

NORTHERN TERRITORY OF AUSTRALIA

TERRITORY PARKS AND WILDLIFE CONSERVATION REGULATIONS

As in force at 7 February 2007

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 7 February 2007

TERRITORY PARKS AND WILDLIFE CONSERVATION REGULATIONS

Regulations under the *Territory Parks and Wildlife Conservation Act*

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Territory Parks and Wildlife Conservation Regulations*.

1A Definitions

In these Regulations:

infringement notice, see regulation 7.

infringement offence, means an offence against a provision of the Act specified in Schedule 3, column 1.

prescribed amount, for an infringement offence, means the amount specified in Schedule 3, column 2 opposite the offence provision.

Part 2 Animals and plants

2 Prescribed classifications (section 28)

(1) The classifications for classifying the conservation status of wildlife in the Territory are the categories known as the IUCN Red List Categories as prepared by the IUCN Species Survival Commission and approved by the IUCN Council from time to time.

(2) In subregulation (1):

IUCN means the International Union for Conservation of Nature and Natural Resources.

3 Protected wildlife (section 43(2))

All species of threatened wildlife, whether identified by classification or species, are protected wildlife.

4 Animals that are not prohibited entrants (section 52)

Animals of a species of animal specified in Schedule 1 are not prohibited entrants.

5 Authority to kill snakes (section 66(1))

For the purposes of section 66(1) of the Act, a person is authorised to kill or injure a snake that is protected wildlife if:

- (a) the snake is within 100 metres of an occupied building; or
- (b) the person honestly believes that it is necessary to kill or injure the snake to avoid an immediate danger of death or injury to a person or a domestic animal.

6 Advance payments in respect of royalties (section 116(3)(a))

For the purposes of section 116(3)(a) of the Act:

- (a) the holder of a permit may, at the time the permit is granted or at any other time before wildlife is taken under the permit, pay the amount specified in column 3 of Schedule 2 for each unit of quantity specified opposite in column 2 of Schedule 2 of the wildlife specified opposite in column 1 of Schedule 2 to be taken under the permit; and
- (b) an amount paid under paragraph (a) is to be credited towards royalties subsequently payable by the holder of the permit to the Territory in respect of wildlife actually taken under the permit.

Part 3 Infringement notices**7 When infringement notice for infringement offence may be served**

If a conservation officer reasonably believes a person has committed an infringement offence, the officer may serve a notice (an ***infringement notice***) on the person.

8 Contents of infringement notice

- (1) The infringement notice must specify the following particulars:
- (a) the name and address of the alleged offender, if known;
 - (b) the date of the infringement notice;
 - (c) the date, time and place of the infringement offence;
 - (d) a description of the infringement offence and the prescribed amount payable for the offence;
 - (e) the enforcement agency, as defined in the *Fines and Penalties (Recovery) Act*, to whom the prescribed amount is payable.
- (2) An infringement notice must include a statement to the effect of the following:
- (a) the alleged offender may expiate the infringement offence and avoid further action in relation to the offence by paying the prescribed amount to the specified enforcement agency within 28 days after service of the notice;
 - (b) the alleged offender may elect under section 21 of the *Fines and Penalties (Recovery) Act* to have the matter dealt with by a court instead of under that Act by completing a statement of election and serving it on the specified enforcement agency;
 - (c) if the alleged offender does nothing in response to the notice, enforcement action may be taken under the *Fines and Penalties (Recovery) Act* including (but not limited to) action for the following:
 - (i) suspension of the alleged offender's licence to drive;
 - (ii) suspension of the alleged offender's vehicle registration;
 - (iii) seizure of personal property of the alleged offender;
 - (iv) deduction of an amount from the alleged offender's wages or salary;
 - (v) registration of a statutory charge on land owned by the alleged offender;
 - (vi) making of a community work order for the alleged offender which may result in imprisonment of the alleged offender if the alleged offender breaches the order.

- (3) Also, the infringement notice must include the statement of election mentioned in subregulation (2)(b).

9 Payment by cheque

If the alleged offender tenders a cheque in payment of the prescribed amount, the amount is not taken to have been paid unless the cheque is cleared on first presentation.

10 Withdrawal of infringement notice

- (1) The Director may withdraw the infringement notice by written notice served on the alleged offender.
- (2) The notice must be served within 28 days after service of the infringement notice but before payment of the prescribed amount.

11 Application of Part

- (1) This Part does not prejudice or affect the start or continuing of proceedings for an infringement offence for which an infringement notice has been served unless the offence is expiated.
- (2) Also, this Part does not prevent more than one infringement notice for the same infringement offence being served on an alleged offender and, to expiate the offence, it is sufficient for the alleged offender to pay the prescribed amount in accordance with any of the notices.
- (3) In addition, this Part does not:
 - (a) require an infringement notice to be served; or
 - (b) affect the liability of a person to be prosecuted in a court for an infringement offence for which an infringement notice has not been served.

Schedule 1 Animals that are not prohibited entrants

regulation 4

Mammals

<i>Bos javanicus</i>	Bali Cattle
<i>Bos taurus</i>	Cattle
<i>Bos indicus</i>	Cattle
<i>Bubalus bubalis</i>	Buffalo
<i>Camelus dromedarius</i>	Camel
<i>Canis familiaris</i>	Dog
<i>Capra hircus</i>	Goat
<i>Carvia porcellus</i>	Guinea Pig
<i>Equus asinus</i>	Donkey
<i>Equus caballus</i>	Horse
<i>Felis catus</i>	Cat
<i>Mus musculus</i>	Mouse (laboratory strain)
<i>Oryctolagus cuniculus</i>	Rabbit (domestic varieties)
<i>Ovis aries</i>	Sheep
<i>Rattus rattus</i>	Rat (laboratory strain)
<i>Sus scrofa</i>	Pig

Birds

<i>Agapornis</i> spp.	Lovebirds
<i>Alisterus scapularis</i>	King Parrot
<i>Amadina fasciata</i>	Cut-throat Finch
<i>Amandava subflava</i>	Orange-breasted Waxbill
<i>Anas platyrhynchos</i>	Domestic Duck
<i>Anser anser</i>	Domestic (Grey-lag) Goose
<i>Anser cygnoides</i>	Goose
<i>Cacatua tenuirostris</i>	Long-billed Corella
<i>Cairina moschata</i>	Muscovy Duck
<i>Carduelis carduelis</i>	European Goldfinch
<i>Carduelis chloris</i>	Greenfinch

<i>Catreus wallichii</i>	Cheer Pheasant
<i>Chrysolophus amherstiae</i>	Lady Amherst Pheasant
<i>Chrysolophus pictus</i>	Golden Pheasant
<i>Columba livia</i>	Domestic Pigeon
<i>Coturnix coturnix</i>	Domestic Quail
<i>Coturnix chinensis</i>	Chinese Quail
<i>Cyanoramphus novaezelandiae</i>	Kakariki (Red-fronted Parakeet)
<i>Eclectus roratus</i>	Eclectus Parrot
<i>Erythrura trichroa</i>	Blue-faced Parrot-finch
<i>Estrilda astrild</i>	Saint Helena Waxbill
<i>Estrilda melpoda</i>	Orange-cheeked Waxbill
<i>Gallus gallus</i>	Domestic Fowl
<i>Glossopsitta concinna</i>	Musk Lorikeet
<i>Glossopsitta porphyrocephala</i>	Purple-crowned Lorikeet
<i>Glossopsitta pusilla</i>	Little Lorikeet
<i>Lagonosticta senegala</i>	African Firefinch
<i>Lophura nycthemera</i>	Silver Pheasant
<i>Meleagris gallopavo</i>	Turkey
<i>Neophema elegans</i>	Elegant Parrot
<i>Neophema pulchella</i>	Turquoise Parrot
<i>Numidia meleagris</i>	Guineafowl
<i>Pavo cristatus</i>	Common Peafowl
<i>Platycercus adscitus</i>	Pale-headed Rosella
<i>Platycercus elegans</i>	Crimson Rosella
<i>Platycercus elegans</i>	Crimson Rosella
<i>Platycercus eximius</i>	Eastern Rosella
<i>Platycercus icterotis</i>	Western Rosella
<i>Polytelis anthopeplus</i>	Regent Parrot
<i>Polytelis swainsonii</i>	Superb Parrot
<i>Psephotus chrysopterygius</i>	Golden-shouldered Parrot
<i>Psephotus haematonotus</i>	Red-rumped Parrot
<i>Psittacula cyanocephala</i>	Plum-headed Parakeet
<i>Serinus canaria</i>	Canary
<i>Stagonopleura guttata</i>	Diamond Firetail

<i>Tiaris canora</i>	Cuban Finch
<i>Trichoglossus chlorolepidotus</i>	Scaly-breasted Lorikeet
<i>Uraeginthus</i> spp.	Cordon Bleu Finches

Schedule 2

regulation 6

Advance payments in respect of royalties

Column 1	Column 2	Column 3
Wildlife (scientific name)	Unit of quantity	Amount per unit (\$)
Animals		
<i>Anseranas semipalmata</i>	per egg	.40
<i>Calyptorhynchus banksii</i>	per egg	100.00
	per hatchling	100.00
<i>Crocodylus johnstoni</i>	per egg	1.00
	per hatchling	5.00
	adult < 1.5 m	10.00
	adult > 1.5 m	10.00
<i>Crocodylus porosus</i>	per viable egg	1.25
	per hatchling	7.50
	adult < 2 m	25.00
	adult > 2 m	35.00
Plant Seeds		
<i>Abrus precatorius</i>	per kg	10.00
<i>Acacia acradenia</i>	per kg	12.00
<i>Acacia argyraea</i>	per kg	7.00
<i>Acacia aulacocarpa</i>	per kg	12.50
<i>Acacia auriculiformis</i>	per kg	25.00
<i>Acacia coleii</i>	per kg	5.00
<i>Acacia cowleana</i>	per kg	5.00
<i>Acacia dictyophleba</i>	per kg	7.50
<i>Acacia difficilis</i>	per kg	10.00

<i>Acacia dimidiata</i>	per kg	10.00
<i>Acacia dunnii</i>	per kg	5.00
<i>Acacia gonocarpa</i>	per kg	15.00
<i>Acacia gonoclada</i>	per kg	7.50
<i>Acacia hammondii</i>	per kg	7.50
<i>Acacia hemignosta</i>	per kg	10.00
<i>Acacia holosericea</i>	per kg	6.00
<i>Acacia kempeana</i>	per kg	6.00
<i>Acacia latescens</i>	per kg	5.00
<i>Acacia lysiphloia</i>	per kg	7.50
<i>Acacia melleodora</i>	per kg	7.50
<i>Acacia monticola</i>	per kg	8.00
<i>Acacia moutfordiae</i>	per kg	10.00
<i>Acacia multisiliqua</i>	per kg	10.00
<i>Acacia nuperrima</i>	per kg	37.50
<i>Acacia oncinocarpa</i>	per kg	10.00
<i>Acacia platycarpa</i>	per kg	6.00
<i>Acacia plectocarpa</i>	per kg	8.00
<i>Acacia retivenea</i>	per kg	8.00
<i>Acacia shirleyi</i>	per kg	15.00
<i>Acacia simsii</i>	per kg	7.50
<i>Acacia torulosa</i>	per kg	7.50
<i>Acacia tropica</i>	per kg	20.00
<i>Acacia tumida</i>	per kg	5.00
<i>Acacia umbellata</i>	per kg	10.00
<i>Acacia victoriae</i>	per kg	5.00

<i>Acacia wickhamii</i>	per kg	15.00
<i>Adenantha pavonia</i>	per kg	5.00
<i>Albizia lebeck</i>	per kg	5.00
<i>Alphitonia excelsa</i>	per kg	5.00
<i>Asteromyrtus symphyocarpa</i>	per kg	12.50
<i>Astrebla</i> sp.	per kg	1.00
<i>Atalaya hemiglauca</i>	per kg	5.00
<i>Atriplex nummularia</i>	per kg	10.00
<i>Banksia dentata</i>	per 100 seeds	7.50
<i>Bombax ceiba</i>	per kg	10.00
<i>Brachychiton diversifolius</i>	per kg	11.00
<i>Brachychiton megaphyllus</i>	per kg	15.00
<i>Brachychiton paradoxus</i>	per kg	15.00
<i>Buchanania obovata</i>	per kg	15.00
<i>Callitris intratropica</i>	per kg	10.00
<i>Canarium australianum</i>	per 100 seeds	10.00
<i>Carpentaria acuminata</i>	per 100 seeds	1.25
<i>Cassia artemisioides</i>	per kg	6.00
<i>Cassia desolata</i>	per kg	6.00
<i>Cassia glutinosa</i>	per kg	7.50
<i>Cassia notabilis</i>	per kg	5.00
<i>Cassia oligophylla</i>	per kg	6.00
<i>Cassia sturtii</i>	per kg	7.50
<i>Casuarina equisetifolia</i>	per kg	7.50
<i>Clianthus formosus</i>	per kg	10.00
<i>Cochlospermum fraseri</i>	per kg	10.00

<i>Cycas angulata</i> R.Br.	per 100 seeds	2.00
<i>Cycas armstrongii</i> Miq.	per 100 seeds	1.00
<i>Cycas brunnea</i>	per 100 seeds	10.00
<i>Cycas calcicola</i> Maconochie	per 100 seeds	5.00
<i>Cycas canalis</i> subsp. <i>canalis</i>	per 100 seeds	2.00
<i>Cycas canalis</i> subsp. <i>carinata</i>	per 100 seeds	2.00
<i>Cycas conferta</i>	per 100 seeds	2.00
<i>Cycas maconochieana</i>	per 100 seeds	2.00
<i>Cycas pruinosa</i> Maconochie	per 100 seeds	2.00
<i>Dodonaea platyptera</i>	per kg	10.00
<i>Enchylaena tomentosa</i>	per kg	10.00
<i>Erythrophleum chlorostachys</i>	per kg	8.00
<i>Eucalyptus alba</i>	per kg	12.50
<i>Eucalyptus apodophylla</i>	per kg	10.00
<i>Eucalyptus argillacea</i>	per kg	10.00
<i>Eucalyptus aspera</i>	per kg	10.00
<i>Eucalyptus bigalerita</i>	per kg	10.00
<i>Eucalyptus bleeseri</i>	per kg	15.00
<i>Eucalyptus brevifolia</i>	per kg	10.00
<i>Eucalyptus camaldulensis</i>	per kg	12.50
<i>Eucalyptus chlorophylla</i>	per kg	10.00
<i>Eucalyptus clavigera</i>	per kg	13.00
<i>Eucalyptus confertiflora</i>	per kg	13.00
<i>Eucalyptus dichromophloia</i>	per kg	13.00
<i>Eucalyptus ferruginea</i>	per kg	12.50
<i>Eucalyptus foelscheana</i>	per kg	13.25

<i>Eucalyptus grandifolia</i>	per kg	13.00
<i>Eucalyptus herbertiana</i>	per kg	10.00
<i>Eucalyptus latifolia</i>	per kg	13.25
<i>Eucalyptus leucophloia</i>	per kg	10.00
<i>Eucalyptus microtheca</i>	per kg	7.50
<i>Eucalyptus miniata</i>	per kg	15.00
<i>Eucalyptus nesophila</i>	per kg	10.00
<i>Eucalyptus normantonensis</i>	per kg	12.50
<i>Eucalyptus pachyphylla</i>	per kg	9.00
<i>Eucalyptus papuana</i>	per kg	12.50
<i>Eucalyptus patellaris</i>	per kg	10.00
<i>Eucalyptus phoenicea</i>	per kg	15.00
<i>Eucalyptus polycarpa</i>	per kg	20.00
<i>Eucalyptus pruinosa</i>	per kg	15.00
<i>Eucalyptus ptychocarpa</i>	per kg	20.00
<i>Eucalyptus setosa</i> (red)	per kg	32.50
<i>Eucalyptus tectifera</i>	per kg	12.50
<i>Eucalyptus terminalis</i>	per kg	12.50
<i>Eucalyptus tetradonta</i>	per kg	10.00
<i>Eucalyptus tintinnans</i>	per kg	10.00
<i>Euodia elleryana</i>	per kg	5.00
<i>Gossypium sturtianum</i>	per kg	20.00
<i>Grevillea decurrens</i>	per kg	30.00
<i>Grevillea dryandri</i>	per kg	37.50
<i>Grevillea formosa</i>	per kg	37.50
<i>Grevillea goodii</i>	per kg	30.00

<i>Grevillea mimosoides</i>	per kg	30.00
<i>Grevillea parallela</i>	per kg	30.00
<i>Grevillea pteridifolia</i>	per kg	30.00
<i>Grevillea refracta</i>	per kg	37.50
<i>Grevillea striata</i>	per kg	30.00
<i>Grevillea wickhamii</i>	per kg	37.50
<i>Gyrocarpus americanus</i>	per kg	5.00
<i>Hakea arborescens</i>	per kg	30.00
<i>Ipomea brasiliensis</i>	per kg	10.00
<i>Leptospermum parviflorum</i>	per kg	10.00
<i>Livistona benthamii</i>	per 100 seeds	2.50
<i>Livistona humilis</i>	per 100 seeds	1.50
<i>Livistona inermis</i>	per 100 seeds	3.00
<i>Livistona rigida</i>	per 100 seeds	2.50
<i>Macrozamia macdonnellii</i>	per 100 seeds	10.00
<i>Melaleuca argentea</i>	per kg	12.50
<i>Melaleuca bracteata</i>	per kg	10.00
<i>Melaleuca dealbata</i>	per kg	10.00
<i>Melaleuca leucadendra</i>	per kg	10.00
<i>Melaleuca minutifolia</i>	per kg	10.00
<i>Melaleuca nervosa</i>	per kg	15.00
<i>Melaleuca viridiflora</i>	per kg	10.00
<i>Owenia vernicosa</i>	per 100 seeds	7.50
<i>Pandanus spiralis</i>	per 100 seeds	7.50
<i>Petalostigma pubescens</i>	per kg	12.50
<i>Pongamia pinnata</i>	per kg	10.00

<i>Ptilotus exaltatus</i>	per kg	7.50
<i>Sesbania cannabina</i>	per kg	3.75
<i>Syzygium armstrongii</i>	per 100 seeds	5.00
<i>Syzygium eucalyptoides</i>	per 100 seeds	5.00
<i>Syzygium minutiflorum</i>	per 100 seeds	5.00
<i>Syzygium suborbiculare</i>	per 100 seeds	2.50
<i>Terminalia arostrata</i>	per kg	4.00
<i>Terminalia canescens</i>	per kg	7.50
<i>Terminalia carpentariae</i>	per kg	5.00
<i>Terminalia ferdinandiana</i>	per kg	5.00
<i>Terminalia platyphylla</i>	per kg	10.00
<i>Terminalia platyptera</i>	per kg	5.00
<i>Terminalia seriocarpa</i>	per kg	5.00
<i>Terminalia volucris</i>	per kg	7.50
<i>Triodia wiseana</i>	per kg	3.00
<i>Xanthostemon paradoxus</i>	per kg	25.00
Whole Plants		
<i>Acacia auriculiformis</i>	per tree	8.00
<i>Bambusa arnhemica</i>	per stem	0.50
<i>Erythroleum chlorostachys</i>	per tree	10.00
<i>Eucalyptus bigalerita</i>	per tree	8.00
<i>Eucalyptus confertiflora</i>	per tree	8.00
<i>Eucalyptus ferruginea</i>	per tree	8.00
<i>Eucalyptus grandiflora</i>	per tree	8.00
<i>Eucalyptus miniata</i>	per tree	8.00
<i>Eucalyptus papuana</i>	per tree	8.00

<i>Eucalyptus polycarpa</i>	per tree	8.00
<i>Eucalyptus tetradonta</i>	per tree	8.00
<i>Melaleuca leucadendra</i>	per tree	8.00
Didgeridoos		
All species	per stick	1.00
Leaves		
<i>Cycas armstrongii</i> Miq.	per 100 leaves	3.00
<i>Cycas maconochieana</i>	per 100 leaves	3.00
Fruits		
<i>Terminalia ferdinandiana</i>	per kg	1.00
Firewood		
<i>Acacia aneura</i> (mulga)	per tonne	5.00
<i>Acacia estrophiolata</i> (ironwood)	per tonne	5.00
<i>Eucalyptus camaldulensis</i> (redgum)	per tonne	5.00
Boomerangs		
<i>Acacia aneura</i> (mulga)	per stick	1.00

Schedule 3 Infringement offences and prescribed amounts

regulation 1A, definitions *infringement offence* and *prescribed amount*

Column 1 Offence provision	Column 2 Prescribed amount
Section 40(3)	2 penalty units
Section 46(2)	5 penalty units
Section 49(2)	10 penalty units
Section 67A	10 penalty units
Section 67B	10 penalty units
Section 67C(3)	2 penalty units
Section 67D	3 penalty units
Section 69	1 penalty unit

ENDNOTES
1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION***Territory Wildlife Regulations (SL No. 1, 2001)***

Notified	14 February 2001
Commenced	14 February 2001

Amendment of Territory Wildlife Regulations (SL No. 2, 2004)

Notified	4 February 2004
Commenced	4 February 2004

Territory Wildlife Amendment (Infringement Notices) Regulations 2007 (SL No. 1, 2007)

Notified	7 February 2007
Commenced	7 February 2007

3 LIST OF AMENDMENTS

pt 1 hdg	ins No. 1, 2007, r 3
r 1	amd No. 1, 2007, r 4
r 1A	ins No. 1, 2007, r 5
pt 2 hdg	ins No. 1, 2007, r 6
r 3	sub No. 2, 2004
pt 3 hdg	ins No. 1, 2007, r 7
r 7	sub No. 1, 2007, r 7
rr 8 – 11	ins No. 1, 2007, r 7
sch 3	sub No. 1, 2007, r 8