Diving-Petrel	<i>Pelecanoides urinatrix</i>

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	Family	Common Name	Species
		White-chinned Petrel	<i>Procellaria aequinoctialis</i>
		Westland Petrel	<i>Procellaria westlandica</i>
		Mottled Petrel	<i>Pterodroma inexpectata</i>
		Great-winged Petrel	<i>Pterodroma macroptera</i>
		Black-winged Petrel	<i>Pterodroma nigripennis</i>
		Little Shearwater	<i>Puffinus assimilis</i>
		Fluttering Shearwater	<i>Puffinus gavia</i>
		Hutton's Shearwater	<i>Puffinus huttoni</i>
		Antarctic Petrel	<i>Thalassoica antarctica</i>
35.	Psittacidae	Musk Lorikeet	<i>Glossopsitta concinna</i>
		Blue-winged Parrot	<i>Neophema chrysostoma</i>
		Ground Parrot	<i>Pezoporus wallicus</i>
		Green Rosella	<i>Platycercus caledonicus</i> <i>caledonicus</i>
		Eastern Rosella	<i>Platycercus eximius</i>
36.	Rallidae	Eurasian Coot	<i>Fulica atra</i>
		Tasmanian Native Hen	<i>Gallinula mortierii</i>
		Dusky Moorhen	<i>Gallinula tenebrosa</i>
		Buff-banded Rail	<i>Gallirallus philippensis</i>
		Purple Swamphen	<i>Porphyrio porphyrio</i>

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	Family	Common Name	Species
		Australian Spotted Crake	<i>Porzana fluminea</i>
		Baillon's Crake	<i>Porzana pusilla</i>
		Spotless Crake	<i>Porzana tabuensis</i>
		Lewin's Rail	<i>Rallus pectoralis</i>
37.	Recurvirostridae	Banded Stilt	<i>Cladorhynchus leucocephalus</i>
		Black-winged Stilt	<i>Himantopus himantopus</i>
		Red-necked Avocet	<i>Recurvirostra novaehollandiae</i>
38.	Rostratulidae	Painted Snipe	<i>Rostratula australis</i>
39.	Scolopacidae	Ruddy Turnstone	<i>Arenaria interpres</i>
		Sharp-tailed Sandpiper	<i>Calidris acuminata</i>
		Sanderling	<i>Calidris alba</i>
		Baird's Sandpiper	<i>Calidris bairdii</i>
		Red Knot	<i>Calidris canutus</i>
		Curlew Sandpiper	<i>Calidris ferruginea</i>
		Pectoral Sandpiper	<i>Calidris melanotos</i>
		Red-necked Stint	<i>Calidris ruficollis</i>
		Great Knot	<i>Calidris tenuirostris</i>
		Latham's Snipe	<i>Gallinago hardwickii</i>
		Bar-tailed Godwit	<i>Limosa lapponica</i>

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	Family	Common Name	Species
		Black-tailed Godwit	<i>Limosa limosa</i>
		Little Curlew, Little Whimbrel	<i>Numenius minutus</i>
		Whimbrel	<i>Numenius phaeopus</i>
		Red-necked Phalarope	<i>Phalaropus Lobatus</i>
		Wood Sandpiper	<i>Tringa glareola</i>
		Common Greenshank	<i>Tringa nebularia</i>
		Marsh Sandpiper, Little Greenshank	<i>Tringa stagnatilis</i>
		Terek Sandpiper	<i>Xenus cinereus</i>
40.	Spheniscidae	Emperor Penguin	<i>Aptenodytes forsteri</i>
		King Penguin	<i>Aptenodytes patagonicus</i>
		Rockhopper Penguin	<i>Eudyptes chrysocome</i>
		Macaroni Penguin	<i>Eudyptes chrysolophus</i>
		Fiordland Penguin	<i>Eudyptes pachyrhynchus</i>
		Snares Penguin	<i>Eudyptes robustus</i>
		Royal Penguin	<i>Eudyptes schlegeli</i>
		Erect-crested Penguin	<i>Eudyptes sclateri</i>
		Little Penguin	<i>Eudyptula minor</i>
		Adelie Penguin	<i>Pygoscelis adeliae</i>
		Chinstrap Penguin	<i>Pygoscelis antarctica</i>

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	Family	Common Name	Species
		Gentoo Penguin	<i>Pygoscelis papua</i>
41.	Strigidae	Southern Boobook	<i>Ninox novaeseelandiae</i>
42.	Sulidae	Australasian Gannet	<i>Morus serrator</i>
43.	Sylviidae	Clamorous Reed-Warbler	<i>Acrocephalus australis</i>
		Golden-headed Cisticola	<i>Cisticola exilis</i>
		Little Grassbird	<i>Megalurus gramieneus</i>
44.	Threskiornithidae	Royal Spoonbill	<i>Platelea regia</i>
		Glossy Ibis	<i>Plegadis falcinellus</i>
		Australian White Ibis	<i>Threskiornis molucca</i>
		Straw-necked Ibis	<i>Threskiornis spinicollis</i>
45.	Turnicidae	Painted Button-quail	<i>Turnix varia</i>
46.	Tytonidae	Barn Owl	<i>Tyto javanica</i>
		Sooty Owl	<i>Tyto tenebricosa</i>
47.	Zosteropidae	Silvereye	<i>Zosterops lateralis</i>

PART 3 – INVERTEBRATES

	Order	Common Name	Species
1.	Diptera	Tasmanian Glow-worm	<i>Arachnocampa tasmaniensis</i>
2.	Opiliones	Cave harvestman	<i>Lomanella</i> spp.
3.	Orthoptera	Cave crickets	<i>Cavernotettix</i> spp. except <i>craggiensis</i>
		Cave crickets	<i>Micropathus</i> spp. except <i>kiernani</i>

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	Order	Common Name	Species
		Cave crickets	<i>Parvotettix</i> spp. except <i>rangaensis</i> and <i>whinrayi</i>
4.	Pseudoscorpionida	Pseudoscorpion	<i>Pseudotyrannochthonius tasmanicus</i>

PART 4 – MAMMALS

	Order or Family	Common Name	Species
1.	Burramyidae	Little Pygmy Possum, Tasmanian Pygmy Possum	<i>Cercartetus lepidus</i>
		Eastern Pygmy Possum	<i>Cercartetus nanus</i>
2.	Cetacea	Whales and dolphins of order Cetacea, excluding those listed in Schedule 5	All species of Cetacea, excluding those listed in Schedule 5
3.	Dasyuridae	Swamp Antechinus	<i>Antechinus minimus</i>
		Dusky Antechinus	<i>Antechinus swainsonii</i>
		Eastern Quoll	<i>Dasyurus viverrinus</i>
		White-footed Dunnart	<i>Sminthopsis leucopus</i>
4.	Macropodidae	Forester Kangaroo	<i>Macropus giganteus</i>
5.	Megachiroptera	Fruit bats	<i>Pteropus</i> spp.
6.	Microchiroptera	Gould's Wattle Bat	<i>Chalinolobus gouldi</i>
		Chocolate Wattle Bat	<i>Chalinolobus morio</i>
		Great Pipistrelle Bat	<i>Falsistrellus tasmaniensis</i>
		Lesser Long-eared Bat	<i>Nyctophilus geoffroyi</i>
		Tasmanian Long-eared Bat	<i>Nyctophilus sherrini</i>

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	Order or Family	Common Name	Species
		Large Forest Bat	<i>Vespadelus darlingtoni</i>
		Southern Forest Bat	<i>Vespadelus regulus</i>
		Little Forest Bat	<i>Vespadelus vulturinus</i>
7.	Monotremata	Platypus	<i>Ornithorhynchus anatinus</i>
		Echidna	<i>Tachyglossus aculeatus</i>
8.	Muridae	Water Rat	<i>Hydromys chrysogaster</i>
		Broad-toothed Rat	<i>Mastacomys fuscus</i>
		Long-tailed Mouse	<i>Pseudomys higginsi</i>
		Velvet-furred Rat, Eastern Swamp Rat	<i>Rattus lutreolus</i>
9.	Otariidae	Antarctic Fur Seal	<i>Arctocephalus gazella</i>
		Australian Fur Seal	<i>Arctocephalus pusillus doriferus</i>
10.	Peramelidae	Southern Brown Bandicoot	<i>Isoodon obesulus</i>
11.	Petauridae	Ringtail Possum	<i>Pseudocheirus peregrinus</i>
12.	Phocidae	Weddell Seal	<i>Leptonychotes weddellii</i>
13.	Potoroidae	Tasmanian Bettong	<i>Bettongia gaimardi</i>
		Long-nosed Potoroo	<i>Potorous tridactylus</i>
14.	Vombatidae	Wombat	<i>Vombatus ursinus tasmaniensis</i>
		Bass Strait Wombat	<i>Vombatus ursinus ursinus</i>

PART 5 – REPTILES

	Order or Family	Common Name	Species
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	Order or Family	Common Name	Species
1.	Agamidae	Mountain Dragon	<i>Rankinia diemensis</i>
2.	Elapidae	Copperhead Snake	<i>Austrelaps superbus</i>
		White-lipped Snake, Whip Snake	<i>Drysdalia coronoides</i>
		Tiger Snake	<i>Notechis scutatus</i>
3.	Hydrophiidae	Yellow-bellied Sea Snake	<i>Pelamis platurus</i>
4.	Scincidae	Three-lined Skink	<i>Acritoscincus duperreyi</i>
		Northern Snow Skink	<i>Carinascincus greeni</i>
		Metallic Skink	<i>Carinascincus metallicus</i>
		Southern Snow Skink	<i>Carinascincus microlepidotus</i>
		Spotted Skink	<i>Carinascincus ocellatus</i>
		Mountain Skink	<i>Carinascincus orocryptus</i>
		Tasmanian Tree Skink	<i>Carinascincus pretiosus</i>
		She-oak Skink	<i>Cyclodomorphus casuarinae</i>
		Delicate Skink	<i>Lampropholis delicata</i>
		Bougainvilles Skink	<i>Lerista bougainvillii</i>
		Whites Skink	<i>Liopholis whitii</i>
	Southern Grass Skink	<i>Pseudemoia entrecasteauxii</i>	
	Blotched Blue-tongue Skink	<i>Tiliqua nigrolutea</i>	

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sch. 2

**SCHEDULE 2 – PROTECTED WILDLIFE WHICH
MAY BE BOUGHT, SOLD OR HELD WITHOUT A
PERMIT**

Regulations 3, 14 and 19

	Family	Common Name	Species
1.	Cacatuidae	Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
		Western Long-billed Corella (southern ssp.)	<i>Cacatua pastinator pastinator</i>
		Galah	<i>Eolophus roseicapilla</i>
2.	Fringillidae	Gouldian Finch	<i>Erythrura gouldiae</i>
3.	Phasianidae	Stubble Quail	<i>Coturnix pectoralis</i>
4.	Psittacidae	Little Lorikeet	<i>Glossopsitta pusilla</i>
		Alexandra's Parrot	<i>Polytelis alexandrae</i>
		Regent Parrot (eastern ssp.)	<i>Polytelis anthopeplus</i>
		Superb Parrot	<i>Polytelis swainsonii</i>
		Golden-shouldered Parrot	<i>Psephotus chrysopterygius</i>
5.		Hooded Parrot	<i>Psephotus dissimilis</i>

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sch. 3

SCHEDULE 3 – FEES

Regulations 3 and 88

	Licence or permit	Fee unit
1.	Commercial purposes licence	40
2.	Commercial taxidermy licence	0
3.	Commercial wildlife traders licence	50
4.	Hunting licence:	
	(a) brown quail	20
	(b) deer	45
	(c) muttonbird	20
	(d) pheasant	10
	(e) wallaby	20
	(f) wild duck	20
5.	Property protection permit	0
6.	Restricted (special purpose) wildlife permit	0
7.	Scientific or educational wildlife permit	0
8.	Seal deterrent permit	0
9.	Special purposes wildlife permit	0
10.	Travelling wildlife exhibition permit	0
11.	Wildlife display permit	20
12.	Wildlife exhibition licence	50
13.	Wildlife export permit:	

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	Licence or permit	Fee unit
	(a) for wildlife other than products of wildlife;	10, or 2 per specimen, whichever is the greater
	(b) for products of wildlife;	10
	(c) for scientific or educational purposes if the Secretary is satisfied that the export of wildlife, or products of wildlife, is required for that purpose	0
14.	Wildlife rehabilitation permit	0

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**SCHEDULE 4 – RESTRICTED (SPECIAL PURPOSE)
WILDLIFE**

Regulation 3(1)

PART 1 – AMPHIBIANS

	Order or Family	Common Name	Species
1.	Bufo	Marine Toad, Cane Toad	<i>Bufo marinus</i>
2.	Caudata	Caudates (Newts, salamanders, etc.)	All species
3.	Caudata	Mexican Axolotl	<i>Ambystoma mexicanum</i>
4.	Caudata	Fire-bellied Newt	<i>Cynops pyrogaster</i>
5.	Caudata	Warty Newt, Crested Newt	<i>Triturus cristatus</i>
6.	Caudata	Common Newt	<i>Triturus vulgaris</i>

PART 2 – BIRDS

	Order or Family	Common Name	Species
1.	Anseranatidae	Magpie Goose	<i>Anseranas semipalmata</i>
2.	Burhinidae	Bush Stone-curlew	<i>Burhinus grallarius</i>
3.	Cacatuidae	Gang-gang Cockatoo	<i>Callocephalon fimbriatum</i>
4.	Casuariidae	Southern Cassowary	<i>Casuarius casuarius</i>
5.	Estrildidae	Red-eared Firetail	<i>Stagonopleura oculata</i>
6.	Menuridae	Superb Lyrebird	<i>Menura novaehollandiae</i>

PART 3 – MAMMALS

	Order or Family	Common Name	Species
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	Order or Family	Common Name	Species
1.	Ailuridae	Red Panda	<i>Ailurus fulgens</i>
2.	Atelidae	Black-handed Spider Monkey	<i>Ateles geoffroyi</i>
3.	Bovidae	Addax	<i>Addax nasomaculatus</i>
		American Bison	<i>Bison bison</i>
		Scimitar-horned Oryx	<i>Oryx dammah</i>
4.	Callitrichidae	Common Marmoset	<i>Callithrix jacchus</i>
		Pygmy Marmoset	<i>Callithrix pygmaea</i>
		Golden Lion Tamarin	<i>Leontopithecus rosalia</i>
		Emperor tamarin	<i>Saguinus imperator</i>
		Red-handed tamarin	<i>Saguinus midas</i>
		Cotton-top Tamarin	<i>Saguinus oedipus</i>
5.	Canidae	Maned wolf	<i>Chrysocyon brachyurus</i>
		African Painted Dog	<i>Lycan pictus</i>
6.	Caviidae	Capybara	<i>Hydrochoerus hydrochaeris</i>
7.	Cebidae	Black-tufted Capuchin	<i>Cebus paella</i>
		Bolivian squirrel monkey	<i>Saimiri boliviensis</i>
8.	Cercopithecidae	De Brazza's Monkey	<i>Cercopithecus neglectus</i>
		Mantled Guereza	<i>Colobus guereza</i>
		Long-tailed Macaque	<i>Macaca fascicularis</i>
		Japanese Macaque	<i>Macaca fuscata</i>

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	Order or Family	Common Name	Species
		Black Crested Macaque	<i>Macaca nigra</i>
		Lion-tailed Macaque	<i>Macca silenus</i>
		Hamadryas Baboon	<i>Papio hamadryas</i>
9.	Equidae	Plains Zebra	<i>Equus quagga</i>
10.	Felidae	Cheetah	<i>Acinonyx jubatus</i>
		Caracal	<i>Caracal caracal</i>
		African Serval	<i>Leptailurus serval</i>
		African Lion	<i>Panthera leo</i>
		Snow Leopard	<i>Panthera onca</i>
		Siberian Tiger	<i>Panthera tigris altaica</i>
		Sumatran Tiger	<i>Panthera tigris sumatrae</i>
		Bengal Tiger	<i>Panthera tigris tigris</i>
10A.	Giraffidae	Giraffe	<i>Giraffa camelopardalis</i>
11.	Herpestidae	Meerkat	<i>Suricata suricatta</i>
11A.	Hyaenidae	Spotted hyena	<i>Crocuta crocuta</i>
12.	Hylobatidae	Northern White-cheeked Gibbon	<i>Nomascus leucogenys</i>
		Silvery Gibbon	<i>Hylobates moloch</i>
		Siamang	<i>Symphalangus syndactylus</i>
12A.	Hystriidae	Cape porcupine	<i>Hystrix africae australis</i>
13.	Lemuridae	Ring-tailed Lemur	<i>Lemur catta</i>

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	Order or Family	Common Name	Species
14.	Mustelidae	Oriental Small-clawed Otter	<i>Aonyx cinereus</i>
15.	Petauridae	Sugar Glider	<i>Petaurus breviceps</i>
16.	Phascolarctos	Koala	<i>Phascolarctos cinereus</i>
17.	Procyonidae	Coati	<i>Nasua nasua</i>
18.	Sciuridae	Northern Palm Squirrel	<i>Funambulus pennantii</i>
19.	Thylacomyidae	Greater Bilby	<i>Macrotis lagotis</i>
20.	Viverridae	Binturong	<i>Arctictis binturong</i>

PART 4 – REPTILES

	Order or Family	Common Name	Species
1.	Agamidae	Downs bearded dragon	<i>Pogona henrylawsoni</i>
		Central Bearded Dragon	<i>Pogona vitticeps</i>
2.	Alligatoridae	American Alligator	<i>Alligator mississippiensis</i>
3.	Boidae	Red-tailed Boa	<i>Boa constrictor</i>
		Green Anaconda	<i>Eunectes murinus</i>
4.	Crocodylidae	Freshwater Crocodile	<i>Crocodylus johnstoni</i>
		Estuarine Crocodile	<i>Crocodylus porosus</i>
5.	Pythonidae	Children's Pythons	<i>Antaresia</i> spp.
		Black-headed Python	<i>Aspidites melanocephalus</i>
		Scrub Python	<i>Morelia amethystina</i>
		Carpet Python	<i>Morelia spilota</i>

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	Order or Family	Common Name	Species
		Burmese Python	<i>Python bivittatus</i>
		Reticulated Python	<i>Python reticulatus</i>
6.	Testudinidae	Indian Star Tortoise	<i>Geochelone elegans</i>
7.	Varanidae	Perentie	<i>Varanus giganteus</i>
		Lace Monitor	<i>Varanus varius</i>

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SCHEDULE 5 – SPECIALLY PROTECTED WILDLIFE
Regulation 3(1)

PART 1 – AMPHIBIANS

	Order	Common Name	Species
1.	Hylidae	Green and Gold Frog	<i>Litoria raniformis</i>
2.	Myobatrachidae	Striped Marsh Frog	<i>Limnodynastes peronii</i>

PART 2 – BIRDS

	Order	Common Name	Species
1.	Accipitridae	Grey Goshawk	<i>Accipiter novaehollandiae</i>
		Tasmanian Wedge-tailed Eagle	<i>Aquila audax fleayi</i>
		White-bellied Sea-Eagle	<i>Haliaeetus leucogaster</i>
2.	Alcedinidae	Tasmanian Azure Kingfisher	<i>Ceyx azureus diemenensis</i>
3.	Diomedeidae	Wandering Albatross	<i>Diomedea exulans</i>
		Sooty Albatross	<i>Phoebetria fusca</i>
		Light-mantled Albatross	<i>Phoebetria palpebrata</i>
		Shy Albatross	<i>Thalassarche cauta</i>
		Grey-headed Albatross	<i>Thalassarche chrysostoma</i>
		Black-browed Albatross	<i>Thalassarche melanophris</i>
		White-capped Albatross	<i>Thalassarche steadi</i>
4.	Laridae	Little Tern	<i>Sternula albifrons sinensis</i>

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	Order	Common Name	Species
		Fairy Tern	<i>Sternula nereis nereis</i>
		White-fronted Tern	<i>Sterna striata</i>
		New Zealand Antarctic Tern	<i>Sterna vittata bethunei</i>
		Indian Ocean Antarctic Tern	<i>Sterna vittata vittata</i>
5.	Pardalotidae	King Island Brown Thornbill	<i>Acanthiza pusilla magnirostris</i>
		King Island Scrubtit	<i>Acanthornis magna greeniana</i>
		Forty-spotted Pardalote	<i>Pardalotus quadragintus</i>
6.	Phalacrocoracidae	Macquarie Island Shag	<i>Leucocarbo atriceps</i> <i>purpurascens</i>
7.	Podicipedidae	Great Crested Grebe	<i>Podiceps cristatus</i>
8.	Procellariidae	Blue Petrel	<i>Halobaena caerulea</i>
		Southern Giant Petrel	<i>Macronectes giganteus</i>
		Northern Giant Petrel	<i>Macronectes halli</i>
		Wilson's Storm Petrel	<i>Oceanites oceanicus</i>
		Southern Fairy Prion	<i>Pachyptila turtur subantarctica</i>
		Grey Petrel	<i>Procellaria cinerea</i>
		White-headed Petrel	<i>Pterodroma lessoni</i>
		Gould's Petrel	<i>Pterodroma leucoptera</i> <i>leucoptera</i>
		Soft-plumaged Petrel	<i>Pterodroma mollis</i>
9.	Psittacidae	Swift Parrot	<i>Lathamus discolor</i>

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	Order	Common Name	Species
		Orange-bellied Parrot	<i>Neophema chrysogaster</i>
		King Island Green Rosella	<i>Platycercus caledonicus brownii</i>
10.	Scolopacidae	Eastern Curlew	<i>Numenius madagascariensis</i>
11.	Tytonidae	Masked Owl	<i>Tyto novaehollandiae castanops</i>

PART 3 – INVERTEBRATES

	Order	Common Name	Species
1.	Amphipoda	Amphipod (Great Lake)	<i>Tasniphargus tyleri</i>
2.	Araneae	Plomleys Trapdoor Spider	<i>Migas plomleyi</i>
		Cave Spider (Bubs Hill Cave)	<i>Olgania excavata</i>
		Lake Fenton Trapdoor Spider	<i>Plesiothele fentoni</i>
3.	Basommatophora	Great Lake Glacidorbid Snail	<i>Benthodorbis pawpela</i>
4.	Coleoptera	Miena Jewel Beetle	<i>Castiarina insculpta</i>
		Green-lined Ground Beetle	<i>Catadromus lacordairei</i>
		Weldborough Forest Weevil	<i>Enchymus sp. nov.</i>
		Cave beetles	<i>Goedetrechus spp.</i>
		Cave beetles	<i>Idacarabus spp.</i>
		Bornemissza's Stag Beetle	<i>Hoplogonus bornemisszai</i>
		Simson's Stag Beetle	<i>Hoplogonus simsoni</i>
		Vanderschoor's Stag Beetle	<i>Hoplogonus vanderschoori</i>

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	Order	Common Name	Species
		Broad-toothed Stag Beetle	<i>Lissotes latidens</i>
		Mount Mangana Stag Beetle	<i>Lissotes menalcas</i>
		Cave Beetle (Mole Creek)	<i>Tasmanotrechus cockerilli</i>
5.	Cyclophyllidea	Tapeworm (Tasmanian Devil)	<i>Dasyurotaenia robusta</i>
6.	Decapoda	Giant Freshwater Crayfish	<i>Astacopsis gouldi</i>
		Mt. Arthur Burrowing Crayfish	<i>Engaeus orramakunna</i>
		Central North Burrowing Crayfish	<i>Engaeus granulatus</i>
		Furneaux Burrowing Crayfish	<i>Engaeus martigener</i>
		Scottsdale Burrowing Crayfish	<i>Engaeus spinicaudatus</i>
		Burrowing Crayfish (Burnie)	<i>Engaeus yabbimunna</i>
7.	Eupulmonata	Southern Hairy Red Snail	<i>Chloritobadistes victoriae</i>
		Ammonite Pinwheel Snail	<i>Ammoniropa vogens</i>
8.	Isopoda	Flinders Island Cave Slater	<i>Echinodillo cavaticus</i>
		Salt Lake Slater	<i>Haloniscus searlei</i>
		Isopod (Great Lake)	<i>Mesacanthotelson setosus</i>
		Isopod (Great Lake)	<i>Mesacanthotelson tasmaniae</i>
		Isopod (Great Lake and Shannon Lagoon)	<i>Onchotelson brevicaudatus</i>
		Isopod (Great Lake)	<i>Onchotelson spatulatus</i>
		Isopod (Great Lake)	<i>Uramphisopus pearsoni</i>
9.	Lepidoptera	Chevron Looper Moth	<i>Amelora acontistica</i>

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	Order	Common Name	Species
		Chaostola Skipper	<i>Antipodia chaostola leucophaea</i>
		Tunbridge Looper Moth	<i>Chrysolarentia decisaria</i>
		Saltmarsh Looper Moth	<i>Dasybela achroa</i>
		Marrawah Skipper	<i>Oreisplanus munionga larana</i>
		Ptunarra Brown Butterfly	<i>Oreixenica ptunarra</i>
		Tasmanian Hairstreak butterfly	<i>Pseudalmenus chlorinda myrsilus</i>
		Chequered Blue	<i>Theclinesthes serpentata lavara</i>
10.	Mesogastropoda	Freshwater snails	<i>Beddomeia</i> spp.
		Freshwater snails	<i>Phrantela</i> spp.
11.	Onychophora	Blind Velvet Worm	<i>Leucopatus anophthalmus</i>
		Giant Velvet Worm	<i>Tasmanipatus barretti</i>
12.	Opiliones	Ida Bay Cave Harvestman	<i>Hickmanoxyomma cavaticum</i>
		Cave Harvestman	<i>Hickmanoxyomma gibbergunyar</i>
13.	Orthoptera	Craggy Island Cave Cricket	<i>Cavernotettix craggiensis</i>
		Southern Sandstone Cave Cricket	<i>Micropathus kiernani</i>
		Cave Cricket	<i>Parvotettix rangiensis</i>
		Whinray's Cave Cricket	<i>Parvotettix whinrayi</i>
		Schayer's Grasshopper	<i>Schayera baiulus</i>
14.	Pseudoscorpionida	Cave Pseudoscorpion (Mole Creek)	<i>Pseudotyrannochthonius typhlus</i>

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	Order	Common Name	Species
15.	Stylommatophora	Burgundy Snail	<i>Attenborougharion rubicundus</i>
		Keeled Carnivorous Snail	<i>Austrorhytida lamproides</i>
		Skemps Snail	<i>Charopidae "Skemps"</i>
		Silky Pinhead Snail	<i>Exquisitiropa agnewi</i>
		Stanley Pinhead Snail	<i>Miselaoma weldii</i>
		Cataract Gorge Pinhead Snail	<i>Pasmaditta jungermanniae</i>
16.	Syncarida	Hickman's Pygmy Mountain Shrimp	<i>Allanaspides hickmani</i>
17.	Trichoptera	Caddis Fly (Macquarie River)	<i>Ecnomina vega</i>
		Caddis Fly (St. Columba Falls)	<i>Hydrobiosella saggita</i>
		Caddis Fly (Upper Scamander River)	<i>Hydroptila scamandra</i>
		Caddis Fly (South Esk River)	<i>Oecetis gilva</i>
		Caddis Fly (Wedge River)	<i>Orphnino-trichia maculata</i>
		Caddis Fly (Derwent River)	<i>Orthotrichia adornata</i>
		Caddis Fly (Ouse River)	<i>Oxyethira mienica</i>
		Caddis Fly (Corinna)	<i>Ramiheithrus kocinus</i>
		Caddis Fly (Bluff Hill Creek)	<i>Stenopsychodes lineata</i>
		Caddis Fly (Huon & Picton Rivers)	<i>Tasimia drepana</i>
		Caddis Fly (Lake Pedder)	<i>Taskiria mccubbini</i>
		Caddis Fly (Lake Pedder)	<i>Taskiropsyche lacustris</i>

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PART 4 – MAMMALS

	Order	Common Name	Species
1.	Cetacea	Sei Whale	<i>Balaenoptera borealis</i>
		Blue Whale	<i>Balaenoptera musculus</i>
		Fin Whale	<i>Balaenoptera physalus</i>
		Southern Right Whale	<i>Eubalaena australis</i>
		Humpback Whale	<i>Megaptera novaeangliae</i>
2.	Dasyuridae	Tasman Peninsula Dusky Antechinus	<i>Antechinus vandycki</i>
		Spotted-tailed Quoll	<i>Dasyurus maculatus maculatus</i>
		Tasmanian Devil	<i>Sarcophilus harrisii</i>
3.	Muridae	New Holland Mouse	<i>Pseudomys novaehollandiae</i>
4.	Otariidae	Long-nosed Fur Seal	<i>Arctocephalus forsteri</i>
		Subantarctic Fur Seal	<i>Arctocephalus tropicalis</i>
5.	Peramelidae	Eastern Barred Bandicoot	<i>Perameles gunnii</i>
6.	Phocidae	Leopard Seal	<i>Hydrurga leptonyx</i>
		Crab-eater Seal	<i>Lobodon carcinophagus</i>
		Southern Elephant Seal	<i>Mirounga leonina</i>

PART 5 – REPTILES

	Order	Common Name	Species
1.	Cheloniidae	Loggerhead Turtle	<i>Caretta caretta</i>
		Green Turtle	<i>Chelonia mydas</i>

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	Order	Common Name	Species
		Hawksbill Turtle	<i>Eretmochelys imbricata</i>
2.	Dermochelyidae	Leathery Turtle	<i>Dermochelys coriacea</i>
3.	Scincidae	Pedra Branca Skink	<i>Carinascincus palfreymani</i>
		Tussock Skink	<i>Pseudemoia pagenstecheri</i>
		Glossy Grass Skink	<i>Pseudemoia rawlinsoni</i>

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SCHEDULE 6 – CONTROLLED ANIMALS

Regulation 6

PART 1 – BEETLES

	Order or Family	Common Name	Species
1.	Coleoptera	Longicorn beetles	Family <i>Cerambycidae</i> , all species
		Stag beetles	Family <i>Lucanidae</i> , all species, excluding those listed in Schedule 5
		Bess beetles, Passalid beetles	Family <i>Passalidae</i> , all species
2.	Curculionidae	Botany Bay Weevil	<i>Chrysolopus spectabilis</i>
3.	Hemiptera	Assassin Bug	Family <i>Reduviidae</i> , all species

PART 2 – CENTIPEDES

	Class	Common Name	Species
1.	Chilopoda	Centipedes	Family <i>Scolopendridae</i> , all species

PART 3 – COCKROACHES

	Family	Common Name	Species
1.	Blaberidae	Burrowing Cockroach	<i>Geoscapheus dilatatus</i>
		Friedman's Bark Cockroach	<i>Laxta friedmani</i>
		Australian Wood Cockroach	<i>Panesthia australis</i>
		Giant Burrowing Cockroach, Giant Knobby Cockroach	<i>Parapanesthia gigantea</i>

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	Family	Common Name	Species
		Surinam Cockroach	<i>Pycnoscelus surinamensis</i>

PART 4 – CRICKETS

	Family	Common Name	Species
1.	Stenopelmatidae	King Cricket	<i>Australostoma</i> spp.
2.	Tettigoniidae	Spotted Katydid, Spotted Predatory Katydid Rainforest Cricket, Katydid	<i>Ephippitytha trigintiduoguttata</i> <i>Phricta</i> spp.

PART 5 – MILLIPEDES

	Class	Common Name	Species
1.	Diplopoda	Pill millipedes Spirobolid millipedes Polydesmid millipedes	Order <i>Sphaerotheriida</i> , all species Order <i>Spirobolida</i> , all species Order <i>Polydesmida</i> , all species

PART 6 – PRAYING MANTIS

	Family	Common Name	Species
1.	Mantidae	Large brown mantids Garden Mantid, Green Mantid, Slender Green Mantid	<i>Archimantis</i> spp. <i>Orthodera</i> spp.

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PART 7 – SCORPIONS

	Class	Common Name	Species
1.	Arachnida	Scorpions	Family <i>Buthidae</i> , all species

PART 8 – SLUGS

	Family	Common Name	Species
1.	Athoracophoridae	Red Triangle Slug	<i>Triboniophorus graeffei</i>

PART 9 – SNAILS

	Family	Common Name	Species
1.	Ampullariidae	Ramshorn Snail	<i>Bulinus</i> spp.
		Giant Ramshorn Snail	<i>Marisa cornuarietis</i>
		Apple Snail	<i>Pila</i> spp.
		Apple Snail	<i>Pomacea</i> spp.
2.	Camaenidae	Rainforest Snail	<i>Hadra webbi</i>
		Fraser’s Rainforest Snail	<i>Sphaerospira fraseri</i>
		Mitchell’s Rainforest Snail, Rainforest Snail	<i>Thersites</i> spp.
3.	Caryodidae	Giant Panda Snail	<i>Hedleyella falconeri</i>

PART 10 – SPIDERS

	Family	Common Name	Species
1.	Actinopodidae	Mouse Spider	<i>Missulena</i> spp.
2.	Hexathelidae	Tree Funnelweb Spider	<i>Atrax horribillis</i>

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	Family	Common Name	Species
3.	Idiopidae	Sydney Funnelweb Spider	<i>Atrax robustus</i>
		Funnelweb Spider	<i>Hadronyche</i> spp.
		Tree-stem Trapdoor Spider	<i>Aganippe castellum</i>
		Four-spotted Trapdoor Spider	<i>Aganippe subtristis</i>
		Golden Trapdoor Spider	<i>Arbanitis</i> spp.
		Adelaide Trapdoor Spider	<i>Blakistonia aurea</i>
		Shieldbacked Trapdoor Spider	<i>Idiosoma nigrum</i>
		Sydney Brown Trapdoor Spider	<i>Misgolas rapax</i>
4.	Lycosidae	Tube Spider	<i>Misgolas robertsi</i>
		Grey Wolf Spider	<i>Dingosa simsoni</i>
		Garden Wolf Spider	<i>Lycosa godeffroyi</i>
5.	Scytodidae	Little Striped Wolf Spider	<i>Venatrix furcillata</i>
		Spitting Spider	<i>Dictis striatipes</i>
6.	Sparassidae	Flat Huntsman Spider, Avondale Spider	<i>Delena cancerides</i>
		Sydney Huntsman Spider, Large Huntsman Spider, Giant Huntsman Spider, Grey Huntsman Spider	<i>Holconia immanis</i>
		Badge Huntsman Spider, Shield Huntsman Spider	<i>Neosparassus</i> spp.
		Lichen Huntsman	<i>Pandercetes gracilis</i>
		Giant Huntsman Spider	<i>Tylostola barbata</i>
7.	Tetragnathidae	Golden Orbweavers	<i>Nephila</i> spp.

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	Family	Common Name	Species
8.	Theraphosidae	Tarantulas	<i>Phlogius</i> spp.
		Coastal Whistling Spider	<i>Selenocosmia crassipes</i>
		Australian Common Whistling Spider	<i>Selenocosmia stirlingi</i>
		Australian Featherleg Spider	<i>Selenotypus plumipes</i>

PART 11 – STICK INSECTS

	Family	Common Name	Species
1.	Phasmatidae	Titan Stick Insect	<i>Acrophylla titan</i>
		Wuelfing’s Stick Insect	<i>Acrophylla wuelfingi</i>
		Tessellated Stick Insect	<i>Anchiale austrotessulata</i>
		Spurlegged Stick Insect, Spurlegged Phasmatid	<i>Didymuria violescens</i>
		Peppermint Stick Insect, Pandanus Stick Insect	<i>Megacrania batesii</i>
		Ringbarker Phasmatid	<i>Podacanthus wilkinsoni</i>
		Children’s Stick Insect	<i>Tropidoderus childrenii</i>

PART 12 – VELVET WORMS

	Family	Common Name	Species
1.	Onychophorida	Velvet worms	Family <i>Peripatopsidae</i> , all species, excluding those listed in Schedule 5

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SCHEDULE 7 – DOMESTIC STOCK

Regulation 7

PART 1 – BIRDS

	Family	Common Name	Species
1.		Mallard Duck	<i>Anas platyrhynchos</i>
		Mandarin Duck	<i>Aix galericulata</i>
		Domestic Goose	<i>Anser anser</i>
		Domestic Goose, Chinese Goose	<i>Anser cygnoides</i>
		Muscovy Duck	<i>Cairina moschata</i>
2.	Cacatuidae	Cockatiel	<i>Nymphicus hollandicus</i>
3.	Columbidae	Domestic Pigeon	<i>Columbia livia</i>
4.	Estrildidea	Zebra Finch	<i>Taeniopygia guttata</i>
5.	Fringillidae	Common Canary	<i>Serinus canaria</i>
6.	Numididae	Helmeted Guinea fowl	<i>Numida meleagris</i>
7.	Phasianidae	Japanese Quail	<i>Coturnix japonica</i>
		Common Peafowl	<i>Pavo cristatus</i>
		Domestic Fowl	<i>Gallus gallus</i>
		Domestic Turkey	<i>Meleagris gallopavo</i>
		Common Peafowl	<i>Pavo cristatus</i>
8.	Psittacidae	Budgerigar	<i>Melopsittacus undulatus</i>
9.	Struthionidae	Ostrich	Ostriches, all species

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PART 2 – MAMMALS

	Family	Common Name	Species
1.	Bovidae	Indian cattle	<i>Bos indicus</i>
		European cattle	<i>Bos taurus</i>
		Goat	<i>Capra hircus</i>
		Sheep	<i>Ovis aries</i>
2.	Camelidae	Camels, Alpacas, Llamas, Vicunas	Camelids, all species
3.	Caviidae	Guinea Pig	<i>Cavia procellus</i>
4.	Equidae	Donkey	<i>Equus asinus</i>
		Horse	<i>Equus caballus</i>
5.	Leporidae	European Rabbit	<i>Oryctolagus cuniculus</i>
6.	Suidae	Pig	<i>Sus scrofa</i>

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SCHEDULE 8 – PARTLY PROTECTED WILDLIFE

Regulation 8

PART 1 – BIRDS

	Order	Common Name	Species
1.	Anatidae	Chestnut Teal	<i>Anas castanea</i>
		Grey Teal	<i>Anas gracilis</i>
		Pacific Black Duck	<i>Anas superciliosa</i>
		Australian Wood Duck	<i>Chenonetta jubata</i>
		Australian Shelduck (Mountain Duck)	<i>Tadorna tadornoides</i>
2.	Phasianidae	Brown Quail	<i>Coturnix ypsilophora</i>
		Pheasant	<i>Phasianus colchicus</i>
3.	Procellariidae	Short-tailed Shearwater Muttonbird	<i>Ardenna tenuirostris</i>

PART 2 – MAMMALS

	Order	Common Name	Species
1.	Cervidae	European Fallow Deer that are not farm deer	<i>Dama dama dama</i>
2.	Macropodidae	Bennett's Wallaby, Red-necked Wallaby	<i>Notamacropus rufogriseus</i>
		Tasmanian Pademelon, Rufous Wallaby	<i>Thylogale billardierii</i>
3.	Phalangeridae	Brushtail Possum	<i>Trichosurus vulpecula</i>

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SCHEDULE 9 – RESTRICTED ANIMALS

Regulation 9

PART 1 – BIRDS

	Family	Common Name	Species
1.	Columbidae	Ringneck Dove	<i>Streptopelia capicola</i>
		Collared Dove	<i>Streptopelia decaocto</i>
2.	Fringillidae	Mexican Rose Finch, House Finch	<i>Carpodacus mexicanus</i>
		Yellowhammer	<i>Emberiza citrinella</i>
		Chaffinch	<i>Fringilla coelebs</i>
		Bullfinch	<i>Pyrrhula pyrrhula</i>
3.	Muscicapidae	Song Thrush	<i>Turdus philomelos</i>
4.	Passeridae	White-winged Whydah, Widowbird	<i>Euplectes albonotatus</i>
		Spice Finch, Nutmeg Mannikin	<i>Lonchura punctulata</i>
		Eurasian Tree Sparrow	<i>Passer montanus</i>
		Red-billed Quelea	<i>Quelea quelea</i>
5.	Pycnonotidae	Red-vented Bulbul	<i>Pycnonotus cafer</i>
		Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>
6.	Rallidae	Weka	<i>Gallirallus australis</i>
7.	Sturnidae	Indian Mynah	<i>Acridotheres tristis</i>

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PART 2 – MAMMALS

	Family	Common Name	Species
1.	Artiodactyla	Himalayan Tahr	<i>Hemitragus jemlahicus</i>
2.	Macropodidae	Agile Wallaby	<i>Macropus agilis</i>
		Tammar Wallaby	<i>Macropus eugenii</i>
		Western Grey Kangaroo	<i>Macropus fuliginosus</i>

PART 3 – REPTILES

	Family	Common Name	Species
1.	Carettochelydidae	Freshwater turtle	Family <i>Carettochelydidae</i> , all species
2.	Chelidae	Freshwater turtle	Family <i>Chelidae</i> , all species
3.	Emydidae	Red-eared Slider Turtle	<i>Trachemys scripta</i>

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SCHEDULE 10 – INFRINGEMENT NOTICES

Regulation 98

	Regulation	Penalty (penalty units)
1.	Regulation 11	4
2.	Regulation 12	4
3.	Regulation 13(1)	4
4.	Regulation 14(1)	4
5.	Regulation 15(1)	4
6.	Regulation 16(1)	4
7.	Regulation 16(3)	4
8.	Regulation 17	4
9.	Regulation 18(1)	4
10.	Regulation 18(2)	4
11.	Regulation 18(4)	4
12.	Regulation 19(1)	4
13.	Regulation 20(1)	4
14.	Regulation 20(2)	4
15.	Regulation 20(3)	4
16.	Regulation 21	4
17.	Regulation 22(1)	4
18.	Regulation 22(2)	4
19.	Regulation 23(1)	4

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	Regulation	Penalty (penalty units)
20.	Regulation 23(2)	4
21.	Regulation 24	4
22.	Regulation 25	4
23.	Regulation 30(3)	4
24.	Regulation 31(4)	4
25.	Regulation 32(3)	4
26.	Regulation 45(1)	4
27.	Regulation 52(3)	4
28.	Regulation 60(3)	4
29.	Regulation 61(2)	4
30.	Regulation 63(1)	4
31.	Regulation 63(2)	4
32.	Regulation 64(1)	4
33.	Regulation 65(1)	4
34.	Regulation 65(2)	4
35.	Regulation 65(3)	4
36.	Regulation 66(1)	4
37.	Regulation 66(2)	4
38.	Regulation 66(3)	4
39.	Regulation 67	4
40.	Regulation 68(1)	4

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	Regulation	Penalty (penalty units)
41.	Regulation 68(2)	4
42.	Regulation 69(1)	4
43.	Regulation 69(2)	4
44.	Regulation 69(3)	4
45.	Regulation 69(4)	4
46.	Regulation 70(1)	4
47.	Regulation 70(2)	4
48.	Regulation 71	4
49.	Regulation 72(1)	4
50.	Regulation 72(2)	4
51.	Regulation 72(3)	4
52.	Regulation 73(1)	4
53.	Regulation 74	4
54.	Regulation 75(4)	4
55.	Regulation 76(1)	4
56.	Regulation 76(2)	4
57.	Regulation 76(3)	4
58.	Regulation 76(4)	4
59.	Regulation 77(2)	4
60.	Regulation 78(1)	4
61.	Regulation 78(2)	4

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	Regulation	Penalty (penalty units)
62.	Regulation 78(3)	4
63.	Regulation 78(4)	4
64.	Regulation 79(2)	4
65.	Regulation 79(3)	4
66.	Regulation 79(4)	4
67.	Regulation 80(1)	4
68.	Regulation 80(2)	4
69.	Regulation 81(2)	4
70.	Regulation 84	4
71.	Regulation 86(1)	4
72.	Regulation 86(2)	4
73.	Regulation 87(1)	4
74.	Regulation 87(2)	4
75.	Regulation 87(3)	4
76.	Regulation 89(4)	4
77.	Regulation 90(3)	4
78.	Regulation 91(5)	4
79.	Regulation 92(1)	4
80.	Regulation 92(2)	4
81.	Regulation 93(1)	4
82.	Regulation 94(1)	4

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	Regulation	Penalty (penalty units)
83.	Regulation 94(2)	4
84.	Regulation 94(3)	4
85.	Regulation 94(4)	4
86.	Regulation 95(1)	4
87.	Regulation 95(2)	4
88.	Regulation 96(6)	4

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SCHEDULE 11 – LEGISLATION RESCINDED

Regulation 100

Wildlife (General) Regulations 2010 (No. 113 of 2010)

Wildlife (Exhibited Animals) Regulations 2010 (No. 114 of 2010)

Wildlife (General) Amendment (Browsing Animal Management) Regulations 2016 (No. 42 of 2016)

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 30 November 2021.

These regulations are administered in the Department of Primary Industries, Parks, Water and Environment.

NOTES

The foregoing text of the *Nature Conservation (Wildlife) Regulations 2021* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 24 May 2023 are not specifically referred to in the following table of amendments.

Citation	Serial Number	Date of commencement
¹ <i>Nature Conservation (Wildlife) Regulations 2021</i>	S.R. 2021, No. 93	30.11.2021
<i>Legislation Publication Act 1996</i>	No. 17 of 1996	30.3.2022
		Amended by order in the Gazette 30.3.2022 p. 301
<i>Legislation Publication Act 1996</i>		24.5.2023
		Amended by order in the Gazette 24.5.2023 p. 339

¹Expiry 30 November 2031 - Subordinate Legislation Act 1992

TABLE OF AMENDMENTS

Provision affected	How affected
Part 2 of Schedule 1	Amended by No. 17 of 1996
Part 3 of Schedule 4	Amended by No. 17 of 1996

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Provision affected	How affected
Part 4 of Schedule 4	Amended by No. 17 of 1996
Part 2 of Schedule 5	Amended by No. 17 of 1996