



Queensland

*Nature Conservation Act 1992*

# **Nature Conservation (Macropod) Conservation Plan 2017**

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## Queensland

# Nature Conservation (Macropod) Conservation Plan 2017

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# Nature Conservation (Macropod) Conservation Plan 2017

## Part 1 Preliminary

### 1 Short title

This conservation plan may be cited as the *Nature Conservation (Macropod) Conservation Plan 2017*.

### 2 Commencement

This plan commences on 1 September 2017.

### 3 Relationship with declared management intent—Act, s 121

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

### 4 Purposes of plan and how main purpose is achieved

- (1) The main purpose of this plan is to manage the taking, keeping and use of macropods to ensure the taking, keeping and use is ecologically sustainable and humane.
- (2) The main purpose is achieved by—
  - (a) prescribing additional restrictions on the grant of particular animal authorities for macropods; and
  - (b) limiting or extending what holders, or relevant persons for holders, of particular animal authorities for macropods may do under the authorities; and
  - (c) stating matters about records and returns of operations for particular animal authorities, including for the *Nature Conservation (Animals) Regulation 2020*, chapter 8, parts 1 to 4; and

[s 5]

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- (d) otherwise regulating the carrying out of activities in relation to macropods under the Act.
- (3) This plan also—
  - (a) provides for additional authorised taking, keeping or use of macropods by landholders or holders of particular animal authorities; and
  - (b) declares products made or derived from particular macropods as processed products.

## **5 Interpretation**

- (1) The dictionary in schedule 2 defines particular terms used in this plan.
- (2) Subject to subsection (1), and unless this plan provides otherwise, terms used in it have the meaning given in the *Nature Conservation (Animals) Regulation 2020*.

## **6 Scientific names of macropods**

Unless stated otherwise, scientific names used in this plan for macropods follow Van Dyck, S. and Strahan, R. (ed), 2008, *The Mammals of Australia*, New Holland Publishers, Chatswood, NSW, Australia.

# **Part 2 Taking, keeping or using macropods generally**

## **Division 1 Preliminary**

### **7 Purpose of part**

This part—

- (a) states circumstances in which the taking, keeping or using of macropods is authorised under the Act; and

- (b) limits and regulates the movement of macropods otherwise authorised under the *Nature Conservation (Animals) Regulation 2020*; and
- (c) regulates other matters relating to the movement of macropods.

## Division 2 Authorisations

### 8 Landholder may use or give particular macropod meat

- (1) The chief executive may give a landholder a written approval allowing the landholder, during a stated period of not more than 3 months, to keep and use, or to give to another person, the meat from a macropod that is taken—
  - (a) by a stated holder of a macropod harvesting licence (the ***licence holder***); and
  - (b) from the landholder's land.
- (2) The landholder may, during the stated period—
  - (a) accept the skinned carcass of a macropod taken—
    - (i) by the licence holder; and
    - (ii) from the landholder's land; and
  - (b) keep and use, other than for a commercial purpose, the meat from the carcass as bait for a restricted invasive animal; and
  - (c) if the approval states the landholder may give the meat from the carcass to another person—give the carcass or the meat to another person.
- (3) This section does not authorise the licence holder to sell the skinned carcass to the landholder.
- (4) In this section—

***restricted invasive animal*** means an animal that is an invasive animal under the *Biosecurity Act 2014* and mentioned in

schedule 2, part 2 of that Act under the heading ‘Invasive animals’.

*use* does not include sell or give away.

## **9 Particular holders may kill dependent young**

- (1) This section applies if—
  - (a) the holder of a macropod harvesting licence takes a female macropod under the licence; and
  - (b) the macropod has a joey that—
    - (i) is in the macropod’s pouch; or
    - (ii) is otherwise dependent on the macropod.
- (2) The holder may kill the joey if the holder kills the joey in the way stated in the Australian macropod code.
- (3) The holder of a macropod harvesting licence who kills a joey under this section—
  - (a) must leave the joey at the place where it was killed; and
  - (b) does not take the joey under the licence.

## **Division 3 Requirements**

### **9A Movement of particular dead macropods**

- (1) A person may move a dead macropod under a relevant provision only if the person—
  - (a) fills in a movement advice properly for the movement before the movement happens; and
  - (b) ensures the part of the advice marked ‘part 1’ is given to the chief executive within 7 days after the movement happens; and
  - (c) ensures the parts of the advice marked ‘part 2’ and ‘part 3’ are—

- (i) attached to the dead macropod or the container in which the dead macropod is being moved; or
  - (ii) otherwise in the possession of the person moving the dead macropod.
- (2) For subsection (1), a movement advice is not filled in properly if it relates to more than 1 movement of a macropod.
- (3) A person to whom a dead macropod is moved under a relevant provision may buy, accept or receive the dead macropod under another provision of the Act only if the person ensures the part of the movement advice marked 'part 3' is given to the chief executive within 7 days after the movement happens.
- (4) In this section—  
***relevant provision*** means each of the following provisions of the *Nature Conservation (Animals) Regulation 2020*—
  - (a) sections 49 and 52;
  - (b) section 74;
  - (c) section 75;
  - (d) section 131.

## 9B Records for movements

- (1) A person who moves a dead macropod under a relevant provision must keep a record for the movement.

*Note—*

For the requirements for records relating to animals, see the *Nature Conservation (Animals) Regulation 2020*, chapter 8.

- (2) The record must include a copy of the movement advice filled in for the movement under section 9A.
- (3) The record must be made within 72 hours after the movement happens.
- (4) In this section—

***relevant provision*** means each of the following provisions of the *Nature Conservation (Animals) Regulation 2020*—

[s 9C]

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- (a) sections 49 and 52;
- (b) section 74;
- (c) section 75;
- (d) section 131.

## **9C Tampering with movement advice**

- (1) A person must not, without a reasonable excuse, tamper with a movement advice filled in under section 9A.

Maximum penalty—50 penalty units.

- (2) In this section—

***tamper with***, a movement advice, means—

- (a) destroy the advice; or
- (b) remove a part of the advice, unless the removal is required or permitted to comply with section 9A; or
- (c) cover, erase or modify an entry on the advice.

# **Part 3 Taking, keeping or using macropods under animal authority**

## **Division 1 Preliminary**

### **10 Purpose of part**

- (1) This part prescribes particular matters for particular animal authorities for macropods.
- (2) Generally, this part—
  - (a) imposes restrictions on the grant of the authorities that apply in addition to the restrictions stated in the *Nature Conservation (Animals) Regulation 2020*; and

- (b) limits and extends activities authorised under the authorities under the *Nature Conservation (Animals) Regulation 2020*; and
- (c) otherwise regulates activities under the authorities.

## 10A Relationship with Nature Conservation (Animals) Regulation 2020

The restrictions on the grant of an animal authority under this part are in addition to the restrictions applying to the grant of the authority under the *Nature Conservation (Animals) Regulation 2020*.

*Note—*

See the *Nature Conservation (Animals) Regulation 2020*, chapter 4 and section 234.

## Division 2 Harvest periods and harvest period notices

### 11 Harvest period notices

- (1) The chief executive may, by publishing a notice on a relevant website (a ***harvest period notice***), declare a period to be a harvest period for taking macropods.
- (2) Before publishing a harvest period notice, the chief executive must have regard to—
  - (a) the precautionary principle; and
  - (b) the Queensland wildlife trade management plan for macropods.
- (3) A harvest period notice must state the following information—
  - (a) the days on which the harvest period starts and ends;
  - (b) each species of macropod (each a ***harvest macropod species***) that may be taken during the harvest period;

- (c) the size (the *minimum area*) that the skin of a harvest macropod must exceed if the macropod is taken, during the harvest period, for its skin only;
  - (d) the weight (the *minimum whole weight*) that the whole form carcass of a harvest macropod must exceed if the macropod is taken, during the harvest period, for its meat only or for both its meat and skin;
  - (e) the weight (the *minimum dressed weight*) that the dressed carcass of a harvest macropod must exceed if the macropod is taken, during the harvest period, for its meat only or for both its meat and skin.
- (4) For subsection (3), the harvest period notice may state that—
- (a) all macropod species may be taken during the harvest period; or
  - (b) there is no minimum area for harvest macropods; or
  - (c) there is no minimum whole weight for harvest macropods; or
  - (d) there is no minimum dressed weight for harvest macropods.

## **12 Harvest regions, harvest zones and maximum take number**

- (1) The chief executive may, in a harvest period notice, declare 1 or more areas within the State to be—
  - (a) a harvest region for the harvest period stated in the notice; or
  - (b) a harvest zone for the harvest period stated in the notice.
- (2) If the chief executive declares a harvest region or harvest zone for a harvest period under subsection (1), the chief executive may, in the harvest period notice, also declare the maximum number (the *maximum take number*) of macropods, of 1 or more harvest macropod species, that may be taken in the region or zone during the period.



*Note—*

See also section 14B in relation to early ending of harvest periods for harvest zones or harvest regions.

### **13 Conditions for harvest period notices**

- (1) The chief executive may, in a harvest period notice, state conditions on the taking of harvest macropods during the harvest period stated in the notice.

*Example—*

A harvest period notice may state 1 or more ways in which a harvest macropod must be taken.

- (2) A condition stated in a harvest period notice—
  - (a) is taken to be a condition that applies to all macropod harvesting licences; and
  - (b) prevails over any other condition of a macropod harvesting licence to the extent of any inconsistency.

*Notes—*

- 1 Failure to comply with a condition of an animal authority is an offence under the *Nature Conservation (Animals) Regulation 2020*, section 318.
- 2 Also, under the *Nature Conservation (Animals) Regulation 2020*, chapter 5, part 6, failure to comply with a condition of an animal authority is a ground for amendment, suspension or cancellation of the authority.

### **14 Size requirement for skin of harvest macropod taken for skin only**

- (1) This section applies if—
  - (a) the holder of a macropod harvesting licence intends to take a harvest macropod—
    - (i) under the licence; and
    - (ii) during a harvest period stated in a harvest period notice; and
    - (iii) for the macropod's skin only; and

[s 14A]

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- (b) the harvest period notice states a minimum area for the macropod.
- (2) The holder must not take the harvest macropod if the holder reasonably believes the size of the macropod's skin will be less than the minimum area.  
Maximum penalty—120 penalty units.
- (3) Without limiting subsection (2), the holder contravenes subsection (2) if the size of the harvest macropod's skin is or becomes less than the minimum area at any time—
  - (a) starting when the macropod is taken; and
  - (b) ending when the holder sells, gives away, processes or otherwise disposes of the skin.

#### **14A Weight requirement for carcass of harvest macropod taken for meat only or meat and skin**

- (1) This section applies if—
  - (a) the holder of a macropod harvesting licence intends to take a harvest macropod—
    - (i) under the licence; and
    - (ii) during a harvest period stated in a harvest period notice; and
    - (iii) for the macropod's meat only or for both the macropod's meat and skin; and
  - (b) the harvest period notice states—
    - (i) a minimum whole weight for the macropod; or
    - (ii) a minimum dressed weight for the macropod.
- (2) The holder must not take the harvest macropod if the holder reasonably believes—
  - (a) if subsection (1)(b)(i) applies—the weight of the whole form carcass of the macropod will be less than the minimum whole weight; or

- (b) if subsection (1)(b)(ii) applies—the weight of the dressed carcass of the macropod will be less than the minimum dressed weight.

Maximum penalty—120 penalty units.

- (3) Without limiting subsection (2), the holder contravenes subsection (2)(a) if the weight of the whole form carcass of the harvest macropod is or becomes less than the minimum whole weight at any time—
  - (a) starting when the macropod is taken; and
  - (b) ending when the macropod is dressed.
- (4) Without limiting subsection (2), the holder contravenes subsection (2)(b) if the weight of the dressed carcass of the harvest macropod is or becomes less than the minimum dressed weight at any time—
  - (a) starting when the macropod is dressed; and
  - (b) ending when the holder sells, gives away, processes, consumes or otherwise disposes of the macropod.

#### **14B Early ending of harvest period for harvest regions or harvest zones**

- (1) This section applies if—
  - (a) a harvest period notice declares 1 or more harvest regions or harvest zones for a harvest period; and
  - (b) the chief executive is satisfied—
    - (i) the maximum take number, for a harvest macropod species in a harvest region or harvest zone, is likely to be exceeded in the harvest period; or
    - (ii) it is necessary to end the harvest period, for a harvest macropod species in a harvest region or harvest zone, because an event has reduced, or is likely to reduce, the population size for the species in the region or zone.

*Examples of events—*

flood, disease outbreak

- (2) The chief executive may, by publishing a notice on a relevant website (a **harvesting end notice**), declare that the harvest period, for the harvest macropod species in the harvest region or harvest zone, ends.
- (3) The harvesting end notice must state—
  - (a) the matter of which the chief executive is satisfied under subsection (1)(b)(i) or (ii); and
  - (b) the day the harvest period, for the harvest macropod species in the harvest region or harvest zone, ends.
- (4) Without limiting subsection (2), the harvesting end notice may apply in relation to—
  - (a) all harvest macropod species in 1 or more harvest regions or harvest zones; or
  - (b) 1 or more harvest macropod species in all harvest regions or all harvest zones.

## **14C Advance advice of harvesting end notice**

- (1) This section applies if the chief executive intends to publish a harvesting end notice for a harvest macropod species in a harvest region or harvest zone.
- (2) The chief executive must give each holder of a macropod harvesting licence, for the harvest macropod species, a notice (an **advance advice**) stating—
  - (a) the matter of which the chief executive is satisfied under section 14B(1)(b)(i) or (ii); and
  - (b) the day the harvest period, for the harvest macropod species in the harvest region or harvest zone, will end under the harvesting end notice.
- (3) The chief executive must give the advance advice to each holder at least 7 days before the day mentioned in subsection (2)(b).

- (4) Failure to comply with subsection (2) or (3) does not invalidate the harvesting end notice.

## **Division 3                      Dealer licence for dead macropods**

### **Subdivision 1              Restrictions on grant of licence**

#### **15              Restrictions on grant of licence**

- (1) The chief executive must not grant a dealer licence for dead macropods unless—
- (a) if the licence authorises the holder of the licence, or a relevant person for the holder, to process macropod meat—the chief executive writes the words ‘meat processing’ on the licence; and
  - (b) if the licence authorises the holder of the licence, or a relevant person for the holder, to process macropod skin—the chief executive writes the word ‘tanning’ on the licence; and
  - (c) the licensed premises for the licence are—
    - (i) in the State; and
    - (ii) for a licence mentioned in paragraph (a)—an accredited place.
- (2) In this section—

***accredited place*** means a place stated in an accreditation under the *Food Production (Safety) Act 2000*, section 48(2).

## **Subdivision 2      Limitation and extension of activities under licence**

### **17      Buying or accepting dead macropods**

The holder, or a relevant person for the holder, of a dealer licence for dead macropods may buy or accept macropods under the licence only at the licensed premises for the licence.

### **18      Processing dead macropods**

- (1) The holder, or a relevant person for the holder, of a dealer licence for dead macropods may process macropod meat but not macropod skins under the licence if the licence is a macropod meat processing licence.
- (2) The holder, or a relevant person for the holder, of a dealer licence for dead macropods may process macropod skins but not macropod meat under the licence if the licence is a macropod tanning licence.
- (3) A dealer licence for dead macropods does not authorise the holder, or a relevant person for the holder, to process macropods other than as stated in this section.
- (4) In this section—  
*process*, a macropod, includes remove any part of it.

### **19      Keeping dead macropods at alternative storage place**

- (1) The chief executive may give the holder of a dealer licence for dead macropods a written approval (an *alternative storage approval*) stating the holder may keep, for a stated period, dead macropods in storage at a stated place that is not the licensed premises for the licence (an *alternative storage place*).
- (2) The holder, or relevant person for the holder, may, under the alternative storage approval—

- (a) keep dead macropods at the alternative storage place for the stated period; and
  - (b) move dead macropods to and from the alternative storage place and the licensed premises for the licence.
- (3) The stated period for the alternative storage approval must be no more than 3 months.

## **20 Selling or giving away dead macropods from alternative storage place**

- (1) This section applies if—
- (a) the holder, or a relevant person for the holder, of a dealer licence for dead macropods keeps dead macropods at an alternative storage place under section 19; and
  - (b) the chief executive gives the holder another written approval stating the holder may sell or give away dead macropods from the place during the period macropods are stored at the place; and
  - (c) the holder or a relevant person for the holder does not sell or give away dead macropods, during the period, at the licensed premises for the licence.
- (2) The holder or relevant person may sell or give away dead macropods from the alternative storage place during the period the macropods are stored at the place.

*Note—*

See also the *Nature Conservation (Animals) Regulation 2020*, section 74 for the authority to move the dead macropods to authorised buyers.

- (3) The approval under subsection (1)(b) may be given when the alternative storage approval is given under section 19 or at a later time.

## **Subdivision 3      Dealing with macropods under licence**

### **21      Buying or accepting macropods taken in the State**

- (1) The holder, or a relevant person for the holder, of a dealer licence for dead macropods must not buy or accept, under the licence, a macropod taken in the State—

- (a) if the macropod is of a size or weight not authorised to be taken under the Act; or

*Note—*

See, for example, sections 13 and 14.

- (b) if the macropod is not tagged in the way required under the Act; or

*Note—*

See, for example, part 5 and the *Nature Conservation (Animals) Regulation 2020*, sections 352 and 353.

- (c) if the macropod's sex remnant has been removed in a way that contravenes section 84; or

- (d) from the holder of a macropod harvesting licence in contravention of section 57.

Maximum penalty—

- (a) for paragraph (a) or (b)—120 penalty units; or  
(b) for paragraph (c)—80 penalty units; or  
(c) for paragraph (d)—20 penalty units.

- (2) This section does not limit the *Nature Conservation (Animals) Regulation 2020*, section 81.

### **22      Buying or accepting macropods taken in another State**

- (1) The holder, or a relevant person for the holder, of a dealer licence for dead macropods must not buy or accept, under the licence, a macropod taken in another State if the holder or



relevant person knows, or ought reasonably to have known, the macropod—

- (a) is of a species that is not authorised to be taken under a law of the other State; or
- (b) is of a weight or size that is not authorised to be taken under a law of the other State; or
- (c) has been moved into the State in a way that is not authorised under the Act or a law of the other State; or
- (d) is not tagged in the way required by a law of the other State.

Maximum penalty—120 penalty units.

- (2) This section does not limit the *Nature Conservation (Animals) Regulation 2020*, section 81.

## **23 Prohibition on tagging macropods taken in another State**

The holder, or a relevant person for the holder, of a dealer licence for dead macropods must not attach a Queensland macropod tag to a macropod that was taken in another State.

Maximum penalty—120 penalty units.

## **24 Grading macropods**

- (1) This section applies if the holder, or a relevant person for the holder, of a dealer licence for dead macropods buys or accepts the skin of a macropod that was taken in the State.
- (2) The holder must ensure the skin is graded—
  - (a) in the prescribed way; and
  - (b) before the holder is required to include the obtaining particulars for the macropod in the record kept for the licence under the Act.

Maximum penalty—80 penalty units.

- (3) In this section—

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***prescribed way***, for grading the skin of a macropod, means to grade the skin—

- (a) if the skin has an area of less than 0.46m<sup>2</sup>—as small; or
- (b) if the skin has an area of 0.46m<sup>2</sup> or more but less than 0.65m<sup>2</sup>—as medium; or
- (c) if the skin has an area of 0.65m<sup>2</sup> or more—as large.

## **Subdivision 4      Records and returns of operations**

### **25      Purpose of subdivision**

This subdivision states matters about records and returns of operations for a dealer licence for dead macropods, including for the purpose of the *Nature Conservation (Animals) Regulation 2020*, chapter 8, parts 1 to 4.

### **26      How records must be kept**

- (1) For the *Nature Conservation (Animals) Regulation 2020*, section 342(1)(b)(i), a record for a dealer licence for dead macropods must be kept—
  - (a) in an approved electronic record system; or
  - (b) if the chief executive gives the person required to keep the record written approval to keep the record in a record book—in a record book.
- (2) The chief executive may give a person an approval under subsection (1)(b) only if the chief executive is satisfied that exceptional circumstances—
  - (a) prevent the person from using an approved electronic record system; or
  - (b) make it impractical for the person to use an approved electronic record system.

*Example of exceptional circumstances—*

the person does not have access to the internet

## **27 Information that must be included in record**

The obtaining particulars for each macropod obtained under a dealer licence for dead macropods must be included in the record for the licence.

*Note—*

See the *Nature Conservation (Animals) Regulation 2020*, section 338 for the requirement about complete and accurate information in records.

## **28 When obtaining particulars must be included in record**

The obtaining particulars for each macropod obtained under a dealer licence for dead macropods must be included in the record for the licence when the earlier of the following happens—

- (a) 24 hours after the macropod to which the particulars relate was obtained has passed;
- (b) the holder, or a relevant person for the holder, of the licence sells, gives away or moves the macropod to another person.

## **29 Giving return of operations electronically in particular circumstances**

- (1) This section applies if—
    - (a) the holder of a dealer licence for dead macropods is required to give a return of operations, under the Act, to the chief executive; and
    - (b) the return relates to obtaining particulars included in a part of the record for the licence kept in an approved electronic record system.
  - (2) The holder must ensure the return is given in electronic form.
- Maximum penalty—120 penalty units.

**30 When return of operations must be given to chief executive**

- (1) The holder of a dealer licence for dead macropods must ensure that a return of operations is given to the chief executive—

- (a) for each return period for the holder; and
- (b) within the prescribed number of days after each return period ends.

Maximum penalty—120 penalty units.

- (2) Subsection (1) applies—

- (a) even if no relevant event for the return happened during the return period; and
- (b) to each return of operations required to be given under the Act for the return period.

- (3) In this section—

***prescribed number***, for a return period for the holder of a dealer licence for dead macropods, means—

- (a) if the return period is a week in a harvest period—7; or
- (b) if paragraph (a) does not apply—14.

***return period***, for the holder of a dealer licence for dead macropods, means—

- (a) if the chief executive has given the holder a notice stating the holder must give a return of operations for each week of a particular harvest period or part of a particular harvest period—a week in the harvest period or part; or
- (b) if paragraph (a) does not apply—a month in a harvest period.

## Subdivision 5      Audits

### 31      Audit of relevant records

- (1) The chief executive may give the holder of a macropod meat processing licence or macropod tanning licence a notice (an *audit notice*) requiring the holder to have a compliance audit conducted for the licence.
- (2) The holder must have the compliance audit conducted—
  - (a) by a person approved by the chief executive for conducting the audit (an *approved auditor*); and
  - (b) within 3 months after the holder is given the audit notice.

Maximum penalty—165 penalty units.

- (3) The compliance audit must include an audit of the relevant records for the licence by reference to the following—
  - (a) any macropod at the licensed premises for the licence while the audit is being conducted;
  - (b) the Queensland macropod tags supplied or approved by the chief executive for use under the licence.
- (4) The chief executive must not give the holder of a macropod meat processing licence or macropod tanning licence more than 1 audit notice for any year for which the licence is in force.
- (5) In this section—

*compliance audit*, for a macropod meat processing licence or macropod tanning licence, means an audit of all the relevant records for the licence to check whether the holder of the licence is complying with the Act.

### 32      Approved auditor's obligations

- (1) The approved auditor must, within 21 days after conducting an audit for a macropod meat processing licence or macropod tanning licence—

- (a) prepare an audit report for the audit; and
- (b) give a copy of the report to—
  - (i) the chief executive; and
  - (ii) the holder of the licence.

Maximum penalty—120 penalty units.

- (2) If the auditor forms an opinion that the holder of the licence has committed, is committing or will commit a serious offence, the auditor must immediately notify the chief executive or a conservation officer about the auditor's opinion.

Maximum penalty—50 penalty units.

- (3) In this section—

*serious offence* means an offence against the Act for which the maximum penalty is 165 penalty units or more.

### **33 Chief executive may ask holder to give audit response report**

- (1) This section applies if—
  - (a) an audit report for a macropod meat processing licence or macropod tanning licence includes recommendations by the auditor of measures the holder of the licence may adopt to enable the holder to comply with the Act; or
  - (b) the chief executive, because of an audit under section 31, makes recommendations of measures the holder of a macropod meat processing licence or macropod tanning licence may adopt to enable the holder to comply with the Act.
- (2) The chief executive may, by notice, ask the holder to give the chief executive an audit response report for the audit.
- (3) The notice must state the measures recommended by the approved auditor or chief executive.
- (4) The holder must give the chief executive the audit response report within 60 days after the holder receives the notice.

Maximum penalty—120 penalty units.

(5) In this section—

***audit response report***, for an audit conducted for a macropod meat processing licence or a macropod tanning licence, means a written report that includes the following information—

- (a) the measures recommended by the approved auditor who conducted the audit, or the chief executive, to enable the holder to comply with the Act;
- (b) the measures that have been adopted in response to the recommendations.

## **Division 4                    Macropod harvesting licence**

### **Subdivision 1AA   Term of licence**

#### **33A    Maximum term of licence**

The maximum term for a macropod harvesting licence is 3 years.

*Note—*

See the *Nature Conservation (Animals) Regulation 2020*, section 252(2)(a).

### **Subdivision 1        Restrictions on grant of licence**

#### **35        Restriction about macropods for which licence may be granted**

The chief executive must not grant a macropod harvesting licence for a macropod that is not a harvest macropod.

**36 Restrictions about persons to whom licence may be granted**

- (1) The chief executive must not grant a macropod harvesting licence to a person unless the person—
  - (a) is an adult; and
  - (b) holds an approved weapons licence; and
  - (c) has passed an approved course for the licence; and
  - (d) has passed an approved shooting test for the licence within the previous year.
- (2) Subsection (1)(d) does not apply to a person who applies for a macropod harvesting licence if the person—
  - (a) held a macropod harvesting licence within the previous year of making the application; and
  - (b) does not receive a notice from the chief executive under subsection (3) after making the application.
- (3) The chief executive may give a notice to an individual stating that the individual is required to take and pass an approved shooting test if the chief executive considers it is appropriate having regard to the following matters—
  - (a) whether the individual contravened a condition of a harvest period notice in the previous year, including, for example, the way a macropod may be taken;
  - (b) the number of macropods taken by the individual in the previous year;
  - (c) any other relevant matter.
- (4) In this section—

***approved course***, for a macropod harvesting licence, means a course of training about the harvesting of macropods approved by the chief executive for the licence.

***approved shooting test***, for a macropod harvesting licence, means a test for shooting approved by the chief executive for the licence.



*approved weapons licence*, for a macropod harvesting licence, means a licence under the *Weapons Act 1990* for a category of weapon approved by the chief executive for the macropod harvesting licence.

**37      Restriction about places for which licence may be granted**

The chief executive must not grant a macropod harvesting licence that allows the holder of the licence to take macropods from a State forest under the *Forestry Act 1959*.

**38      Restriction about premises for which licence may be granted**

The chief executive must not grant a macropod harvesting licence for licensed premises that are not in the State.

**Subdivision 2      Limitation and extension of activities under licence**

**39      Holder may only take macropods during harvest period**

The holder of a macropod harvesting licence may take macropods under the licence only during a harvest period for the macropods.

**40      Way macropod may be taken**

- (1) The holder of a macropod harvesting licence must not take the macropod in a way that causes damage or disturbance to other wildlife.

Maximum penalty—120 penalty units.

- (2) Also, if the holder of a macropod harvesting licence takes the macropod by killing it, the holder must kill it in a quick and humane way.

Maximum penalty—165 penalty units.

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- (3) For subsection (2), the holder of a macropod harvesting licence is taken to have killed the macropod in a quick and humane way if the holder complies with the Australian macropod code to the extent the code provides for the way in which the macropod may be taken.

#### **41 Prohibition on mustering or trapping macropod**

The holder of a macropod harvesting licence must not muster or trap a macropod that is taken under the licence.

Maximum penalty—165 penalty units.

#### **42 Prohibition on taking macropod from moving vehicle**

- (1) The holder of a macropod harvesting licence must not take a macropod from a moving vehicle.

Maximum penalty—165 penalty units.

- (2) In this section—

**vehicle** means anything used to carry persons by land, water or air.

#### **43 Relevant persons not authorised to take, keep or use macropods under licence**

A relevant person for the holder of a macropod harvesting licence is not authorised to take, keep or use a macropod under the licence.

#### **44 Keeping dead macropods at alternative storage place**

- (1) The chief executive may give the holder of a macropod harvesting licence a written approval (an **alternative storage approval**) stating the holder may keep, for a stated period, dead macropods in storage at a stated place that is not the licensed premises for the licence (an **alternative storage place**).

- (2) The holder may, under the alternative storage approval—

- (a) keep dead macropods at the alternative storage place for the stated period; and
  - (b) move dead macropods to and from the alternative storage place to the licensed premises for the licence.
- (3) The stated period for the alternative storage approval must be no more than 3 months.

#### **45 Moving macropods to authorised buyers**

- (1) The holder of a macropod harvesting licence may, without a wildlife movement permit, move a macropod taken under the licence from the place where the macropod was taken, or the authorised premises for the macropod, to an authorised buyer for the macropod.
- (2) However, if the holder engages a commercial carrier to move the macropod to the authorised buyer, the holder must fill in a movement advice for the movement of the macropod—
- (a) from the place where the commercial carrier assumes possession of the macropod; and
  - (b) to the authorised buyer.

Maximum penalty—50 penalty units.

#### **46 Personal use of harvest macropods**

- (1) The holder of a macropod harvesting licence may—
- (a) take for personal use up to 50 harvest macropods during a harvest period in addition to any macropods taken for a commercial purpose under the licence; and
  - (b) keep or use the macropods taken under paragraph (a).
- (2) If the chief executive is satisfied that the holder of a macropod harvesting licence has taken no more than 50 harvest macropods for personal use under subsection (1) in a harvest period, the chief executive may give the holder written approval to—

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- (a) take for personal use an additional 50 harvest macropods during the harvest period; and
- (b) keep or use the macropods taken under paragraph (a).

### **Subdivision 3      Taking macropods from a public place**

#### **47      Application of subdivision**

This subdivision applies to the holder of a macropod harvesting licence who intends to take macropods from a public place (the *proposed taking place*) for a particular period (the *proposed taking period*).

#### **48      Holder must give notice of taking**

- (1) The holder must—
  - (a) at least 1 week before the first day of the proposed taking period, publish a notice complying with subsection (2) in a newspaper or other publication circulating generally throughout the locality in which the proposed taking place is situated; and
  - (b) give the chief executive a copy of the notice before the proposed taking period starts.

Maximum penalty—80 penalty units.

- (2) The notice must state the following—
  - (a) the name and contact details of a person nominated by the holder to deal with enquiries about the holder's activities at the proposed taking place;
  - (b) the proposed taking period;
  - (c) the times within which the holder intends to take macropods from the proposed taking place for each day of the proposed taking period.

## **49 Holder must display sign for the taking**

- (1) The holder must display a prescribed sign that is visible to the public at or near each entrance to the proposed taking place for a period—
  - (a) starting on a day at least 1 week before the start of the proposed taking period; and
  - (b) ending at the end of the last day of the proposed taking period.

Maximum penalty—80 penalty units.

- (2) In this section—

***prescribed material*** means ink, paint or an adhesive material that is durable and weatherproof.

***prescribed sign*** means a sign that—

- (a) is rectangular with dimensions of at least 420mm and 297mm; and
- (b) is made of material that is durable and weatherproof; and
- (c) has written on it, in bold and in a clear and legible way, and by using a prescribed material—
  - (i) the word ‘warning’ at the top and in capital letters with a height of at least 30mm; and
  - (ii) the matters stated in section 48(2), with a height of at least 25mm.

## **50 Limitation on time when taking may take place**

The holder must only take macropods from the proposed taking place during the proposed taking period between the hours of 12.00a.m and 4a.m.

Maximum penalty—80 penalty units.

## **51 Approval and supervisor required for particular places**

- (1) The chief executive or a landholder of land that is, or is a part of, the proposed taking place may give the holder a notice stating that it will be impracticable to exclude the public from the proposed taking place for the proposed taking period.
- (2) If the holder is given a notice under subsection (1), the holder must not take macropods from the place unless—
  - (a) the police officer in charge of the nearest police station to the place gives the holder written approval to take macropods from the place; and
  - (b) a prescribed person supervises the holder's activities.Maximum penalty—80 penalty units.

- (3) In this section—

*prescribed person* means—

- (a) a police officer; or
- (b) an employee of a local government who is—
  - (i) uniformed; and
  - (ii) approved by the local government to supervise the holder's activities; or
- (c) a person who holds an appropriate licence under the *Security Providers Act 1993* to carry out the functions of a security officer under that Act.

## **Subdivision 4 Dealing with macropods taken under licence**

### **52 Application of subdivision**

This subdivision applies if the holder of a macropod harvesting licence takes a macropod under the licence.

### **53 Macropod must be dressed before moved**

- (1) The holder must dress the macropod before the macropod is moved from the land from which it was taken.

Maximum penalty—80 penalty units.

- (2) Also, if the macropod was taken for its skin only or for both its meat and skin, the holder must dress the macropod in a way that ensures the sex of the macropod may be identified.

*Note—*

See also section 84.

Maximum penalty—80 penalty units.

- (3) This section does not apply to a prohibited macropod.

### **54 Macropod must be tagged after dressed**

- (1) The holder must attach a Queensland macropod tag to the macropod, in a way that complies with part 4, division 1, immediately after the macropod is dressed.

Maximum penalty—120 penalty units.

- (2) This section does not apply to a prohibited macropod.

### **55 Dealing with unused parts of macropod**

- (1) The holder must ensure the unused parts of the macropod, after it has been dressed, are not left on—

- (a) public land; or
- (b) a place that is visible from a road.

Maximum penalty—40 penalty units.

- (2) Also, if the holder disposes of the unused parts on any land, the holder must ensure the unused parts are disposed of in a responsible way, and in doing so, having regard to any specific requirements of the landholder of the land.

Maximum penalty—40 penalty units.

- (3) This section does not apply to a prohibited macropod.

(4) In this section—

**public land** means—

- (a) a State-controlled road under the *Transport Infrastructure Act 1994*; or
- (b) a road controlled by a local government; or
- (c) the following land if the trustee for the land is a local government—
  - (i) land contained in a reserve under the *Land Act 1994* for a purpose mentioned in section 31(1)(a) to (c) of that Act;
  - (ii) land dedicated as a reserve under the *Land Act 1994*, section 31(1)(d); or
- (d) a railway managed by a rail government entity under the *Transport Infrastructure Act 1994*.

**road** means a road as defined under the *Land Act 1994*, section 93.

**unused part**, of a macropod, means the offal or another part of the macropod that is removed from the carcass of the macropod when it is dressed.

## 56 Selling or giving away macropods generally

- (1) The holder of a macropod harvesting licence must sell or give away the macropod to—
  - (a) the holder, or a relevant person for the holder, of a dealer licence for dead macropods; or
  - (b) the holder of a corresponding licence in accordance with an approval under subsection (3).

Maximum penalty—120 penalty units.

- (2) Subsection (1) does not apply to—
  - (a) a macropod the holder keeps or uses under section 46; or
  - (b) a prohibited macropod.



- (3) The chief executive may give the holder of a macropod harvesting licence written approval to sell or give away harvest macropods, for a stated period of no more than 12 months, to the holder of a corresponding licence.

- (4) In this section—

*corresponding licence* means a licence issued under a law of another State that authorises activities similar to activities authorised under a dealer licence for dead macropods.

## **57 Prohibition on selling or giving away macropods after particular day**

The holder of a macropod harvesting licence must not sell or give away the macropod after—

- (a) midday on the first day after the harvest period in which the macropod was taken ends; or
- (b) if the harvest period notice for the harvest period in which the macropod was taken states a later day and time for selling or giving away the macropod—the later day and time.

Maximum penalty—20 penalty units.

## **58 Prohibited macropods not to be kept, used, sold or given away**

The holder of a macropod harvesting licence must not keep, use, sell or give away a prohibited macropod.

Maximum penalty—120 penalty units.

# **Subdivision 5 Records and returns of operations**

## **59 Definition for subdivision**

In this subdivision—

*relevant person*, for the holder of a macropod harvesting licence, includes a person who normally lives with the holder.

## **60 Application and purpose of subdivision**

This subdivision states matters about records and returns of operations for a macropod harvesting licence, including for the purpose of the *Nature Conservation (Animals) Regulation 2020*, chapter 8, parts 1 to 4.

## **61 How records must be kept**

- (1) For the *Nature Conservation (Animals) Regulation 2020*, section 342(1)(b)(i), a record for a macropod harvesting licence must be kept—
  - (a) in an approved electronic record system; or
  - (b) if the chief executive gives the person required to keep the record written approval to keep the record in a record book—in a record book.
- (2) The chief executive may give a person an approval under subsection (1)(b) only if the chief executive is satisfied that exceptional circumstances—
  - (a) prevent the person from using an approved electronic record system; or
  - (b) make it impractical for the person to use an approved electronic record system.

*Example of exceptional circumstances—*

the person does not have access to the internet

## **63 Where records or copies must be kept**

- (1) This section states, for the *Nature Conservation (Animals) Regulation 2020*, section 344(2)(a)(i), where a record for a macropod harvesting licence must be kept.

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- (2) Any part of the record for a macropod harvesting licence kept in an approved electronic record system, or a copy of the part, must be kept—
    - (a) when the holder of the licence is carrying out activities under the licence—in a secure way in the holder's possession; or
    - (b) otherwise—at the licensed premises for the licence.
  - (3) Any part of the record for a macropod harvesting licence kept in the record and return book supplied by the chief executive for the licence, or a copy of the part, must be kept—
    - (a) if the holder of the licence or a relevant person for the holder keeps the record—
      - (i) when the holder of the licence is carrying out activities under the licence—in a secure way in the holder's possession; or
      - (ii) otherwise—at the licensed premises for the licence; or
    - (b) if an approved person, the subject of an approval mentioned in the *Nature Conservation (Animals) Regulation 2020*, section 341(2), keeps the record—at a place stated in the approval for this paragraph.

## 64 Information that must be included in record

For the *Nature Conservation (Animals) Regulation 2020*, section 346(a), a record for a macropod harvesting licence must include relevant record particulars for each Queensland macropod obtained or disposed of under the licence.

*Note—*

See the *Nature Conservation (Animals) Regulation 2020*, section 338, for the requirement about complete and accurate information in records.

**65 When relevant record particulars must be included in record**

- (1) This section states, for the *Nature Conservation (Animals) Regulation 2020*, section 347(a), when information must be included in a record for a macropod harvesting licence.
- (2) Any particulars for a record for a macropod harvesting licence kept in an approved electronic record system must be included no later than—
  - (a) for the obtaining particulars for a macropod obtained under the licence—when the earlier of the following happens—
    - (i) 24 hours after the macropod was taken has passed;
    - (ii) the holder of the licence sells, gives away or moves the macropod to another person; or
  - (b) for the disposing particulars for a macropod disposed of under the licence—immediately after the holder sells, gives away or moves the macropod to another person.
- (3) Any particulars for a record for a macropod harvesting licence kept in the record and return book supplied by the chief executive for the licence must be included no later than—
  - (a) if the holder or a relevant person for the holder keeps the part of the record—
    - (i) for the obtaining particulars for a macropod obtained under the licence—the times mentioned in subsection (2)(a); or
    - (ii) for the disposing particulars for a macropod disposed of under the licence—the times mentioned in subsection (2)(b); or
  - (b) if an approved person, the subject of an approval mentioned in the *Nature Conservation (Animals) Regulation 2020*, section 341(2), keeps the part of the record—
    - (i) for the obtaining particulars for a macropod obtained under the licence—before 48 hours after

the macropod was taken under the licence has passed; or

- (ii) for the disposing particulars for a macropod disposed of under the licence—immediately after the holder sells, gives away or moves the macropod to another person.

## **66 Giving return of operations electronically in particular circumstances**

- (1) This section applies if—
  - (a) the holder of a macropod harvesting licence is required to give a return of operations, under the Act, to the chief executive; and
  - (b) the return relates to relevant record particulars included in a part of the record for the licence kept in an approved electronic record system.
- (2) The holder must ensure the return is given in electronic form.  
Maximum penalty—120 penalty units.

## **67 When return of operations must be given to chief executive**

- (1) The holder of a macropod harvesting licence must ensure that a return of operations is given to the chief executive—
  - (a) for each month of a harvest period; and
  - (b) within 14 days after each month of the harvest period ends.  
Maximum penalty—120 penalty units.
- (2) Subsection (1) applies—
  - (a) even if no relevant event for the return happened during the month; and
  - (b) to each return of operations required to be given under the Act for the month.

## **Division 5                      Damage mitigation permit for macropods**

### **69              Restriction on grant of permit for harvest macropods if quota met**

- (1) The chief executive must not grant a damage mitigation permit for a harvest macropod in a calendar year after the total permit number for the macropod for the year has reached 2% of the estimated population size for the macropod.

- (2) In this section—

*estimated population size*, for a harvest macropod, means the population size estimated by the chief executive for the macropod.

*total permit number*, for a harvest macropod for a calendar year, means the total number of macropods of the same species for which damage mitigation permits have been issued or given under the *Nature Conservation (Animals) Regulation 2020* in the year.

## **Division 6                      Educational purposes permit for macropods**

### **70              Restriction on grant of permit**

- (1) The chief executive must not grant an educational purposes permit for a macropod unless the chief executive imposes a condition on the permit about what the holder of the permit must do with the macropod, or any progeny of the macropod, after the activities for which the permit is granted have ended.
- (2) The chief executive must write the condition on the permit.

*Note—*

See the *Nature Conservation (Animals) Regulation 2020*, section 318 for the requirement to comply with the condition.

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## **Division 7                      Research permit for macropods**

### **71            Restriction on grant of permit**

- (1) The chief executive must not grant a research permit for a macropod unless the chief executive imposes a condition on the permit about what the holder of the permit must do with the macropod, or any progeny of the macropod, after the activities for which the permit is granted have ended.
- (2) The chief executive must write the condition on the permit.

*Note—*

See the *Nature Conservation (Animals) Regulation 2020*, section 318 for the requirement to comply with the condition.

## **Part 4                              Queensland macropod tags**

### **Division 1                      Attaching tags**

#### **73            Application and purpose of division**

This division—

- (a) applies to the holder of a macropod harvesting licence; and
- (b) states, for section 54, the requirements about attaching Queensland macropod tags to macropods taken under the licence.

#### **74            Order in which tags must be attached**

Queensland macropod tags attached to macropods taken under a macropod harvesting licence must be attached in increasing numerical order by reference to the numbers forming part of the identification codes for the tags supplied or approved by the chief executive for the licence.

## **75 Attaching tag**

- (1) The chief executive must publish, on the department's website, a notice stating the way a Queensland macropod tag must be attached to a macropod.
- (2) A Queensland macropod tag must be attached to a macropod in the way stated in the notice.

## **Division 2 Removing tags**

### **76 When tag attached to macropod may be removed—Queensland commercial macropods**

- (1) This section states, for the *Nature Conservation (Animals) Regulation 2020*, section 354(3), the persons who may remove a Queensland macropod tag that is attached to the skin of a Queensland commercial macropod.
- (2) A conservation officer may remove the tag.
- (3) The holder of a dealer licence for dead macropods or a macropod harvesting licence may remove the tag if the holder is directed by a conservation officer to remove the tag.
- (4) The holder, or a relevant person for the holder, of a macropod tanning licence may remove the tag if the holder or relevant person intends to flesh the skin of the macropod immediately after the tag is removed.

### **77 When tag attached to macropod may be removed—other Queensland macropods**

- (1) This section states, for the *Nature Conservation (Animals) Regulation 2020*, section 354(3), the persons who may remove a Queensland macropod tag that is attached to the skin of a Queensland macropod that is not a Queensland commercial macropod.
- (2) Only the following persons may remove the tag (the *permitted remover*)—



- (a) the holder of the macropod harvesting licence under which the macropod was taken;
  - (b) the holder, or a relevant person for the holder, of a macropod tanning licence.
- (3) However, the permitted remover may remove the tag only if the permitted remover intends to process the macropod, or the skin of the macropod, immediately after the tag is removed.
- (4) In this section—  
***process***, a macropod, includes—
- (a) to tan; and
  - (b) to tan, stuff and mount.

## **78 When tag attached to macropod may be removed—imported macropods**

- (1) This section states, for the *Nature Conservation (Animals) Regulation 2020*, section 354(3), the persons who may remove an imported macropod tag attached to an imported macropod.
- (2) A conservation officer may remove the tag.
- (3) The holder, or a relevant person for the holder, of a macropod tanning licence may remove the tag if—
  - (a) the holder or relevant person intends to flesh the skin of the macropod immediately after the tag is removed; or
  - (b) the holder or relevant person is directed by the chief executive to remove the tag.
- (4) In this section—  
***imported macropod tag***, for an imported macropod, means a tag attached to the macropod in a way required by a law of another State.

## **Division 3                      Possessing tags**

### **79            Application of division**

- (1) This division applies to the holder of an animal authority for macropods who possesses a Queensland macropod tag that—
  - (a) was supplied to the holder by the chief executive; and
  - (b) has not been attached to a macropod.
- (2) However, this division does not apply to the holder if—
  - (a) the holder has given notice to the chief executive that the tag has been stolen, lost, destroyed or damaged; or
  - (b) the harvest period for which the tag was supplied has ended.

### **79A        Tags must be kept securely**

The holder must ensure the tag is kept—

- (a) in the holder's physical possession; or
- (b) at the licensed premises for the animal authority, or in the holder's vehicle, in a way that prevents a person other than the holder from accessing the tag.

Maximum penalty—165 penalty units.

### **80            Holder must carry identification**

While the tag is in the holder's physical possession, the holder must carry—

- (a) the holder's animal authority or a copy of the authority; and
- (b) a form of identification that shows a recent colour photograph of the holder.

Maximum penalty—50 penalty units.

## **Part 5**

# **Period for keeping electronic records and returns of operations**

### **81 Period for which copy of part of record kept in approved electronic record system must be kept**

- (1) This section—
  - (a) applies to a part of the record, for a dealer licence for dead macropods or a macropod harvesting licence, kept in an approved electronic record system; and
  - (b) states, for the *Nature Conservation (Animals) Regulation 2020*, section 337, definition *required period*, paragraph (a)(i), the period for which the part of the record, or a copy of it, must be kept.
- (2) The part of the record, or a copy of it, must be kept for 2 years after the day the latest particular is included in the part.

### **82 Period for which copy of return of operations given in electronic form must be kept**

- (1) This section—
  - (a) applies to a return of operations required to be given, for a dealer licence for dead macropods or a macropod harvesting licence, in electronic form; and
  - (b) states, for the *Nature Conservation (Animals) Regulation 2020*, section 337, definition *required period*, paragraph (a)(i), the period for which a copy of the return must be kept.
- (2) A copy of the return must be kept for 2 years after the day on which the return was given.

## Part 6 Processed products

### 83 Processed products made or derived from macropods

- (1) For the Act, schedule, definition *protected animal*, paragraph (b), the following products are a processed product that is not included in the definition—
  - (a) a processed product mentioned in schedule 1;
  - (b) a product mentioned in paragraph (a) that has been unpacked;
  - (c) a product made or derived from a product mentioned in paragraph (a).
- (2) However, a processed product mentioned in subsection (1) stops being a processed product if—
  - (a) the macropod from which the product was made or derived is included in the list of threatened species established under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth); and
  - (b) the product is sold or given to a person other than the chief executive.
- (3) In this section—

*unpack*, for a product, does not include removing a mark, label, tag or other thing that has been directly placed on, or attached to, the product.

## Part 7 Miscellaneous

### 84 Sex remnant must not be removed from dressed macropod

- (1) A person must not remove a sex remnant from a dressed macropod unless the person has written approval from the chief executive to remove the sex remnant.

Maximum penalty—80 penalty units.

(2) Subsection (1) does not apply—

- (a) to the holder, or a relevant person for the holder, of a macropod meat processing licence if the holder or relevant person removes a sex remnant from a macropod and ensures the sex of the macropod is still reasonably identifiable; or
- (b) to the holder, or a relevant person for the holder, of a macropod tanning licence, who removes a sex remnant from a macropod if the holder or relevant person intends to process the skin of the macropod immediately after the sex remnant is removed; or
- (c) to the holder of a macropod harvesting licence who removes a sex remnant from a macropod taken under the licence if—
  - (i) the macropod was taken for personal use; and
  - (ii) the holder intends to process the macropod immediately after the sex remnant is removed; and
  - (iii) if the holder processes the macropod at the place from where the macropod was taken—the holder keeps the sex remnant with the processed macropod until the macropod is moved to the place where the holder intends to use the macropod.

*Note—*

For holders of a macropod harvesting licence, see also section 53.

## **85 Conservation value for harvest macropods**

For section 95(1) of the Act, the conservation value for a harvest macropod is nil.

[s 86]

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**86 Declaration of relevant document for use as extrinsic material**

The Queensland wildlife trade management plan for macropods is a relevant document for the *Statutory Instruments Act 1992*, section 15.

**Part 8 Transitional provisions for SL No. 153 of 2017**

**87 Definition for part**

In this part—

*repealed plan* means the repealed *Nature Conservation (Macropod) Conservation Plan 2005*.

**88 Continuing harvest period notice**

The *Nature Conservation (Macropod Harvest Period 2017) Notice 2016* continues in force and is taken to be made under this plan.

**89 Existing applications for relevant authorities**

An application for a relevant authority for macropods made, but not decided, before the commencement must be decided under this plan.

**90 Recreational wildlife harvesting licence for macropods**

- (1) A recreational wildlife harvesting licence for macropods in force immediately before the commencement continues in force until the earlier of the following—
  - (a) the term of the licence ends;
  - (b) the end of 31 December 2017.

- (2) Until the recreational wildlife licence harvesting licence for macropods ends, the repealed plan, part 4, divisions 1 and 5 apply to the licence as if the plan had not been repealed.
- (3) For deciding under section 36(3)(a) whether an individual held a macropod harvesting licence for the previous year, an individual who held a recreational wildlife harvesting licence for macropods for the previous year is taken to have held a macropod harvesting licence.

## **91 Existing alternative storage approvals**

- (1) An alternative storage approval given to the holder of a commercial wildlife licence for dead macropods under the repealed plan, section 22 and in force immediately before the commencement—
  - (a) continues in force for its remaining term; and
  - (b) is taken to have been given under section 19 of this plan.
- (2) An alternative storage approval given to the holder of a macropod harvesting licence under the repealed plan, section 55 and in force immediately before the commencement—
  - (a) continues in force for its remaining term; and
  - (b) is taken to have been given under section 44 of this plan.

## **92 Existing audit notices**

- (1) This section applies if—
  - (a) before the commencement, the chief executive gave the holder of a macropod meat processing licence or macropod tanning licence an audit notice under the repealed plan, section 33; and
  - (b) at the commencement—
    - (i) the time for complying with the audit notice has not passed; and

[s 93]

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- (ii) the compliance audit the subject of the audit notice has not been conducted.
- (2) The repealed plan, section 33 continues to apply to the audit notice as if the plan had not been repealed.
- (3) However, sections 32 and 33 of this plan apply to the audit as if the audit notice were given, and the audit were conducted, under section 31 of this plan.

### **93 Audits conducted before commencement**

- (1) The repealed plan, sections 34 and 35 continue to apply in relation to an audit conducted before the commencement as if the plan had not been repealed.
- (2) However, if the chief executive has not given a notice under the repealed plan, section 35 before the commencement in relation to the audit, the chief executive may act under section 33 of this plan in relation to the audit as if the audit were conducted under section 31 of this plan.

### **94 Existing notices about taking macropods from a public place**

- (1) A notice given under the repealed plan, section 58 for a proposed taking period that has not ended before the commencement is taken to be a notice given under section 48 of this plan.
- (2) A notice given under the repealed plan, section 61(1) for a proposed taking period that has not ended before the commencement is taken to be a notice given under section 51 of this plan.

### **95 References to repealed plan**

In an instrument, a reference to the repealed plan is taken, if the context permits, to be a reference to this plan.



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## Part 9                      Transitional provision for Nature Conservation (Animals) Regulation 2020

### 96      Approvals under former section 62

- (1) This section applies if—
  - (a) the chief executive gave a person an approval under former section 62; and
  - (b) the approval was in effect immediately before the commencement.
- (2) The approval is taken to be an approval under the *Nature Conservation (Animals) Regulation 2020*, section 341.
- (3) The person stated in the approval is taken to be an approved person for the *Nature Conservation (Animals) Regulation 2020*.
- (4) In this section—  
*former section 62* means section 62 as in force from time to time before the commencement.

## **Schedule 1      Processed products**

section 83

### **Part 1                      Processed products made or derived from Queensland macropods**

#### **1              Meat or carcass of Queensland commercial macropod**

The meat or skinned carcass of a dead Queensland commercial macropod if—

- (a) the meat or carcass has been processed by the holder, or a relevant person for the holder, of a macropod meat processing licence; and
- (b) the way the meat or carcass is packed complies with the food safety requirements about packing the meat or carcass under the *Food Production (Safety) Regulation 2014*, chapter 6, part 3.

#### **2              Skin of Queensland commercial macropod**

- (1) The skin, other than tail skin, of a dead Queensland commercial macropod if the skin has been processed by the holder, or a relevant person for the holder, of a macropod tanning licence.
- (2) The skin of a dead Queensland commercial macropod obtained from another State if the skin was—
  - (a) lawfully processed at a commercial tannery in the State from which it was obtained; and
  - (b) lawfully moved into the State.

### 3 Other products made or derived from Queensland macropod

- (1) A bone, claw, ligament, paw, penis, scrotum, tail meat, tail skin or tendon of a dead Queensland commercial macropod if the bone, claw, ligament, paw, penis, scrotum, tail meat, tail skin or tendon—
  - (a) has been packed by the holder, or a relevant person for the holder, of a macropod meat processing licence and is in a sealed container with a prescribed processor label attached to it; or
  - (b) has been packed by the holder of a macropod harvesting licence who took the macropod under the licence, and is in a sealed container with a prescribed harvester label attached to it.

- (2) In this section—

***prescribed harvester label***, for a macropod harvesting licence, means a label with the following information written on it—

- (a) the licence number for the licence;
- (b) the date the macropod was taken;
- (c) the place from which the macropod was taken;
- (d) the identification code of the tag that was attached to the macropod after it was taken;
- (e) any other details required to be stated on the label under the harvest period notice for the harvest period in which the macropod was taken.

## Part 2 Processed products made or derived from imported macropods

### 4 Meat or carcass of imported macropod

The meat or skinned carcass of a dead imported macropod if the meat or carcass—

Schedule 1

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- (a) is packed in a way that complies with an applicable law of the State from which it was obtained; and
- (b) was lawfully moved into the State.

**5 Skin of imported macropod**

The skin of a dead imported macropod if the skin was—

- (a) lawfully processed at a commercial tannery in the State from which it was obtained; and
- (b) lawfully moved into the State.

**6 Other products made or derived from imported macropod**

A bone, claw, ligament, paw, scrotum, tail meat, tail skin or tendon of a dead imported macropod if the bone, claw, ligament, paw, scrotum, tail meat, tail skin or tendon—

- (a) was packed by the holder, or a relevant person for the holder, of a macropod meat processing licence; and
- (b) is in a sealed container with a prescribed processor label attached to it.

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## Schedule 2      Dictionary

### section 5(1)

***approved auditor*** see section 31(2)(a).

***audit report***, for an audit conducted for a macropod meat processing licence or macropod tanning licence, means a report that includes the following information—

- (a) details of the licence for which the audit is conducted, including, for example, the address of the licensed premises for the licence;
- (b) the name of the approved auditor conducting the audit;
- (c) the day the audit started and the day the audit ended;
- (d) the total number of hours over which the audit was conducted;
- (e) details of the following inspected by the auditor—
  - (i) relevant records for the licence;
  - (ii) macropods;
  - (iii) Queensland macropod tags;
- (f) whether or not the auditor is satisfied the records, macropods and Queensland macropod tags show that the holder of the licence is complying with the Act;
- (g) the reasons the auditor is satisfied or not satisfied under paragraph (f);
- (h) if the auditor is not satisfied under paragraph (f)—any measures that the auditor recommends the holder may adopt to enable the holder to comply with the Act.

***Australian macropod code*** means the document called ‘National code of practice for the humane shooting of kangaroos and wallabies for commercial purposes’, published on 18 November 2020 by AgriFutures Australia.

Schedule 2

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**body**, of a macropod, means a part of the macropod other than its head.

**commercial carrier** means a person in the business of moving anything for a commercial purpose.

**disposing particulars**, for a macropod disposed of under a macropod harvesting licence, means the following—

- (a) the particulars of the macropod;
- (b) the particulars of the transaction under which the macropod was disposed of under the licence.

**dress**, a macropod—

- (a) means—
  - (i) to skin the macropod; or
  - (ii) to remove the head, paws, tail, forelimbs, 1 hind limb or an internal organ of the macropod; and
- (b) does not include to process the macropod.

**flesh**, the skin of a macropod, means to mechanically remove, from the skin, the subcutaneous layer of flesh or tissue under the skin.

**harvesting end notice** see section 14B(2).

**harvest macropod** means a macropod of a harvest macropod species.

**harvest macropod species**, in relation to a harvest period notice, see section 11(3)(b).

**harvest period**, for a macropod, means a period declared, under section 11(1), to be a harvest period for taking the macropod.

**harvest period notice** see section 11(1).

**harvest region**, for a harvest period stated in a harvest period notice, means an area within the State declared, under section 12(1)(a), to be a harvest region in the notice.

**harvest zone**, for a harvest period stated in a harvest period notice, means an area within the State declared, under section 12(1)(b), to be a harvest zone in the notice.

***imported macropod*** means a macropod brought into the State that was lawfully taken in another State.

***macropod harvesting licence*** means a harvesting licence for macropods.

***macropod meat processing licence*** means a dealer licence for dead macropods with the words ‘meat processing’ written on it.

***macropod tanning licence*** means a dealer licence for dead macropods with the word ‘tanning’ written on it.

***maximum take number***, for a harvest macropod species in a harvest region or harvest zone, see section 12(2).

***meat***, of a macropod, means the flesh and offal of the macropod.

***minimum area***, for a harvest macropod, see section 11(3)(c).

***minimum dressed weight***, for a harvest macropod, see section 11(3)(e).

***minimum whole weight***, for a harvest macropod, see section 11(3)(d).

***movement advice*** see the *Nature Conservation (Animals) Regulation 2020*, schedule 7.

***obtaining particulars*** means—

- (a) for a macropod obtained under a dealer licence for dead macropods—the following information—
  - (i) the particulars of the macropod;
  - (ii) the particulars of the transaction under which the macropod was obtained under the licence; or
- (b) for a macropod obtained under a macropod harvesting licence—the following information—
  - (i) the particulars of the macropod;
  - (ii) the date on which, and place from where, the macropod was taken under the licence.

***particulars***, of a macropod, include the identification code for any tag attached to the macropod.

***personal use***, of a macropod, does not include to sell or give away any of the following to another person—

- (a) the macropod;
- (b) the meat or skin of the macropod.

***prescribed processor label***, for a macropod meat processing licence, means a label with the licence number for the licence written on it.

***prohibited macropod*** means a macropod that has a bullet wound in the macropod's body.

***proposed taking period*** see section 47.

***proposed taking place*** see section 47.

***Queensland commercial macropod*** means a macropod taken under a macropod harvesting licence for a commercial purpose.

***Queensland macropod*** means a macropod taken under a macropod harvesting licence.

***Queensland macropod tag*** means a tag supplied by the chief executive for attaching to a macropod.

***Queensland wildlife trade management plan for macropods*** means the document—

- (a) called 'Queensland: Wildlife Trade Management Plan for Export—Commercially Harvested Macropods—2018–2022'; and
- (b) declared to be an approved wildlife trade management plan under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth), section 303FO.

***relevant event***, for a return of operations, means an event the particulars of which must be included in the return.

***relevant person***—

- (a) generally—see the *Nature Conservation (Animals) Regulation 2020*, section 5; or
- (b) for part 3, division 4, subdivision 5—see section 59.



***relevant record***, for a macropod meat processing licence or macropod tanning licence, means a record about an activity carried out under the licence, including any of the following—

- (a) a record and return book;
- (b) a copy of an electronic record;
- (c) a copy of a return of operations given to the chief executive;
- (d) a copy of an invoice or other document about the buying, accepting, selling or giving away of a macropod;
- (e) a movement permit for the movement of a macropod bought, accepted, sold or given away;
- (f) a copy of a movement advice for a macropod.

***relevant record particulars***, for a macropod obtained or disposed of under a macropod harvesting licence, means—

- (a) for a macropod obtained under the licence—the obtaining particulars for the macropod; or
- (b) for a macropod disposed of under the licence—the disposing particulars for the macropod.

***relevant website*** means—

- (a) the department's website; or
- (b) [www.qld.gov.au](http://www.qld.gov.au).

***this plan*** means this conservation plan.

***whole form carcass*** means a carcass of a macropod that is not dressed.