



Western Australia

Zoological Gardens Act 1972

Zoological Gardens By-Laws 1975

These regulations were repealed by the *Zoological Parks Authority Act 2001* s. 46(2) (No. 24 of 2001) as at 22 May 2002 (see s. 2 and *Gazette* 10 May 2002 p. 2445).

Ceased on 22 May 2002

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Zoological Gardens By-Laws 1975

Contents

1.	Citation	1
2.	Application	1
3.	Definitions and interpretation	1
4.	Entry	2
5.	Entry of children	3
6.	Vehicles and parking	3
7.	Domestic animals	4
8.	Cages and enclosures	4
9.	Disturbing and feeding animals	4
10.	Damaging vegetation	5
11.	Soil, fences, lawn and works	5
12.	Interference with property	5
13.	Rubbish	6
14.	Behaviour	6
15.	Intoxicating liquor	6
16.	Advertising and bill sticking	6
17.	Fires and shooting	7
18.	Trading	7
19.	Professional photography	7
20.	Sports and performances	7
21.	Noise	8
22.	Smoking	8
23.	Obstructing visitors or employees	8
24.	Admission charges	8
25.	Admission to buildings etc. set apart for special purposes	9
26.	Rides	9
27.	Hours of admission	10

Zoological Gardens By-Laws 1975

Contents

28.	Lost property	10
29.	Notices and directions to be complied with	10
30.	Offences and penalties	10
31.	Name and address may be required	10
32.	Removal of offenders from gardens	11
	Notes	
	Compilation table	12

Zoological Gardens By-Laws 1975

1. Citation

These by-laws may be cited as the *Zoological Gardens By-laws 1975*¹

2. Application

Unless the context otherwise requires these by-laws do not apply to or in relation to an employee in the execution of his duty.

3. Definitions and interpretation

(1) In these by-laws unless the context otherwise requires —

“**animal**” means any mammal, bird, reptile or fish;

“**cage**” means any building, cage, enclosure, pool, pound, yard or other means by which animals are enclosed or housed or intended to be enclosed or housed;

“**employee**” means any officer, caretaker, guide, gardener, gatekeeper, keeper, labourer, workman or other person employed by the Board;

“**park**”, in relation to a vehicle, means to permit the vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic or of immediately taking up or setting down persons or goods;

bl. 4

“stand”, in relation to a vehicle, means to stop the vehicle and permit it to remain stationary except for the purpose of avoiding conflict with other traffic;

“the Act” means the *Zoological Gardens Act 1972*;

“vehicle” has the same meaning as that term has in the *Road Traffic Act 1974*.

- (2) Where by one of these by-laws the doing of any act or thing is prohibited if it is done without permission, or without written permission, as the case may be, —
- (a) the permission referred to is that of the Board or of any officer authorized by the Board to give permission for the purposes of that by-law or for the purposes of these by-laws generally;
 - (b) that permission shall be obtained before the act or thing is done.

4. Entry

A person shall not, without permission, —

- (a) enter the gardens by any manner other than through the entrance gates provided by the Board;
- (b) enter the gardens without paying to an employee in attendance at the entrance gates the appropriate fee prescribed in by-law 24;
- (c) enter or be or remain in the garden at a time before or after the hours prescribed by by-law 27 as the hours between which the public shall be admitted to the gardens or at a time when the gardens are temporarily closed pursuant to section 11(2) of the Act;
- (d) enter or be or remain in any part of the gardens to which public entry is prohibited pursuant to section 11(2) of the Act.

5. Entry of children

- (1) A child who is under the age of 10 years shall not enter or remain in the gardens unless he is at all times in the charge of an adult person.
- (2) Where a child under the age of 10 years enters the gardens in the charge of an adult person that adult person shall ensure that the child is in his charge or in the charge of some other adult person at all times whilst the child remains in the gardens.
- (3) An employee may refuse to admit a group of children to the gardens if in his opinion those children are not accompanied by a sufficient number of adult persons to ensure that those children will be kept under adequate supervision as regards their safety and conduct whilst in the gardens.

6. Vehicles and parking

- (1) A person shall not, without permission, bring any vehicle into the gardens.
- (2) The Board may by signs, notices, painted lines, ropes and barriers, or any one or more of them, set aside any part of the gardens as an area for the parking or standing of vehicles and may close any area so set aside.
- (3) A person shall not, without permission, —
 - (a) drive a vehicle on any part of the gardens other than a roadway or a part set aside for the time being for the parking or standing of vehicles;
 - (b) park a vehicle in any part of the gardens other than a part set aside for the time being for the parking of vehicles;
or
 - (c) stand a vehicle on any part of the gardens other than a part set aside for the time being for the parking or standing of vehicles.

bl. 7

- (4) A person shall comply with any lawful direction or instruction as to the driving, parking or standing of a vehicle in the gardens given by an employee authorized by the Board to give such direction and instructions.

7. Domestic animals

- (1) A person shall not bring any domestic animal into the gardens or permit any domestic animal to enter the gardens.
- (2) Any employee finding a domestic animal within the gardens may destroy the animal or detain it within the gardens and no compensation shall be payable to the owner of the animal in respect of the destruction or detention of the animal.

8. Cages and enclosures

A person shall not whilst in the gardens —

- (a) enter, without permission, any cage or any space railed off around or about any cage;
- (b) interfere with any lock attached to any part of any cage;
- (c) open, move or otherwise interfere with any gate, slide or grating attached to or associated with any cage;
- (d) enter, without permission, any space enclosed or otherwise delimited as being set apart for trees, shrubs, plants or flowers;
- (e) step, jump or walk on or over any plot or bed set apart for trees, shrubs, plants or flowers;
- (f) enter, without permission, any building, enclosure or area set apart for quarantine purposes, or for the use of keepers or other employees, or for other purposes connected with the management of the gardens.

9. Disturbing and feeding animals

A person shall not —

- (a) tease, molest or disturb any animal in the gardens;

- (b) throw or drop any stick or stone or other object or substance into any cage in the gardens;
- (c) give any animal in the gardens food of any nature whatsoever.

10. Damaging vegetation

A person shall not —

- (a) damage, cut, break, deface, pull, pick, remove or destroy any tree, shrub, plant or flower in the gardens;
- (b) remove or damage any stake or label supporting or adjacent or attached to any tree, shrub, plant or flower in the gardens;
- (c) hang or attach any clothing or other article to any tree, shrub, plant, or flower in the gardens.

11. Soil, fences, lawn and works

A person shall not —

- (a) damage, cut up, disfigure or interfere with the soil, turf or surface of any part of the gardens, or the roadways and footways in the gardens, or the fences in or around the gardens, or the cages, buildings, electrical equipment, rockwork, watercocks or seats in the gardens;
- (b) climb on or over any fence in or around the gardens;
- (c) expectorate into, pollute or interfere with any ornamental pool or waterway in the gardens;
- (d) expectorate on any footway, lawn, building or other structure in the gardens.

12. Interference with property

A person shall not move, damage or interfere with any vehicle or other article or property owned by or in the custody of the Board.

13. Rubbish

A person shall not —

- (a) deposit or leave any rubbish, refuse, paper, food or drink container or litter of any kind whatsoever in the gardens other than in the receptacles provided by the Board for that purpose; or
- (b) break any bottle or other glass object in the gardens.

14. Behaviour

A person shall not —

- (a) behave in a disorderly, offensive or indecent manner or use any indecent, offensive or improper language whilst in the gardens; or
- (b) enter or be in the gardens whilst in an indecent state of dress.

15. Intoxicating liquor

- (1) A person shall not, without written permission, bring any intoxicating liquor into the gardens or consume any intoxicating liquor whilst in the gardens.
- (2) Permission granted pursuant to sub-by-law (1) may be revoked verbally or in writing at any time by the Board or by the person by whom it was granted.

16. Advertising and bill sticking

A person shall not, without permission, —

- (a) distribute or display in the gardens any pamphlet, handbill, notice, advertisement, placard or other document;
- (b) post, stick, stamp, stencil, paint or otherwise affix any pamphlet, handbill, notice, advertisement, placard or other document on or to any tree, fence, post, gate, wall,

pavement, roadway, footway or building or other structure in the gardens; or

- (c) cause any of the acts prohibited by paragraph (a) or (b) to be done.

17. Fires and shooting

A person shall not, without permission, —

- (a) carry any firearm in the gardens;
- (b) discharge any firearm, or throw or project any stone, firework or other missile, in or into the gardens;
- (c) set fire to any firework in the gardens or kindle or make any fire on any portion of the gardens.

18. Trading

A person shall not, without permission, sell or expose for sale in the gardens any refreshments or foodstuffs or any goods, wares or merchandise of any other kind.

19. Professional photography

A person shall not, without permission, engage in, practise or carry on the business of photography for gain or reward within the gardens.

20. Sports and performances

A person shall not, without permission, —

- (a) play, practise or indulge in any sport or gymnastic exercise;
- (b) take part in any instrumental or vocal performance; or
- (c) engage in public speaking of any kind,

in the gardens.

bl. 21

21. Noise

- (1) A person shall not, without written permission, bring into, or use within, the gardens any public address system, radio or other instrument, equipment or apparatus designed to produce, broadcast or amplify sound.
- (2) A person shall not by use of any mechanical, electrical or other instrument, equipment or apparatus produce any offensive noise in the gardens.

22. Smoking

The Board may, by notice erected at the entrance gates to the gardens or in any portion of the gardens, prohibit smoking either throughout the gardens or in that portion of the gardens, as the case may be, if and for so long as the Board considers necessary in order to maintain the safety of the gardens, or of any animals or property in the gardens, or of any persons using or employed in the gardens.

23. Obstructing visitors or employees

A person shall not in any part of the gardens —

- (a) wilfully obstruct, disturb, interrupt or annoy any other person in the proper use or enjoyment of the gardens; or
- (b) insult any employee or wilfully obstruct any employee in the execution of his duty.

24. Admission charges

- (1) Subject to sub-bylaw (2) the charges for admission to the gardens shall be as follows —

Children 4 to 15 years of age	\$6.50
Concession (students 16 years of age and over)	\$10.00
Concession (person (other than Seniors) holding an Australian Health Care Card)	\$10.00
Seniors (on presentation of Australian aged	

pension or Australian seniors card)	\$9.00
Individual adults (other than the above)	\$13.00
Mini groups (2 adults and 2 children)	\$35.00

- (2) Notwithstanding sub-by-law (1) where a large party or group of persons seeks admission to the gardens the Board may arrange for those persons to be admitted at concession rates.

[By-law 24 amended in Gazette 23 January 1976 p.139; 11 November 1977 p.4232; 28 March 1980 p.1017; 3 July 1981 p.2582; 11 June 1982 p.1918; 18 November 1983 p.4583; 1 September 1986 p.3219; 12 October 1990 p.5240; 11 August 1992 p.3982; 24 March 1995 p.1115; 25 June 1996 p.3007; 30 June 1997 p.3245; 31 December 1997 p.7605; 1 July 1999 pp.2909-10; 30 June 2000 p.3438; 24 July 2001 p. 3734.]

25. Admission to buildings etc. set apart for special purposes

Where the Board has set apart any building, enclosure or portion of the gardens for special exhibits or entertainment a person shall not, without permission, enter or use that building, enclosure or portion of the gardens unless he has purchased and obtained from an employee a ticket authorizing him to do so and, on demand by an employee, yielded up that ticket to the employee.

26. Rides

A person shall not while in the gardens —

- (a) ride or attempt to ride on any animal not then under the care of an employee for the purpose of public riding; or
- (b) take a seat, ride or attempt to ride on any animal conveyance, merry-go-round or miniature railway unless he has purchased and obtained from an employee a ticket authorizing him to do so and, on demand by an employee, yielded up that ticket to the employee.

27. Hours of admission

Subject to section 11(2) of the Act the hours between which members of the public shall be admitted to the gardens on each day are the hours of 10 a.m. and 5.00 p.m.

28. Lost property

- (1) Any person finding any property in the gardens that is apparently lost or abandoned shall hand that property to the gatekeeper or the person in charge of the gardens for the time being.
- (2) A person to whom property is handed pursuant to sub-bylaw (1) shall return that property to the owner on being given satisfactory proof of ownership.

29. Notices and directions to be complied with

A person shall not disobey or fail to comply with —

- (a) any notice or sign erected by the Board pursuant to these by-laws;
- (b) any direction, instruction, request or requirement lawfully given or made by an employee in the execution of his duty.

30. Offences and penalties

Any person who contravenes any provision of these by-laws commits an offence and is liable on conviction to a penalty of \$100.

31. Name and address may be required

Any member or employee may require a person who has committed an offence against these by-laws to give his correct name and address to that member or employee.

32. Removal of offenders from gardens

- (1) Notwithstanding that a person may have been properly admitted to the gardens a police constable or an officer of the Board authorized by the Board in that behalf may, where a person has committed an offence against these by-laws, order that person to leave the gardens forthwith.
- (2) A person who fails to comply with an order made under sub-by-law (1)(b) may be forcibly removed from the gardens by the police constable or officer by whom the order was given.
- (3) Nothing in this by-law affects the taking of any other action or proceeding against a person who commits an offence against these by-laws.

Notes

- ¹ This is a compilation of the *Zoological Gardens By-laws 1975* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Zoological Gardens By-laws 1975</i>	29 Aug 1975 pp.3109-12	29 Aug 1975
Amending By-laws	23 Jan 1976 pp.138-9	23 Jan 1976
Amending By-laws	11 Nov 1977 p.4232	11 Nov 1977
Amending By-laws	28 Mar 1980 p.1017	28 Mar 1980
<i>Zoological Gardens Amendment By-laws 1981</i>	3 Jul 1981 p.2582	3 Jul 1981
<i>Zoological Gardens Amendment By-laws 1982</i>	11 Jun 1982 p.1918	1 Jul 1982 (see by-law 2)
<i>Zoological Gardens Amendment By-laws 1983</i>	18 Nov 1983 p.4583	28 Nov 1983 (see by-law 2)
<i>Zoological Gardens Amendment By-laws 1986</i>	1 Sep 1986 p.3219	1 Sep 1986 (see by-law 2)
<i>Zoological Gardens Amendment By-laws 1990</i>	12 Oct 1990 pp.5239-40	12 Oct 1990
<i>Zoological Gardens Amendment By-laws 1992</i>	11 Aug 1992 p.3982	11 Aug 1992
<i>Zoological Gardens Amendment By-laws 1995</i>	24 Mar 1995 p.1115	24 Mar 1995
<i>Zoological Gardens Amendment By-laws 1996</i>	25 Jun 1996 p.3007	1 Jul 1996 (see by-law 2)
<i>Zoological Gardens Amendment By-laws 1997</i>	30 Jun 1997 p.3245	1 Jul 1997 (see by-law 2)
<i>Zoological Gardens Amendment By-laws (No. 2) 1997</i>	31 Dec 1997 p.7605	1 Jan 1998 (see by-law 2)
<i>Zoological Gardens Amendment By-laws 1999</i>	1 Jul 1999 pp.2909-10	1 Jul 1999 (see by-law 2)
<i>Zoological Gardens Amendment By-laws 2000</i>	30 Jun 2000 p.3438	1 Jul 2000 (see regulation 2)

Citation	Gazettal	Commencement
<i>Zoological Gardens Amendment By-laws 2001</i>	24 Jul 2001 p. 3733-4	24 Jul 2001

These regulations were repealed by the *Zoological Parks Authority Act 2001 s. 46(2)* (No. 24 of 2001) as at 22 May 2002 (see s. 2 and *Gazette 10 May 2002 p. 2445*)

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
animal	3(1)
cage	3(1)
employee.....	3(1)
park	3(1)
stand.....	3(1)
the Act.....	3(1)
vehicle.....	3(1)