



New South Wales

# Game and Feral Animal Control Amendment (Native Game Birds) Regulation 2015

under the

Game and Feral Animal Control Act 2002

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Game and Feral Animal Control Act 2002*.

NIALL BLAIR, MLC  
Minister for Primary Industries

## Explanatory note

The objects of this Regulation are as follows:

- (a) to allow native game birds to be hunted at night under the authority of a native game bird management licence if they are in the immediate vicinity of, or are reasonably likely to adversely impact on, a planted crop and sufficient lighting is used to identify the birds being hunted,
- (b) to provide that the permission of the holder of a native game bird management licence that a licensed hunter is required to have in order to kill native game birds on the licence holder's land does not need to be in writing,
- (c) to provide that an application for a restricted game hunting licence must be refused if the applicant has, in the 10 years prior to the application, been found guilty of an offence under section 68 of the *Forestry Act 2012* (which relates to unauthorised hunting and use of firearms or other weapons in forestry areas).

This Regulation is made under the *Game and Feral Animal Control Act 2002*, including sections 21, 22 and 60 (the general regulation-making power).

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### **1 Name of Regulation**

This Regulation is the *Game and Feral Animal Control Amendment (Native Game Birds) Regulation 2015*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## **Schedule 1      Amendment of Game and Feral Animal Control Regulation 2012**

**[1]    Clause 17 Grounds for refusal of restricted licence**

Omit clause 17 (a). Insert instead

- (a) the person has been found guilty of an offence under section 68 of the *Forestry Act 2012* or under section 32C of the *Forestry Act 1916*, or

**[2]    Schedule 1 Conditions of game hunting licences**

Insert after clause 10 (1):

- (1A) Despite subclause (1), a person may hunt native game birds at night but only if:
  - (a) the hunting is carried out under the authority conferred by a native game bird management licence, and
  - (b) the person uses lighting of sufficient brightness to enable the person to clearly see and identify the species of native game birds being hunted, and
  - (c) the native game birds are in the immediate vicinity of, or are reasonably likely to adversely impact on, a planted crop.

**[3]    Schedule 1, clause 10A**

Omit “written” from clause 10A (1).

**[4]    Schedule 1, clause 10A (1)**

Omit clause 10A (1) (b) and (c). Insert instead:

- (b) comply with any other reasonable direction given to the hunter by the licence holder in relation to the killing of native game birds on that land.