



New South Wales

# Non-Indigenous Animals Amendment (Miscellaneous) Regulation 2006

under the

Non-Indigenous Animals Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Non-Indigenous Animals Act 1987*.

IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Primary Industries

## Explanatory note

The objects of this Regulation are:

- (a) to classify certain animals, in addition to the animals currently classified by the *Non-Indigenous Animals Regulation 1997 (the Regulation)*, for the purposes of the *Non-Indigenous Animals Act 1987 (the Act)*, and
- (b) to extend the operation of the provisions of the Regulation that provide exemptions from the provisions of the Act that create the offences of keeping and moving certain categories of non-indigenous animals, and
- (c) to provide for the issue of penalty notices in relation to certain offences created by the Act.

This Regulation is made under the *Non-Indigenous Animals Act 1987*, including section 29 (the general regulation-making power).

## **2006 No 203**

Clause 1 Non-Indigenous Animals Amendment (Miscellaneous) Regulation 2006

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## **Non-Indigenous Animals Amendment (Miscellaneous) Regulation 2006**

under the

Non-Indigenous Animals Act 1987

### **1 Name of Regulation**

This Regulation is the *Non-Indigenous Animals Amendment (Miscellaneous) Regulation 2006*.

### **2 Amendment of Non-Indigenous Animals Regulation 1997**

The *Non-Indigenous Animals Regulation 1997* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 2)

**[1] Clause 11 Keeping of animals**

Omit “category 2 or category 3a animal (except *Funambulus pennanti*, commonly known as the Northern Palm Squirrel)” from clause 11 (a).

Insert instead “category 2 animal, a category 3a animal (except *Funambulus pennanti*, commonly known as the Northern Palm Squirrel) or a category 3b animal”.

**[2] Clause 12 Movement of animals**

Omit clause 12 (c). Insert instead:

- (c) in the case of the movement or transportation of a category 3b animal:
  - (i) a person who owns the animal, and
  - (ii) a person who holds an authority under the *Exhibited Animals Protection Act 1986* that enables the person to exhibit the animal.

**[3] Part 6A**

Insert after clause 28:

**Part 6A Penalty notices****28A Penalty notices**

For the purposes of section 27A of the Act:

- (a) each offence arising under a provision specified in Column 1 of Schedule 3 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in relation to the offence in Column 2 of Schedule 3.

**[4] Schedule 1 Classification of non-indigenous animals**

Insert in appropriate order in Columns 1, 2 and 3 in Part 1 (Amphibians) under the heading “ORDER ANURA” and subheading “Family Dendrobatidae”:

<i>Dendrobates azureus</i>	Blue Poison-arrow Frog	2
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## 2006 No 203

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Schedule 1 Amendments

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### [5] Schedule 1, Part 2 (Reptiles)

Insert in appropriate order in Columns 1, 2 and 3 under the heading “ORDER SQUAMATA” and the subheadings “[SUB-ORDER LACERTILIA: lizards]” and “Family Chamaeleonidae”:

<i>Chameleo calyptratus</i>	Veiled Chameleon	2
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### [6] Schedule 1, Part 2

Insert in appropriate order in Columns 1, 2 and 3 under the heading “ORDER SQUAMATA”:

[SUB-ORDER SAURIA: lizards]

Family Teiidae

<i>Tupinambis teguixin</i>	Black and White Tegu	2
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### [7] Schedule 1, Part 2

Insert in appropriate order in Columns 1, 2 and 3 under the heading “ORDER SQUAMATA” and the subheadings “[SUB-ORDER SERPENTES: snakes]”, “Family Boidae” and “[Sub-family Pythoninae]”:

<i>Morelia boeleni</i>	Boelen’s Python	2
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### [8] Schedule 1, Part 2

Insert in appropriate order in Columns 1, 2 and 3 under the heading “ORDER SQUAMATA” and the subheadings “[SUB-ORDER SERPENTES: snakes]” and “Family Elapidae”:

<i>Ophiophagus hannah</i>	King Cobra	2
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### [9] Schedule 1, Part 3 (Mammals)

Insert in appropriate order in Columns 1, 2 and 3 under the heading “ORDER PERISSODACTYLA” and the subheading “Family Rhinocerotidae”:

<i>Rhinoceros unicornis</i>	Indian Rhinoceros	2
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[10] **Schedule 3**

Insert after Schedule 2:

**Schedule 3      Penalty notice offences**

(Clause 28A)

<b>Column 1</b>	<b>Column 2</b>
<b>Offence</b>	<b>Penalty</b>
<b>Offences under the Act</b>	
Section 10 (1)	\$550
Section 10 (2)	\$220
Section 11 (1)	\$550
Section 11 (2)	\$220
Section 12 (1)	\$550
Section 12 (2)	\$220
Section 13 (1)	\$550
Section 13 (2)	\$220
Section 13 (3)	\$220
Section 21 (2)	\$220