



Australian Capital Territory

Nature Conservation Regulations 1982 No 11

made under the

Nature Conservation Act 1980

Republication No 3

Republication date: 30 November 2001

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Nature Conservation Regulations 1982*, made under the *Nature Conservation Act 1980* as in force on 30 November 2001. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

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Amendments incorporated to
12 September 2001



Australian Capital Territory

Nature Conservation Regulations 1982

made under the

Nature Conservation Act 1980

1 Citation

These regulations may be cited as the *Nature Conservation Regulations 1982*.

3 Records to be kept in respect of animals

- (1) For the Act, subsection 72 (1), the holder of a licence relating to animals who keeps an animal, other than an exempt animal, shall keep the following records in respect of the animals kept by him or her:
 - (a) a record of the number, species and sex of the animals;
 - (b) in respect of an animal acquired from another person—
 - (i) a record of the species and sex of the animal; and
 - (ii) a record of the date of receipt of the animal; and
 - (iii) a record of the name and address of that other person;
 - (c) in respect of an animal that dies or escapes from captivity—
 - (i) a record of the species and sex of the animal; and
 - (ii) a record of the date on which the animal died or escaped;
 - (d) in respect of an animal that is transferred, whether in pursuance of a sale or otherwise, to another person—
 - (i) a record of the species and sex of the animal; and
 - (ii) a record of the date of transfer; and
 - (iii) a record of the name and address of the person receiving the animal.
- (2) Notwithstanding subsection (1), a person is required to keep a record of the sex of an animal only where it is possible to ascertain, without handling the animal, the sex of that animal.

4 Records to be kept in respect of live fish

For the Act, subsection 72 (2), the records to be kept by a person who is the holder of a licence in respect of live fish kept by him or her are—

- (a) a record of the species of the fish; and
- (b) in respect of live fish acquired from another person—
 - (i) a record of the species of the fish; and
 - (ii) a record of the date of receipt of the fish; and
 - (iii) a record of the name and address of that other person; and
- (c) in respect of live fish that are transferred, whether in pursuance of a sale or otherwise, to a person who is the holder of a licence authorising the sale of live fish—
 - (i) a record of the species of the fish; and
 - (ii) a record of the date of transfer; and
 - (iii) a record of the name and address of the person receiving the fish; and
- (d) in respect of live fish that are exported from the Territory by the person—
 - (i) a record of the species of the fish; and
 - (ii) a record of the date of export; and
 - (iii) a record of the name and address of the person receiving the fish.

5 Records to be kept in respect of plants that are wildlife

For the Act, subsection 72 (3), the records to be kept by a person who is the holder of a licence authorising the sale or export from the Territory of native plants are—

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- (a) a record of the number and species of plants sold or exported from the Territory; and
- (b) a record of the date on which the plants were sold or exported from the Territory; and
- (c) a record of the name and address of the person receiving the plants.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

| | |
|---|--|
| am = amended | ord = ordinance |
| amdt = amendment | orig = original |
| ch = chapter | p = page |
| cl = clause | par = paragraph |
| def = definition | pres = present |
| dict = dictionary | prev = previous |
| disallowed = disallowed by the Legislative Assembly | (prev...) = previously |
| div = division | prov = provision |
| exp = expires/expired | pt = part |
| Gaz = Gazette | r = rule/subrule |
| hdg = heading | reg = regulation/subregulation |
| ins = inserted/added | renum = renumbered |
| LA = Legislation Act 2001 | reloc = relocated |
| LR = legislation register | R[X] = Republication No |
| LRA = Legislation (Republication) Act 1996 | s = section/subsection |
| mod = modified / modification | sch = schedule |
| No = number | sdiv = subdivision |
| o = order | sub = substituted |
| om = omitted/repealed | SL = Subordinate Law |
| | <u>underlining</u> = whole or part not commenced |

Endnotes

3 Legislation history

3 Legislation history

These regulations were originally the *Nature Conservation Regulations*. They were renamed under the *Legislation Act 2001* as the *Nature Conservation Regulations 1982*.

Before 11 May 1989, regulations commenced on notification day unless otherwise stated (see *Interpretation Ordinance 1914*, s 5, *Interpretation Ordinance 1937* s 16, *Interpretation Act 1967* s 50, *Subordinate Laws Act 1989* s 6).

Nature Conservation Regulations SL 1982 No 11

notified 22 June 1982
commenced 22 June 1982

as amended by

Nature Conservation Regulations (Amendment) SL 1983 No 20

notified 30 September 1983
commenced 1 October 1983

Nature Conservation Amendment Act 1994 (No 2) No 110 sch 2 pt 2

notified 22 December 1994 (Gaz 1994 No S289)
s 1, s 2 commenced 22 December 1994 (s 2 (1))
sch 2 pt 2 commenced 8 February 1995 (s 2 (2) and Gaz 1995 No S41)

Legislation (Consequential Amendments) Act 2001 No 44 pt 259

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 259 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

4 Amendment history

Citation

reg 1 om R3 LA

Interpretation

reg 2 om Act 2001 No 44 amdt 1.2958

Records to be kept in respect of animals

reg 3 am Act 1994 No 110

Records to be kept in respect of live fish

reg 4 am Act 1994 No 110

Records to be kept in respect of plants that are wildlife

reg 5 am Act 1994 No 110

Licence to take animals—fee
reg 6 om 1983 No 20

Licence to sell animals—fee
reg 7 om 1983 No 20

Licence to import or export—fees
reg 8 om 1983 No 20

Licence to sell fish—fee
reg 9 om 1983 No 20

Licences to pick plants that are wildlife—fees
reg 10 om 1983 No 20

Licence to fell or remove timber—fee
reg 11 om 1983 No 20

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

| Republication No | Amendments to | Republication date |
|------------------|---------------|--------------------|
| 1 | 1983 No 20 | 30 April 1991 |
| 2 | 1983 No 20 | 8 February 1995 |

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