



New South Wales

Rural Lands Protection Amendment (Short Descriptions of Offences) Regulation 1998

under the

Rural Lands Protection Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rural Lands Protection Act 1989*.

RICHARD AMERY, M.P.,

Minister for Agriculture

Explanatory note

The object of this Regulation is to specify short descriptions for certain offences under the *Rural Lands Protection Act 1989* to facilitate the issue of summonses, warrants and other legal processes.

This Regulation is made under the *Rural Lands Protection Act 1989*, including section 217 (the general regulation-making power) and in accordance with section 145B of the *Justices Act 1902*.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

1998 No 462

Clause 1 Rural Lands Protection Amendment (Short Descriptions of Offences) Regulation 1998

Rural Lands Protection Amendment (Short Descriptions of Offences) Regulation 1998

1 Name of Regulation

This Regulation is the *Rural Lands Protection Amendment (Short Descriptions of Offences) Regulation 1998*.

2 Commencement

This Regulation commences on 1 September 1998.

3 Amendment of Rural Lands Protection Regulation 1995

The *Rural Lands Protection Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 171 Persons and offences prescribed for purposes of the Act

Insert "but only if a penalty is specified in Column 3 of that Schedule in relation to the offence" after "that section" in clause 171 (a).

[2] Schedule 10 Penalty notice offences and short descriptions

Insert in appropriate order in Part 1:

| | | |
|---------|--|---|
| 19 (11) | Lodge false/misleading enrolment application | — |
| 29 (1) | Fail to keep adequate accounting records/records for accounts | — |
| 29 (2) | Fail to retain accounting records for 7 years | — |
| 29 (3) | Fail to keep accounting records in English/accessible language | — |
| 30 (1) | Fail to cause accounts to be made | — |
| 30 (2) | Fail to ensure accounts audited | — |
| 30 (3) | Fail to attach auditor's report to accounts | — |
| 30 (4) | Fail to ensure accounts comply with regulations | — |
| 30 (5) | Fail to attach directors' statement to accounts | — |
| 30 (6) | Fail to transmit and publish accounts | — |
| 40 (a) | Refuse/fail to allow auditor access to accounts/records/give information/explanation | — |
| 40 (b) | Hinder/obstruct/delay auditor | — |
| 48 (3) | Fail to produce records for inspection | — |

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Schedule 1 Amendments

| | | |
|------------|--|---|
| 58 (2) | Fail to provide information to board | — |
| 88 (4) (a) | Fail to possess transported stock statement | — |
| 88 (4) (b) | Fail to ensure stock as in transported stock statement | — |
| 88 (4) (c) | Fail to ensure conditions/restrictions of authority not breached | — |
| 88 (6) | Fail to allow inspection and counting of stock | — |
| 88 (7) | Fail to produce authority for inspection | — |
| 90 (7) | Fail to allow inspection of stock/ authority | — |
| 90 (8) | Fail to produce authority | — |
| 90 (9) | Fail to comply with request of occupier | — |
| 93 (8) | Fail to ensure removal of stock from reserve | — |
| 96 (1) | Fail to display warning signs | — |
| 96 (2) | Fail to remove warning signs | — |
| 96 (5) | Fail to give way to stock | — |
| 97 | Fail to keep bitumen/made up road surface free from stock | — |
| 108 | Make false/misleading statement in application/transported stock statement | — |
| 123 | Obstruct persons/stock in use of stock watering place/water/pasture | — |
| 124 | Fail to produce permit to person in charge of watering place | — |
| 126 | Fail to suppress noxious animals on land/road/travelling stock reserve/in watercourse/inland water/enclosed land/on portion of watercourse | — |
| 129 (1) | Fail to stop | — |
| 129A (1) | Fail to destroy noxious animal | — |

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Amendments

Schedule 1

| | | |
|------------------|---|---|
| 131 (5) | Administer prohibited substance to noxious animal | — |
| 132 (2) (a) | Shoot/poison/trap/noxious animal in/ in the vicinity of prohibited area | — |
| 132 (2) (b) | Act to suppress/destroy noxious animal in/near prohibited area | - |
| 133 (1) | Intentionally/recklessly carry/drive/ pass noxious animal through/under/ over fence/gate | — |
| 133 (3) (a) | Intentionally/recklessly/negligently leave open gate | - |
| 133 (3) (b) (i) | Intentionally/recklessly/negligently destroy/damage gate | - |
| 133 (3) (b) (ii) | Intentionally/recklessly/negligently interfere with fence/gate/soil under fence/gate | - |
| 133 (3) (c) (i) | Damage/destroy/remove thing | — |
| 133 (3) (c) (ii) | Interfere with thing | — |
| 133 (3) (d) | Attempt to carry/drive/pass noxious animal through/under/over fence/gate/ to liberate noxious animal/to leave open gate/to destroy/damage any fence/gate/to interfere with fence/ gate/soil under fence/gate/to destroy/ damage/remove thing/interfere with thing | — |
| 135 (4) | Issue certificate that is false/ misleading | — |
| 136 (a) | False claim for bonus already paid | — |
| 136 (b) | False claim for bonus from incorrect board | — |
| 139 | Fail to notify board of presence of noxious insects | — |
| 141 (4) | Fail to comply with order | — |
| 178 (a) (i) | Intentionally/recklessly/negligently damage/interfere with rabbit/dog/ marsupial proof fence | — |

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| | | |
|---------------|--|---|
| 178 (a) (ii) | Intentionally/recklessly/negligently damage/interfere with fence of travelling stock reserve | — |
| 178 (a) (iii) | Intentionally/recklessly/negligently damage/interfere with fence on boundary of holding | — |
| 178 (b) | Erect break against rabbit/dog/marsupial proof fence/fence of travelling stock reserve/holding | — |
| 179 | Obstruct by-pass | — |
| 186 (1) (a) | Apply unauthorised firebrand/freezebrand/ear tattoo to stock | — |
| 186 (1) (b) | Apply brand to incorrect part of large animal stock | — |
| 186 (2) (a) | Apply earmark of incorrect dimension/shape to cattle/deer | — |
| 186 (2) (b) | Apply registered earmark to incorrect ear of cattle/deer | — |
| 187 (3) | Apply distinctive earmark to incorrect ear of cattle/deer | — |
| 189 (1) | Fail to ensure unregistered earmark not applied to small stock | — |
| 192 (1) (a) | Apply smaller than specified firebrand/colour brand to small stock | — |
| 192 (1) (b) | Apply registered brand to wrong part of small stock | — |
| 192 (3) (a) | Apply earmark of incorrect type to small stock | — |
| 192 (3) (b) | Apply registered earmark to wrong ear of small stock | — |
| 193 (2) | Apply distinctive earmark to wrong ear of small stock | — |
| 199 (3) | Fail to notify registrar/Police Force of branding offence | — |
| 201 (1) | Mark fleece/skin of sheep/goat | — |
| 202 (1) | Fail to give notice of muster | — |

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Schedule 1

| | | |
|-------------|--|---|
| 202 (4) | Fail to permit person to attend muster | — |
| 208 (1) | Fail to provide information | — |
| 208 (3) | Provide false/misleading information in return/document | — |
| 208 (5) | Forge/alter/make improper use of transported stock statement/permit/licence authority/document | — |
| 209 (1) (a) | Obstruct/hinder/delay authorised/prescribed officer/authorised person/person assisting | - |
| 209 (1) (b) | Threaten/assault authorised/prescribed officer/authorised person/person assisting | — |
| 209 (2) | Fail to comply with requirement by authorised/prescribed officer/authorised person | - |