



New South Wales

Biosecurity Amendment (Pest Management) Regulation 2018

under the

Biosecurity Act 2015

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Biosecurity Act 2015*.

NIALL BLAIR, MLC
Minister for Primary Industries

Explanatory note

The objects of this Regulation are as follows:

- (a) to provide that dealings with feral pigs, rather than wild pigs, are not prohibited dealings,
- (b) to clarify that dealings with dromedary camels are not prohibited dealings,
- (c) to establish mandatory measures:
 - (i) to prohibit certain types of dealings with European red foxes, feral pigs, certain species of wild deer, wild European rabbits and feral dromedary camels unless the dealing is for the purpose of research or exhibition or a lawful measure for controlling pests, and
 - (ii) to prohibit the vaccination of rabbits with a live virus vaccine unless approved by the Chief Veterinary Officer,
- (d) to require the presence of certain locust pests to be notified.

This Regulation is made under the *Biosecurity Act 2015*, including sections 12 (3), 24 (1), 151 (2) and 404 (the general-regulation making power).

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1 Name of Regulation

This Regulation is the *Biosecurity Amendment (Pest Management) Regulation 2018*.

2 Commencement

This Regulation commences on 1 July 2018 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Biosecurity Act 2015 No 24

[1] Schedule 3 Prohibited Dealings

Insert in appropriate order in the matter relating to Mamalia in clause 3 (c):

Camelus dromedarius

Dromedary camel

[2] Schedule 3, clause 3 (c)

Omit “Wild pig” in the matter relating to Mamalia. Insert instead “Feral pig”.

Schedule 2 Amendment of Biosecurity Regulation 2017

[1] Clauses 17A and 17B

Insert after clause 17:

17A Rabbits

A person must not vaccinate, or attempt to vaccinate, a rabbit with a live virus vaccine unless approved to do so by the Chief Veterinary Officer.

Note. Examples of a live virus vaccine are the fibroma virus vaccine and the myxomatosis virus vaccine.

17B Prohibition on dealings with camels, deer, pigs, rabbits and foxes

(1) This clause applies to the following animals:

<i>Axis axis</i>	Wild spotted deer/Chital
<i>Axis porcinus</i>	Wild hog deer
<i>Camelus dromedarius</i>	Feral dromedary camel
<i>Cervus elaphus</i>	Wild red deer/wapiti/elk
<i>Dama dama</i>	Wild fallow deer
<i>Oryctolagus cuniculus</i>	Wild European rabbit
<i>Rusa timorensis</i>	Wild rusa deer/Timor deer
<i>Rusa unicolor</i>	Wild sambar deer
<i>Sus scrofa</i>	Feral pig
<i>Vulpes vulpes</i>	European red fox

(2) A person must not engage in any of the following dealings with an animal to which this clause applies:

- (a) have possession of the animal,
- (b) move the animal,
- (c) release the animal from captivity.

(3) This clause does not apply:

- (a) if the dealing is for permitted exhibition purposes or permitted research purposes, within the meaning of clause 1 of Schedule 3 to the Act, or
- (b) if the dealing is or forms part of a lawful measure taken by the person to control a pest.

(4) An occupier of land is taken not to be engaging in a dealing for the purposes of subclause (2) (a) in relation to animals on the land unless the occupier has actual (rather than deemed) possession of the animal.

Note. Section 12 (2) of the Act deems an occupier of land to have possession of any biosecurity matter or carrier (including animals) on that land in certain circumstances.

[2] Schedule 1 Pests and diseases required to be notified

Insert in alphabetical order in Part 4:

Austracris guttulosa (Spur-throated locust)

Chortoicetes terminifera (Australian plague locust)

Locusta migratoria (Migratory locust)