

Authorised Version No. 005
Wildlife Regulations 2013

S.R. No. 64/2013

Authorised Version incorporating amendments as at
16 October 2018

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Part 1—Preliminary

1 Objectives

The objectives of these Regulations are—

- (a) to provide for the management and conservation of wildlife and wildlife habitat; and
- (b) to provide for humane use of and access to wildlife; and
- (c) to make further provision in relation to the licensing system established by section 22 of the **Wildlife Act 1975**; and
- (d) to prescribe fees, offences, royalties and various other matters for the purposes of the **Wildlife Act 1975**; and
- (e) to provide for exemptions from certain provisions of the **Wildlife Act 1975**.

2 Authorising provision

These Regulations are made under section 87 of the **Wildlife Act 1975**.

3 Commencement

These Regulations come into operation on 23 June 2013.

4 Revocation

The following Regulations are **revoked**—

- (a) the Wildlife Regulations 2002¹;
- (b) the Wildlife (Amendment) Regulations 2004²;
- (c) the Wildlife Amendment Regulations 2009³.

5 Definitions

In these Regulations—

commercial film includes, but is not limited to, commercial films, theatrical productions, television productions, and advertisements;

Commercial Wildlife Licence means any one of the following licences—

- (a) Wildlife Controller Licence;
- (b) Wildlife Dealer Licence;
- (c) Wildlife Demonstrator Licence;
- (d) Wildlife Displayer Licence;
- (e) Game Bird Farmer Licence;
- (f) Wildlife Processor Licence;
- (g) Wildlife Farmer Licence;
- (h) Wildlife Taxidermist Licence;

dangerous or venomous wildlife includes, but is not limited to, elapid snakes whether or not the individual specimen is capable of a venomous bite;

dingo means *Canis lupus dingo*;

exempt person means a person who is, by the operation of regulation 49, exempted from section 47 of the Act;

Phillip Island Nature Park has the same meaning as in the Crown Land (Reserves) (Phillip Island Nature Park) Regulations 2010, made under section 13 of the **Crown Land (Reserves) Act 1978**;

Private Wildlife Licence means any one of the following licences—

- (a) Wildlife Basic Licence;
- (b) Wildlife Advanced Licence;
- (c) Wildlife Specimen Licence;
- (d) Dingo Licence;

registered veterinary practitioner has the same meaning as in the **Veterinary Practice Act 1997**;

relevant body means—

- (a) in the case of a Game Bird Farmer Licence or specified birds, the Game Management Authority;
- (b) in the case of any other licence, permit or authority issued under the Act, or wildlife other than specified birds, the Secretary;

Reg. 5 def. of *relevant body* inserted by S.R. No. 75/2014 reg. 5.

take includes to gain possession or control of wildlife by any means and also includes causing, permitting or assisting in taking wildlife;

the Act means the **Wildlife Act 1975**;

trap includes a trap, net, snare, pitfall or any other device used for, or capable of being used for, taking wildlife;

Reg. 5 def. of *trap* amended by S.R. No. 164/2018 reg. 4(2).

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Part 1—Preliminary

Reg. 5 def. of
wildlife event
inserted by
S.R. No.
164/2018
reg. 4(1).

wildlife event means an event approved
by the Secretary in accordance with
regulation 39A.

Part 2—General

Division 1—Licences

6 Prescribed categories of wildlife licences for the purposes of section 22

For the purposes of section 22 of the Act, the prescribed categories of wildlife licences are—

- (a) Wildlife Basic Licence;
- (b) Wildlife Advanced Licence;
- (c) Wildlife Specimen Licence;
- (d) Dingo Licence;
- (e) Wildlife Controller Licence;
- (f) Wildlife Dealer Licence;
- (g) Wildlife Demonstrator Licence;
- (h) Wildlife Displayer Licence;
- (i) Game Bird Farmer Licence;
- (j) Wildlife Processor Licence;
- (k) Wildlife Farmer Licence;
- (l) Wildlife Taxidermist Licence.

7 Wildlife Basic Licence

A Wildlife Basic Licence authorises the licence holder to possess, keep, breed, display, buy, sell and dispose of any wildlife listed in Schedules 2 and 7 and specified in the licence for non-commercial purposes.

Reg. 7
amended by
S.R. No.
164/2018
reg. 5.

8 Wildlife Advanced Licence

A Wildlife Advanced Licence authorises the licence holder to possess, keep, breed, display, buy, sell and dispose of any wildlife listed in Schedules 2, 3 and 7 and specified in the licence for non-commercial purposes.

Reg. 8
amended by
S.R. No.
164/2018
reg. 6.

Reg. 9
amended by
S.R. No.
164/2018
reg. 7.

9 Wildlife Specimen Licence

A Wildlife Specimen Licence authorises the licence holder to possess, keep, display, buy, sell and dispose of prepared or mounted specimens of any dead wildlife specified in the licence for non-commercial purposes.

10 Dingo Licence

A Dingo Licence authorises the licence holder to—

Reg. 10(a)
amended by
S.R. No.
75/2014 reg. 6.

- (a) possess, keep, breed, buy, sell and dispose of any dingo for non-commercial purposes; and
- (b) possess any dingo at other sites for the non-commercial purposes of exercising, obedience training, education, or display at shows conducted by a canine association.

11 Wildlife Controller Licence

A Wildlife Controller Licence authorises the licence holder to take any wildlife listed in Schedule 6 and specified in the licence from the wild and to destroy, dispose of or sell the wildlife, in circumstances where the wildlife is damaging property or is a danger to persons.

12 Wildlife Dealer Licence

A Wildlife Dealer Licence authorises the licence holder to—

Reg. 12(a)
amended by
S.R. Nos
75/2014
reg. 7(1),
164/2018
reg. 8.

- (a) possess, keep, breed, display, buy, sell and dispose of any living wildlife listed in Schedule 2, Part A of Schedule 3, Part B of Schedule 4 and Schedule 7 and specified in the licence, for the commercial purpose of dealing in wildlife; and

- (b) dispose of dead wildlife listed in Schedules 2, Part A of Schedule 3, Part B of Schedule 4 and Schedule 7 and specified in the licence.

Reg. 12(b)
amended by
S.R. No.
75/2014
reg. 7(2).

13 Wildlife Demonstrator Licence

A Wildlife Demonstrator Licence authorises the licence holder to—

- (a) possess and display any taxon of wildlife listed in Schedule 2, 3 or 4 and specified in the licence to the public in travelling displays or demonstrations or other temporary displays or demonstrations at any location within Victoria, for the purpose of promoting an understanding of the ecology and conservation of wildlife;
- (b) possess, keep, breed, buy, sell or dispose of wildlife listed in Schedule 2, 3 or 4 and specified in the licence at the premises specified in the licence for the purpose of promoting an understanding of the ecology and conservation of wildlife;
- (c) possess, keep, breed, buy, sell or dispose of any taxon of wildlife listed in Schedule 2, 3 or 4 and specified in the licence at the premises specified in the licence, for the purpose of providing the wildlife for use in commercial films;
- (d) possess, keep, breed, buy, sell, display or dispose of any taxon of wildlife that is not listed in Schedule 2, 3 or 4 and specified in the licence.

Reg. 13(d)
amended by
S.R. No.
75/2014 reg. 8.

14 Wildlife Displayer Licence

A Wildlife Displayer Licence authorises the licence holder to—

- (a) possess and display any taxon of wildlife specified in the licence for the purpose of promoting the conservation of or providing education about wildlife—
 - (i) in permanent and fixed facilities at the premises specified in the licence where—
 - (A) the enclosure is an integral part of the display; and
 - (B) the display of wildlife has a clear conservation theme and is designed to present information on the ecological role of the wildlife being displayed; and
 - (ii) at other sites in Victoria not specified in the licence; and
- (b) possess, keep, breed, sell, buy or dispose of any taxon of wildlife specified in the licence for the purpose of providing wildlife for use in commercial films; and
- (c) possess, keep, breed, sell, buy or dispose of any taxon of wildlife specified in the licence on the premises specified in the licence for the purpose of promoting the conservation of or providing education about wildlife.

Reg. 15
amended by
S.R. No.
75/2014 reg. 9.

15 Game Bird Farmer Licence

A Game Bird Farmer Licence authorises the licence holder to possess, keep, breed, buy, sell, destroy and dispose of any specified birds that have been bred in captivity for the purpose of hunting.

16 Wildlife Processor Licence

A Wildlife Processor Licence authorises the licence holder to possess, keep, buy, sell, process and dispose of dead wildlife for the purpose of providing wildlife products for sale, if the wildlife is of—

- (a) any taxa listed in Part B of Schedule 5 and specified in the licence that has been obtained from a source approved in writing for the purpose by the Secretary; or
- (b) any taxa listed in Schedule 7 and specified in the licence that has been obtained from the holder of a Wildlife Farmer Licence.

Reg. 16(b)
amended by
S.R. No.
75/2014
reg. 10.

17 Wildlife Farmer Licence

A Wildlife Farmer Licence authorises the licence holder, for the purpose of farming wildlife to—

- (a) possess, keep, breed, buy, sell, display, destroy, process and dispose of any wildlife that is of the taxa listed in Schedule 7 and specified in the licence and that has been bred in captivity or obtained from a source approved in writing by the Secretary; and
- (b) dispose of infertile eggs of any wildlife that is of the taxa listed in Schedule 7 and specified in the licence to any person; and
- (c) possess and display any wildlife that is of the taxa listed in Schedule 7 and specified in the licence at sites other than the premises specified in the licence.

18 Wildlife Taxidermist Licence

A Wildlife Taxidermist Licence authorises the licence holder to—

Reg. 18(a)
amended by
S.R. No.
164/2018
reg. 9.

- (a) possess, keep, display, buy, sell, process and dispose of wildlife—
 - (i) that is of the taxa listed in Schedules 2, 3 and 4, or of the taxa listed in Schedule 7 and specified in the licence that are obtained from the holder of a Wildlife Farmer Licence for the purpose of preserving, preparing and mounting, and restoring, parts or complete specimens of dead wildlife; or
 - (ii) approved in writing by the Secretary for the purpose of preserving, preparing and mounting, and restoring, parts or complete specimens of dead wildlife; and
- (b) keep, possess or dispose of wildlife—
 - (i) that is of the taxa listed in Schedules 2, 3 and 4 and specified in the licence for the purpose of providing parts or complete specimens of dead wildlife for use in commercial films; or
 - (ii) of the taxa listed in Schedule 7 and specified in the licence that are obtained from the holder of a Wildlife Farmer Licence or approved in writing by the Secretary for the purpose of providing parts or complete specimens of dead wildlife for use in commercial films.

19 Licence fees

- (1) For the purposes of section 22(4) of the Act, the prescribed annual fee for a category of wildlife licence listed in Column 2 of Schedule 1 is the fee listed opposite the category of licence in Column 3 of Schedule 1.
- (2) If a licence is issued for less than 12 months, the prescribed fee for a category of wildlife licence listed in Column 2 of Schedule 1 is the fee listed opposite the category of licence in Column 3 of Schedule 1 divided by 12 and multiplied by the number of months for which the licence is issued.
- (3) If a licence is issued for—
 - (a) more than 12 months, but less than 18 months, the prescribed fee for a category of wildlife licence listed in Column 2 of Schedule 1 is the fee listed opposite the category of licence in Column 3 of Schedule 1 divided by 12 and multiplied by the number of months for which the licence is issued; or
 - (b) more than 18 months, the prescribed fee for a category of wildlife licence set out in Column 2 in Schedule 1 is the fee set out in Column 3 in Schedule 1 divided by 15 and multiplied by the number of months the licence will remain valid.
- (4) The prescribed fee for an application for the replacement of a lost or damaged licence is 1 fee unit.
- (5) The prescribed fee for an application for the variation of a licence is 2 fee units.

Reg. 19(6)
amended by
S.R. No.
75/2014
reg. 11.

- (6) If the Secretary is satisfied that an applicant for a licence is an *eligible person* within the meaning of the **State Concessions Act 2004**, the prescribed fee to be paid for a Private Wildlife Licence is half the amount payable under this regulation.

20 Application for a wildlife licence

Reg. 20(1)(a)
amended by
S.R. No.
75/2014
reg. 12(1).

- (1) An application for the issue or variation of a wildlife licence must—

Reg. 20(1)(b)
amended by
S.R. No.
75/2014
reg. 12(2).

- (a) be in a form approved by the relevant body;
and
- (b) contain the following information together with any other information required by the relevant body—
- (i) in the case of a person who is less than 18 years of age and who applies for a Wildlife Basic Licence or a Wildlife Advanced Licence, the written and signed consent of that person's parent or legal guardian;
 - (ii) in the case of a person who is less than 18 years of age and who applies for a Wildlife Advanced Licence in respect to the possession of the venomous snakes listed in Part B of Schedule 3, documentation that demonstrates that the applicant understands the handling of those venomous snakes;
 - (iii) in the case of a person who applies for a Dingo Licence, evidence that the person is over 18 years of age;
 - (iv) details of any findings of guilt for offences under the Act or the **Prevention of Cruelty to Animals Act 1986** or a corresponding law of

another State or Territory or of the Commonwealth with respect to wildlife during the 10 years preceding the application;

- (v) in the case of a person who is not a natural person, the name, residential address, telephone number and date of birth of the natural person who will be responsible for managing the premises to which the licence application relates;
- (vi) the following details of any person who is currently employed by the holder of a Commercial Wildlife Licence to work at the premises to which that licence relates and who is engaging in conduct on behalf of the licence holder under that licence—
 - (A) the name, sex, date of birth, contact telephone number and residential address of the person employed; and
 - (B) the capacity in which the person is employed; and
 - (C) the date on which the person commenced employment with the licence holder.

**Reg. 20
(1)(b)(vi)
amended by
S.R. No.
75/2014
reg. 12(3).**

- (2) For the purposes of subregulation (1)(b), the Secretary may require the following information—
 - (a) a plan of the area applied for showing all buildings, fences, yards, shelters, watering and feeding facilities;
 - (b) enclosure design and specifications, materials to be used in construction of facilities, enclosure layout, holding pens,

shelters, watering and feeding facilities and any other relevant matter;

- (c) in the case of the holder of a Wildlife Demonstrator Licence or Wildlife Displayer Licence, the design, specifications and materials to be used in the construction of a pit for displaying or demonstrating dangerous or venomous wildlife during travelling displays or demonstrations that it is an open topped enclosure designed, constructed and maintained to—
- (i) allow the safe display or demonstration of dangerous or venomous wildlife from within the enclosure by the holder of that licence; and
 - (ii) prevent the escape of any dangerous or venomous wildlife from within the enclosure; and
 - (iii) ensure the walls of the enclosure are a minimum height of 1.1 metres; and
 - (iv) ensure the walls of the enclosure are constructed from solid and sturdy materials with no gaps or holes that may allow a person outside the enclosure to protrude any part of their body through the walls.

Reg. 20(3)
inserted by
S.R. No.
75/2014
reg. 12(4).

- (3) For the purposes of subregulation (1)(b), the Game Management Authority may require the following information in relation to an application regarding a Game Bird Farmer Licence—
- (a) a plan of the area applied for showing all buildings, fences, yards, shelters, watering and feeding facilities;

- (b) enclosure design and specifications, materials to be used in construction of facilities, enclosure layout, holding pens, shelters, watering and feeding facilities and any other relevant matter.

21 Notification of change of natural person responsible for managing premises specified in licence

- (1) A licence holder that is not a natural person must notify the relevant body in writing within 10 business days of a change of the natural person responsible for managing the premises specified in the licence.

Reg. 21(1)
amended by
S.R. No.
75/2014
reg. 13.

Penalty: 10 penalty units.

- (2) A notification under subregulation (1) must include the name, residential address, telephone number and date of birth of the natural person who is responsible for managing the premises specified in the licence.

22 Advertisement to include licence number

The holder of a wildlife licence must not advertise wildlife for sale unless the advertisement states the wildlife licence number that authorises the sale.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

23 Employees of Commercial Wildlife Licence holders

- (1) Within 10 business days of the holder of a Commercial Wildlife Licence employing any person to engage in conduct on behalf of the licence holder under that licence, the holder of the Commercial Wildlife Licence must notify the relevant body in writing of the following detail—

Reg. 23(1)
amended by
S.R. No.
75/2014
reg. 14(1).

- (a) the name, sex, date of birth, contact telephone number and residential address of the person employed; and
- (b) the capacity in which the person is employed; and
- (c) the date on which the person commenced employment with the licence holder.

Penalty: In the case of a natural person,
5 penalty units;

In the case of a body corporate,
10 penalty units.

Reg. 23(2)
amended by
S.R. No.
75/2014
reg. 14(2).

- (2) If a person who is employed to engage in conduct on behalf of the licence holder under that licence ceases to be an employee of the holder of a Commercial Wildlife Licence, the licence holder must notify the relevant body in writing within 10 business days after the person so ceases.

Penalty: In the case of a natural person,
5 penalty units;

In the case of a body corporate,
10 penalty units.

Division 2—Forms, permits and authorisations

24 Application for authorisation under section 28A

Reg. 24
substituted by
S.R. No.
75/2014
reg. 15.

For the purposes of section 28A of the Act, an application for an authorisation must be in a form approved by—

- (a) in the case of specified birds, the Game Management Authority;
- (b) in the case of any other wildlife, the Secretary.

25 Application for import and export permits

- (1) For the purposes of section 50(3) of the Act, an application for a permit under section 50 of the Act must be in a form approved by the Secretary.
- (2) Within 10 business days of the day of expiry of a permit issued under section 50 of the Act, the holder of the permit must notify the Secretary of the outcome of the transaction to import or export wildlife to which the permit relates in a form approved by the Secretary.

Penalty: In the case of a natural person,
20 penalty units;
In the case of a body corporate,
30 penalty units.

26 Location of forms

- (1) If the Secretary approves a form under these Regulations, the Secretary must cause a copy of that form to be available on the Department's website.
- (2) If the Game Management Authority approves a form under these Regulations, the Game Management Authority must cause a copy of that form to be available on its website.

Reg. 26
substituted by
S.R. No.
75/2014
reg. 16.

Division 3—Record keeping requirements

27 Record books

- (1) All record books and return forms supplied by the relevant body remain the property of the relevant body.
- (2) The holder of a wildlife licence must maintain complete, permanent and legible entries of all transactions made by the holder of a wildlife licence in the record book supplied by the relevant body.

Reg. 27(1)
amended by
S.R. No.
75/2014
reg. 17(1).

Reg. 27(2)
amended by
S.R. No.
75/2014
reg. 17(2).

Reg. 27(3)
amended by
S.R. No.
75/2014
reg. 17(3).

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (3) The holder of a wildlife licence must make each entry in the record book by the close of the same business day after any occurrence of an event that is required by the relevant body to be entered in the record book.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (4) The holder of a Wildlife Demonstrator Licence must maintain a bound book which records the date, time and venue of all demonstrations conducted by the holder of the Wildlife Demonstrator Licence.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

28 Return forms

Reg. 28(1)
amended by
S.R. No.
75/2014
reg. 18(1).

- (1) The holder of a wildlife licence must ensure that return forms are completed fully, legibly and permanently using a return form supplied by the relevant body.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (2) The holder of a wildlife licence must provide the relevant body with a return form at the time specified in the licence.

Reg. 28(2)
amended by
S.R. No.
75/2014
reg. 18(2).

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (3) The holder of a wildlife licence must ensure that a legible copy of each return form is kept by the licence holder.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

29 Inspections of record books and return forms

The holder of a wildlife licence must produce all or any record books or copies of return forms for inspection when requested by an authorised officer.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

30 Fees for lost or damaged record book

If a record book has been lost or damaged, the holder of a wildlife licence must pay a maximum fee of 1 fee unit for each replacement record book.

Reg. 31
substituted by
S.R. No.
164/2018
reg. 10.

31 Storage of record books and return forms

- (1) Subject to subregulation (2), the holder of a wildlife licence must ensure that the record book and copies of return forms are kept in a safe and secure place at the premises specified in the licence.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (2) The holder of a wildlife licence may remove the record book from the premises specified in the licence for the purposes of undertaking a transaction in circumstances set out in regulation 39(a), (b) or (ba).

32 Return of record books and return forms

Reg. 32(1)
amended by
S.R. No.
75/2014
reg. 19(1).

- (1) Within 10 business days of a person ceasing to hold a wildlife licence, the person must return all record books and copies of return forms to the relevant body.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (2) The holder of a wildlife licence must surrender to the relevant body all record books or return forms at the written direction of the relevant body within the time specified in that direction.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

Reg. 32(2)
amended by
S.R. No.
75/2014
reg. 19(2).

33 Theft, loss and damage

- (1) The holder of a wildlife licence must—
- (a) report any theft of wildlife relating to the licence to a member of the police force within 2 business days of the licence holder becoming aware of the theft; and
 - (b) record the theft in the record book; and
 - (c) retain a copy of the police report.

Penalty: In the case of a natural person,
20 penalty units;
In the case of a body corporate,
30 penalty units.

- (2) The holder of a wildlife licence must notify the relevant body of the theft or loss of any wildlife in a form approved by the relevant body within 2 business days of becoming aware of the theft or loss.

Reg. 33(2)
amended by
S.R. No.
75/2014
reg. 20(1).

Penalty: In the case of a natural person,
20 penalty units;
In the case of a body corporate,
30 penalty units.

- (3) The holder of a wildlife licence must produce a copy of the police report referred to in subregulation (1) upon request by an authorised officer.

Penalty: In the case of a natural person,
20 penalty units;
In the case of a body corporate,
30 penalty units.

- (4) The holder of a wildlife licence must notify the relevant body of the theft, loss of or damage to any record book or return form, or copy of a return form in a form approved by the relevant

Reg. 33(4)
amended by
S.R. No.
75/2014
reg. 20(2).

body within 2 business days upon becoming aware of the theft, loss or damage.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (5) The holder of a wildlife licence must not tamper with, or permit to be tampered with, any entry in a record book or return form.

Penalty: 50 penalty units.

- (6) The holder of a wildlife licence must not be in possession or control of a record book, return form or copy of a return form that has been tampered with.

Penalty: 50 penalty units.

- (7) For the purpose of subregulations (5) and (6), *tamper* includes to damage, destroy, deface, erase, delete or remove.

- (8) The holder of a Dingo Licence must, in the event of the escape of any dingoes, notify the Secretary of the escape and the micro-chip of each escaped dingo, within 2 business days of becoming aware of the escape.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

34 Electronic recording of information

- (1) Where these Regulations require a person to record or keep information for any purpose, the relevant body may require the information to be recorded or kept in an electronic form.

Reg. 34(1)
amended by
S.R. No.
75/2014
reg. 21(1).

(2) Where these Regulations require a person to provide or submit information for any purpose, the relevant body may require the information to be provided or submitted to the relevant body by means of an electronic communication.

Reg. 34(2)
amended by
S.R. No.
75/2014
reg. 21(2).

(3) Where the relevant body has issued a requirement under this regulation, a reference in these Regulations to a record book, return form, notification or application includes a reference to the record book, return form, notification or application in that electronic form.

Reg. 34(3)
amended by
S.R. No.
75/2014
reg. 21(3).

35 Approvals by the relevant body

Reg. 35
(Heading)
amended by
S.R. No.
75/2014
reg. 22(1).

(1) The relevant body may approve any form for the purposes of these Regulations.

Reg. 35(1)
amended by
S.R. No.
75/2014
reg. 22(2).

(2) A form approved by the relevant body may require or permit the form to be given on a specified kind of data processing device or by specified electronic transmission, in accordance with specified software or other requirements.

Reg. 35(2)
amended by
S.R. No.
75/2014
reg. 22(3).

(3) A form approved by the relevant body may include a form of record book, return form, application or notification.

Reg. 35(3)
amended by
S.R. No.
75/2014
reg. 22(3).

(4) The relevant body may approve a source of wildlife for the purposes of these Regulations.

Reg. 35(4)
amended by
S.R. No.
75/2014
reg. 22(4).

Division 4—Miscellaneous

36 Notification of change of name or address

Reg. 36
amended by
S.R. No.
75/2014
reg. 23.

The holder of a wildlife licence, permit or authority issued under the Act must notify the relevant body within 10 business days of any change of name or address provided to the relevant body in relation to the licence, permit or authority.

Penalty: In the case of a natural person,
5 penalty units;

In the case of a body corporate,
10 penalty units.

37 Marking of individual wildlife

Reg. 37(1)
amended by
S.R. No.
75/2014
reg. 24(1).

(1) The Secretary may direct, in writing, the holder of a wildlife licence, other than a Game Bird Farmer Licence, to mark wildlife in that licence holder's possession—

- (a) if the wildlife is diseased; or
- (b) if the Secretary believes, on reasonable grounds, that the wildlife is held or was held, acquired or disposed of in contravention of the Act or a corresponding law of another State or of a Territory of the Commonwealth with respect to wildlife; or
- (c) for any other reason as determined by the Secretary.

Reg. 37(1A)
inserted by
S.R. No.
75/2014
reg. 24(2).

(1A) The Game Management Authority may direct, in writing, the holder of a Game Bird Farmer Licence to mark any specified birds in the holder's possession—

- (a) if the specified birds are diseased; or
- (b) if the Game Management Authority believes, on reasonable grounds, that the specified birds are held, acquired or disposed of in

- contravention of the Act or a corresponding law of another State or of a Territory of the Commonwealth with respect to the specified birds; or
- (c) for any other reason as determined by the Game Management Authority.
- (2) A direction under subregulation (1) or (1A) may specify—
- (a) the type of mark to be used;
- (b) method of marking to be used;
- (c) whether the mark is to be permanent or the duration of time for which the wildlife must remain marked.
- (3) A person who has been directed to mark wildlife under this regulation must comply with the direction.

Reg. 37(2)
amended by
S.R. No.
75/2014
reg. 24(3).

Penalty: 50 penalty units.

38 Prescribed poisons under section 54

For the purposes of section 54 of the Act, the following substances are prescribed—

- (a) any poison or controlled substance within the meaning of the **Drugs, Poisons and Controlled Substances Act 1981**; or
- (b) any agricultural chemical product within the meaning of the Agricultural and Veterinary Chemicals Code Act 1994 of the Commonwealth.

39 Wildlife to be bought, sold or disposed of only at specified premises

The holder of a wildlife licence must not buy, sell or enter into a transaction to dispose of wildlife unless—

Reg. 39(b)
amended by
S.R. No.
75/2014
reg. 25.

- (a) the transaction occurs at the premises specified in the wildlife licence of one of the parties to the transaction; or
- (b) the transaction and the place of the transaction have been specifically approved in writing by the relevant body; or

Reg. 39(ba)
inserted by
S.R. No.
164/2018
reg. 11.

- (ba) the transaction occurs at a wildlife event and is in accordance with any conditions imposed under regulation 39A(2)(c); or

- (c) the transaction is with an exempt person.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

Reg. 39A
inserted by
S.R. No.
164/2018
reg. 12.

39A Approval of wildlife events

- (1) The Secretary, by notice published in the Government Gazette, may approve a wildlife event at which the holder of any class of wildlife licence specified in the notice may display, buy, sell, acquire, receive, keep or possess wildlife in accordance with that licence.
- (2) A notice under subregulation (1)—
 - (a) must specify the date and place of the wildlife event; and
 - (b) must specify the categories of wildlife licence to which the event applies, being one or more of the following—
 - (i) Wildlife Basic Licence;
 - (ii) Wildlife Advanced Licence;
 - (iii) Wildlife Specimen Licence;

- (iv) Wildlife Dealer Licence;
 - (v) Wildlife Demonstrator Licence;
 - (vi) Wildlife Displayer Licence;
 - (vii) Wildlife Taxidermist Licence; and
- (c) may specify any conditions that apply to the displaying, buying, selling, acquiring, receiving, keeping or possessing of wildlife at the wildlife event.

40 Prescribed area of public land

For the purposes of section 48A(1)(c) of the Act, Phillip Island Nature Park is a prescribed area of public land.

Part 3—Protection of wildlife

41 Taking of wildlife

Reg. 41(1)
amended by
S.R. No.
155/2014
reg. 4(1).

- (1) A person other than a person referred to in subregulation (6) or (6A) must not use a trap, bait, lure, poison, decoy, or live animal to attract wildlife for the purpose of taking that wildlife unless the person is licensed or authorised to do so under the Act.

Penalty: 50 penalty units.

Reg. 41(2)
amended by
S.R. No.
155/2014
reg. 4(2).

- (2) A person other than a person referred to in subregulation (6B) must not use a firearm from an aircraft, motor vehicle, boat or any other vehicle to take wildlife unless the person is licensed or authorised to do so under the Act.

Penalty: 50 penalty units.

- (3) A person must not use an aircraft, motor vehicle, boat, or any other vehicle to pursue, chase, or harass wildlife unless the person is licensed or authorised to do so under the Act.

Penalty: 50 penalty units.

Reg. 41(4)
amended by
S.R. No.
155/2014
reg. 4(3).

- (4) A person other than a person referred to in subregulation (6C) must not use an artificial light, electronic device, or recorded sound to hunt or take wildlife, unless the person is licensed or authorised to do so under the Act.

Penalty: 50 penalty units.

Reg. 41(5)
amended by
S.R. No.
155/2014
reg. 4(4).

- (5) A person other than a person referred to in subregulation (6D) must not use a gun, bow or other weapon, for the purpose of taking wildlife, unless the person is licensed or authorised to do so under the Act.

Penalty: 50 penalty units.

- (6) A person does not commit an offence under subregulation (1) in circumstances where the person is attempting to capture any specified birds or any wildlife of the taxa listed in Part C of Schedule 5 or Schedule 7 which was legally in the possession of the person and which has escaped. Reg. 41(6) amended by S.R. No. 75/2014 reg. 26.
- (6A) A person does not commit an offence under subregulation (1) in circumstances where— Reg. 41(6A) inserted by S.R. No. 155/2014 reg. 4(5).
- (a) the person is using a trap, non-poisonous bait, lure or decoy to attract wildlife for the purpose of taking that wildlife; and
- (b) the person is acting under an authorisation order given under section 83 of the **Traditional Owner Settlement Act 2010**; and
- (c) the use of that trap, non-poisonous bait, lure or decoy is not prohibited under that authorisation order.
- (6B) A person does not commit an offence under subregulation (2) in circumstances where— Reg. 41(6B) inserted by S.R. No. 155/2014 reg. 4(5).
- (a) the person is using a firearm from a boat that is operating at a speed of 5 knots or less to take wildlife; and
- (b) the person is acting under an authorisation order given under section 83 of the **Traditional Owner Settlement Act 2010**; and
- (c) the use of that firearm is not prohibited under that authorisation order.
- (6C) A person does not commit an offence under subregulation (4) in circumstances where— Reg. 41(6C) inserted by S.R. No. 155/2014 reg. 4(5).
- (a) the person is using an artificial light, electronic device or recorded sound to hunt or take wildlife; and

(b) the person is acting under an authorisation order given under section 83 of the **Traditional Owner Settlement Act 2010**; and

(c) the use of that artificial light, electronic device or recorded sound is not prohibited under that authorisation order.

Reg. 41(6D)
inserted by
S.R. No.
155/2014
reg. 4(5).

(6D) A person does not commit an offence under subregulation (5) in circumstances where—

(a) the person is using a gun, bow or other weapon for the purpose of taking wildlife; and

(b) the person is acting under an authorisation order given under section 83 of the **Traditional Owner Settlement Act 2010**; and

(c) the use of that gun, bow or other weapon is not prohibited under that authorisation order.

Reg. 41(7)
substituted by
S.R. No.
155/2014
reg. 4(6).

(7) In this regulation—

non-poisonous bait means bait that is not impregnated with any poison;

wildlife does not include game.

42 Person not to damage, disturb or destroy any wildlife habitat

(1) A person other than a person referred to in subregulation (2) must not damage, disturb or destroy any wildlife habitat.

Penalty: 50 penalty units.

(2) A person does not commit an offence under subregulation (1) if the person is—

(a) authorised to damage, disturb or destroy wildlife habitat under any Act; or

- (b) the holder of a licence granted under the **Forests Act 1958** to harvest timber or other forest produce; or
 - (c) undertaking timber harvesting operations that are authorised operations referred to in section 45(2)(a) and (b)(i) of the **Sustainable Forests (Timber) Act 2004**.
- (3) In this regulation, *disturb* in relation to wildlife habitat includes but is not limited to the removal or relocation of wildlife habitat or a part of wildlife habitat.

43 Housing wildlife other than specified birds

Reg. 43
(Heading)
amended by
S.R. No.
75/2014
reg. 27(1).

- (1) A person other than a person referred to in subregulation (3) who possesses living wildlife, other than specified birds, must keep the wildlife in cages or enclosures that—
- (a) are designed, constructed and maintained to provide for the adequate shelter for the wildlife; and
 - (b) prevent the escape or injury of the wildlife; and
 - (c) protect the wildlife from predators; and
 - (d) resist access by persons not authorised by the person who possesses the wildlife; and
 - (e) provide for the good health and welfare of the animal in accordance with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**.

Reg. 43(1)
amended by
S.R. No.
75/2014
reg. 27(2).

Penalty: 50 penalty units.

- (2) If a cage or enclosure is not designed, constructed and maintained to comply with subregulation (1), the Secretary may direct in writing that the person possessing the wildlife make specific changes or alterations to the enclosure within the period specified in the direction.
- (3) A person does not commit an offence under subregulation (1) if the person has obtained prior written approval of the Secretary under subregulation (4) and is acting in accordance with that approval.
- (4) The Secretary may—
 - (a) give written approval for a person to keep wildlife in an enclosure which does not comply with any or all of the requirements of subregulation (1); and
 - (b) impose conditions on an approval given under paragraph (a).

Reg. 43A
inserted by
S.R. No.
75/2014
reg. 28.

43A Housing specified birds

- (1) A holder of a Game Bird Farmer Licence other than a person referred to in subregulation (3) who possesses living specified birds must keep those birds in cages or enclosures that—
 - (a) are designed, constructed and maintained to provide for the adequate shelter for the specified birds; and
 - (b) prevent the escape or injury of the specified birds; and
 - (c) protect the specified birds from predators; and
 - (d) resist access by persons not authorised by the person who possesses the specified birds; and

- (e) provide for the good health and welfare of the animal in accordance with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**.

Penalty: 50 penalty units.

- (2) If a cage or enclosure is not designed, constructed and maintained to comply with subregulation (1), the Game Management Authority may direct in writing that the holder of a Game Bird Farmer Licence possessing the specified birds make specific changes or alterations to the enclosure within the period specified in the direction.
- (3) A holder of a Game Bird Farmer Licence does not commit an offence under subregulation (1) if the person has obtained prior written approval of the Game Management Authority under subregulation (4) and is acting in accordance with that approval.
- (4) The Game Management Authority may—
 - (a) give written approval for a holder of a Game Bird Farmer Licence to keep specified birds in an enclosure which does not comply with any or all of the requirements of subregulation (1); and
 - (b) impose conditions on an approval given under paragraph (a).

44 Transport of wildlife

- (1) A person other than a person referred to in subregulation (4) who consigns or transports wildlife must ensure that any container used to consign or transport the wildlife is designed, constructed and maintained to—
 - (a) withstand transportation; and
 - (b) prevent the escape or injury of the wildlife contained within; and

- (c) protect against predators; and
- (d) resist interference; and
- (e) provide for the good health and welfare of the animal during transport in accordance with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**.

Penalty: 50 penalty units.

- (2) A person other than a person referred to in subregulation (4) who consigns a specimen of wildlife for transport must ensure that the container in which the specimen is placed has securely attached to it a label clearly displaying the following information—
- (a) the person's name and address and wildlife licence number (if any); and
 - (b) the name and address and wildlife licence number (if any) of the person to whom the specimen is being consigned; and
 - (c) the common name (where provided in the relevant Schedule to these Regulations, if any) of the taxon of the specimen that is being consigned; and
 - (d) the number of specimens of each taxon of wildlife in the container in which the specimen is placed.

Penalty: In the case of a natural person,
20 penalty units;
In the case of a body corporate,
30 penalty units.

- (3) A person other than a person referred to in subregulation (4) who transports a specimen of wildlife must ensure that the container in which the specimen is placed has securely attached to it a label clearly displaying information that the person reasonably believes is the following information—
- (a) the name and address and wildlife licence number (if any) of the owner of the specimen; and
 - (b) the name and address and wildlife licence number (if any) of the person to whom the specimen is being consigned; and
 - (c) the common name (where provided in the relevant Schedule to these Regulations, if any) of the taxon of the specimen that is being consigned; and
 - (d) the number of specimens of each taxon of wildlife in the container or receptacle in which the specimen is placed.

Penalty: In the case of a natural person,
20 penalty units;

In the case of a body corporate,
30 penalty units.

- (4) A person does not commit an offence under this regulation if the person possesses sick, injured or abandoned wildlife for the purpose of transporting the wildlife to a registered veterinary practitioner or the holder of an authorisation under section 28A(1)(f) of the Act.

45 Wildlife that is not self-sufficient

Reg. 45(1)
amended by
S.R. No.
75/2014
reg. 29(1).

- (1) A person other than a person referred to in subregulation (2) must not, without the prior written approval of the relevant body buy, sell, dispose of, consign, or transport any wildlife that—
- (a) if a flighted bird, is too young to fly, or if a flightless bird, is less than 4 weeks old; or
 - (b) if a mammal, is not fully weaned; or
 - (c) is obviously diseased, sick or injured; or
 - (d) is an egg.

Penalty: 50 penalty units.

- (2) A person does not commit an offence under subregulation (1) if the person—
- (a) possesses sick, injured or abandoned wildlife for the purpose of transporting the wildlife to a registered veterinary practitioner or to the holder of an authorisation under section 28A(1)(f) of the Act; or
 - (b) is buying, selling, disposing of, consigning, conveying or transporting the eggs of any specified birds; or
 - (c) is buying, selling, disposing of, consigning, conveying or transporting any wildlife listed in Part C of Schedule 5 that is not fully weaned if that wildlife is being bought, sold, disposed of, consigned or transported with its mother; or
 - (d) is the holder of a Wildlife Farmer Licence who is buying, selling, disposing of, consigning, conveying or transporting the eggs of any wildlife listed in Schedule 7.

Reg. 45(2)(b)
amended by
S.R. No.
75/2014
reg. 29(2).

46 Inter-breeding of wildlife

- (1) A person must not, without the prior written approval of the Secretary—
- (a) permit different taxa of wildlife to inter-breed unless those taxa of wildlife are known to inter-breed in the wild;
 - (b) permit taxa of wildlife to inter-breed with another taxa of animal that is not wildlife;

Example

A dingo may not be bred with a dog (*Canis lupis familiaris*) or dingo-dog hybrid.

- (c) sell or dispose of cross-breeds of wildlife unless those cross-breeds are known to occur in the wild.

Penalty: 50 penalty units.

- (2) Subregulation (1) does not apply to a person who inter-breeds the taxa of specified bird or of wildlife listed in Part C of Schedule 5 with any other taxa of specified bird or any other wildlife listed in Part C of Schedule 5 and who sells or disposes of the resultant cross-breeds.

**Reg. 46(2)
amended by
S.R. No.
75/2014
reg. 30.**

Part 4—Exemptions

47 Exemptions for registered veterinary practitioners from offences in the Act relating to the destruction of wildlife

A registered veterinary practitioner who destroys wildlife in accordance with the **Prevention of Cruelty to Animals Act 1986** is exempt from the operation of sections 41, 43 and 44 of the Act, to the extent that those sections relate to the destruction of wildlife.

48 Exemptions from offences in the Act relating to the destruction of protected wildlife

- (1) A person who is a licensee, manager or operator of, or is employed in a licensed meat processing facility under the **Meat Industry Act 1993** is exempt from the operation of section 43 of the Act to the extent that section 43 relates to the destruction of protected wildlife in the circumstances set out in subregulation (2).
- (2) For the purposes of subregulation (1), the circumstances are that the wildlife is a specified bird or is wildlife listed in Part C of Schedule 5 or in Schedule 7 and—
 - (a) the person destroys wildlife in a licensed meat processing facility under the **Meat Industry Act 1993**; and
 - (b) the wildlife has been bred in captivity; or
 - (c) is from a source approved by the relevant body.

Reg. 48(2)
amended by
S.R. No.
75/2014
reg. 31(a).

Reg. 48(2)(c)
amended by
S.R. No.
75/2014
reg. 31(b).

49 Exemptions from offences in the Act relating to protected wildlife

- (1) A person who keeps, possesses, buys, sells, acquires, receives, displays or disposes of—
- (a) wildlife listed in Part A of Schedule 4; or
 - (ab) specified birds; or

Reg. 49(1)(ab)
inserted by
S.R. No.
75/2014
reg. 32(1).

- (b) infertile eggs of wildlife listed in Schedule 7—

is exempt from the operation of sections 45 and 47 of the Act, to the extent that sections 45 and 47 relate to the keeping, possessing, buying, selling, acquiring, receiving, displaying or disposing of that wildlife by the person in the circumstances set out in subregulation (2).

- (2) For the purposes of subregulation (1), the circumstances are that the keeping, possessing, buying, selling, acquiring, receiving, displaying or disposing of that wildlife is not for the purposes of hunting and the wildlife—
- (a) has been bred in captivity; or
 - (b) is from a source approved by the relevant body.

Reg. 49(2)(b)
amended by
S.R. No.
75/2014
reg. 32(2).

- (3) A person who breeds—
- (a) wildlife listed in Part A of Schedule 4; or
 - (ab) specified birds; or

Reg. 49(3)(ab)
inserted by
S.R. No.
75/2014
reg. 32(3).

(b) infertile eggs of wildlife listed in
Schedule 7—

is exempt from the operation of sections 45 and 47 of the Act, to the extent that sections 45 and 47 relate to the breeding of that wildlife by the person in the circumstances set out in subregulation (4).

- (4) For the purposes of subregulation (3), the circumstances are that the breeding of the wildlife is not for the purposes of hunting, and the wildlife is bred from specimens that—
- (a) have been bred in captivity; or
 - (b) are from a source approved by the relevant body.
- (5) A person who keeps or possesses wildlife listed in Part B of Schedule 4 is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the keeping or possessing of that wildlife by the person, if the wildlife has been bred in captivity or is from a source approved by the Secretary.
- (6) A person who breeds wildlife listed in Part B of Schedule 4 is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the breeding of that wildlife by the person, if the wildlife is bred from specimens that have been bred in captivity or that are from a source approved by the Secretary.
- (7) A person who buys, acquires, sells or disposes of wildlife listed in Part B of Schedule 4 for non-commercial purposes and does not sell the wildlife from a shop or business premises is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the buying, acquiring, selling or disposing of that wildlife by

Reg. 49(4)(b)
amended by
S.R. No.
75/2014
reg. 32(4).

the person, if the wildlife has been bred in captivity or is from a source approved by the Secretary.

- (8) A person who sells or disposes of wildlife listed in Part B of Schedule 4 is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the sale or disposal of that wildlife if—
- (a) the wildlife is sold to the holder of a Wildlife Dealer Licence; and
 - (b) the person selling the wildlife has been provided by the person acquiring the wildlife with evidence of the acquirer's identity and of the acquirer's Wildlife Dealer Licence; and
 - (c) the wildlife has been bred in captivity; or
 - (d) is from a source approved by the Secretary.
- (9) A person who acquires, receives, possesses, buys, sells, displays, disposes of or processes specified birds or wildlife listed in Part C of Schedule 5 is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the acquiring, receiving, possessing, buying, selling, displaying, disposing of or processing (other than for the purposes of taxidermy) of that wildlife by the person, if—
- (a) the wildlife has been bred in captivity or is from a source approved by the relevant body; or
 - (b) the person is the operator of a meat processing facility licensed under the **Meat Industry Act 1993** and the wildlife has been obtained legally from—

Reg. 49(9)
amended by
S.R. No.
75/2014
reg. 32(5),
substituted by
S.R. No.
21/2018 reg. 4.

- (i) the holder of a licence under section 22 or 22A of the Act or an authority under section 28A of the Act who is acting in accordance with that licence or authority; or
- (ii) a person acting in accordance with an authorisation order made under section 28G of the Act.

Reg. 49(9A)
inserted by
S.R. No.
21/2018 reg. 4.

(9A) A person who acquires, receives, possesses or disposes of wildlife listed in Part C of Schedule 5 and who is the operator of a landfill licensed under the **Environment Protection Act 1970** is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the acquiring, receiving, possessing or disposing of that wildlife by that person, if the dead wildlife has been obtained legally from—

- (a) a person acting in accordance with an Order made under section 7A of the Act; or
- (b) the holder of a licence under section 22 or 22A of the Act or an authority under section 28A of the Act who is acting in accordance with that licence or authority; or
- (c) a person acting in accordance with an authorisation order made under section 28G of the Act.

Reg. 49(9B)
inserted by
S.R. No.
21/2018 reg. 4.

(9B) A person who acquires, receives, possesses or processes wildlife listed in Part C of Schedule 5 is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the acquiring, receiving, possessing or processing of that wildlife by that person, if that person processes that wildlife on behalf of and for personal consumption by—

- (a) a person acting in accordance with an Order made under section 7A of the Act; or

- (b) the holder of a licence under section 22 or 22A of the Act or an authority under section 28A of the Act who is acting in accordance with that licence or authority; or
- (c) a person acting in accordance with an authorisation order made under section 28G of the Act.

(9C) A person who is—

- (a) acting in accordance with an Order made under section 7A of the Act; or
- (b) the holder of a licence under section 22 or 22A of the Act or an authority under section 28A of the Act who is acting in accordance with that licence or authority; or
- (c) acting in accordance with an authorisation order made under section 28G of the Act—

is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the disposing of wildlife listed in Part C of Schedule 5, if that person disposes of the wildlife to a person operating under subregulation (9), (9A) or (9B), as the case applies.

(10) A person who breeds specified birds or wildlife listed in Part C of Schedule 5 is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the breeding (other than for the purposes of taxidermy) of that wildlife by the person, if the wildlife is bred from specimens that have been bred in captivity or that are from a source approved by the relevant body.

(11) A person who possesses, buys or sells—

- (a) parts of wildlife listed in Part B of Schedule 5 in any form; or

Reg. 49(9C)
inserted by
S.R. No.
21/2018 reg. 4.

Reg. 49(10)
amended by
S.R. No.
75/2014
reg. 32(6).

(b) the shells of the eggs of emus (*Dromaius novaehollandiae*)—

that have been processed (but not taxidermied) in accordance with the Act or the corresponding law of another State or a Territory of the Commonwealth is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the possessing, buying or selling of that wildlife by the person if that wildlife has, or the shells of the eggs are from emus that have, been bred in captivity or are from a source approved by the Secretary.

50 Exemptions from offences in the Act for the purpose of treating sick, injured or abandoned wildlife

- (1) A person who temporarily possesses a specimen of sick, injured or abandoned wildlife for the purpose of transporting it to—
- (a) a registered veterinary practitioner; or
 - (b) a person who is the holder of an authorisation under section 28A(1)(f) of the Act—

is exempt from the operation of sections 45 and 47 of the Act to the extent that sections 45 and 47 relate to the possession of that wildlife for that purpose.

- (2) A registered veterinary practitioner who temporarily possesses sick, injured or abandoned wildlife for the purpose of administering veterinary treatment to the wildlife is exempt from the operation of sections 45 and 47 of the Act, to the extent that sections 45 and 47 relate to the possession of that wildlife for that purpose by the practitioner.

51 Exemptions from offences relating to threatened and protected wildlife for the Zoological Parks and Gardens Board

The Zoological Parks and Gardens Board established under the **Zoological Parks and Gardens Act 1995** is exempt from the operation of sections 45 and 47 of the Act.

51A Exemptions from offence in the Act relating to the sale etc. of wildlife

Reg. 51A
inserted by
S.R. No.
164/2018
reg. 13.

- (1) A person who displays, buys, sells, acquires, receives, keeps or possesses wildlife at a wildlife event is exempt from the operation of section 47 of the Act to the extent that section 47 relates to the displaying, buying, selling, acquiring, receiving, keeping or possessing of that wildlife by the person, in the circumstances set out in subregulation (2).
- (2) For the purposes of subregulation (1), the circumstances are that—
 - (a) the person holds a wildlife licence specified in the notice under regulation 39A(2)(b) in relation to the wildlife event; and
 - (b) the person complies with any conditions imposed under regulation 39A(2)(c) in relation to the wildlife event.

52 Exemptions from offences relating to possessing threatened and protected wildlife for the purposes of conveying and transporting the wildlife

- (1) A person who possesses wildlife (except wildlife listed in Part C of Schedule 5) for the purposes of transporting it on behalf of, or at the request of, a holder of a wildlife licence is exempt from the operation of sections 45 and 47, to the extent that sections 45 and 47 relate to the possession of wildlife, in the circumstances set out in subregulation (2).

Reg. 52(1)
amended by
S.R. No.
21/2018 reg. 5.

- (2) For the purposes of subregulation (1), the circumstances are that the person has a letter of authorisation or delivery docket that has been provided by the licence holder which the person reasonably believes states—
- (a) the name and address and wildlife licence number (if any) of the owner of the wildlife; and
 - (b) the name and address and wildlife licence number (if any) of the person to whom the wildlife is being consigned; and
 - (c) the common name (where provided in the relevant Schedule to these Regulations, if any) of each taxon of wildlife that is being consigned; and
 - (d) the number of specimens of each taxon of wildlife being conveyed or transported; and
 - (e) the date on which the wildlife is being conveyed or transported.

Reg. 52A
inserted by
S.R. No.
21/2018 reg. 6.

52A Exemptions from offences relating to possessing deer for the purposes of transporting the deer

- (1) A person acting in accordance with an Order made under section 7A of the Act who possesses wildlife listed in Part C of Schedule 5 and is transporting the wildlife on Crown land is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the possession of wildlife.
- (2) A person who possesses wildlife listed in Part C of Schedule 5 for the purposes of transporting it on behalf of, or at the request of—
- (a) a person acting in accordance with an Order made under section 7A of the Act (where the wildlife is being transported on Crown land); or

- (b) the holder of a licence under section 22 or 22A of the Act or an authority under section 28A of the Act who is acting in accordance with that licence or authority; or
- (c) a person acting in accordance with an authorisation order made under section 28G of the Act—

is exempt from the operation of section 47 of the Act, to the extent that section 47 relates to the possession of wildlife, in the circumstances set out in subregulation (3).

- (3) For the purposes of subregulation (2), the circumstances are that the person has a letter of authorisation or delivery docket that has been provided by the licence or authority holder which the person reasonably believes states—
 - (a) the name and address of the licence or authority holder from whom the wildlife was sourced; and
 - (b) the address of the property or location from which the wildlife was sourced; and
 - (c) the name and address of the person to whom the wildlife is being consigned; and
 - (d) the date on which the wildlife is being transported.

53 Exemptions from offences relating to possessing threatened and protected wildlife for persons possessing cast, shed or sloughed products of wildlife

A person who possesses cast or shed wildlife feathers, sloughed skins of reptiles or cast antlers of deer is exempt from the operation of sections 45 and 47 of the Act to the extent that sections 45 and 47 relate to the possession of that product by the person.

54 Exemptions from import and export permit requirements in the Act

For the purposes of section 50(1A) of the Act, the following wildlife and wildlife products are prescribed—

- (a) wildlife listed in Part A of Schedule 4; and
- (ab) any taxon of specified birds; and

- (b) cast or shed wildlife feathers, sloughed skins of reptiles or cast antlers of deer; and
- (c) any of the following that have been processed (but not taxidermied) in accordance with the Act or with a corresponding law of another State or of a Territory of the Commonwealth—
 - (i) parts of wildlife listed in Part B of Schedule 5 in any form;
 - (ii) the shells of eggs of emus (*Dromaius novaehollandiae*);
 - (iii) dead game that has been obtained in a legal manner from a legal source.

Reg. 54(ab)
inserted by
S.R. No.
75/2014
reg. 33.

Part 5—Private wildlife licences

55 Conditions of any Wildlife Basic Licence and any Wildlife Advanced Licence

(1) It is a condition of any Wildlife Basic Licence and of any Wildlife Advanced Licence that the licence holder must not—

(a) sell or dispose of any wildlife which the licence holder bought or acquired that has not been in the possession of the licence holder for at least six months, without the prior written approval of the Secretary; or

(b) sell or dispose of wildlife from a shop or business premises, other than at a wildlife event; or

(ba) display wildlife, other than at a wildlife event; or

(bb) charge a fee for the display of wildlife at a wildlife event; or

(c) sell or dispose of wildlife for commercial purposes from the premises specified on the licence; or

(d) buy or acquire wildlife from a person unless that person—

(i) holds a wildlife licence that authorises that person to sell or dispose of that wildlife; or

(ii) is an exempt person for the purposes of selling or disposing of any such wildlife; or

Reg. 55
amended by
S.R. No.
164/2018
reg. 14(2) (ILA
s. 39B(2)).

Reg. 55(1)(b)
substituted by
S.R. No.
164/2018
reg. 14(1).

Reg. 55(1)(ba)
inserted by
S.R. No.
164/2018
reg. 14(1).

Reg. 55(1)(bb)
inserted by
S.R. No.
164/2018
reg. 14(1).

- (iii) has obtained the prior written approval of the Secretary; or
 - (e) sell or dispose of wildlife to a person unless that person—
 - (i) holds a wildlife licence that authorises that person to buy or acquire that wildlife; or
 - (ii) is an exempt person for the purposes of selling or disposing of any such wildlife; or
 - (iii) has obtained the prior written approval of the Secretary; or
 - (f) in the case of wildlife listed in Schedule 7, sell or dispose of that wildlife to any person unless that person—
 - (i) is the holder of a Wildlife Basic Licence; or
 - (ii) is the holder of a Wildlife Advanced Licence; or
 - (iii) has obtained the prior written approval of the Secretary; or
 - (g) possess or keep more than 10 specimens of wildlife listed in Schedule 7, other than specimens of those wildlife that are less than four weeks old or the eggs of those wildlife.
- (2) It is a condition of any Wildlife Basic Licence and of any Wildlife Advanced Licence that the licence holder must act in accordance with any conditions imposed under regulation 39A(2)(c) while participating in a wildlife event.

Reg. 55(2)
inserted by
S.R. No.
164/2018
reg. 14(2).

56 Conditions of any Wildlife Specimen Licence

- (1) It is a condition of any Wildlife Specimen Licence that the licence holder must not enter into a transaction with a person to buy, acquire, sell or dispose of wildlife unless the person—
- (a) holds a wildlife licence that authorises that person to buy, acquire, sell or dispose of that wildlife; or
 - (b) is an exempt person for the purposes of buying, acquiring, selling or disposing of such wildlife; or
 - (c) has obtained the prior written approval of the Secretary.

Reg. 56
amended by
S.R. No.
164/2018
reg. 15 (ILA
s. 39B(2)).

- (2) It is a condition of any Wildlife Specimen Licence that the licence holder must not—
- (a) display wildlife, other than at a wildlife event; or
 - (b) charge a fee for the display of wildlife at a wildlife event.

Reg. 56(2)
inserted by
S.R. No.
164/2018
reg. 15.

- (3) It is a condition of any Wildlife Specimen Licence that the licence holder must act in accordance with any conditions imposed under regulation 39A(2)(c) while participating in a wildlife event.

Reg. 56(3)
inserted by
S.R. No.
164/2018
reg. 15.

57 Conditions of any Dingo Licence

- (1) It is a condition of any Dingo Licence that the licence holder must not—
- (a) sell or dispose of any dingo from a shop or business premises; or
 - (b) sell or dispose of any dingo for commercial purposes from the premises specified on the licence; or

- (c) buy, acquire, sell or dispose of any dingo from a person unless that person—
 - (i) is the holder of a Dingo Licence that authorises that person to buy, acquire, sell or dispose of that dingo; or
 - (ii) is the holder of a Wildlife Displayer Licence; or
 - (iii) has obtained the prior written approval of the Secretary; or
 - (d) sell, lend, trade, consign or dispose of any dingo pups less than seven weeks of age.
- (2) It is a condition of any Dingo Licence that the licence holder must—
- (a) not keep dingoes at an address not specified in the licence, other than—
 - (i) for the purposes of exercising or obedience training; or
 - (ii) for educational purposes; or
 - (iii) for the purposes of displaying dingoes at a show conducted by a canine association; or
 - (iv) for any other purpose as approved in writing by the Secretary;
 - (b) only keep dingoes in permanent and fixed enclosures that are—
 - (i) child-proof; and
 - (ii) of sufficiently secure design and construction to prevent escape of dingoes and prevent unauthorised access to dingoes;

Reg. 57
(2)(a)(iv)
amended by
S.R. No.
75/2014
reg. 34.

- (c) ensure the dingo enclosures are constructed prior to application for the Dingo Licence and the acquiring of dingoes under the licence;
- (d) if a person other than the licence holder interacts with a dingo, ensure the interaction is done in a manner which minimises the risk of injury to any person or the dingo;
- (e) ensure that all dingoes 7 weeks of age or older are durably marked for identification purposes with a microchip or any other permanent identification device by an authorised implanter in accordance with the **Domestic Animals Act 1994**;
- (f) ensure that, when outside the premises specified in the licence, any dingo must wear a collar around its neck with an identification disc attached to the collar which clearly states the name and phone number of the licence holder and the licence number;
- (g) ensure that dingoes are effectively confined to an enclosure, or when outside an enclosure, are effectively controlled at all times by a physical means of restraint including through use of a chain, cord, leash or harness, even within a designated "off-lead" area;
- (h) ensure that persons under 16 years of age are not allowed unsupervised access to dingoes at any time;
- (i) in the event of the escape of any dingoes, make all reasonable efforts to recapture, humanely destroy or otherwise determine the fate of the escaped dingo.

- (3) If a dingo is being displayed for educational purposes or at a show conducted by a canine organisation, it is a condition of any Dingo Licence that the licence holder must—
- (a) ensure that the licence holder, or a person permitted by the licence holder, is always in attendance to protect the dingo from abuse or harassment by any person;
 - (b) ensure that the licence holder, or a person permitted by the licence holder, has direct control of the dingo at all times;
 - (c) ensure that every precaution is taken to prevent the risk of injury to any person and to ensure the health and well being of the dingo;
 - (f) ensure that only dingoes that are fully conditioned to handling are used for these purposes.

Part 6—Commercial Wildlife Licences

Division 1—General

58 Conditions applying to all Commercial Wildlife Licences

It is a condition of all Commercial Wildlife Licences that the licence holder must—

- (a) ensure that all employees of the licence holder who are employed to engage in conduct on behalf of the licence holder under that licence are aware of, and competent in, the scope of activities which may be undertaken on behalf of the licence holder under the wildlife licence;
- (b) provide a copy of the wildlife licence to an employee before that employee can undertake any activity on behalf of the licence holder under that licence.

Reg. 58(a)
amended by
S.R. No.
75/2014
reg. 35.

59 Commercial Wildlife Licence to apply to single premises

A Commercial Wildlife Licence only applies to a single premises listed on that licence.

60 Display of signs for certain Commercial Wildlife Licences

It is a condition of any Commercial Wildlife Licence, except a Wildlife Controller Licence, that the licence holder must—

- (a) at all times display a sign or signs stating the following words—
 - (i) "The wildlife on these premises are possessed under a licence issued under the **Wildlife Act 1975**"; and

- (ii) "Wildlife must not be taken from the wild without a licence, permit or authority issued under the **Wildlife Act 1975**";
- (b) ensure that signs which are required by paragraph (a)—
 - (i) are positioned at the main entrance to the premises specified in the licence; and
 - (ii) are in a position that is obvious and easily readable for all visitors to the premises or wildlife display or wildlife demonstration; and
 - (iii) have a white background, with the lettering on such signs in black block type of not less than 30 millimetres in height; and
 - (iv) are maintained in good condition so that they are easily readable at all times.

61 Employees of certain Commercial Wildlife Licence holders must carry copy of licence

An employee of a holder of any Wildlife Demonstrator Licence or of any Wildlife Controller Licence must carry a legible copy of his or her employer's licence when undertaking any activity under that licence.

Penalty: 5 penalty units.

62 Specified premises

- (1) It is a condition of each category of wildlife licence specified in subregulation (2) that the holder of the licence must keep the wildlife at premises specified in the licence unless—

Reg. 62
amended by
S.R. No.
75/2014
reg. 36,
substituted by
S.R. No.
164/2018
reg. 16.

- (a) the holder of the licence has the prior written approval of the relevant body to keep the wildlife at a different premises; or
 - (b) if applicable, the holder of the licence is participating in a wildlife event.
- (2) The following wildlife licences are specified for the purposes of subregulation (1)—
- (a) Wildlife Basic Licence;
 - (b) Wildlife Advanced Licence;
 - (c) Wildlife Specimen Licence;
 - (d) Dingo Licence;
 - (e) Wildlife Dealer Licence;
 - (f) Wildlife Taxidermist Licence;
 - (g) Game Bird Farmer Licence;
 - (h) Wildlife Processor Licence.

Division 2—Conditions of Wildlife Controller Licences

63 Conditions of any Wildlife Controller Licence

- (1) It is a condition of any Wildlife Controller Licence that the licence holder must—
- (a) not take or destroy wildlife on land without the prior written approval of the owner or occupier of that land;
 - (b) not use equipment that is not specified in the licence for taking or destroying wildlife;
 - (c) attach a clear label to all equipment specified in the licence to be used in connection with the licence, specifying the appropriate wildlife licence number;

Reg. 63(1)(f)
amended by
S.R. No.
75/2014
reg. 37.

- (d) not sell or dispose of wildlife to persons or organisations not specified in the licence unless with the prior written approval of the Secretary;
- (e) ensure that the owner or occupier of the land who employs the licence holder to take or destroy wildlife listed in Schedule 6 holds an authorisation issued under Part IIIA of the Act unless—
 - (i) the wildlife is declared by the Governor in Council to be unprotected in that area; or
 - (ii) the licence holder is taking or destroying reptiles;
- (f) not display to the public the wildlife or the operations undertaken in accordance with the licence.

(2) It is a condition of any Wildlife Controller Licence that—

- (a) in the case of a licence holder that is a natural person, the licence holder is present when an employee of the licence holder takes wildlife from the wild; or
- (b) in the case of a licence holder that is not a natural person, the natural person referred to under regulation 20(1)(b)(v) or regulation 21(2) is present when an employee of the licence holder takes wildlife from the wild.

64 Conditions of a Wildlife Controller Licence which authorises the taking of certain birds from the wild

- (1) In the case of a Wildlife Controller Licence that authorises the taking of birds from the wild for sale or disposal, it is a condition of the licence that the licence holder must—

- (a) place a mark, in a form approved by the Secretary, on any bird taken from the wild before the bird is moved from the place at which it was taken;
 - (b) pay to the Secretary the appropriate royalty specified in regulation 74 for each bird taken.
- (2) In this regulation, *bird* means Sulphur-crested Cockatoos, Galahs or Long-billed Corellas.

Division 3—Conditions of Wildlife Dealer Licences

65 Conditions of any Wildlife Dealer Licence

- (1) It is a condition of any Wildlife Dealer Licence that the licence holder must—
- (a) display at all times on each enclosure which contains wildlife at the premises specified in the licence, a sign which gives the following details—
 - (i) the common name as used in the Schedules of all the taxa of wildlife contained in that enclosure;
 - (ii) the details of the category of licence that must be held by any purchaser of that wildlife;
 - (b) provide, to each person who buys or accepts wildlife from the licence holder, printed information in a form approved by the Secretary that outlines the requirements for the proper feeding, care, housing and welfare of the taxa of wildlife bought or accepted;
 - (c) not charge a fee for the display of wildlife to the public;
 - (d) not buy or acquire wildlife listed in Part B of Schedule 4 from a person unless the person produces evidence of the person's identity;

Reg. 65(1)(da)
inserted by
S.R. No.
164/2018
reg. 17.

- (da) act in accordance with any conditions imposed under regulation 39A(2)(c) while participating in a wildlife event;
 - (e) if buying or acquiring wildlife listed in Part B of Schedule 4, enter all details of the transaction in the record book supplied by the Secretary;
 - (f) comply with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**.
- (2) It is a condition of any Wildlife Dealer Licence that the licence holder must not enter into a transaction with a person to buy, acquire, sell or dispose of wildlife unless the person—
- (a) holds a wildlife licence that authorises that person to buy, acquire, sell or dispose of that wildlife; or
 - (b) is an exempt person for the purposes of buying, acquiring, selling or disposing of any such wildlife; or
 - (c) has obtained the prior written approval of the Secretary.
- (3) It is a condition of any Wildlife Dealer Licence that the licence holder must, in the case of wildlife which dies while in the possession of the licence holder—
- (a) sell or dispose of the dead wildlife to the holder of a Wildlife Taxidermist Licence; or
 - (b) dispose of the dead wildlife by incineration or burial.

- (4) A person who is not an employee of the holder of a wildlife licence but who cares for wildlife on behalf of the licence holder does not commit an offence under the Act or these Regulations if the person is acting under the immediate supervision of the licence holder or an employee of the licence holder.
- (5) The holder of a Wildlife Dealer Licence may, with the prior written approval of the Secretary, display the wildlife referred to in the licence to the public at premises other than those specified in the licence for the purpose of promoting the licence holder's business.

Division 4—Conditions of Wildlife Demonstrator Licences

66 Conditions of any Wildlife Demonstrator Licence

- (1) It is a condition of any Wildlife Demonstrator Licence that the licence holder must—
 - (a) obtain the prior written approval of the Secretary before allowing the wildlife to be used in a commercial film;
 - (b) in the case of a licence issued for more than three months, give at least 5 demonstrations involving wildlife to the public in every 6 month period of the licence;
 - (c) not sell or dispose of any wildlife which the licence holder bought or acquired that has been in the possession of the licence holder for less than 6 months, without the prior written approval of the Secretary;
 - (ca) act in accordance with any conditions imposed under regulation 39A(2)(c) while participating in a wildlife event;

Reg. 66(1)(ca)
inserted by
S.R. No.
164/2018
reg. 18.

- (d) display wildlife in circumstances that minimise the chance of escape of any wildlife;
 - (e) display wildlife in circumstances that provide for the good health and welfare of the wildlife in accordance with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**;
 - (f) display wildlife in circumstances that minimise the risk of injury to any person or to the wildlife;
 - (g) not allow dangerous or venomous wildlife to be handled by persons other than the licence holder without the prior written approval of the Secretary;
 - (h) ensure that wildlife being demonstrated is under the direct supervision of the licence holder or an employee of the licence holder at all times while the wildlife is being demonstrated.
- (2) It is a condition of any Wildlife Demonstrator Licence that the licence holder must not accept wildlife from any person as a gift without the prior written approval of the Secretary, unless the person offering the gift—
- (a) holds a wildlife licence that authorises that person to sell or dispose of that wildlife; or
 - (b) is an exempt person for the purposes of selling or disposing of any such wildlife.
- (3) It is a condition of any Wildlife Demonstrator Licence that the licence holder must, in the case of wildlife which dies while in the possession of the licence holder—

- (a) sell or dispose of the dead wildlife to the holder of a Wildlife Taxidermist Licence; or
 - (b) dispose of the dead wildlife by incineration or burial; or
 - (c) retain the dead wildlife.
- (4) It is a condition of any Wildlife Demonstrator Licence that the licence holder must not enter into a transaction with a person to buy, acquire, sell or dispose of wildlife unless the person—
- (a) holds a wildlife licence that authorises that person to buy, acquire, sell or dispose of that wildlife; or
 - (b) is an exempt person for the purposes of buying, acquiring, selling or disposing of any such wildlife; or
 - (c) has obtained the prior written approval of the Secretary.

Division 5—Conditions of Wildlife Displayer Licences

67 Conditions of any Wildlife Displayer Licence

- (1) It is a condition of any Wildlife Displayer Licence that the licence holder must—
- (a) obtain the prior written approval of the Secretary before allowing wildlife to be used in a commercial film;
 - (b) open the display at the premises specified in the licence to the public for at least six hours per day during the daylight hours of at least 50 days in each of the following 6 month periods over a 12 month period—
 - (i) 1 October–31 March; and
 - (ii) 1 April–30 September;

- (c) within 24 hours of opening and closing the display for public access, enter accurately, legibly and permanently the date and time of opening and closing in a log book or diary kept solely for this purpose;
- (d) ensure that the entire perimeter of the premises specified in the licence is enclosed by a fence that is of a sufficient height, strength and design that will prevent the escape of any wildlife held on the premises and prevent entry of persons not authorised by the licence holder;
- (e) display wildlife in circumstances that minimise the chance of escape of any wildlife;
- (f) display wildlife in circumstances that provide for the good health and welfare of the wildlife in accordance with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**;
- (g) display wildlife in circumstances that minimise the risk of injury to any person;
- (h) not allow dangerous or venomous wildlife to be handled by persons other than the licence holder without the prior written approval of the Secretary;
- (i) ensure that wildlife being displayed is under the direct supervision of the licence holder or an employee of the licence holder at all times while the display is open to the public;
- (ia) act in accordance with any conditions imposed under regulation 39A(2)(c) while participating in a wildlife event;

Reg. 67(1)(ia)
inserted by
S.R. No.
164/2018
reg. 19.

- (j) not commence construction of a new enclosure or alterations to an existing enclosure that might impact on the welfare of wildlife without the prior written approval of the Secretary.
- (2) It is a condition of any Wildlife Displayer Licence that the licence holder must not accept wildlife from any person as a gift without the prior written approval of the Secretary, unless the person offering the gift—
- (a) holds a wildlife licence that authorises that person to sell or dispose of that wildlife; or
 - (b) is an exempt person for the purposes of selling or disposing of any such wildlife.
- (3) It is a condition of any Wildlife Displayer Licence that the licence holder must, in the case of wildlife which dies while in the possession of the licence holder—
- (a) sell or dispose of the dead wildlife to the holder of a Wildlife Taxidermist Licence; or
 - (b) dispose of the dead wildlife by incineration or burial; or
 - (c) retain the dead wildlife.
- (4) It is a condition of any Wildlife Displayer Licence that the licence holder must not enter into a transaction with a person to buy, acquire, sell or dispose of wildlife unless the person—
- (a) holds a wildlife licence that authorises that person to buy, acquire, sell or dispose of that wildlife; or
 - (b) is an exempt person for the purposes of buying, acquiring, selling or disposing of any such wildlife; or

- (c) has obtained the prior written approval of the Secretary.
- (5) A person who is not an employee of the holder of a wildlife licence but who cares for wildlife on behalf of the licence holder does not commit an offence under the Act or these Regulations if the person is acting under the immediate supervision of the licence holder or an employee of the licence holder.

Division 6—Conditions of Game Bird Farmer Licences, Wildlife Processor Licences and Wildlife Farmer Licences

68 Condition of any Game Bird Farmer Licence, Wildlife Processor Licence and Wildlife Farmer Licence

It is a condition of a Game Bird Farmer Licence, Wildlife Processor Licence and Wildlife Farmer Licence that the licence holder must not process for the purpose of preparing and mounting, or restoring, parts or complete specimens of wildlife in a manner which could be regarded as taxidermy.

69 Conditions of any Game Bird Farmer Licence and Wildlife Processor Licence

It is a condition of a Game Bird Farmer Licence and Wildlife Processor Licence that the licence holder must not rent, hire, or use for promotional purposes parts or complete specimens of wildlife at places other than at the premises specified in the licence.

70 Conditions of any Game Bird Farmer Licence

- (1) It is a condition of any Game Bird Farmer Licence that the licence holder must—
- (a) ensure that the wildlife has been bred and raised by the licence holder or have been bred in captivity;
 - (b) not release wildlife in an area on the premises specified in the licence that is less than 100 hectares;
 - (c) comply with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**.

Reg. 70(1)(c)
amended by
S.R. No.
75/2014
reg. 38(1).

* * * * *

Reg. 70(1)(d)
revoked by
S.R. No.
75/2014
reg. 38(2).

- (2) A person who is not an employee of the holder of a wildlife licence but who cares for wildlife on behalf of the licence holder does not commit an offence under the Act or these Regulations if the person is acting under the immediate supervision of the licence holder or an employee of the licence holder.

71 Conditions of any Wildlife Processor Licence

- (1) It is a condition of any Wildlife Processor Licence that the licence holder must ensure that the wildlife has been bred in captivity or taken in accordance with the Act or a relevant law of another State or Territory of the Commonwealth.
- (2) It is a condition of any Wildlife Processor Licence that the licence holder must not enter into a transaction with a person to buy, acquire, sell or dispose of wildlife unless the person—

- (a) holds a wildlife licence that authorises that person to buy, acquire, sell or dispose of that wildlife; or
- (b) is an exempt person for the purposes of buying, acquiring, selling or disposing of any such wildlife; or
- (c) has obtained the prior written approval of the Secretary.

72 Conditions of any Wildlife Farmer Licence

- (1) It is a condition of any Wildlife Farmer Licence that the licence holder must—
 - (a) not rent or hire parts or complete specimens of wildlife;
 - (b) in the case of a licence holder who is a natural person, ensure that the premises specified in the licence are under the direct supervision of the licence holder or an employee of the licence holder at all times while any activities relating to destroying and processing of wildlife are taking place;
 - (c) in the case of a licence holder who is not a natural person, the natural person referred to under regulation 20(1)(b)(v) or regulation 21(2), as the case applies, is present while any activities relating to destroying and processing of wildlife are taking place;
 - (d) ensure that any wildlife destroyed under the licence is destroyed humanely so as to cause sudden and painless death;
 - (e) ensure that any facilities for destroying or processing wildlife are situated on the premises specified in the licence in such a place and manner that wildlife held under the licence elsewhere on those premises is not disturbed by those activities;

- (f) comply with any applicable code of practice made under the **Prevention of Cruelty to Animals Act 1986** or the **Domestic Animals Act 1994**.
- (2) It is a condition of any Wildlife Farmer Licence that the licence holder must not, without the prior written approval of the Secretary, buy or acquire wildlife from any person other than—
- (a) the holder of a Wildlife Farmer Licence; or
 - (b) the holder of a Wildlife Dealer Licence.
- (3) It is a condition of any Wildlife Farmer Licence that the licence holder must not, without the prior written approval of the Secretary, sell or dispose of wildlife to any person other than—
- (a) the holder of a Wildlife Farmer Licence; or
 - (b) the holder of a Wildlife Dealer Licence; or
 - (c) the holder of a Wildlife Processor Licence or a Wildlife Taxidermist Licence if the wildlife is dead; or
 - (d) the holder of a Wildlife Basic Licence or Wildlife Advanced Licence; or
 - (e) an exempt person for the purposes of buying or acquiring any such wildlife.

Division 7—Conditions of Wildlife Taxidermist Licences

73 Conditions of any Wildlife Taxidermist Licence

- (1) It is a condition of any Wildlife Taxidermist Licence that the licence holder must—
- (a) obtain the prior written approval of the Secretary before allowing wildlife to be used in a commercial film;

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Part 6—Commercial Wildlife Licences

Reg. 73(1)(c)
substituted by
S.R. No.
164/2018
reg. 20.

- (b) not charge a fee for the display of wildlife to the public;
- (c) not display the wildlife specified in the licence to the public at premises other than those specified in the licence for the purpose of promoting the licence holder's business unless—
 - (i) the licence holder has obtained the written approval of the Secretary; or
 - (ii) the display occurs at a wildlife event;
- (d) act in accordance with any conditions imposed under regulation 39A(2)(c) while participating in a wildlife event.

Reg. 73(1)(d)
inserted by
S.R. No.
164/2018
reg. 20.

- (2) It is a condition of any Wildlife Taxidermist Licence that the licence holder must not enter into a transaction with a person to buy, acquire, sell or dispose of wildlife unless the person—
 - (a) holds a wildlife licence that authorises that person to buy, acquire, sell or dispose of that wildlife; or
 - (b) is an exempt person for the purposes of buying, acquiring, selling or disposing of any such wildlife; or
 - (c) has obtained the prior written approval of the Secretary.

Part 7—Royalties

74 Royalties

For the purposes of regulation 64, the appropriate royalty payable in respect of the taking from the wild of the classes of wildlife specified in column 1 of the following table is set out opposite each particular class of wildlife in column 2 of the Table—

TABLE

Column 1 <i>Wildlife specimen</i>	Column 2 <i>Royalty payable</i>
Sulphur-crested Cockatoo	\$5
Galah	\$5
Long-billed Corella	\$5

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Schedules

Schedules

Schedule 1—Fees

Regulations 19(1), (2) and (3)

Sch. 1
amended by
S.R. No.
75/2014
reg. 39.

Column 1 <i>Item Number</i>	Column 2 <i>Licence Category</i>	Column 3 <i>Annual Fee</i>
1	Wildlife Basic Licence	6·7 fee units
2	Wildlife Advanced Licence	12·4 fee units
3	Wildlife Specimen Licence	1·0 fee unit
4	Dingo Licence	9·6 fee units
5	Wildlife Controller Licence	20 fee units
6	Wildlife Dealer Licence	57·2 fee units
7	Wildlife Demonstrator Licence	37·3 fee units
8	Wildlife Displayer Licence	51·3 fee units
9	Game Bird Farmer Licence	49·2 fee units
10	Wildlife Processor Licence	49·2 fee units
11	Wildlife Farmer Licence	49·2 fee units
12	Wildlife Taxidermist Licence	40·7 fee units

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Schedule 2—Taxa of wildlife that may be held by holders of the appropriate licence for private or certain commercial purposes

Schedule 2—Taxa of wildlife that may be held by holders of the appropriate licence for private or certain commercial purposes

Sch. 2
amended by
S.R. No.
75/2014
reg. 40.

Regulations 7, 8, 12, 13, 18(a)(i) and (b)(i), and 37(1)(b)

Column 1 <i>Item Number</i>	Column 2 Birds	
1	Brown Quail	<i>Coturnix ypsilophora</i>
2	Little Button-quail	<i>Turnix velox</i>
3	Red-backed Button-quail	<i>Turnix maculosa</i>
4	Painted Button-quail	<i>Turnix varia</i>
5	Black-breasted Button-quail	<i>Turnix melanogaster</i>
6	Red-chested Button-quail	<i>Turnix pyrrhorthorax</i>
7	Chestnut-backed Button-quail	<i>Turnix castanota</i>
8	Bar-shouldered Dove	<i>Geopelia humeralis</i>
9	Flock Bronzewing	<i>Phaps histrionica</i>
10	White-headed Pigeon	<i>Columba leucomela</i>
11	Brush Bronzewing	<i>Phaps elegans</i>
12	Spinifex Pigeon	<i>Geophaps plumifera</i>
13	Squatter Pigeon	<i>Geophaps scripta</i>
14	Partridge Pigeon	<i>Geophaps smithii</i>
15	Rose-crowned Fruit-Dove	<i>Ptilinopus regina</i>
16	Brown Cuckoo-Dove	<i>Macropygia amboinensis</i>
17	Pied Imperial-Pigeon	<i>Ducula bicolor</i>
18	Topknot Pigeon	<i>Lopholaimus antarcticus</i>
19	Wonga Pigeon	<i>Leucosarcia melanoleuca</i>
20	Pacific Black Duck	<i>Anas superciliosa</i>
21	Grey Teal	<i>Anas gracilis</i>
22	Chestnut Teal	<i>Anas castanea</i>
23	Australasian Shoveler	<i>Anas rhynchotis</i>
24	Maned Duck	<i>Chenonetta jubata</i>
25	Cape Barren Goose	<i>Cereopsis novaehollandiae</i>
26	Australian Shelduck	<i>Tadorna tadornoides</i>
27	Magpie Goose	<i>Anseranas semipalmata</i>
28	Hardhead	<i>Aythya australis</i>
29	Wandering Whistling-Duck	<i>Dendrocygna arcuata</i>

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Schedule 2—Taxa of wildlife that may be held by holders of the appropriate licence for private or certain commercial purposes

Column 1 <i>Item Number</i>	Column 2 Birds	
30	Plumed Whistling-Duck	<i>Dendrocygna eytoni</i>
31	Radjah Shelduck	<i>Tadorna radjah</i>
32	Pink-eared Duck	<i>Malacorhynchus membranaceus</i>
33	Black Swan	<i>Cygnus atratus</i>
34	Black-tailed Native-hen	<i>Gallinula ventralis</i>
35	Mulga Parrot	<i>Psephotus varius</i>
36	Superb Parrot	<i>Polytelis swainsonii</i>
37	Regent Parrot South East subspecies	<i>Polytelis anthopeplus monarchoides</i>
38	Regent Parrot Western Australian subspecies	<i>Polytelis anthopeplus anthopeplus</i>
39	Red-capped Parrot	<i>Purpureicephalus spurius</i>
40	Rosellas— all kinds, except Western Rosella and Eastern Rosella	<i>Platycercus species</i> except <i>Platycercus icterotis</i> and <i>Platycercus eximus</i>
41	Australian Ringneck	<i>Barnardius zonarius</i> All species except <i>Barnardius zonarius semitorquatus</i>
42	Blue Bonnet all kinds, except southern Western Australian form <i>narethae</i>	<i>Northiella haematogaster</i> except <i>Northiella haematogaster narethae</i>
43	Blue-winged Parrot	<i>Neophema chrysostoma</i>
44	Rock Parrot	<i>Neophema petrophila</i>
45	Australian King-Parrot	<i>Alisterus scapularis</i>
46	Red-winged Parrot	<i>Aprosmictus erythropterus</i>
47	Golden-shouldered Parrot	<i>Psephotus chrysopterygius</i>
48	Eclectus Parrot (red-sided) Australian subspecies only	<i>Eclectus roratus macgillivrayi</i>
49	Red-collared Lorikeet	<i>Trichoglossus haematodus rubritorquis</i>
50	Varied Lorikeet	<i>Psitteuteles versicolor</i>
51	Little Lorikeet	<i>Glossopsitta pusilla</i>
52	Purple-crowned Lorikeet	<i>Glossopsitta porphyrocephala</i>

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Column 1 <i>Item Number</i>	Column 2 Birds	
53	Masked Finch	<i>Poephila personata</i>
54	Black-throated Finch	<i>Poephila cincta</i>
55	Diamond Firetail	<i>Stagonopleura guttata</i>
56	Red-browed Finch	<i>Neochmia temporalis</i>
57	Crimson Finch	<i>Neochmia phaeton</i>
58	Yellow-rumped Mannikin	<i>Lonchura flaviprymna</i>
59	Pictorella Mannikin	<i>Heteromunia pectoralis</i>
60	Red Wattlebird	<i>Anthochaera carunculata</i>
61	Silvereye	<i>Zosterops lateralis</i>
62	Banded Lapwing	<i>Vanellus tricolor</i>
63	Masked Lapwing	<i>Vanellus miles</i>
64	Australian Magpie	<i>Craticus tibicen</i>
65	Laughing Kookaburra	<i>Dacelo novaeguineae</i>
	Reptiles	
66	Broad-shelled River Turtle	<i>Chelodina expansa</i>
67	Oblong Turtle	<i>Chelodina colliei</i>
68	Northern Snapping Turtle	<i>Elseya dentata</i>
69	Saw-shelled Turtle	<i>Wollumbinia latisternum</i>
70	Mary River Tortoise	<i>Elusor macrurus</i>
71	Northern Spiny-tailed Gecko	<i>Strophurus ciliaris</i>
72	Western Stone Gecko	<i>Diplodactylus granariensis</i>
73	Eastern Stone Gecko	<i>Diplodactylus vittatus</i>
74	Tessellated Gecko	<i>Diplodactylus tessellatus</i>
75	Bynoe's Gecko	<i>Heteronotia binoei</i>
76	Desert Cave Gecko	<i>Heteronotia spelea</i>
77	Beaded Gecko	<i>Lucasium damaeum</i>
78	Northern Dtella	<i>Gehyra australis</i>
79	Tree Dtella	<i>Gehyra variegata</i>
80	Pale Knob-tailed Gecko	<i>Nephurus laevis</i>
81	Smooth Knob-tailed Gecko	<i>Nephurus levis</i>
82	Marbled Velvet Gecko	<i>Oedura marmorata</i>
83	Southern Spotted Velvet Gecko	<i>Oedura tryoni</i>
84	Southern Spiny-tailed Gecko	<i>Strophurus intermedius</i>
85	Thick-tailed Gecko	<i>Underwoodisaurus milii</i>
86	Bearded Dragon	<i>Pogona barbata</i>

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Column 1 <i>Item Number</i>	Column 2 Reptiles	
87	Jacky Lizard	<i>Amphibolurus muricatus</i>
88	Central Bearded Dragon	<i>Pogona vitticeps</i>
89	Eastern Water Dragon	<i>Intellagama lesueurii lesueurii</i>
90	Gippsland Water Dragon	<i>Intellagama lesueurii howittii</i>
91	Crested Dragon	<i>Ctenophorus cristatus</i>
92	Tawny Dragon	<i>Ctenophorus decresii</i>
93	Peninsula Dragon	<i>Ctenophorus fionni</i>
94	Western Netted Dragon	<i>Ctenophorus reticulatus</i>
95	Red-barred Dragon	<i>Ctenophorus vadrappa</i>
96	Central Military Dragon	<i>Ctenophorus isolepis</i>
97	Central Netted Dragon	<i>Ctenophorus nuchalis</i>
98	Mallee Military Dragon	<i>Ctenophorus fordi</i>
99	Painted Dragon	<i>Ctenophorus pictus</i>
100	Gilbert's Dragon	<i>Amphibolurus gilberti</i>
101	Long-nosed Water Dragon	<i>Amphibolurus longirostris</i>
102	Eyrean Earless Dragon	<i>Tympanocryptis tetraporophora</i>
103	Southern Angle-headed Dragon	<i>Hypsilurus spinipes</i>
104	Eastern Three-lined Skink	<i>Acritoscincus duperreyi</i>
105	Land Mullet	<i>Bellatorias major</i>
106	Garden Skink	<i>Lampropholis delicata</i>
107	Grass Skink	<i>Lampropholis guichenoti</i>
108	Southern Grass Skink	<i>Pseudemoia entrecasteauxii</i>
109	Red-throated Skink	<i>Acritoscincus platynotus</i>
110	Eastern Water Skink	<i>Eulamprus quoyii</i>
111	Southern Water Skink subspecies only	<i>Eulamprus tympanum tympanum</i> subspecies only
112	Black Rock Skink	<i>Egernia saxatilis</i>
113	Gidgee Skink	<i>Egernia stokesii</i>
114	Bougainville's Skink	<i>Lerista bougainvillii</i>
115	Burrowing Skink	<i>Lerista picturata</i>
116	Boulenger's Skink	<i>Morethia boulengeri</i>
117	Spencer's Skink	<i>Pseudemoia spenceri</i>
118	Ocellated Skink	<i>Ctenotus pantherinus</i>
119	Regal Striped Skink	<i>Ctenotus regius</i>
120	Major Skink	<i>Bellatorias frerei</i>
121	Hosmer's Skink	<i>Egernia hosmeri</i>

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Column 1 <i>Item Number</i>	Column 2 Reptiles	
122	King's Skink	<i>Egernia kingii</i>
123	Centralian Ranges Rock-skink	<i>Liopholis margaretae</i>
124	Tree Skink	<i>Egernia striolata</i>
125	Narrow-banded Sand Swimmer	<i>Eremiascincus fasciolatus</i>
126	Ridge-tailed Monitor	<i>Varanus acanthurus</i>
127	Pygmy Mulga Monitor	<i>Varanus gilleni</i>
128	Mangrove Monitor	<i>Varanus indicus</i>
129	Merten's Water Monitor	<i>Varanus mertensi</i>
130	Storr's Monitor	<i>Varanus storri</i>
131	Black-headed Monitor	<i>Varanus tristis</i>
132	Lace Monitor	<i>Varanus varius</i>
133	Sand Monitor	<i>Varanus gouldii</i>
134	Burton's Snake-Lizard	<i>Lialis burtonis</i>
135	Common Scaly-foot	<i>Pygopus lepidopodus</i>
136	Eastern Hooded Scaly-foot	<i>Pygopus schraderi</i>
137	Western Hooded Scaly-foot	<i>Pygopus nigriceps</i>
138	Pink-tongued Lizard	<i>Cyclodomorphus gerrardii</i>
139	Centralian Blue-tongued Lizard	<i>Tiliqua multifasciata</i>
140	Western Blue-tongued Lizard	<i>Tiliqua occipitalis</i>
141	Shingle-Back Lizard	<i>Tiliqua rugosa</i>
142	Children's Python	<i>Antaresia childreni</i>
143	Spotted Python	<i>Antaresia maculosus</i>
144	Stimson's Python	<i>Antaresia stimsoni</i>
145	Water Python	<i>Liasis mackloti</i>
146	Olive Python	<i>Liasis olivaceus</i>
147	Black-headed Python	<i>Aspidites melanocephalus</i>
148	Australian Scrub Python	<i>Morelia kinghorni</i>
149	Carpet or Diamond Python including	<i>Morelia spilota</i>
	Diamond Python	<i>M. s. spilota</i>
	Top End Carpet Python	<i>M. s. variegata</i>
	Eastern Carpet Python	<i>M. s. mcdowellii</i>
	Jungle Carpet Python	<i>M. s. cheynei</i>
	Murray/Darling Carpet Python	<i>M. s. metcalfei</i>
	Western Carpet Python	<i>M. s. imbricata</i>
149A	Centralian Carpet Python	<i>Morelia bredli</i>
150	Keelback	<i>Tropidonophis mairii</i>
151	Common or Green Tree Snake	<i>Dendrelaphis punctulata</i>

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Column 1 <i>Item Number</i>	Column 2 Reptiles	
152	Slatey-grey Snake	<i>Stegonotus cucullatus</i>
153	Northern Tree Snake	<i>Dendrelaphis calligastra</i>
154	Woma Python	<i>Aspidites ramsayi</i>
155	Kreffft's River Turtle	<i>Emydura krefftii</i>
156	Southern Legless Lizard	<i>Delma australis</i>
157	Olive Legless Lizard	<i>Delma inornata</i>
	Amphibians	
158	Water-holding Frog	<i>Cyclorana platycephala</i>
159	Eastern Dwarf Tree Frog	<i>Litoria fallax</i>
160	Dainty Green Tree Frog	<i>Litoria gracilentata</i>
161	Giant Tree Frog	<i>Litoria infrafrenata</i>
162	Whistling Tree Frog	<i>Litoria verreauxii</i>
163	Peron's Tree Frog	<i>Litoria peronii</i>
164	Green Tree Frog	<i>Litoria caerulea</i>
165	Leseur's Frog	<i>Litoria lesueuri</i>
166	Blue Mountains Tree Frog	<i>Litoria citropa</i>
167	Leaf Green Tree Frog	<i>Litoria phyllochroa</i>
168	Leaf Green Tree Frog	<i>Litoria nudidigita</i>
169	Brown Striped Frog	<i>Limnodynastes peronii</i>
170	Great Barred Frog	<i>Mixophyes fasciolatus</i>
171	Giant Barred Frog	<i>Mixophyes iteratus</i>
172	Haswell's Frog	<i>Paracrinia haswelli</i>
173	Southern Smooth Froglet	<i>Geocrinia laevis</i>
174	Common Spadefoot Toad	<i>Neobatrachus sudellae</i>
	Mammals	
175	Common Brushtail Possum	<i>Trichosurus vulpecula</i>
176	Common Ringtail Possum	<i>Pseudocheirus peregrinus</i>
177	Sugar Glider	<i>Petaurus breviceps</i>
178	Fat-tailed Dunnart	<i>Sminthopsis crassicaudata</i>
179	Kowari	<i>Dasyuroides byrnei</i>
180	Tammar Wallaby	<i>Macropus eugenii</i>
181	Red-necked Wallaby	<i>Macropus rufogriseus</i>
182	Black Wallaby	<i>Wallabia bicolor</i>
183	Red-necked Pademelon	<i>Thylogale thetis</i>
184	Rufous-bellied Pademelon	<i>Thylogale billardierii</i>

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Column 1	Column 2
<i>Item Number</i>	Mammals
185	Red-legged Pademelon <i>Thylogale stigmatica</i>
186	Rufous Bettong <i>Aepyprymnus rufescens</i>
187	Southern Bettong <i>Bettongia gaimardi</i>
188	Common Wombat <i>Vombatus ursinus</i>
189	Plains Rat <i>Pseudomys australis</i>

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Schedule 3—Taxa of wildlife that may be held by holders of the appropriate licence for private or certain commercial purposes

Sch. 3
amended by
S.R. No.
75/2014
reg. 41.

Schedule 3—Taxa of wildlife that may be held by holders of the appropriate licence for private or certain commercial purposes

Regulations 8, 12, 13, 18(a)(i) and (b)(i), 20(1)(b)(ii) and 37(1)(b)

Part A

Column 1 <i>Item Number</i>	Column 2 Birds	
1	Baudin's Black-Cockatoo	<i>Calyptorhynchus baudinii</i>
2	Carnaby's Black-Cockatoo	<i>Calyptorhynchus latirostris</i>
3	Yellow-tailed Black-Cockatoo (all taxa)	<i>Calyptorhynchus funereus</i> (all taxa)
4	Red-tailed Black-Cockatoo (all taxa except South-eastern)	<i>Calyptorhynchus banksii</i> (all taxa except <i>graptogyne</i>)
5	Gang-gang Cockatoo	<i>Callocephalon fimbriatum</i>
6	Major Mitchell Cockatoo (all taxa)	<i>Lophochroa leadbeateri</i> (all taxa)
7	Glossy Black Cockatoo	<i>Calyptorhynchus lathami</i>
8	Swift Parrot	<i>Lathamus discolor</i>
9	Blue Bonnet (southern Western Australian form <i>narethae</i>)	<i>Northiella haematogaster</i> <i>narethae</i>

Part B

Column 1 <i>Item Number</i>	Column 2 Birds	
1	Double-eyed Fig-Parrot	<i>Cyclopsitta diophthalma</i>
2	Freckled Duck	<i>Stictonetta naevosa</i>
3	Cotton Pygmy-Goose	<i>Nettapus coromandelianus</i>
4	Green Pygmy-Goose	<i>Nettapus pulchellus</i>
5	Blue-billed Duck	<i>Oxyura australis</i>
6	Musk Duck	<i>Biziura lobata</i>
7	Superb Fruit-Dove	<i>Ptilinopus superbus</i>
8	Wompoo Fruit-Dove	<i>Ptilinopus magnificus</i>
9	Superb Fairy-wren	<i>Malurus cyaneus</i>

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Column 1 <i>Item Number</i>	Column 2 Birds	
10	Splendid Fairy-wren	<i>Malurus splendens</i>
11	Variiegated Fairy-wren	<i>Malurus lamberti</i>
12	White-winged Fairy-wren	<i>Malurus leucopterus</i>
13	Spotted Pardalote	<i>Pardalotus punctatus</i>
14	Beautiful Firetail	<i>Stagonopleura bella</i>
15	Red-eared Firetail	<i>Stagonopleura oculata</i>
16	Scarlet Honeyeater	<i>Myzomela sanguinolenta</i>
17	Crimson Chat	<i>Epthianura tricolor</i>
18	White-fronted Chat	<i>Epthianura albifrons</i>
19	White-quilled Rock-Pigeon	<i>Petrophassa albipennis</i>
20	Chestnut-quilled Rock Pigeon	<i>Petrophassa rufipennis</i>
21	White-browed Woodswallow	<i>Artamus superciliosus</i>
22	Inland Dotterel	<i>Charadrius australis</i>
23	Sacred Kingfisher	<i>Todiramphus sanctus</i>
	Reptiles	
24	Saltwater Crocodile	<i>Crocodylus porosus</i>
25	Freshwater Crocodile	<i>Crocodylus johnstoni</i>
26	Brook's Striped Skink	<i>Ctenotus brooksi</i>
27	Schomburgk's Skink	<i>Ctenotus schomburgkii</i>
28	Fat-tailed Gecko	<i>Diplodactylus conspicillatus</i>
29	Jewelled Gecko	<i>Strophurus elderi</i>
30	Giant Cave Gecko	<i>Pseudothecadactylus lindneri</i>
31	Beaked Gecko	<i>Rhynchoedura ornata</i>
32	Centralian Knob-tailed Gecko	<i>Nephrurus amyae</i>
33	Prickly Knob-tailed Gecko	<i>Nephrurus asper</i>
34	Golden-tailed Gecko	<i>Strophurus taenicauda</i>
35	Rough-throated Leaf-tail Gecko	<i>Saltuarius salebrosus</i>
36	Southern Leaf-tailed Gecko	<i>Saltuarius swaini</i>
37	Friiled Lizard	<i>Chlamydosaurus kingii</i>
38	Boyd's Forest Dragon	<i>Hypsilurus boydii</i>
39	Downs Bearded Dragon	<i>Pogona henrylawsoni</i>
40	Short-tailed Pygmy Monitor	<i>Varanus breviceuda</i>
41	Stripe-tailed Monitor	<i>Varanus caudolineatus</i>
42	Spotted Tree Monitor	<i>Varanus scalaris</i>
43	Spencer's Monitor	<i>Varanus spenceri</i>

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Schedule 3—Taxa of wildlife that may be held by holders of the appropriate licence for private or certain commercial purposes

Column 1 <i>Item Number</i>	Column 2 Reptiles	
44	Mitchell's Water Monitor	<i>Varanus mitchelli</i>
45	Green Python	<i>Morelia viridis</i>
46	Pygmy Python	<i>Antaresia perthensis</i>
47	Rough-scaled Python	<i>Morelia carinata</i>
48	Common Death Adder	<i>Acanthophis antarcticus</i>
49	Northern Death Adder	<i>Acanthophis praelongus</i>
50	Desert Death Adder	<i>Acanthophis pyrrhus</i>
51	Lowland Copperhead	<i>Austrelaps superbus</i>
52	Stephen's Banded Snake	<i>Hoplocephalus stephensii</i>
	* * * *	
54	Tiger Snake (all taxa)	<i>Notechis scutatus</i> (all taxa)
55	Taipan	<i>Oxyuranus scutellatus</i>
56	Fierce Snake	<i>Oxyuranus microlepidotus</i>
57	Mulga Snake	<i>Pseudechis australis</i>
58	Collett's Snake	<i>Pseudechis colletti</i>
59	Spotted Black Snake	<i>Pseudechis guttatus</i>
60	Red-bellied Black Snake	<i>Pseudechis porphyriacus</i>
61	Dugite	<i>Pseudonaja affinis</i>
62	Speckled Brown Snake	<i>Pseudonaja guttata</i>
63	Western Brown Snake (Gwardar) including southern central Australia variety and tropical northern Australia variety	<i>Pseudonaja mengdeni</i> <i>Pseudonaja aspidorhyncha</i> <i>Pseudonaja nuchalis</i>
64	Eastern Brown Snake	<i>Pseudonaja textilis</i>
65	Yellow-faced Whip Snake	<i>Demansia psammophis</i>
66	Eastern Small-eyed Snake	<i>Cryptophis nigrescens</i>
67	Curl Snake	<i>Suta suta</i>
68	White-lipped Snake	<i>Drysdalia coronoides</i>
69	Little Whip Snake	<i>Parasuta flagellum</i>
70	Mitchell's Short-tailed Snake	<i>Parasuta nigriceps</i>
71	Brown Tree Snake	<i>Boiga irregularis</i>
72	Arafura File Snake	<i>Acrochordus arafurae</i>
73	Northern Snake-necked Turtle	<i>Chelodina rugosa</i>
74	Steindachner's Turtle	<i>Chelodina steindachneri</i>
75	Pig-nosed Turtle	<i>Carettochelys insulpta</i>
76	Painted Turtle Jardine River Turtle only	<i>Emydura subglobosa</i> <i>subglobosa</i>

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Schedule 3—Taxa of wildlife that may be held by holders of the appropriate licence for private or certain commercial purposes

Column 1 <i>Item Number</i>	Column 2 Mammals	
77	Common Wallaroo (Euro)	<i>Macropus robustus</i>
78	Western Grey Kangaroo	<i>Macropus fuliginosus</i>
79	Kangaroo Island Kangaroo	<i>Macropus fuliginosus fuliginosus</i>
80	Eastern Grey Kangaroo	<i>Macropus giganteus</i>
81	Red Kangaroo	<i>Macropus rufus</i>
82	Agile Wallaby	<i>Macropus agilis</i>
83	Parma Wallaby	<i>Macropus parma</i>
84	Black-striped Wallaby	<i>Macropus dorsalis</i>
85	Quokka	<i>Setonix brachyurus</i>
86	Long-nosed Potoroo	<i>Potorous tridactylus</i>
87	Brush-tailed Bettong	<i>Bettongia pencillata</i>
88	Feathertail Glider	<i>Acrobates pygmaeus</i>
89	Squirrel Glider	<i>Petaurus norfolcensis</i>
90	Southern Brown Bandicoot	<i>Isodon obesulus</i>
91	Eastern Quoll	<i>Dasyurus viverrinus</i>
92	Spot-tailed Quoll	<i>Dasyurus maculatus</i>
	Amphibians	
93	Green and Golden Bell Frog	<i>Litoria aurea</i>
94	Growling Grass Frog	<i>Litoria raniformis</i>
95	Southern Toadlet	<i>Pseudophryne semimarmorata</i>
96	Giant Burrowing Frog	<i>Heleioporus australiacus</i>
97	Red-eyed Tree Frog	<i>Litoria chloris</i>
98	Orange-Thighed Frog	<i>Litoria xanthomera</i>
99	Roth's Tree Frog	<i>Litoria rothii</i>
100	Northern Dwarf Tree Frog	<i>Litoria bicolor</i>
101	Magnificent Tree Frog	<i>Litoria splendida</i>

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Schedule 4—Taxa of wildlife that may be held for private purposes without a licence or for commercial purposes by the holder of an appropriate licence

Sch. 4
amended by
S.R. No.
75/2014
reg. 42.

**Schedule 4—Taxa of wildlife that
may be held for private purposes without
a licence or for commercial purposes by
the holder of an appropriate licence**

Regulations 12, 13, 18(a)(i) and (b)(i),
37(1)(b), 49(1)(a), (3)(a), (5), (6), (7)
and (8), 54(a), and 65(1)(d) and (e)

Part A

Column 1 <i>Item Number</i>	Column 2 Birds
1	King Quail <i>Excalfactoria chinensis</i>
5	Budgerigar <i>Melopsittacus undulatus</i>
6	Zebra Finch <i>Taeniopygia guttata</i>
7	Cockatiel <i>Nymphicus hollandicus</i>
8	Bourke's Parrot <i>Neopsephotus bourkii</i>
	Mammals
9	Fallow Deer <i>Dama dama</i> (including D.d mesopotamica)
10	Chital <i>Axis axis</i>
11	Hog Deer <i>Axis porcinus</i>
12	Rusa Deer <i>Cervus timorensis</i>
13	Sambar <i>Cervus unicolor</i>
14	Red Deer <i>Cervus elaphus</i>
15	Wapiti Deer <i>Cervus canadensis</i>

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Schedule 4—Taxa of wildlife that may be held for private purposes without a licence or for commercial purposes by the holder of an appropriate licence

Part B

Column 1	Column 2	
<i>Item Number</i>	Birds	
1	Eastern Rosella	<i>Platycercus eximius</i>
2	Western Rosella	<i>Platycercus icterotis</i>
3	Scarlet-chested Parrot	<i>Neophema splendida</i>
4	Elegant Parrot	<i>Neophema elegans</i>
5	Turquoise Parrot	<i>Neophema pulchella</i>
6	Alexandra's (Princess) Parrot	<i>Polytelis alexandrae</i>
7	Hooded Parrot	<i>Psephotus dissimilis</i>
8	Australian Ringneck	<i>Barnardius zonarius semitorquatus</i>
9	Gouldian Finch	<i>Erythrura gouldiae</i>
10	Star Finch	<i>Neochmia ruficauda</i>
11	Blue-faced Finch	<i>Erythrura trichroa</i>
12	Long-tailed Finch	<i>Poephila acuticauda</i>
13	Chestnut-breasted Mannikin	<i>Lonchura castaneothorax</i>
14	Plum-headed Finch	<i>Neochmia modesta</i>
15	Double-barred Finch	<i>Taeniopygia bichenovii</i>
16	Stubble Quail	<i>Coturnix pectoralis</i>
17	Red-rumped Parrot	<i>Psephotus haematonotus</i>
18	Rainbow Lorikeet—excluding subspecies	<i>Trichoglossus haematodus</i>
19	Scaly-breasted Lorikeet	<i>Trichoglossus chlorolepidotus</i>
20	Musk Lorikeet	<i>Glossopsitta concinna</i>
21	Eclectus Parrot	<i>Eclectus roratus polychloros</i>
22	Painted Firetail	<i>Emblema pictum</i>
23	Peaceful Dove	<i>Geopelia striata</i>
24	Common Bronzewing	<i>Phaps chalcoptera</i>
25	Crested Pigeon	<i>Ocyphaps lophotes</i>
26	Emerald Dove	<i>Chalcophaps indica</i>
27	Diamond Dove	<i>Geopelia cuneata</i>
28	Galah	<i>Eolophus roseicapilla</i>
29	Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
30	Little Corella	<i>Cacatua sanguinea</i>
31	Long-billed Corella	<i>Cacatua tenuirostris</i>

Wildlife Regulations 2013

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Schedule 4—Taxa of wildlife that may be held for private purposes without a licence or for commercial purposes by the holder of an appropriate licence

Column 1 <i>Item Number</i>	Column 2	
	Amphibians	
32	Plains Froglet	<i>Crinia parinsignifera</i>
33	Common Eastern Froglet	<i>Crinia signifera</i>
34	Spotted Grass Frog	<i>Limnodynastes tasmaniensis</i>
35	Eastern Banjo Frog	<i>Limnodynastes dumerilii</i>
36	Southern Brown Tree Frog	<i>Litoria ewingii</i>
	Reptiles	
37	Common Long-necked Tortoise	<i>Chelodina longicollis</i>
38	Murray Turtle	<i>Emydura macquarii</i>
39	Marbled Gecko	<i>Christinus marmoratus</i>
40	Cunningham's Skink	<i>Egernia cunninghami</i>
41	White's Skink	<i>Liopholis whitii</i>
42	Blotched Blue-tongued Lizard	<i>Tiliqua nigrolutea</i>
43	Eastern Blue-tongued Lizard	<i>Tiliqua scincoides</i>
	Mammals	
44	Mitchell's Hopping Mouse	<i>Notomys mitchelli</i>
45	Spinifex Hopping Mouse	<i>Notomys alexis</i>

Wildlife Regulations 2013

S.R. No. 64/2013

Schedule 5—Taxa of wildlife that are exempt from requirement to hold a licence in certain circumstances

Schedule 5—Taxa of wildlife that are exempt from requirement to hold a licence in certain circumstances

Sch. 5
amended by
S.R. No.
75/2014
reg. 43.

Regulations 15, 16(a), 41(6), 45(2)(b)
and (c), 46(2), 48(2), 49(9), (10)
and (11) and 54(c)(i)

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Part B

Column 1 <i>Item Number</i>	Column 2 Mammals
1	Common Brushtail Possum <i>Trichosurus vulpecula</i>
2	Western Grey Kangaroo <i>Macropus fuliginosus melanops</i>
3	Eastern Grey Kangaroo <i>Macropus giganteus</i>
4	Whiptail Wallaby <i>Macropus parryi</i>
5	Common Wallaroo (Euro) <i>Macropus robustus</i>
6	Red-necked Wallaby <i>Macropus rufogriseus</i>
7	Red Kangaroo <i>Macropus rufus</i>
8	Rufous-bellied Pademelon <i>Thyllogale billardierii</i>
	Reptiles
9	Freshwater Crocodile <i>Crocodylus johnstoni</i>
10	Saltwater Crocodile <i>Crocodylus porosus</i>
	Birds
11	Emu <i>Dromaius novaehollandiae</i>

Part C

Column 1 <i>Item Number</i>	Column 2 Mammals
1	Fallow Deer <i>Dama dama</i> (including <i>D.d mesopotamica</i>)
2	Chital <i>Axis axis</i>
3	Hog Deer <i>Axis porcinus</i>
4	Rusa Deer <i>Cervus timorensis</i>

Wildlife Regulations 2013

S.R. No. 64/2013

Schedule 5—Taxa of wildlife that are exempt from requirement to hold a licence in certain circumstances

Column 1	Column 2
<i>Item Number</i>	Mammals
5	Sambar <i>Cervus unicolor</i>
6	Red Deer <i>Cervus elaphus</i>
7	Wapiti Deer <i>Cervus canadensis</i>

Wildlife Regulations 2013

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Schedule 6—Taxa of wildlife that may be controlled by the holder of an appropriate Wildlife Controller's Licence

Schedule 6—Taxa of wildlife that may be controlled by the holder of an appropriate Wildlife Controller's Licence

Regulations 11, 37(1)(b) and 63(1)(e)

Column 1 <i>Item Number</i>	Column 2 Birds	
1	Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
2	Long-billed Corella	<i>Cacatua tenuirostris</i>
3	Galah	<i>Eolophus roseicapilla</i>
4	Crimson Rosella	<i>Platycercus elegans</i>
5	Eastern Rosella	<i>Platycercus eximius</i>
6	Australian Raven	<i>Corvus coronoides</i>
7	Pied Currawong	<i>Strepera graculina</i>
8	Emu	<i>Dromaius novaehollandiae</i>
9	Australian Shelduck	<i>Tadorna tadornoides</i>
10	Maned Duck	<i>Chenonetta jubata</i>
11	Silver Gull	<i>Larus novaehollandiae</i>
	Mammals	
12	Eastern Grey Kangaroo	<i>Macropus giganteus</i>
13	Western Grey Kangaroo	<i>Macropus fuliginosus melanops</i>
14	Black Wallaby	<i>Wallabia bicolor</i>
15	Common Brushtail Possum	<i>Trichosurus vulpecula</i>
16	Common Wombat	<i>Vombatus ursinus</i>
17	Fallow Deer	<i>Dama dama</i> (including <i>D.d mesopotamica</i>)
18	Chital	<i>Axis axis</i>
19	Hog Deer	<i>Axis porcinus</i>
20	Rusa Deer	<i>Cervus timorensis</i>
21	Sambar	<i>Cervus unicolour</i>
22	Red Deer	<i>Cervus elaphus</i>
23	Wapiti Deer	<i>Cervus canadensis</i>
	Reptiles	
24	All reptiles	

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S.R. No. 64/2013
Schedule 7—Taxa of wildlife that may be held by the holder of a Wildlife
Farmer Licence

Sch. 7
amended by
S.R. No.
75/2014
reg. 44.

**Schedule 7—Taxa of wildlife that may
be held by the holder of a Wildlife
Farmer Licence**

Regulations 7, 8, 12, 16(b), 17, 18(a)(i) and (b)(ii),
37(1)(b), 41(6), 45(2)(d), 48(2), 49(1)(b)
and (3)(b), 55(f) and (g)

Column 1	Column 2
<i>Item Number</i>	Birds
1	Emu <i>Dromaius novaehollandiae</i>

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Wildlife Regulations 2013, S.R. No. 64/2013 were made on 18 June 2013 by the Governor in Council under section 87 of the **Wildlife Act 1975**, No. 8699/1975 and came into operation on 23 June 2013: regulation 3.

The Wildlife Regulations 2013 will sunset 10 years after the day of making on 18 June 2023 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

Wildlife Regulations 2013
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Endnotes

2 Table of Amendments

This publication incorporates amendments made to the Wildlife Regulations 2013 by statutory rules, subordinate instruments and Acts.

Wildlife Amendment Regulations 2014, S.R. No. 75/2014

Date of Making: 24.6.14

Date of Commencement: 1.7.14: reg. 3

Wildlife Further Amendment Regulations 2014, S.R. No. 155/2014

Date of Making: 7.10.14

Date of Commencement: 7.10.14

Wildlife Amendment Regulations 2018, S.R. No. 21/2018

Date of Making: 27.2.18

Date of Commencement: 1.3.18: reg. 3

Wildlife Further Amendment Regulations 2018, S.R. No. 164/2018

Date of Making: 16.10.18

Date of Commencement: 16.10.18

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ Reg. 4(a): S.R. No. 50/2002. Reprint No. 1 as at 21 August 2008.
Reprinted to S.R. No. 139/2004. Subsequently amended by
S.R. No. 103/2009 and extended in operation by S.R. No. 53/2012.

² Reg. 4(b): S.R. No. 139/2004.

³ Reg. 4(c): S.R. No. 103/2009.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2018 is \$14.45. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2018 is \$161.19.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

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Endnotes

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 64/2013 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulations 43(1)(e) and 44(1)(e)	Code of practice for the keeping of amphibians in captivity published on 7 September 2006, as amended from time to time	The whole
Regulations 43(1)(e) and 44(1)(e)	Code of practice for the housing of caged birds published on 6 May 1999, as amended from time to time	The whole
Regulations 43(1)(e), 44(1)(e) and 72(1)(f)	Code of Practice for the Husbandry of Captive Emus (Revision 1) published on 19 July 2007, as amended from time to time	The whole
Regulations 43(1)(e), 44(1)(e) and 70(1)(c)	Code of practice for the welfare of animals on private game reserves licensed to hunt game birds, published on 9 June 2005, as amended from time to time	The whole
Regulations 43(1)(e) and 44(1)(e)	Code of practice for the welfare of animals: Private keeping of reptiles published on 30 October 2003, as amended from time to time	The whole
Regulation 65(1)(f)	Code of practice for the operation of pet shops published on 24 August 1995, as amended from time to time	The whole

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Endnotes

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 66(1)(e) and 67(1)(f)	Code of practice for the public display and exhibition of animals published on 15 December 1994, as amended from time to time	The whole
Regulation 70(1)(c)	Code of practice for the welfare of animals in hunting (revision 1) published on 17 March 2005, as amended from time to time	The whole