



Western Australia

Agriculture and Related Resources Protection (Traps) Regulations 1982

Compare between:

[18 Dec 2010, 01-b0-03] and [05 Feb 2013, 01-c0-01]

Agriculture and Related Resources Protection (Traps) Regulations 1982

1. Citation

These regulations may be cited as the *Agriculture and Related Resources Protection (Traps) Regulations 1982*¹.

2. Commencement

These regulations shall come into operation on the 28th day after the day on which they are published in the *Government Gazette*¹.

[3. *Omitted under the Reprints Act 1984 s. 7(4)(f).*]

4. Definitions

In these regulations, unless the contrary intention appears —
municipal district means a district of a local government under the *Local Government Act 1995*²;

regulation means one of these regulations;

trap means any steel trap, snare or other device (other than a live capture trap) used for the purpose of catching declared animals.

5. Application of regulations

These regulations apply to the setting of a trap on any land within the boundaries of the municipal district of a city, town or shire that is named in the Schedule.

6. Trap permits

- (1) A person shall not set a trap or traps for the purpose of catching a declared animal unless he has the written permission of the Director General to set traps in a manner approved by the Director General.

Penalty: a fine of \$2 000.

- (2) An application for a permit under subregulation (1) shall be in writing and shall specify —
- (a) the month during which it is intended to set the trap or traps;
 - (b) the location of the land on which it is intended to set the trap;
 - (c) the species of declared animal it is intended to trap; and
 - (d) the number and type of traps to be set.

[Regulation 6 amended in Gazette 17 Dec 2010 p. 6431.]

7. Duties of person setting trap

Any person who sets a trap shall —

- (a) ensure that all animals caught in the trap are disposed of in a humane manner; and
- (b) inspect the trap at reasonable intervals of time to ensure that animals do not remain in the trap longer than is unavoidable; and
- (c) exercise reasonable care to ensure that animals which are not declared animals are not caught in the trap; and
- (d) set the trap in the manner approved by the Director General; and

- (e) produce a copy of the permit when requested to do so by an authorised person, an inspector or an officer of the Royal Society for the Prevention of Cruelty to Animals Western Australia (incorporated).

Penalty: a fine of \$2 000.

[Regulation 7 amended in Gazette 17 Dec 2010 p. 6431-2.]

Schedule

Regulation 5

Municipal Districts²

Part I — Cities

Belmont, Canning, Cockburn, Fremantle, Gosnells, Melville, Nedlands, Perth, South Perth, Stirling, Subiaco.

Part II — Towns

Armadale, Bassendean, Claremont, Cottesloe, East Fremantle, Kwinana, Mosman Park.

Part III — Shires

Bayswater, Kalamunda, Mundaring, Peppermint Grove, Rockingham, Swan, Wanneroo.

Notes

- ¹ This is a compilation of the *Agriculture and Related Resources Protection (Traps) Regulations 1982*. ~~The~~ and includes the amendments made by the other written laws referred to in the following table^{1a}. The table also contains information about ~~these regulations and~~ any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Agriculture and Related Resources Protection (Traps) Regulations 1982</i>	7 Jan 1983 p. 34	4 Feb 1983 (see r. 2)
Reprint 1: The <i>Agriculture and Related Resources Protection (Traps) Regulations 1982</i> as at 5 Dec 2003		
<i>Agriculture and Related Resources Protection (Repeals and Amendments) Regulations 2010</i> Pt. 13	17 Dec 2010 p. 6403-32	18 Dec 2010 (see r. 2(b) and <i>Gazette</i> 17 Dec 2010 p. 6349)

- ^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

<u>Citation</u>	<u>Gazettal</u>	<u>Commencement</u>
<u><i>Biosecurity and Agriculture Management Regulations 2013</i> r. 137(i), 138 and 144³</u>	<u>5 Feb 2013 p. 465-591</u>	<u>1 May 2013 (see r. 2(b) and <i>Gazette</i> 5 Feb 2013 p. 823)</u>

- ² Under the *Local Government Act 1995* Sch. 9.3 cl. 3(2) a reference to a district of a municipality under the *Local Government Act 1960* may, when the context requires, be read as if it had been amended to include or be a reference to a local government district under the *Local Government Act 1995*. This reference was changed under the *Reprints Act 1984* s. 7(5)(a).
- ³ On the date as at which this compilation was prepared, the *Biosecurity and Agriculture Management Regulations 2013* r. 137(i), 138 and 144 had not come into operation. They read as follows:

137. Regulations repealed

These regulations are repealed:

- (i) *Agriculture and Related Resources Protection (Traps) Regulations 1982*;

138. Fees and expenses

On and from the commencement day —

- (a) any fees payable under a regulation repealed under regulation 137 and outstanding on the commencement day are to be regarded as payable under these regulations at the time, and in the manner, in which the fees would have been payable under the repealed regulation and may be recovered accordingly; and
- (b) any expenses recoverable under a regulation repealed under regulation 137 and outstanding on the commencement day may be recovered under regulation 128.

Penalty: a fine of \$10 000.

144. Agriculture and Related Resources Protection (Traps) Regulations 1982

(1) In this regulation —

repealed regulations means the *Agriculture and Related Resources Protection (Traps) Regulations 1982* repealed under regulation 137(i).

(2) On and from the commencement day any permit given under regulation 6 of the repealed regulations and of effect immediately before the commencement day has effect as if it were a permit under regulation 45 of these regulations.