



Queensland

Nature Conservation and Other Legislation Amendment Regulation (No. 1) 2016

Subordinate Legislation 2016 No. 121

made under the

Nature Conservation Act 1992

State Penalties Enforcement Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Nature Conservation and Other Legislation Amendment Regulation (No. 1) 2016*.

Part 2 Amendment of Nature Conservation (Estuarine Crocodile) Conservation Plan 2007

2 Plan amended

This part amends the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2007*.

3 Amendment of pt 3, hdg (Provisions about particular wildlife authorities for crocodiles)

Part 3, heading, ‘wildlife’—
omit.

4 Omission of pt 3, div 1 (Restrictions on grant of particular wildlife authorities)

Part 3, division 1—
omit.

5 Amendment of s 34, hdg (Purpose of div 2)

Section 34, heading, ‘div 2’—
omit, insert—

division

[s 6]

6 Amendment of pt 3, div 3, hdg (Carrying out activities under wildlife authority)

Part 3, division 3, heading, ‘wildlife authority’—
omit, insert—
authorities

7 Renumbering of pt 3, divs 2 and 3

Part 3, divisions 2 and 3—
renumber as part 3, divisions 1 and 2.

8 Amendment of s 37 (Particular estuarine crocodiles must be tagged and marked)

Section 37(1), after ‘wildlife authority’—
insert—
or an exhibited animal authority

9 Amendment of schedule (Dictionary)

Schedule, definition *Queensland crocodile licence*—
omit, insert—

Queensland crocodile licence means a wildlife farming licence for crocodiles.

Part 3 Amendment of Nature Conservation (Koala) Conservation Plan 2006

10 Plan amended

This part amends the *Nature Conservation (Koala) Conservation Plan 2006*.

11 Amendment of s 19 (Restriction on grant of wildlife authorities allowing release of koalas into the wild)

Section 19, ‘a wildlife exhibitor licence,’—
omit.

12 Amendment of s 20 (Restriction on grant of wildlife exhibitor licence or rehabilitation permit allowing release of koalas into the wild)

(1) Section 20, heading, ‘wildlife exhibitor licence or’—
omit.

(2) Section 20(1) and (2), from ‘wildlife exhibitor’ to ‘or permit’—
omit, insert—

rehabilitation permit authorising the holder of the permit

Part 4 Amendment of Nature Conservation (Wildlife Management) Regulation 2006

13 Regulation amended

This part amends the *Nature Conservation (Wildlife Management) Regulation 2006*.

14 Amendment of s 30 (Persons to whom holders may sell or give wildlife)

Section 30(2)(b), after ‘the Act’—
insert—

, the *Exhibited Animals Act 2015*

240A Compliance with chief executive's directions about sampling or implanting

- (1) The chief executive may give the holder of an exhibited animal authority who keeps a live protected, international or prohibited animal under the authority, a notice (the *chief executive's notice*) requiring the holder to—
 - (a) take a biological tissue sample from the animal and give the sample to an approved scientific institution; or
 - (b) either—
 - (i) ensure an approved electromagnetic implant is inserted into the animal and give the chief executive a notice stating the identification code for the implant; or
 - (ii) if an electromagnetic implant has already been inserted into the animal—give the chief executive a notice stating the identification code for the implant.
- (2) The chief executive's notice must state the period, of at least 28 days, within which the holder must comply with the notice.
- (3) The holder must comply with the chief executive's notice within the stated period.

Maximum penalty for subsection (3)—165 penalty units.

240B Dealing with animals after death—sampled or implanted animals

- (1) This section applies if—
 - (a) the holder of an exhibited animal authority, to comply with a notice under section 240A

[s 17]

given to the holder by the chief executive for an animal—

- (i) gave a biological tissue sample from the animal to an approved scientific institution; or
 - (ii) had an approved electromagnetic implant inserted into the animal; and
- (b) the animal dies.
- (2) The holder must ensure either—
- (a) within 14 days after the animal dies, an autopsy is performed on the animal by a veterinary surgeon and the chief executive is given each of the following—
 - (i) a biological tissue sample taken from the animal under the autopsy;
 - (ii) the implant mentioned in subsection (1)(a)(ii), if applicable;
 - (iii) if the veterinary surgeon finds the implant mentioned in subsection (1)(a)(ii) was not working—a written report prepared by the veterinary surgeon stating the reason why the implant was not working; or
 - (b) the animal is frozen immediately after it dies and the frozen animal is given to the chief executive within 14 days after the animal dies.

Maximum penalty—120 penalty units.

- (3) The holder, or a person acting on behalf of the holder, dealing with an animal under this section may, without a wildlife movement permit, move the animal—
- (a) if the holder intends to have a veterinary surgeon perform an autopsy on the

animal—from the place where the holder kept the animal to the premises of the veterinary surgeon; or

- (b) if the holder intends to give the frozen animal to the chief executive—from the place where the holder kept the animal to the chief executive.

- (4) This section does not apply if a conservation plan states the way an animal to which the plan applies must be dealt with if it dies while being kept under an exhibited animal authority.

18 Amendment of s 337 (Record of identification of person selling or giving away protected, international or prohibited wildlife)

- (1) Section 337(1)(a)(ii) and (b)(iii), after ‘wildlife authority’—
insert—

or an exhibited animal authority

- (2) Section 337(1)(b)—
insert—

Note—

See the *Exhibited Animals Regulation 2016*, part 4 about requirements for the holder of an exhibited animal authority to keep particular records.

19 Amendment of s 338 (Record of identification of person buying or accepting protected, international or prohibited wildlife)

- (1) Section 338(1)(a)(ii) and (b)(iii), after ‘wildlife authority’—
insert—

or an exhibited animal authority

- (2) Section 338(1)(b)—
insert—

[s 20]

Note—

See the *Exhibited Animals Regulation 2016*, part 4 about requirements for the holder of an exhibited animal authority to keep particular records.

20 Amendment of sch 5 (Dictionary)

Schedule 5—

insert—

exhibited animal authority means an exhibited animal authority under the *Exhibited Animals Act 2015*.

Part 5 Amendment of State Penalties Enforcement Regulation 2014

21 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2014*.

22 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

- (1) Schedule 1, entry for *Nature Conservation (Administration) Regulation 2006*, entry for section 126(2)—

omit.

- (2) Schedule 1, entry for *Nature Conservation (Wildlife Management) Regulation 2006*, entries for sections 128(1) to 151(1)—

omit.

- (3) Schedule 1, entry for *Nature Conservation (Wildlife Management) Regulation 2006*—

insert—

Nature Conservation and Other Legislation Amendment Regulation (No. 1) 2016
Part 5 Amendment of State Penalties Enforcement Regulation 2014

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s 240A(3)	5
s 240B(2)	5

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 21 July 2016.
- 2 Notified on the Queensland legislation website on 22 July 2016.
- 3 The administering agency is the Department of Environment and Heritage Protection.

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