

# Non-Indigenous Animals Regulation 1997

[1997-454]



New South Wales

## Status Information

### Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
[Veterinary Practice Act 2003 No 87](#) (not commenced)
- **See also**  
[Statute Law \(Miscellaneous Provisions\) Bill 2006](#)

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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New South Wales

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# Non-Indigenous Animals Regulation 1997



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Non-Indigenous Animals Regulation 1997*.

### 2 Commencement

This Regulation commences on 1 September 1997.

### 3 Definitions and terminology

(1) In this Regulation:

**classified** means classified under this Regulation for the purposes of section 6 (d) of the Act.

**controlled category animal** means a category 1a, category 1b, category 2, category 3a or category 3b animal.

**Director-General** means the Director-General of the Department of Agriculture.

**drive-through area** means an area in which animals are enclosed and which may be driven through by a motor vehicle.

**exhibit** has the same meaning as in the *Exhibited Animals Protection Act 1986*.

**the Act** means the *Non-Indigenous Animals Act 1987*.

**zoo** means a zoological park within the meaning of the *Zoological Parks Board Act 1973*.

(2) In this Regulation, a reference to an animal of a particular category is a reference to an animal that is classified by Schedule 1 as an animal of that category.

### 4 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

## Part 2 Classification of animals

### 5 Prescribed categories

- (1) The following categories of animals are prescribed for the purposes of section 6 (a) of the Act:
  - (a) category 1a and category 1b (animals the entry and keeping of which are prohibited),
  - (b) category 2 (animals limited to restricted collections),
  - (c) category 3a and category 3b (animals permitted in other collections),
  - (d) category 4 (animals the entry and keeping of which are not restricted),
  - (e) category 5 (animals that are already widespread pests).
- (2) Categories 1a, 1b, 2, 3a and 3b are identified as controlled categories for the purposes of section 6 (b) of the Act.
- (3) Categories 1a, 1b, 2 and 3a are identified as higher risk categories for the purposes of section 6 (c) of the Act.
- (4) Category 3b is identified as a lower risk category for the purposes of section 6 (c) of the Act.

#### **Note—**

The categories set out in clause 5 reflect the categories adopted by the Vertebrate Pest Committee of the Standing Committee on Agriculture. Under the Committee's categorisation:

- Category 1a consists of species categorised as being of extreme pest potential and are generally not permitted to enter Australia or be kept there.
- Category 1b consists of species that have not been classified as belonging to any particular category and are generally not permitted to enter Australia or be kept there.
- Category 2 consists of species of high pest potential or of significant conservation value.
- Category 3a consists of species that pose some threat to persons or domestic or native fauna and are permitted to be kept primarily for the purpose of exhibition, education, entertainment or conservation in high security institutions.
- Category 3b consists of species that have the potential to establish in the wild a population that would present a new threat or aggravate an existing threat and may be kept in private collections only under licence subject to special conditions.
- Category 4 consists of species that would be unlikely to present a threat or greatly worsen an existing threat if they escaped into the wild. Animals in this category will usually be domestic or farm animals having no pest potential.
- Category 5 consists of species that if they escaped into the wild would be unlikely to establish a population

that would present a threat or greatly worsen an existing threat. Animals in this category will usually currently be widespread pests.

## 6 Classification into categories

- (1) The classification of animals for the purposes of section 6 (d) of the Act is as set out in Schedule 1.
- (2) Any species of non-indigenous animal, that is not listed in Schedule 1 (other than a bird) is classified as a category 1b animal.
- (3) An animal that is classified as both a category 4 and category 5 animal:
  - (a) is a category 4 animal if it is one of the domestic members of that species, and
  - (b) is a category 5 animal if it is one of the wild (including feral) members of that species.
- (4) The scientific names of the animals referred to in Schedule 1 are based on the following publications:
  - (a) for all Orders of amphibians: Frost DR, *Amphibian species of the world: a taxonomic and geographical reference*, published in 1985 by the Association of Systematics Collections, Lawrence, Kansas, USA,
  - (b) for reptiles in the Orders CROCODYLIA and SPHENODONTIDA and in the Order SQUAMATA, Sub-order LACERTILIA: Sokolov VE, *Dictionary of animal names in five languages: amphibians and reptiles*, published in 1988 by Russky Yazyk, Moscow, Russia,
  - (c) for reptiles in the Order TESTUDINES: IUCN/SSC Tortoise and freshwater turtle specialist group: *Tortoises and freshwater turtles: an action plan for their conservation*, published in 1989 by the International Union for Conservation of Nature and Natural Resources, Gland, Switzerland,
  - (d) for reptiles in the Order SQUAMATA, Sub-order SERPENTES: Mehrtens JM, *Living snakes of the world*, published in 1987 by the Sterling Publishing Co Inc, New York, New York, USA,
  - (e) for all Orders of mammals: Wilson DE and Reeder DM, *Mammal species of the world: a taxonomic and geographic reference*, second edition, published in 1993 by the Smithsonian Institution, Washington, District of Columbia, USA.

### Note—

The classification of animals effected by this Regulation does not extend to birds. Any provision of the Act or this Regulation that applies only to animals within a particular category does not therefore apply to birds.

## **7 Bodies consulted about bird classification**

The following bodies are prescribed for the purposes of section 6A (3) of the Act:

- (a) Associated Birdkeepers of Australia Incorporated,
- (b) the Canary and Cage Bird Federation of Australia,
- (c) the Royal Australian Ornithologists Union,
- (d) the Australian Avicultural Protection Association.

## **Part 3 Non-Indigenous Animals Advisory Committee**

### **8 Qualifications of member**

The prescribed qualifications for the purposes of section 7 (4) (g) of the Act are:

- (a) that the person:
  - (i) keeps a collection of non-indigenous animals (not including any category 4 animals), being a collection that is, in the opinion of the Minister, a substantial collection, and has kept a collection of that sort for at least 5 years, or
  - (ii) is a member of an association or society that is involved in the keeping of non-indigenous animals and has been a member of such a body for at least 5 years, or
  - (iii) has a degree, conferred by a tertiary institution recognised by the Minister, in zoology or a related discipline, and
- (b) that the person is not an exhibitor within the meaning of the *Exhibited Animals Protection Act 1986*, and
- (c) that the person has no convictions for an offence under the Act or under the *Exhibited Animals Protection Act 1986*, the *National Parks and Wildlife Act 1974* or the *Prevention of Cruelty to Animals Act 1979* or any other Act relating to the keeping or welfare of animals.

### **9 Organisations whose nominee to be member**

The following organisations are prescribed for the purposes of section 7 (4) (h) of the Act:

- (a) Associated Birdkeepers of Australia Incorporated,
- (b) the Canary and Cage Bird Federation of Australia,
- (c) the Australian Avicultural Protection Association.

## Part 4 Exemptions under section 5

### 10 Import of animals

The following persons are exempted from the operation of section 10 of the Act:

- (a) in the case of the import of a category 2 or category 3a animal, a person who holds an authority under the [Exhibited Animals Protection Act 1986](#) that enables the person to exhibit the animal,
- (b) in the case of the import of a category 3b animal, any person.

### 11 Keeping of animals

The following persons are exempted from the operation of section 11 of the Act:

- (a) in the case of the keeping of a category 2 animal, a category 3a animal (except *Funambulus pennanti*, commonly known as the Northern Palm Squirrel) or a category 3b animal, a person who holds an authority under the [Exhibited Animals Protection Act 1986](#) that enables the person to exhibit the animal,
- (b) in the case of the keeping of *Funambulus pennanti*, a person who has an animal of that species that is numerically identified by an ear tattoo or a microchip and who holds a certificate in which a registered veterinary surgeon certifies that the animal has been sterilised.

### 12 Movement of animals

The following persons (and persons acting on their behalf) are exempted from the operation of section 12 of the Act:

- (a) in the case of the movement or transportation of a category 2 or category 3a animal (except *Funambulus pennanti*), a person who holds an authority under the [Exhibited Animals Protection Act 1986](#) that enables the person to exhibit the animal,
- (b) in the case of the movement or transportation of *Funambulus pennanti*, a person who has an animal of that species that is numerically identified by an ear tattoo or a microchip and who holds a certificate in which a registered veterinary surgeon certifies that the animal has been sterilised,
- (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.

### 13 Fees

Any higher or tertiary educational institution is exempt from any requirement to pay a fee



in relation to a permit or the grant or renewal of a licence.

## **Part 5 Licences and permits**

### **14 Applications for licences and permits**

An application under section 14 of the Act for the grant or renewal of a licence or under section 19 for the grant of a permit must be in writing in the form approved by the Director-General for the purposes of that section and be accompanied by the supporting documentation (if any) required by the form or by the Director-General.

### **15 Fees for permits**

An application under section 19 (1) of the Act for a permit must be accompanied by a fee of \$50.

### **16 Fees for licences and renewals**

- (1) An application under section 14 (1) of the Act for a licence must be accompanied by the following fee:
  - (a) \$250, where the application relates to category 2 or category 3a animals (whether or not it also relates to category 3b animals),
  - (b) \$30, where the application relates to category 3b animals only.
- (2) An application under section 14 (1) of the Act for the renewal of a licence must be accompanied by the following fee:
  - (a) \$150, where the application relates to category 2 or category 3a animals (whether or not it also relates to category 3b animals),
  - (b) \$20, where the application relates to category 3b animals only.
- (3) (Repealed)

### **17 Discounts and variations of licence and renewal fees**

- (1) If a licence is to be granted on or after 1 January but before 1 July in any year, the prescribed application fee for the licence is to be discounted by 50 per cent.
- (2) The prescribed application fee for a licence is to be calculated without regard to:
  - (a) any category 2 or category 3a animal that is kept on premises the subject of a licence under the *Exhibited Animals Protection Act 1986* held by the applicant, or
  - (b) any category 2 or category 3a animal that the Director-General, on the recommendation of the advisory committee, decides to disregard for the purposes of the calculation.

### **18 Licences and renewals: matters prescribed under section 15 (2) (g)**

In considering whether to grant a licence or renewal, the Director-General must have regard to the following matters:

- (a) the security and care required for the animals that are to be kept or are kept under the licence,
- (b) in the case of a licence for an agent of a zoo to keep a category 3a animal, whether there is a written agreement between the agent and the institution that transfers the animal to the agent and whether the agreement contains a requirement that the agent must transfer the animal back to the institution on demand,
- (c) whether the number of licences in force that relate to certain species of animals should be restricted and, if it should be restricted, whether the grant of the licence or its renewal would violate that restriction.

### **19 Duration of licences: other period prescribed under section 16**

A licence is in force for the period that ends on 30 June immediately after the issue or renewal of the licence.

## **Part 6 Standards for keeping animals**

### **20 Object of this Part**

The object of this Part is to prescribe requirements and standards for the purposes of section 18 (1) (b) (Cancellation of licences) of the Act.

### **21 Security of premises**

Reasonable precautions must be taken to ensure that premises where controlled category animals are kept are secure against unauthorised entry by persons, except to the extent that the Director-General otherwise approves.

### **22 Enclosures**

- (1) Controlled category animals must be kept in an enclosure that is constructed so as to minimise the risks of:
  - (a) injury to the public, and
  - (b) injury to animal attendants exercising due care while in the enclosure, and
  - (c) injury to any animal in the enclosure, and
  - (d) escape by any animal from the enclosure.
- (2) Vegetation or other material in or near the enclosure must be removed or repositioned if it would otherwise assist an animal to escape.

- (3) The enclosure in which a digging or burrowing animal is kept must be constructed:
- (a) with a floor consisting entirely of concrete, or
  - (b) with an enclosing fence of galvanised steel mesh, stainless steel mesh, or concrete, that extends below ground level to a depth of at least 1 metre and then (at that depth) extends horizontally within the enclosure at least 1 metre, or
  - (c) in such other manner as the Director-General considers offers a similar degree of resistance to escape by the animal.

### **23 Gates, doors and slides**

- (1) A gate or door on the perimeter of an enclosure in which controlled category animals are kept must open inwards to the enclosure.
- (2) A gate, door or slide on the perimeter to an enclosure in which controlled category animals are kept must be so designed that an animal in the enclosure cannot lift the gate or door off its hinges or the slide off its tracks and cannot unfasten the device that secures the gate, door or slide.
- (3) Entry to an enclosure in which a category 3a animal is kept (other than an enclosure that is a reptile pit) must be by means of a safety entrance through successive gates, doors or slides. All of those gates, doors or slides must be kept locked by key or combination except when a person is in the enclosure.
- (4) If an entrance to an enclosure in which controlled category animals are kept (other than an enclosure that is a drive-through area) is a safety entrance through successive gates or doors, the gates or doors must open inwards to the enclosure.
- (5) A gate, door or slide referred to in this clause that is power-operated must also be capable of manual operation (both within and outside the enclosure) without risk to the operator.
- (6) The location from which a gate, door or slide referred to in this clause, or any other means of access to an enclosure, is operated must be safely accessible and allow a clear view of the gate, door, slide or other means and the immediate area of the gate, door, slide or other means.

### **24 Stand-off barriers**

- (1) If an enclosure where a dangerous animal is kept is so constructed that contact between the animal and the public outside the enclosure would be possible, a barrier must be provided that prevents that contact and that is as difficult as reasonably practicable for the public to evade.
- (2) A pit where dangerous snakes are kept must be deep enough to prevent contact between the public and the snakes.

## **25 Warning signs**

- (1) If an enclosure is dangerous because it has an electrified fence or contains an animal that is known or suspected to be dangerous, signs must be provided warning of the danger. The signs must be sufficient in size, legibility and number to give reasonable warning of the danger. They may use words, symbols or both.
- (2) If, because of subclause (1), warning signs must be provided at a drive-through area, those signs must be placed at the entrance to the area and also inside the area.

## **26 Exit signs**

The exit from a drive-through area must be clearly marked. A reasonable number of signs must also be used to indicate the route to the exit.

## **27 Safety of structures**

A structure, or part of a structure, that is dangerous to enter must be locked to prevent entry by the public and provided with signs giving reasonable warning to the public that entry is dangerous and prohibited.

## **28 Separate enclosures in drive-through areas**

If there is access from one enclosure to another within a drive-through area, the access must be so controlled as to prevent an animal in one enclosure from entering the other at will.

# **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.

# **Part 7 Miscellaneous**

## **29 Appeals under section 20**

- (1) An appeal under section 20 (1) of the Act is to be made by lodging a notice in Form 1 of Schedule 2 with the Clerk of a Local Court.
- (2) Notice to the Minister under section 20 (3) of the Act is to be in the form of a copy of the relevant notice lodged under section 20 (1) of the Act.

### **30 Licensees' returns**

- (1) The kind of information to be contained in a return furnished by a licensee under section 21 of the Act is the following:
  - (a) the numbers and species of animals kept by the licensee at the start of the period specified in the notice served on the licensee,
  - (b) the numbers and species of animals transferred by the licensee during that period,
  - (c) the names and licence numbers of the persons to whom the animals were transferred,
  - (d) the numbers and species of animals transferred to the licensee during that period,
  - (e) the names and licence numbers of the persons from whom the animals were transferred,
  - (f) the numbers and species of animals kept by the licensee that were born during that period,
  - (g) the numbers and species of animals kept by the licensee that died during that period.
- (2) A licensee must not provide information in a return under section 21 of the Act that the licensee knows is false or misleading in a material particular.

Maximum penalty: 10 penalty units.

### **31 Prescribed address**

The address prescribed for the purposes of section 28 of the Act is:

The Director-General  
Department of Agriculture  
161 Kite Street  
Orange NSW 2800

### **32 Repeal**

- (1) The *Non-Indigenous Animals Regulation 1988* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the Regulation, had effect under that Regulation continues to have effect under this Regulation.

## Schedule 1 Classification of non-indigenous animals

(Clause 6)

### Part 1 Amphibians

Column 1 Scientific name	Column 2 Common name	Column 3 Category
ORDER CAUDATA		
Family Ambystomatidae		
<i>Ambystoma mexicanum</i>	Axolotl	4
Family Cryptobranchidae		
<i>Andrias japonicus</i>	Japanese Salamander; Giant Salamander	2
Family Proteidae		
<i>Necturus alabamensis</i>	Alabama Waterdog	2
<i>Necturus beyeri</i>	Gulf Coast Waterdog	2
<i>Necturus lewisi</i>	Neuse River Waterdog	2
<i>Necturus maculosus</i>	Mudpuppy	2
<i>Necturus punctatus</i>	Dwarf Waterdog	2
Family Salamandridae		
<i>Cynops pyrrhogaster</i>	Japanese Newt; Red-bellied Newt	2
<i>Notophthalmus meridionalis</i>	Black-spotted Newt	2
<i>Notophthalmus perstriatus</i>	Striped Newt	2
<i>Notophthalmus viridescens</i>	Red-spotted Newt	2
<i>Triturus cristatus</i>	Warty Newt; Crested Newt	2
<i>Triturus vulgaris</i>	Common Newt; Smooth Newt	2
ORDER ANURA		
Family Bufonidae		
<i>Bufo marinus</i>	Cane Toad	2
Family Dendrobatidae		
<i>Dendrobates auratus</i>	Green Poison-arrow Frog	2
<i>Dendrobates azureus</i>	Blue Poison-arrow Frog	2
<i>Dendrobates tinctorius</i>	Dyeing Poison-arrow Frog	2
Family Leptodactylidae		

<i>Ceratophrys</i> (all species)	horned-frogs	2
Family Pipidae		
<i>Xenopus laevis</i>	Clawed Toad	2
Family Ranidae		
<i>Pyxicephalus adspersus</i>	African Bullfrog	2
Family Rhacophoridae		
<i>Philautus romeri</i>	Romer's Tree-frog	2

## Part 2 Reptiles

Column 1 Scientific name	Column 2 Common name	Column 3 Category
ORDER CROCODYLIA		
Family Alligatoridae		
<i>Alligator mississippiensis</i>	American Alligator	2
<i>Caiman crocodylus</i>	Brown Caiman	2
Family Crocodylidae		
<i>Crocodylus mindorensis</i>	Philippine Crocodile	2
ORDER TESTUDINES		
[SUB-ORDER CRYPTODIRES: hidden-necked turtles]		
Family Chelydridae		
<i>Chelydra serpentina</i>	Common Snapping-turtle; Common Snapper	2
<i>Macrolemys temminckii</i>	Alligator Snapping-turtle; Alligator Snapper	2
Family Emydidae		
[Sub-family Batagurinae]		
<i>Chinemys reevesii</i>	Chinese Three-keeled Turtle	2
<i>Cistoclemmys flavomarginata</i>	Yellow-margined Box-turtle	2
<i>Cuora amboinensis</i>	Malayan Box-turtle	2
<i>Cuora trifasciata</i>	Chinese Three-striped Box-turtle	2
<i>Heosemys spinosa</i>	Spiny Turtle; Spiny Terrapin	2
<i>Mauremys caspica</i>	Caspian Turtle	2

<i>Rhinoclemmys pulcherrima</i>	Painted Wood-turtle; Mexican Wood-turtle	2
[Sub-family Emydinae]		
<i>Chrysemys picta</i>	Painted Turtle	2
<i>Clemmys guttata</i>	Spotted Turtle	2
<i>Clemmys insculpta</i>	Wood Turtle	2
<i>Clemmys marmorata</i>	Pacific Pond-turtle; Western Pond-turtle	2
<i>Graptemys geographica</i>	Common Map-turtle	2
<i>Graptemys pseudogeographica</i>	False Map-turtle; Eastern Map-turtle	2
<i>Graptemys versa</i>	Texas Map-turtle	2
<i>Pseudemys floridana</i>	Common Cooter; Florida Slider	2
<i>Terrapene carolina</i>	Common Box-turtle	2
<i>Trachemys scripta</i>	Common Slider; Yellow-bellied Slider	2
Family Kinosternidae		
<i>Kinosternon flavescens</i>	Yellow Mud-turtle	2
<i>Kinosternon subrubrum</i>	Common Mud-turtle	2
<i>Staurotypus triporcatus</i>	Mexican Musk-turtle; Mexican Mud-turtle	2
<i>Sternotherus minor</i>	Loggerhead Musk-turtle; Musk Turtle	2
Family Testudinidae		
<i>Aldabrachelys elephantina</i>	Aldabra Tortoise; Aldabra Giant Tortoise	3b
<i>Chersine angulata</i>	Bowsprit Tortoise	3b
<i>Geochelone chilensis</i>	Chaco Tortoise	2
<i>Geochelone elegans</i>	Indian Star-tortoise	3b
<i>Geochelone nigra</i>	Galapagos Tortoise	3b
<i>Geochelone pardalis</i>	Leopard Tortoise	3b
<i>Geochelone radiata</i>	Radiated Tortoise	3b
<i>Geochelone sulcata</i>	Spurred Tortoise	3b
<i>Gopherus agassizii</i>	Desert Tortoise	3b
<i>Indotestudo elongata</i>	Elongated Tortoise	3b
<i>Kinixys belliana</i>	Bell's Hingeback-tortoise	3b
<i>Manouria emys</i>	Asian Brown-tortoise	3b
<i>Testudo graeca</i>	Spur-thighed Tortoise	3b



<i>Testudo hermanni</i>	Hermann's Tortoise; Greek Tortoise	3b
<i>Testudo horsfieldii</i>	Horsfield's Tortoise	2
Family Trionychidae		
<i>Apalone ferox</i>	Florida Softshell-turtle	2
<i>Pelodiscus sinensis</i>	Chinese Softshell-turtle	2
[SUB-ORDER PLEURODIRES: side-necked turtles]		
Family Chelidae		
<i>Chelus fimbriatus</i>	Matamata	2
<i>Platemys platycephala</i>	Twist-necked Turtle	2
ORDER SPHENODONTIDA		
Family Sphenodontidae		
<i>Sphenodon punctatus</i>	Cook Straight Tuatara; Stephen Island Tuatara	3b
ORDER SQUAMATA		
[SUB-ORDER LACERTILIA: lizards]		
Family Agamidae		
<i>Calotes</i> (all species)	variable-lizards	2
<i>Hydrosaurus pustulatus</i>	Philippine Water-lizard; Sail-fin Lizard	2
Family Anguidae		
<i>Pseudopus apodus</i>	Sheltopusik; Glass-lizard	2
Family Chamaeleonidae		
<i>Chamaeleo jacksonii</i>	Jackson's Chameleon	2
<i>Chamaeleo calypttratus</i>	Veiled Chameleon	2
Family Cordylidae		
<i>Cordylus giganteus</i>	Sungazer	2
<i>Gerrhosaurus validus</i>	Giant Plated-lizard	2
Family Gekkonidae		
<i>Eublepharis macularius</i>	Leopard Gekko; Fat-tailed Gekko	2
<i>Gekko gekko</i>	Tokay	2
<i>Hemidactylus frenatus</i>	Cheechak; House Gekko	2
<i>Lepidodactylus lugubris</i>	Mourning Gekko; Sad Gekko	2

<i>Phelsuma madagascariensis</i>	Madagascar Gekko	2
<i>Rhacodactylus auriculatus</i>	Eared Caledonian-gekko	2
<i>Rhacodactylus leachianus</i>	Cuvier's Caledonian-gekko	2
Family Helodermatidae		
<i>Heloderma suspectum</i>	Gila Monster	2
Family Iguanidae		
<i>Basiliscus plumifrons</i>	Double-crested Basilisk	2
<i>Brachylophus fasciatus</i>	Banded Fijian-iguana	2
<i>Brachylophus vitiensis</i>	Crested Fijian-iguana	2
<i>Cyclura cornuta</i>	Rhinoceros Iguana	3a
<i>Iguana iguana</i>	Common Iguana; Green Iguana	2
Family Lacertidae		
<i>Lacerta lepida</i>	Jewelled Lizard; Ocellated Lizard	2
<i>Lacerta viridis</i>	Green Lizard; Emerald Lizard	2
Family Scincidae		
<i>Tribolonotus gracilis</i>	Crocodile Skink	2
Family Varanidae		
<i>Varanus komodoensis</i>	Komodo Dragon	3a
[SUB-ORDER SAURIA: lizards]		
Family Teiidae		
<i>Tupinambis teguixin</i>	Black and White Tegu	2
<i>Varanus salvadorii</i>	Salvadori's Monitor; Papuan Monitor	2
[SUB-ORDER SERPENTES: snakes]		
Family Acrochordidae		
<i>Acrochordus javanicus</i>	Javan File-snake	2
Family Boidae		
[Sub-family Boinae]		
<i>Boa constrictor</i>	Boa Constrictor	2
<i>Candoia</i> (all species)	Pacific boas	2
<i>Corallus caninus</i>	Emerald Tree-boa	2
<i>Corallus enydris</i>	Garden Tree-boa	2

<i>Epicrates cenchria</i>	Rainbow Boa	2
<i>Eunectes murinus</i>	Anaconda	2
<i>Eunectes notaeus</i>	Yellow Anaconda	2
[Sub-family Pythoninae]		
<i>Bothrochilus boa</i>	Ringed Python	2
<i>Morelia boeleni</i>	Boelen's Python	2
<i>Python curtus</i>	Blood Python; Short Python	2
<i>Python molurus</i>	Indian Python	2
<i>Python regius</i>	Ball Python	2
<i>Python reticulatus</i>	Reticulated Python	2
<i>Python sebae</i>	African Python	2
Family Colubridae		
<i>Boiga dendrophila</i>	Mangrove Snake	2
<i>Drymarchon corais</i>	Cribos	2
<i>Elaphe guttata</i>	Corn Snake; Red Rat-snake	2
<i>Elaphe obsoleta</i>	Black Rat-snake	2
<i>Elaphe quatorlineata</i>	Four-lined Rat-snake	2
<i>Elaphe schrenkii</i>	Russian Rat-snake	2
<i>Elaphe taeniurus</i>	Black-tailed Rat-snake; Taiwan Rat-snake	2
<i>Lampropeltis getulus</i>	King Snake	2
<i>Lampropeltis mexicana</i>	Grey-banded Snake	2
<i>Lampropeltis triangulum</i>	Milk Snake	2
<i>Pituophis melanoleucus</i>	Bull Snake; Pine Snake	2
Family Crotalidae		
<i>Agkistrodon bilineatus</i>	Cantil	2
<i>Agkistrodon contortrix</i>	Northern Copperhead	2
<i>Agkistrodon piscivorus</i>	Water Moccasin	2
<i>Bothriechis schlegeli</i>	Eye-lash Viper	2
<i>Bothrops alternatus</i>	Urutu	2
<i>Crotalus adamanteus</i>	Eastern Diamondback	2
<i>Crotalus atrox</i>	Western Diamondback	2

<i>Crotalus basiliscus</i>	Mexican Rattlesnake	2
<i>Crotalus lepidus</i>	Rock Rattlesnake	2
<i>Crotalus ruber</i>	Red Rattlesnake	2
<i>Crotalus viridis</i>	Prairie Rattlesnake	2
<i>Sistrurus catenatus</i>	Massasauga	2
Family Elapidae		
<i>Hemachatus haemachatus</i>	Ringhal's Cobra	2
<i>Naja haje</i>	Egyptian Cobra	2
<i>Naja melanoleuca</i>	Forest Cobra; White-lipped Cobra	2
<i>Naja mossambica</i>	Mozambique Cobra	2
<i>Naja naja</i>	Indian Cobra	2
<i>Ophiophagus hannah</i>	King Cobra	2
<i>Laticauda schistorhynchus</i>	Banded Seasnake	2
Family Viperidae		
<i>Bitis gabonica</i>	Gaboon Viper	2
<i>Bitis nasicornis</i>	Rhinoceros Viper	2
<i>Daboia russelli</i>	Russell's Viper	2
<i>Vipera ammodytes</i>	Sand Adder; Sand Viper	2

### Part 3 Mammals

Column 1 Scientific name	Column 2 Common name	Column 3 Category
ORDER MONOTREMATA		
Family Tachyglossidae		
<i>Zaglossus bruijni</i>	Long-beaked Echidna; Long-nosed Echidna	2
ORDER DASYUROMORPHA		
Family Dasyuridae		
<i>Dasyurus albopunctatus</i>	New Guinea Quoll	2
ORDER DIPROTODONTIA		
Family Phalangeridae		
<i>Strigocuscus gymnotis</i>	Ground Cuscus	2
Family Macropodidae		

<i>Dendrolagus dorianus</i>	Doria's Tree-kangaroo	2
<i>Dendrolagus goodfellowi</i>	Goodfellow's Tree-kangaroo	2
<i>Dendrolagus matschiei</i>	Matschie's Tree-kangaroo	2
<i>Dorcopsis luctuosa</i>	Grey Dorcopsis	2
Family Petauridae		
<i>Petaurus breviceps papuanus</i>	Sugar Glider	2
ORDER XENARTHRA		
Family Megalonychidae		
<i>Choloepus hoffmanni</i>	Two-toed Sloth; Hoffmann's Sloth	3b
Family Dasypodidae		
<i>Chaetophractus villosus</i>	Hairy Armadillo	2
<i>Dasypus novemcinctus</i>	Long-nosed Armadillo	2
Family Myrmecophagidae		
<i>Myrmecophaga tridactyla</i>	Giant Anteater	3b
ORDER INSECTIVORA		
Family Erinaceidae		
<i>Erinaceus europaeus</i>	European Hedgehog	2
ORDER SCANDENTIA		
Family Tupaiidae		
<i>Tupaia glis</i>	Common Tree-shrew	2
ORDER PRIMATES		
Family Lemuridae		
<i>Eulemur fulvus</i>	Brown Lemur	2
<i>Eulemur macaco</i>	Black Lemur	2
<i>Eulemur mongoz</i>	Mongoose Lemur	2
<i>Lemur catta</i>	Ring-tailed Lemur	2
<i>Varecia variegata</i>	Ruffed Lemur	2
Family Loridae		
<i>Loris tardigradus</i>	Slender Loris	2
<i>Nycticebus coucang</i>	Slow Loris	2
Family Galagonidae		

<i>Galago senegalensis</i>	Northern Lesser Bushbaby	2
<i>Otolemur crassicaudatus</i>	Thick-tailed Greater Bushbaby	2
Family Callitrichidae		
<i>Callithrix jacchus</i>	Common Marmoset	2
<i>Callithrix pygmaea</i>	Pygmy Marmoset	2
<i>Leontopithecus rosalia</i>	Golden Lion-tamarin	2
<i>Saguinus fuscicollis</i>	Saddle-backed Tamarin; Weddell's Tamarin	2
<i>Saguinus imperator</i>	Emperor Tamarin	2
<i>Saguinus labiatus</i>	Red-bellied Tamarin; White-lipped Tamarin	2
<i>Saguinus midas</i>	Red-handed Tamarin; Golden-handed Tamarin	2
<i>Saguinus mystax</i>	Moustached Tamarin	2
<i>Saguinus oedipus</i>	Cotton-top Tamarin	2
Family Cebidae		
<i>Aotus trivirgatus</i>	Northern Night-monkey; Northern Grey-necked Owl-monkey	2
<i>Ateles belzebuth</i>	Long-haired Spider-monkey; White-bellied Spider-monkey	3a
<i>Ateles fusciceps</i>	Brown-headed Spider-monkey	3a
<i>Ateles geoffroyi</i>	Black-handed Spider-monkey	3a
<i>Ateles paniscus</i>	Black Spider-monkey	3a
<i>Cebus albifrons</i>	Brown Pale-fronted Capuchin; White-fronted Capuchin	2
<i>Cebus apella</i>	Black-capped Capuchin; Tufted Capuchin	2
<i>Saimiri boliviensis</i>	Bolivian Squirrel-monkey	2
<i>Saimiri sciureus</i>	Common Squirrel-monkey	2
Family Cercopithecidae		
[Sub-family Cercopithecinae]		
<i>Cercopithecus diana</i>	Diana Monkey	2
<i>Cercopithecus mitis</i>	Blue Monkey	2
<i>Cercopithecus neglectus</i>	De Brazza's Monkey	2
<i>Cercopithecus petaurista</i>	Lesser Spot-nosed Guenon	2

<i>Chlorocebus aethiops</i>	Savannah Monkey Vervet; Green Monkey; Grivet	2
<i>Erythrocebus patas</i>	Patas Monkey	2
<i>Lophocebus albigena</i>	Black Mangabey; Crested Mangabey; White-cheeked Mangabey	2
<i>Macaca arctoides</i>	Bear Macaque; Stump-tailed Macaque	3a
<i>Macaca fascicularis</i>	Crab-eating Macaque; Long-tailed Macaque	3a
<i>Macaca fuscata</i>	Japanese Macaque	3a
<i>Macaca maura</i>	Moor Macaque; Celebes Moor-macaque	3a
<i>Macaca mulatta</i>	Rhesus Macaque	3a
<i>Macaca nemestrina</i>	Pig-tailed Macaque; Pigtail Macaque	3a
<i>Macaca nigra</i>	Celebes Ape; Celebes Black Macaque; Crested Macaque	3a
<i>Macaca radiata</i>	Bonnet Macaque	3a
<i>Macaca silenus</i>	Liontail Macaque; Lion-tailed Macaque	3a
<i>Mandrillus sphinx</i>	Mandrill	2
<i>Miopithecus talapoin</i>	Talapoin	2
<i>Papio hamadryas</i>	Baboon; Hamadryas Baboon; Olive Baboon; Yellow Baboon; Guinea Baboon; Chacma Baboon	2
<i>Theropithecus gelada</i>	Gelada; Gelada Baboon	2
[Sub-family Colobinae]		
<i>Colobus guereza</i>	Eastern Black-and-white Colobus; Abyssinian Guereza; Guereza	2
<i>Semnopithecus entellus</i>	Entellus Langur; Hanuman Langur	2
<i>Trachypithecus cristatus</i>	Silvered Leaf-monkey; Silvered Langur	2
<i>Trachypithecus obscurus</i>	Dusky Leaf-monkey	2
<i>Trachypithecus vetulus</i>	Purple-faced Leaf-monkey	2
Family Hylobatidae		
<i>Hylobates agilis</i>	Dark-handed Gibbon; Agile Gibbon	2
<i>Hylobates concolor</i>	Black Gibbon; Crested Gibbon	2
<i>Hylobates hoolock</i>	Hoolock Gibbon; White-browed Gibbon	2

<i>Hylobates klossi</i>	Kloss's Gibbon	2
<i>Hylobates lar</i>	White-handed Gibbon; Common Gibbon	2
<i>Hylobates leucogenys</i>	White-cheeked Gibbon	2
<i>Hylobates moloch</i>	Javan Gibbon; Silvery Gibbon	2
<i>Hylobates muelleri</i>	Bornean Gibbon; Muller's Gibbon	2
<i>Hylobates syndactylus</i>	Siamang	2
Family Hominidae		
<i>Gorilla gorilla</i>	Gorilla	3a
<i>Pan troglodytes</i>	Chimpanzee	3a
<i>Pongo pygmaeus</i>	Orang-hutan; Orang-utan	3a
ORDER CARNIVORA		
Family Canidae		
<i>Canis latrans</i>	Coyote	2
<i>Canis lupus</i>	Wolf	2
<i>Canis'familiaris'</i>	Domestic Dog	4 & 5
<i>Canis mesomelas</i>	Black-backed Jackal	2
<i>Chrysocyon brachyurus</i>	Maned Wolf	2
<i>Cuon alpinus</i>	Dhole; Red Dog	2
<i>Lycaon pictus</i>	Hunting Dog; African Hunting Dog	2
<i>Nyctereutes procyonoides</i>	Raccoon Dog; Raccoon-dog	2
<i>Vulpes vulpes</i>	Red Fox; European Red Fox	5
<i>Vulpes zerda</i>	Fennec Fox	2
Family Felidae		
[Sub-family Acinonychinae]		
<i>Acinonyx jubatus</i>	Cheetah	3a
[Sub-family Felinae]		
<i>Caracal caracal</i>	Caracal	2
<i>Catopuma temminckii</i>	Asian Golden Cat	2
<i>Felis chaus</i>	Jungle Cat	2
<i>Felis'catus'</i>	Domestic Cat	4 & 5
<i>Felis concolor</i>	Puma	3a



<i>Herpailurus yaguarondi</i>	Jaguaroundi	2
<i>Leopardus pardalis</i>	Ocelot	2
<i>Leopardus wiedii</i>	Margay	2
<i>Leptailurus serval</i>	Serval	2
<i>Lynx lynx</i>	Eurasian Lynx	2
<i>Lynx rufus</i>	Bobcat	2
<i>Oncifelis geoffroyi</i>	Geoffroy's Cat	2
<i>Otocolobus manul</i>	Pallas's Cat	2
<i>Prionailurus bengalensis</i>	Leopard Cat	2
<i>Prionailurus viverrinus</i>	Fishing Cat	3a
[Sub-family Pantherinae]		
<i>Neofelis nebulosa</i>	Clouded Leopard	3a
<i>Panthera leo</i>	Lion	3a
<i>Panthera onca</i>	Jaguar	3a
<i>Panthera pardus</i>	Leopard	3a
<i>Panthera tigris</i>	Tiger	3a
<i>Uncia uncia</i>	Snow Leopard	3a
Family Herpestidae		
<i>Helogale parvula</i>	Dwarf Mongoose	2
<i>Suricata suricata</i>	Slender-tailed Meerkat	2
Family Hyaenidae		
<i>Crocuta crocuta</i>	Spotted Hyaena	2
<i>Hyaena hyaena</i>	Striped Hyaena	2
Family Mustelidae		
[Sub-family Lutrinae]		
<i>Amblonyx cinereus</i>	Small-clawed Otter	2
<i>Lontra canadensis</i>	North American Otter	2
<i>Lutrogale perspicillata</i>	Smooth-coated Otter	2
[Sub-family Melinae]		
<i>Meles meles</i>	Eurasian Badger; Old World Badger	2
[Sub-family Mephitinae]		

<i>Mephitis mephitis</i>	Striped Skunk	2
[Sub-family Mustelinae]		
<i>Eira barbara</i>	Tayra	2
<i>Mustela putorius</i>	Ferret	4
Family Otariidae		
<i>Zalophus californianus</i>	Californian Sea-lion	3b
Family Phocidae		
<i>Phoca vitulina</i>	Harbour Seal	3b
Family Procyonidae		
[Sub-family Potosinae]		
<i>Potos flavus</i>	Kinkajou	2
[Sub-family Procyoninae]		
<i>Nasua nasua</i>	Coati	2
<i>Procyon lotor</i>	Common Raccoon	2
Family Ursidae		
<i>Ailurus fulgens</i>	Red Panda; Lesser Panda	2
<i>Helarctos malayanus</i>	Sun Bear	3a
<i>Ursus americanus</i>	American Black Bear	3a
<i>Ursus arctos</i>	Brown Bear	3a
<i>Ursus maritimus</i>	Polar Bear	3a
<i>Ursus thibetanus</i>	Asiatic Black Bear	3a
Family Viverridae		
[Sub-family Paradoxurinae]		
<i>Arctictis binturong</i>	Binturong	2
<i>Arctogalidia trivirgata</i>	Three-striped Palm-civet; Small-toothed Palm-civet	2
[Sub-family Viverrinae]		
<i>Genetta maculata</i>	Rusty-spotted Genet	2
ORDER PROBOSCIDEA		
Family Elephantidae		
<i>Elephas maximus</i>	Asian Elephant; Asiatic Elephant	3a

<i>Loxodonta africana</i>	African Elephant	3a
ORDER PERISSODACTYLA		
Family Equidae		
<i>Equus'asinus'</i>	Donkey	4
<i>Equus burchellii</i>	Common Zebra; Burchell's Zebra	2
<i>Equus'caballus'</i>	Domestic Horse	4
<i>Equus ferus przewalskii</i>	Przewalski's Horse	2
<i>Equus grevyi</i>	Grevy's Zebra	2
<i>Equus onager</i>	Onager	2
Family Tapiridae		
<i>Tapirus indicus</i>	Malayan Tapir	2
<i>Tapirus terrestris</i>	Brazilian Tapir	2
Family Rhinocerotidae		
<i>Ceratotherium simum</i>	White Rhinoceros	3a
<i>Diceros bicornis</i>	Black Rhinoceros	3a
<i>Rhinoceros unicornis</i>	Indian Rhinoceros	2
ORDER TUBULIDENTATA		
Family Orycteropodidae		
<i>Orycteropus afer</i>	Aardvark	2
ORDER ARTIODACTYLA		
Family Suidae		
<i>Sus scrofa</i>	Wild Boar	5
<i>Sus'domesticus'</i>	Domestic Pig	4 & 5
Family Tayassuidae		
<i>Pecari tajacu</i>	Collared Pecari	2
Family Hippopotamidae		
<i>Hexaprotodon liberiensis</i>	Pygmy Hippopotamus	3a
<i>Hippopotamus amphibius</i>	Common Hippopotamus	3a
Family Camelidae		
<i>Camelus dromedarius</i>	Dromedary; Arabian Camel	3b
<i>Lama'glama'</i>	Domestic Llama	4

<i>Lama guanicoe</i>	Guanicoe	3b
<i>Lama'pacos'</i>	Alpaca	4
<i>Vicugna vicugna</i>	Vicugna	3b
Family Giraffidae		
<i>Giraffa camelopardalis</i>	Giraffe	3a
Family Cervidae		
[Sub-family Cervinae]		
<i>Axis axis</i>	Spotted Deer; Chital	4
<i>Axis porcinus</i>	Hog Deer	4
<i>Cervus elaphus</i>	Red Deer; Wapiti; Elk	4
<i>Cervus timorensis</i>	Rusa Deer; Timor Deer	4
<i>Cervus unicolor</i>	Sambar	4
<i>Dama dama</i>	Fallow Deer	4
[Sub-family Muntiacinae]		
<i>Muntiacus muntjak</i>	Indian Muntjak	3b
[Sub-family Odocoileinae]		
<i>Odocoileus virginianus</i>	White-tailed Deer	2
Family Bovidae		
[Sub-family Antilopinae]		
<i>Antilope cervicapra</i>	Blackbuck	3b
<i>Gazella dama</i>	Addra Gazelle	2
<i>Gazella granti</i>	Grant's Gazelle	2
[Sub-family Bovinae]		
<i>Bison bison</i>	American Bison; Buffalo	3b
<i>Bos "grunniens"</i>	Domestic Yak	2
<i>Bos javanicus</i>	Banteng	3b
<i>Bos'taurus'</i>	Domestic Cattle	4
<i>Boselaphus tragocamelus</i>	Nilgai	3a
<i>Bubalus'bubalis'</i>	Domestic Water Buffalo	3b
<i>Syncerus caffer</i>	Congo Buffalo	2
<i>Taurotragus oryx</i>	Common Eland	3a

<i>Tragelaphus angasii</i>	Lowland Nyala	2
<i>Tragelaphus eurycerus</i>	Bongo	2
<i>Tragelaphus spekii</i>	Sitatunga	2
<i>Tragelaphus strepsiceros</i>	Greater Kudu	2
[Sub-family Caprinae]		
<i>Ammotragus lervia</i>	Barbary Sheep	2
<i>Capra hircus</i>	Domestic Goat	4 & 5
<i>Hemitragus jemlahicus</i>	Himalayan Tahr	2
<i>Ovis aries</i>	Domestic Sheep	4
<i>Rupicapra rupicapra</i>	Chamois	2
[Sub-family Hippotraginae]		
<i>Addax nasomaculatus</i>	Addax	2
<i>Hippotragus niger</i>	Sable Antelope	2
<i>Oryx dammah</i>	Scimitar Oryx	3a
<i>Oryx gazella</i>	Gemsbok	2
<i>Oryx leucoryx</i>	Arabian Oryx	3a
[Sub-family Reduncinae]		
<i>Kobus ellipsiprymnus</i>	Waterbuck	2
<i>Kobus leche</i>	Kafue Lechwe	2
ORDER RODENTIA		
Family Sciuridae		
<i>Callosciurus</i> (all species)	giant squirrels	2
<i>Cynomys ludovicianus</i>	Black-tailed Prairie-dog	2
<i>Funambulus pennantii</i>	Northern Palm-squirrel	2
<i>Tamias</i> (all species)	chipmunks	2
Family Castoridae		
<i>Castor canadensis</i>	American Beaver	2
Family Muridae		
<i>Mus musculus</i>	House Mouse	4 & 5
<i>Rattus norvegicus</i>	Brown Rat	4 & 5
<i>Rattus rattus</i>	Black Rat	4 & 5

Family Pedetidae		
<i>Pedetes capensis</i>	Spring Hare	2
Family Hystricidae		
<i>Hystrix cristata</i>	African Porcupine	2
<i>Hystrix indica</i>	Indian Crested Porcupine	2
Family Caviidae		
<i>Cavia porcellus</i>	Domestic Guinea-pig	4
<i>Dolichotis patagonum</i>	Patagonian Cavy	2
Family Hydrochaeridae		
<i>Hydrochaeris hydrochaeris</i>	Capybara	2
Family Dasyproctidae		
<i>Dasyprocta azarae</i>	Green Agouti	2
<i>Dasyprocta leporina</i>	Brazilian Agouti	2
ORDER LAGOMORPHA		
Family Leporidae		
<i>Lepus europaeus</i>	European Hare	5
<i>Oryctolagus cuniculus</i>	European Rabbit	4 & 5

## Schedule 2 Forms

(Clause 29)

### Form 1

#### Non-Indigenous Animals Act 1987

#### Notice of appeal under section 20

To the Clerk of the Local Court at

Name of appellant  
of [state business address]

Premises [if licence is the subject of appeal, state name of premises where animals to be kept] situated at [state address]

The Director-General of the Department of Agriculture gave me notice on [state date notice given] that the Director-General had decided under Part 4 of the *Non-Indigenous Animals Act 1987* [cross out what does not apply in the following]:

- not to grant a licence/permit to [state nature of licence/permit]
- not to renew a licence to [state nature of licence]
- to impose conditions [state nature of conditions] on a licence/permit to [state nature of licence/permit]

- to cancel a licence/permit to *[state nature of licence/permit]*

I hereby give notice that I wish to appeal from the decision of the Director-General to the Local Court on the following grounds:

I seek the following orders or directions from the Local Court:

Date:

Signature:

Full postal address for the service of notices:

### **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