



Queensland

Nature Conservation (Estuarine Crocodiles) Amendment Regulation 2018

Subordinate Legislation 2018 No. 148

made under the

Environmental Offsets Act 2014

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 (Estuarine Crocodiles) Amendment Regulation 2018*.

Part 2 Amendment of Nature Conservation (Administration) Regulation 2017

2 Regulation amended

This part amends the *Nature Conservation (Administration) Regulation 2017*.

Note—

See also the amendments in schedule 1.

3 Amendment of s 33 (Relevant authority can not be granted if management instrument restricts the grant)

Section 33(b), examples—

insert—

- a grant of a commercial wildlife harvesting licence for estuarine crocodile eggs in contravention of the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018*, section 36

4 Amendment of s 136 (General information that must be included in record)

(1) Section 136(1), notes, before note 1—

insert—

1A See the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018* for the information that

[s 5]

must be included in a record for a commercial wildlife harvesting licence for estuarine crocodile eggs.

(2) Section 136(1), notes 1A to 2—

renumber as section 136(1), notes 1 to 3.

5 Amendment of s 137 (When record particulars to be included in record)

Section 137(1), note—

omit, insert—

Notes—

- 1 See the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018* for when information must be included in a record for a commercial wildlife harvesting licence for estuarine crocodile eggs.
- 2 See the *Nature Conservation (Macropod) Conservation Plan 2017* for when information must be included in a record for particular wildlife authorities for macropods.

6 Amendment of s 143 (When return of operations must be given and the period for which they must be given)

Section 143(3), note—

omit, insert—

Notes—

- 1 See the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018* for when a return of operations for a commercial wildlife harvesting licence for estuarine crocodile eggs must be given and the period for which it must be given.
- 2 See the *Nature Conservation (Macropod) Conservation Plan 2017* for when a return of operations for particular wildlife authorities for macropods must be given and the period for which it must be given.

[s 11]

Notes—

- 1 The *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018* includes provisions limiting and extending the activities authorised under a commercial wildlife harvesting licence for estuarine crocodile eggs.
- 2 The *Nature Conservation (Macropod) Conservation Plan 2017* includes provisions limiting and extending the activities authorised under a commercial wildlife harvesting licence for harvest macropods.

11 Amendment of s 115 (Way animal may be taken)

Section 115(2), note—

omit, insert—

Notes—

- 1 For the requirements about the way an estuarine crocodile egg may be taken, see the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018*.
- 2 For the requirements about the way a harvest macropod may be taken, see the *Nature Conservation (Macropod) Conservation Plan 2017*.

12 Amendment of s 117 (Keeping record)

Section 117(3)—

insert—

Notes—

- 1 For the requirements about the keeping of a record for a commercial wildlife harvesting licence for estuarine crocodile eggs, see the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018*.
- 2 For the requirements about the keeping of a record for a commercial wildlife harvesting licence for harvest macropods, see the *Nature Conservation (Macropod) Conservation Plan 2017*.

13 Amendment of s 118 (Giving return of operations)

Section 118(3), note—

omit, insert—

Notes—

- 1 For the requirements for returns of operations required to be given for a commercial wildlife harvesting licence for estuarine crocodile eggs, see the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018*.
- 2 For the requirements for returns of operations required to be given for a commercial wildlife harvesting licence for harvest macropods, see the *Nature Conservation (Macropod) Conservation Plan 2017*.

14 Amendment of s 184 (Restriction about purposes for which permit may be granted)

Section 184(2), note, ‘Estuarine Crocodile Conservation Plan’—

omit, insert—

Nature Conservation (Estuarine Crocodile) Conservation Plan 2018

15 Amendment of s 332 (Tampering with animal breeding place)

Section 332(4)—

insert—

- (d) the person is taking estuarine crocodile eggs under a commercial wildlife harvesting licence for estuarine crocodile eggs and the removal or tampering is necessary to allow the taking of the eggs; or
- (e) the person is preparing a report mentioned in the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018*, section

[s 16]

35(b) and the removal or tampering is necessary for the preparation of the report.

16 Amendment of s 351 (Conservation value for protected wildlife)

Section 351(2), note 2, ‘Estuarine Crocodile Conservation Plan’—

omit, insert—

Nature Conservation (Estuarine Crocodile) Conservation Plan 2018

17 Insertion of new s 356

Chapter 8, part 3—

insert—

356 No conservation value payable for estuarine crocodile eggs

A person who takes an estuarine crocodile egg under a commercial wildlife harvesting licence for estuarine crocodile eggs is exempt from payment of the conservation value for the egg.

18 Amendment of sch 5 (Dictionary)

(1) Schedule 5, definitions *Estuarine Crocodile Conservation Plan* and *problem crocodile*—

omit.

(2) Schedule 5—

insert—

problem crocodile see the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2018*, section 5.

Part 4 **Amendment of State Penalties Enforcement Regulation 2014**

19 **Regulation amended**

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

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

(1) Schedule 1, entry for *Nature Conservation (Estuarine Crocodile) Conservation Plan 2007*—

omit.

(2) Schedule 1—

insert—

Nature Conservation (Estuarine Crocodile) Conservation Plan 2018

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)
s 14	3
s 16	2
s 18(2)	2
s 19(2)	2
s 20(2)	2
s 20(3)	2
s 21	2
s 27	2

[s 21]

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)
s 28(2)	2
s 28(3)	2
s 29(2)	2
s 29(3)	2
s 30	2
s 50(2)	2
s 51(2)	2
s 52(2)	5
s 52(3)	5
s 53(1)	5
s 54(1)	4

Authorised person for service of infringement notices—a conservation officer appointed under the *Nature Conservation Act 1992*, section 127

Part 5 **Minor and consequential amendments**

21 **Regulations amended**

Schedule 1 amends the regulations it mentions.

Schedule 1 Regulations amended

section 21

Environmental Offsets Regulation 2014

1 Schedule 1, item 5, ‘Nature Conservation (Administration) Regulation 2006’—

omit, insert—

*Nature Conservation (Administration)
Regulation 2017*

Nature Conservation (Administration) Regulation 2017

1 Section 133(2), before ‘wildlife authority’—

insert—

record for a

Nature Conservation (Wildlife Management) Regulation 2006

1 Section 9, note 1, ‘section 30’—

omit, insert—

section 32

2 Section 25, note, ‘section 63’—

omit, insert—

section 79

3 Section 224, note, ‘section 25’—

omit, insert—

section 26

4 Section 230, note, ‘section 25’—

omit, insert—

section 26

5 Section 291, note, ‘section 25’—

omit, insert—

section 26

6 Section 295, note, ‘section 25’—

omit, insert—

section 26

7 Section 339(3), definition *condition*, paragraph (a), note, ‘section 58’—

omit, insert—

section 69

8 Schedule 5, definition *record*, ‘section 121’—

omit, insert—

section 133

9 Schedule 5, definition *record-keeping period*, ‘section 162’—

omit, insert—

section 171

10 Schedule 5, definition *return of operations*, ‘section 131’—

omit, insert—

section 142

ENDNOTES

- 1 Made by the Governor in Council on 20 September 2018.
- 2 Notified on the Queensland legislation website on 21 September 2018.
- 3 The administering agency is the Department of Environment and Science.

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