

CONSERVATION AND LAND MANAGEMENT**CM301**

WILDLIFE CONSERVATION ACT 1950

WILDLIFE CONSERVATION AMENDMENT REGULATIONS 1992

Made by His Excellency the Lieutenant-Governor and Administrator in
Executive Council.

Citation

1. These regulations may be cited as the *Wildlife Conservation Amendment
Regulations 1992*.

Principal regulations

2. In these regulations the *Wildlife Conservation Regulations 1970** are referred to as the principal regulations.

[* Reprinted as at 30 January 1992.]

Regulation 3 amended

3. Regulation 3 of the principal regulations is amended —

- (a) in the definition of “direct dealer” by deleting “kangaroos from any person or persons licensed under regulation 5 or 6;” and substituting the following —

“ fauna from persons licensed under regulation 5, 6 or 14; ”;

and

- (b) in the definition of “fauna farm licence” by deleting “to authorize the holder to farm and breed fauna for commercial display or for sale”.

Regulation 5 amended

4. Regulation 5 (4) of the principal regulations is amended by deleting “The” and substituting the following —

“ Unless exempted from this regulation by the licence, the ”.

Regulation 12A amended

5. Regulation 12A (7) of the principal regulations is amended in paragraph (b) by deleting “holder and” and substituting the following —

“ holder; ”.

Regulations 21 and 22 repealed

6. Regulations 21 and 22 of the principal regulations are repealed.

Regulation 45 amended

7. Regulation 45 (2) of the principal regulations is repealed.

Regulation 46 amended

8. Regulation 46 of the principal regulations is amended in paragraph (j) by deleting “, except that a licensed shotgun may be used on a game reserve in the manner prescribed in these regulations” .

Regulation 49 repealed

9. Regulation 49 of the principal regulations is repealed.

Regulation 54 amended

10. Regulation 54 of the principal regulations is amended —

- (a) in subregulation (1) by deleting paragraphs (a), (b) and (c) and substituting the following paragraphs —

“ (a) Subject to paragraph (b), any firearm, weapon or instrument is an illegal device when used to take any fauna.

(b) A firearm, weapon or instrument is not an illegal device when used to take fauna if its use is authorized by —

- (i) a licence issued under the Act or these regulations; or
- (ii) a notice published under section 14 of the Act.

(b) by repealing subregulation (2);

(c) in subregulation (3) by deleting “declared to be a game species.” and substituting the following —

“ , unless its use is authorized by a licence issued under the Act or these regulations. ”;

(d) by inserting after subregulation (3) the following subregulation —

“ (3a) In subregulation (3), “fauna” does not include western grey kangaroo (*Macropus fuliginosus*), euro (hill kangaroo or biggada) (*Macropus robustus*), or red kangaroo (marloo) (*Macropus rufus*), when taken in accordance with a notice published under section 14 of the Act. ”;

(e) by repealing subregulation (4) and substituting the following subregulation —

“ (4) The use of any motor vehicle, boat, aircraft or other thing is an illegal means of taking fauna, when used to drive any fauna in front of or over shooters, unless its use is authorized by —

- (i) a licence issued under the Act or these regulations; or
- (ii) a notice published under section 14 of the Act.

and

(f) by repealing subregulations (6), (7), (8), (9) and (10) and substituting the following subregulations —

“ (6) Subject to subregulation (7), the following are illegal devices when used to take any fauna —

- (a) a snare likely to throttle, or cause suffering to, ensnared animals;
- (b) a trap likely to cause suffering to trapped animals;
- (c) a mist net or other net.

(7) The following devices are not illegal devices if used in the following manner —

- (a) traps or similar devices, if used to take fauna declared to be not protected by notice published under section 14 of the Act;
- (b) a net, snare or trap when being lawfully used under another written law, which results in the accidental taking of fauna.

(8) Subject to subregulation (9), use of an animal is an illegal means of taking fauna.

(9) The use of an animal is not an illegal means of taking fauna if used to take fauna —

- (a) which has been declared to be not protected by notice published under section 14 of the Act; or
- (b) under a licence issued under the Act or these regulations, if that licence permits the use of animals.

(10) Subject to subregulation (11), the use of any explosive, poisonous, noxious or narcotizing substance is an illegal means of taking fauna.

(11) The use of an explosive, poisonous, noxious or narcotizing substance is not an illegal means of taking fauna if —

- (a) the fauna taken by this means has been declared to be not protected by notice published under section 14 of the Act;
- (b) its use is authorized by a notice published under section 14 of the Act; or
- (c) used to take fauna under a licence issued under the Act or these regulations, if that licence permits the use of that substance. ”.

Part 10 repealed

11. Part 10 of the principal regulations is repealed.

Regulation 61 amended

12. Regulation 61 (4) of the principal regulations is amended by inserting after “fauna,” following —

“ flora, ”.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.