

Queensland



Nature Conservation Act 1992

NATURE CONSERVATION (DUCK AND QUAIL) CONSERVATION PLAN 1995

**Reprinted as in force on 13 July 1995
(Plan not amended up to this date)**

Reprint No. 1

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Information about this reprint

This plan is reprinted as at 13 July 1995.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to omit the words of notification (s 42A).

See endnotes for information about when provisions commenced.

Queensland



NATURE CONSERVATION (DUCK AND QUAIL) CONSERVATION PLAN 1995

TABLE OF PROVISIONS

Section		Page
1	Short title	3
2	Interpretation	3
3	Application of s 121(2) of the Act	4
4	Plan to be administered with management program	4
5	Declaration of harvest periods	4
6	Harvesting of ducks and quails	4
7	Way duck or quail must be harvested	5
8	Moving duck or quail	5
9	Returns	5
10	Conservation value	6

ENDNOTES

1	Index to endnotes	7
2	Date to which amendments incorporated	7
3	Key	7
4	List of legislation	8

NATURE CONSERVATION (DUCK AND QUAIL) CONSERVATION PLAN 1995

[reprinted as in force on 13 July 1995]

Short title

1. This conservation plan may be cited as the *Nature Conservation (Duck and Quail) Conservation Plan 1995*.

Interpretation

2.(1) In this plan—

“**duck**” means—

- (a) a plumed whistling-duck (*Dendrocygna eytoni*); or
- (b) a wandering whistling-duck (*Dendrocygna arcuata*); or
- (c) a maned wood duck (*Chenonetta jubata*); or
- (d) a grey teal (*Anas gibberifrons*); or
- (e) a Pacific black duck (*Anas superciliosa*); or
- (f) a hardhead (*Aythya australis*).

“**licensee**” see section 6.¹

“**quail**” means—

- (a) a stubble quail (*Coturnix pectoralis*); or
- (b) a brown quail (*Coturnix ypsilophora*).

“**regulation**” means the *Nature Conservation Regulation 1994*.

“**use**” a duck or quail does not include sell for trade or commerce.

(2) An expression that is not defined in this plan, but is defined in the regulation, has the meaning given by the regulation.

¹ Section 6 (Harvesting of ducks and quails).

*Nature Conservation (Duck and Quail)
Conservation Plan 1995*

Application of s 121(2) of the Act

3. Section 121(2)² of the Act does not apply to this plan.³

Plan to be administered with management program

4.(1) This plan is to be administered in conjunction with the Management Program for Duck and Quail in Queensland 1995–2000.⁴

(2) To the extent that there is any inconsistency between the management program and this plan, the plan prevails over the management program.

Declaration of harvest periods

5.(1) Subject to section 73 of the Act,⁵ the chief executive may, by written notice, declare a harvest period for a duck or quail.

(2) The notice may include—

- (a) the maximum number of ducks and quails that a person may, at any time, have in possession at a place other than the person's usual place of residence; and
- (b) the bag limit for a duck or quail.

(3) The notice may also prohibit, or impose conditions on, the use of lead shot for taking a duck or quail.

Harvesting of ducks and quails

6. If a harvest period is declared for a duck or quail, a person who holds a recreational wildlife harvesting licence for the duck or quail (a “**licensee**”) may, under this plan—

² Section 121 (Plan replaces interim or declared management intent).

³ The declared management intent in the *Nature Conservation (Wildlife) Regulation 1994* for ducks and quails to which this plan applies is not affected by this plan.

⁴ This document is published by the department and is available for inspection or purchase at the department's head office and regional offices.

⁵ Section 73 (Management principles of protected wildlife).

*Nature Conservation (Duck and Quail)
Conservation Plan 1995*

- (a) take, keep or use the duck or quail in the harvest period; or
- (b) keep or use the duck or quail for 1 month after the harvest period ends.

Way duck or quail must be harvested

7.(1) A licensee may take a duck or quail only by shooting it with a shotgun that is no more than 12 gauge in size.

(2) A licensee must not use a tethered live duck as a decoy for taking duck.

(3) A licensee may use a dog for retrieving a duck that has been shot or pointing, flushing or retrieving a quail.

(4) If a duck or quail is injured while taking it, the licensee must humanely kill it immediately on retrieval.

(5) A licensee must not take a duck or quail before 6.00 am or after 6.00 pm on any day.

Maximum penalty—120 penalty units.

Moving duck or quail

8.(1) A licensee may only move a duck or quail taken under this plan to the licensee's temporary accommodation or usual place of residence.

(2) Until the duck or quail is moved to the licensee's usual place of residence or is prepared for cooking, the licensee must ensure—

- (a) for a duck—a fully feathered wing or the fully feathered head of the duck is attached to the duck's carcass; or
- (b) for a quail—the feet or the fully feathered head of the quail is attached to the quail's carcass.

Maximum penalty—120 penalty units.

Returns

9.(1) A licensee must give the chief executive a return of operations for

*Nature Conservation (Duck and Quail)
Conservation Plan 1995*

each harvest period.

(2) The return must be given to the chief executive within 28 days after the end of the harvest period to which it relates.

Conservation value

10. No conservation value is payable for a duck or quail harvested under this plan.

ENDNOTES

1 Index to endnotes

		page
2	Date to which amendments incorporated	7
3	Key	7
4	List of legislation	8

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Nature Conservation (Duck and Quail) Conservation Plan 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954		(prev)	=	previously
amd	=	amended		proc	=	proclamation
ch	=	chapter		prov	=	provision
def	=	definition		pt	=	part
div	=	division		pubd	=	published
exp	=	expires/expired		R [x]	=	Reprint No. [x]
gaz	=	gazette		RA	=	Reprints Act 1992
hdg	=	heading		reloc	=	relocated
ins	=	inserted		renum	=	renumbered
lap	=	lapsed		rep	=	repealed
notfd	=	notified		s	=	section
om	=	omitted		sch	=	schedule
o in c	=	order in council		sdiv	=	subdivision
p	=	page		SIA	=	Statutory Instruments Act 1992
para	=	paragraph		SL	=	subordinate legislation
prec	=	preceding		sub	=	substituted
pres	=	present		unnum	=	unnumbered
prev	=	previous				

4 List of legislation

Nature Conservation (Duck and Quail) Conservation Plan 1995 SL No. 222
notfd gaz 30 June 1995 pp 1475–6
commenced on date of notification