



Queensland

# Nature Conservation (Macropod) Conservation Plan 2017

## Subordinate Legislation 2017 No. 153

made under the

*Nature Conservation Act 1992*

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	6
2	Commencement . . . . .	6
3	Relationship with declared management intent—Act, s 121 . . . . .	6
4	Purposes of plan and how main purpose is achieved . . . . .	6
5	Interpretation . . . . .	7
6	Scientific names of macropods . . . . .	7
<b>Part 2</b>	<b>Taking, keeping or using macropods other than under a wildlife authority</b>	
7	Purpose of part . . . . .	7
8	Landholder may use or give particular macropod meat . . . . .	8
9	Particular holders may kill dependent young . . . . .	9
<b>Part 3</b>	<b>Taking, keeping or using macropods under licence or permit</b>	
<b>Division 1</b>	<b>Purpose</b>	
10	Purpose of part . . . . .	9
<b>Division 2</b>	<b>Harvest period and harvest period notice</b>	
11	Declaration of harvest period and harvest period notice . . . . .	10
12	Conditions for harvest period . . . . .	10
13	Size requirement for skin of macropod taken for skin only . . . . .	11
14	Weight requirement for carcass of macropod taken for meat only or meat and skin . . . . .	11

Contents

---

<b>Division 3</b>	<b>Commercial wildlife licence for dead macropods</b>	
<b>Subdivision 1</b>	<b>Restrictions on grant of licence</b>	
15	Restriction about processing macropod meat . . . . .	12
16	Restriction about processing macropod skin . . . . .	13
<b>Subdivision 2</b>	<b>Limitation and extension of activities under licence</b>	
17	Buying or accepting dead macropods . . . . .	13
18	Processing dead macropods . . . . .	13
19	Keeping dead macropods at alternative storage place . . . . .	14
20	Selling or giving away dead macropods from alternative storage place . . . . .	14
<b>Subdivision 3</b>	<b>Dealing with macropods under licence</b>	
21	Buying or accepting macropods taken in the State . . . . .	15
22	Buying or accepting macropods taken in another State . . . . .	16
23	Prohibition on tagging macropods taken in another State . . . . .	16
24	Grading macropods . . . . .	16
<b>Subdivision 4</b>	<b>Records and returns of operations</b>	
25	Purpose of subdivision . . . . .	17
26	How record must be kept . . . . .	17
27	Information that must be included in record . . . . .	18
28	When obtaining particulars must be included in record . . . . .	18
29	Giving return of operations electronically in particular circumstances	18
30	When return of operations must be given to chief executive . . . .	19
<b>Subdivision 5</b>	<b>Audits</b>	
31	Audit of relevant records . . . . .	20
32	Approved auditor's obligations . . . . .	21
33	Chief executive may ask holder to give audit response report . .	21
<b>Division 4</b>	<b>Macropod harvesting licence</b>	
<b>Subdivision 1</b>	<b>Restrictions on grant of licence</b>	
34	Application for licence must be decided under precautionary principle . . . . .	22
35	Restriction about macropods for which licence may be granted .	22
36	Restrictions about persons to whom licence may be granted . . .	23
37	Restriction about places for which licence may be granted . . . .	24
38	Restriction about premises for which licence may be granted . .	24
<b>Subdivision 2</b>	<b>Limitation and extension of activities under licence</b>	
39	Holder may only take macropods during harvest period . . . . .	24

40	Way macropod may be taken . . . . .	24
41	Prohibition on mustering or trapping macropod . . . . .	25
42	Prohibition on taking macropod from moving vehicle . . . . .	25
43	Relevant persons not authorised to take, keep or use macropods under licence . . . . .	25
44	Keeping dead macropods at alternative storage place . . . . .	25
45	Moving macropods to authorised buyers . . . . .	26
46	Personal use of harvest macropods . . . . .	26
<b>Subdivision 3</b>	<b>Taking macropods from a public place</b>	
47	Application of subdivision . . . . .	27
48	Holder must give notice of taking . . . . .	27
49	Holder must display sign for the taking . . . . .	28
50	Limitation on time when taking may take place . . . . .	29
51	Approval and supervisor required for particular places . . . . .	29
<b>Subdivision 4</b>	<b>Dealing with macropods taken under licence</b>	
52	Application of subdivision . . . . .	30
53	Macropod must be dressed before moved . . . . .	30
54	Macropod must be tagged after dressed . . . . .	30
55	Dealing with unused parts of macropod . . . . .	30
56	Selling or giving away macropods generally . . . . .	31
57	Prohibition on selling or giving away macropods after particular day . . . . .	32
58	Prohibited macropods not to be kept, used, sold or given away . . . . .	32
<b>Subdivision 5</b>	<b>Records and returns of operations</b>	
59	Definition for subdivision . . . . .	33
60	Application and purpose of subdivision . . . . .	33
61	Electronic records of relevant record particulars for Queensland macropods . . . . .	33
62	Other persons may keep record and return book and give returns for holder . . . . .	34
63	Where records or copies must be kept . . . . .	34
64	Information that must be included in record . . . . .	35
65	When relevant record particulars must be included in record . . . . .	35
66	Giving return of operations electronically in particular circumstances . . . . .	36
67	When return of operations must be given to chief executive . . . . .	37
<b>Division 5</b>	<b>Damage mitigation permit for macropods</b>	
68	Application for permit must be decided under precautionary principle . . . . .	37
69	Restriction on grant of permit for harvest macropods if quota met . . . . .	37

Contents

---

<b>Division 6</b>	<b>Educational purposes permit for macropods</b>	
70	Restriction on grant of permit . . . . .	38
<b>Division 7</b>	<b>Scientific purposes permit for macropods</b>	
71	Restriction on grant of permit . . . . .	38
72	Limitation on activities under permit—processing for commercial purpose prohibited . . . . .	39
<b>Part 4</b>	<b>Queensland macropod tags</b>	
<b>Division 1</b>	<b>Attaching tags</b>	
73	Application and purpose of division . . . . .	39
74	Order in which tags must be attached . . . . .	39
75	Attaching tag . . . . .	40
<b>Division 2</b>	<b>Removing tags</b>	
76	When tag attached to macropod may be removed—Queensland commercial macropods . . . . .	40
77	When tag attached to macropod may be removed—other Queensland macropods . . . . .	40
78	When tag attached to macropod may be removed—imported macropods . . . . .	41
<b>Division 3</b>	<b>Identification requirements for possessing tags</b>	
79	Identification requirement for possessing tags . . . . .	42
80	Particular persons must produce identification . . . . .	42
<b>Part 5</b>	<b>Period for keeping electronic records and returns of operations</b>	
81	Period for which copy of part of record kept in approved electronic record system must be kept . . . . .	43
82	Period for which copy of return of operations given in electronic form must be kept . . . . .	43
<b>Part 6</b>	<b>Processed products</b>	
83	Processed products made or derived from macropods . . . . .	44
<b>Part 7</b>	<b>Miscellaneous</b>	
84	Sex remnant must not be removed from dressed macropod . . . . .	45
85	Conservation value for harvest macropods . . . . .	46
86	Declaration of relevant document for use as extrinsic material . . . . .	46
<b>Part 8</b>	<b>Transitional provisions</b>	
87	Definition for part . . . . .	46
88	Continuing harvest period notice . . . . .	46
89	Existing applications for relevant authorities . . . . .	46
90	Recreational wildlife harvesting licence for macropods . . . . .	46

91	Existing alternative storage approvals . . . . .	47
92	Existing audit notices . . . . .	47
93	Audits conducted before commencement . . . . .	48
94	Existing notices about taking macropods from a public place . . .	48
95	References to repealed plan . . . . .	48
<b>Schedule 1</b>	<b>Processed products</b> . . . . .	<b>49</b>
<b>Part 1</b>	<b>Processed products made or derived from Queensland macropods</b>	
1	Meat or carcass of Queensland commercial macropod . . . . .	49
2	Skin of Queensland commercial macropod . . . . .	49
3	Other products made or derived from Queensland macropod . .	50
<b>Part 2</b>	<b>Processed products made or derived from imported macropods</b>	
4	Meat or carcass of imported macropod . . . . .	50
5	Skin of imported macropod . . . . .	51
6	Other products made or derived from imported macropod . . . . .	51
<b>Schedule 2</b>	<b>Dictionary</b> . . . . .	<b>52</b>

[s 1]

---

## **Part 1 Preliminary**

### **1 Short title**

This conservation plan may be cited as the *Nature Conservation (Macropod) Conservation Plan 2017*.

### **2 Commencement**

This plan commences on 1 September 2017.

### **3 Relationship with declared management intent—Act, s 121**

Section 121(2) of the Act does not apply to this plan.

### **4 Purposes of plan and how main purpose is achieved**

- (1) The main purpose of this plan is to manage the taking, keeping and use of macropods to ensure the taking, keeping and use is ecologically sustainable and humane.
- (2) The main purpose is achieved by—
  - (a) prescribing additional restrictions on the grant of particular licences or permits for macropods; and
  - (b) limiting or extending what holders, or relevant persons for holders, of particular licences or permits for macropods may do under the licences or permits; and
  - (c) otherwise regulating the carrying out of activities under particular licences or permits for macropods.
- (3) This plan also—
  - (a) provides additional authorised taking, keeping or use of macropods by landholders or holders of particular licences; and
  - (b) declares products made or derived from particular macropods as processed products.

---

## 5 Interpretation

- (1) The dictionary in schedule 2 defines particular terms used in this plan.
- (2) Subject to subsection (1), and unless this plan provides otherwise, terms used in it have the meaning given in the *Nature Conservation (Wildlife Management) Regulation 2006*.
- (3) To remove any doubt, it is declared that subsection (2) also applies to the following, as applied to the *Nature Conservation (Wildlife Management) Regulation 2006* under section 5 of that regulation—
  - (a) a definition under the *Nature Conservation (Administration) Regulation 2017*;
  - (b) a provision of the *Nature Conservation (Administration) Regulation 2017* that aids the interpretation of a term used in that regulation.

## 6 Scientific names of macropods

Unless stated otherwise, scientific names used in this plan for macropods follow Van Dyck, S. and Strahan, R. (ed), 2008, *The Mammals of Australia*, New Holland Publishers, Chatswood, NSW, Australia.

# Part 2 Taking, keeping or using macropods other than under a wildlife authority

## 7 Purpose of part

- (1) This part states circumstances in which the taking, keeping or using of macropods is authorised under the Act, other than under a wildlife authority.

[s 8]

---

- (2) The circumstances apply in addition to circumstances mentioned in the *Nature Conservation (Wildlife Management) Regulation 2006*, chapter 3, part 1.

## **8 Landholder may use or give particular macropod meat**

- (1) The chief executive may give a landholder a written approval allowing the landholder, during a stated period of not more than 3 months, to keep and use, or to give to another person, the meat from a macropod that is taken—
- (a) by a stated holder of a macropod harvesting licence (the *licence holder*); and
  - (b) from the landholder's land.
- (2) The landholder may, during the stated period—
- (a) accept the skinned carcass of a macropod taken—
    - (i) by the licence holder; and
    - (ii) from the landholder's land; and
  - (b) keep and use, other than for a commercial purpose, the meat from the carcass as bait for a restricted invasive animal; and
  - (c) if the approval states the landholder may give the meat from the carcass to another person—give the carcass or the meat to another person.
- (3) This section does not authorise the licence holder to sell the skinned carcass to the landholder.
- (4) In this section—

*restricted invasive animal* means an animal that is an invasive animal under the *Biosecurity Act 2014* and mentioned in schedule 2, part 2 of that Act under the heading 'Invasive animals'.

*use* does not include sell or give away.



---

## **9 Particular holders may kill dependent young**

- (1) This section applies if—
  - (a) the holder of a macropod harvesting licence takes a female macropod under the licence; and
  - (b) the macropod has a joey that—
    - (i) is in the macropod's pouch; or
    - (ii) is otherwise dependent on the macropod.
- (2) The holder may kill the joey if the holder kills the joey in the way stated in the relevant code of practice for the macropod.
- (3) The holder of a macropod harvesting licence who kills a joey under this section—
  - (a) must leave the joey at the place where it was killed; and
  - (b) does not take the joey under the licence.

# **Part 3 Taking, keeping or using macropods under licence or permit**

## **Division 1 Purpose**

### **10 Purpose of part**

- (1) This part prescribes particular matters for particular licences or permits for macropods.
- (2) Generally, this part—
  - (a) imposes restrictions on the grant of the licences or permits that apply in addition to restrictions stated in the *Nature Conservation (Wildlife Management) Regulation 2006*; and

[s 11]

---

- (b) limits and extends activities authorised under the licences and permits under the *Nature Conservation (Wildlife Management) Regulation 2006*; and
- (c) otherwise regulates activities under the licences or permits.

## **Division 2                    Harvest period and harvest period notice**

### **11            Declaration of harvest period and harvest period notice**

- (1) The chief executive may, by notice (a *harvest period notice*), declare a harvest period for taking macropods.

*Note—*

A harvest period notice is subordinate legislation. See the *Statutory Instruments Regulation 2012*, section 2(3) and schedule 1.

- (2) However, the chief executive may declare a harvest period only if the chief executive has had regard to—
  - (a) the precautionary principle; and
  - (b) the Queensland wildlife trade management plan for macropods.
- (3) A harvest period notice must state the following—
  - (a) the species of macropods that may be taken during the harvest period;
  - (b) the conditions imposed under section 12(1);
  - (c) the minimum areas for section 13(2);
  - (d) the weights for section 14(2).

### **12            Conditions for harvest period**

- (1) The chief executive may impose conditions on the taking of macropods during a harvest period and using the macropods taken.

- 
- (2) The holder of a macropod harvesting licence who takes a macropod, or uses a macropod taken, during the harvest period must comply with the conditions stated in the harvest period notice.

Maximum penalty for subsection (2)—165 penalty units.

### **13 Size requirement for skin of macropod taken for skin only**

- (1) This section applies to a macropod taken, during a harvest period, for its skin only.
- (2) The holder of a macropod harvesting licence must not take a macropod if the size of the macropod's skin is less than the minimum area stated, for this section, in the harvest period notice declaring the harvest period.

Maximum penalty—120 penalty units.

- (3) For subsection (2), the size of the macropod's skin is taken to be less than the minimum area if the size of the skin is not at least the minimum area from when the macropod is taken to when the holder sells, gives away, processes or otherwise disposes of the skin.

### **14 Weight requirement for carcass of macropod taken for meat only or meat and skin**

- (1) This section applies to a macropod taken, during a harvest period, for its meat only or for both its meat and skin.
- (2) The holder of a macropod harvesting licence must not take a macropod if the weight of its carcass—
- (a) is, in whole form, less than the minimum whole weight stated, for this section, in the harvest period notice declaring the harvest period; and
  - (b) will be, after the macropod has been dressed, less than the minimum dressed weight stated, for this section, in the harvest period notice declaring the harvest period.

Maximum penalty—120 penalty units.

[s 15]

---

- (3) For subsection (2)(a), the weight of the macropod's carcass in whole form is taken to be less than the minimum whole weight if the weight of the carcass in whole form is not at least the minimum whole weight from when the macropod is taken to when it is dressed.
- (4) For subsection (2)(b), the weight of the macropod's dressed carcass is taken to be less than the minimum dressed weight if the weight of the dressed carcass is not at least the minimum dressed weight from when the macropod is dressed to when the holder sells, gives away, processes, consumes or otherwise disposes of the macropod.

## **Division 3                      Commercial wildlife licence for dead macropods**

### **Subdivision 1                Restrictions on grant of licence**

#### **15            Restriction about processing macropod meat**

- (1) The chief executive may grant a commercial wildlife licence for dead macropods allowing the holder of the licence to process macropod meat only if the licensed premises for the licence are—
  - (a) an accredited place; and
  - (b) in the State.
- (2) The chief executive must write the words 'meat processing' on the licence.
- (3) In this section—

***accredited place*** means a place stated in an accreditation under the *Food Production (Safety) Act 2000*, section 48(2).

---

## **16 Restriction about processing macropod skin**

- (1) The chief executive may grant a commercial wildlife licence for dead macropods allowing the holder of the licence to process macropod skin only if the licensed premises for the licence are in the State.
- (2) The chief executive must write the word ‘tanning’ on the licence.

## **Subdivision 2 Limitation and extension of activities under licence**

### **17 Buying or accepting dead macropods**

The holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods may buy or accept macropods under the licence only at the licensed premises for the licence.

### **18 Processing dead macropods**

- (1) The holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods may process macropod meat but not macropod skins under the licence if the licence is a macropod meat processing licence.
- (2) The holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods may process macropod skins but not macropod meat under the licence if the licence is a macropod tanning licence.
- (3) A commercial wildlife licence for dead macropods does not authorise the holder, or a relevant person for the holder, to process macropods other than as stated in this section.
- (4) In this section—  
*process*, a macropod, includes remove any part of it.

[s 19]

---

## **19 Keeping dead macropods at alternative storage place**

- (1) The chief executive may give the holder of a commercial wildlife licence for dead macropods a written approval (an *alternative storage approval*) stating the holder may keep, for a stated period, dead macropods in storage at a stated place that is not the licensed premises for the licence (an *alternative storage place*).
- (2) The holder, or relevant person for the holder, may, under the alternative storage approval—
  - (a) keep dead macropods at the alternative storage place for the stated period; and
  - (b) move dead macropods to and from the alternative storage place and the licensed premises for the licence.
- (3) The stated period for the alternative storage approval must be no more than 3 months.

## **20 Selling or giving away dead macropods from alternative storage place**

- (1) This section applies if—
  - (a) the holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods keeps dead macropods at an alternative storage place under section 19; and
  - (b) the chief executive gives the holder another written approval stating the holder may sell or give away dead macropods from the place during the period macropods are stored at the place; and
  - (c) the holder or a relevant person for the holder does not sell or give away dead macropods, during the period, at the licensed premises for the licence.
- (2) The holder or relevant person may sell or give away dead macropods from the alternative storage place during the period the macropods are stored at the place.

*Note—*

See also the *Nature Conservation (Wildlife Management) Regulation 2006*, section 23 for the authority to move the dead macropods to authorised buyers.

- (3) The approval under subsection (1)(b) may be given when the alternative storage approval is given under section 19 or at a later time.

### **Subdivision 3      Dealing with macropods under licence**

#### **21      Buying or accepting macropods taken in the State**

- (1) The holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods must not buy or accept, under the licence, a macropod taken in the State—
- (a) if the macropod is of a size or weight not authorised to be taken under the Act; or

*Note—*

See, for example, sections 13 and 14.

- (b) if the macropod is not tagged in the way required under the Act; or

*Note—*

See, for example, part 5 and the *Nature Conservation (Wildlife Management) Regulation 2006*, sections 334 and 335.

- (c) if the macropod's sex remnant has been removed in a way that contravenes section 84; or
- (d) from the holder of a macropod harvesting licence in contravention of section 57.

Maximum penalty—

- (a) for paragraph (a) or (b)—120 penalty units; or
- (b) for paragraph (c)—80 penalty units; or
- (c) for paragraph (d)—20 penalty units.

[s 22]

---

- (2) This section does not limit the *Nature Conservation (Wildlife Management) Regulation 2006*, section 31.

## **22 Buying or accepting macropods taken in another State**

- (1) The holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods must not buy or accept, under the licence, a macropod taken in another State if the holder or relevant person knows, or ought reasonably to have known, the macropod—
- (a) is of a species that is not authorised to be taken under a law of the other State; or
  - (b) is of a weight or size that is not authorised to be taken under a law of the other State; or
  - (c) has been moved into the State in a way that is not authorised under the Act or a law of the other State; or
  - (d) is not tagged in the way required by a law of the other State.

Maximum penalty—120 penalty units.

- (2) This section does not limit the *Nature Conservation (Wildlife Management) Regulation 2006*, section 31.

## **23 Prohibition on tagging macropods taken in another State**

The holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods must not attach a Queensland macropod tag to a macropod that was taken in another State.

Maximum penalty—120 penalty units.

## **24 Grading macropods**

- (1) This section applies if the holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods buys or accepts the skin of a macropod that was taken in the State.



- 
- (2) The holder must ensure the skin is graded—
- (a) in the prescribed way; and
  - (b) before the holder is required to include the obtaining particulars for the macropod in the record kept for the licence under the Act.

Maximum penalty—80 penalty units.

- (3) In this section—

*prescribed way*, for grading the skin of a macropod, means to grade the skin—

- (a) if the skin has an area of less than 0.46m<sup>2</sup>—as small; or
- (b) if the skin has an area of 0.46m<sup>2</sup> or more but less than 0.65m<sup>2</sup>—as medium; or
- (c) if the skin has an area of 0.65m<sup>2</sup> or more—as large.

## **Subdivision 4      Records and returns of operations**

### **25      Purpose of subdivision**

This subdivision states matters about records and returns of operations for a commercial wildlife licence for dead macropods, including for the purpose of the *Nature Conservation (Administration) Regulation 2017*, parts 6 and 7.

### **26      How record must be kept**

The record for a commercial wildlife licence for dead macropods must be kept in the following way—

- (a) for a part of the record about the obtaining particulars of a Queensland macropod obtained under the licence on or after the electronic record start day—
  - (i) in an approved electronic record system; or

[s 27]

---

- (ii) for a day the system is not working—in the record and return book supplied by the chief executive for the licence;
- (b) for another part of the record—in the record and return book supplied by the chief executive for the licence.

## **27 Information that must be included in record**

The obtaining particulars for each macropod obtained under a commercial wildlife licence for dead macropods must be included in the record for the licence.

*Note—*

See the *Nature Conservation (Administration) Regulation 2017*, section 138 for the requirement about complete and accurate information in records.

## **28 When obtaining particulars must be included in record**

The obtaining particulars for each macropod obtained under a commercial wildlife licence for dead macropods must be included in the record for the licence when the earlier of the following happens—

- (a) 24 hours after the macropod to which the particulars relate was obtained has passed;
- (b) the holder, or a relevant person for the holder, of the licence sells, gives away or moves the macropod to another person.

## **29 Giving return of operations electronically in particular circumstances**

- (1) This section applies if—
  - (a) the holder of a commercial wildlife licence for dead macropods is required to give a return of operations, under the Act, to the chief executive; and

- (b) the return relates to obtaining particulars included in a part of the record for the licence kept in an approved electronic record system.
- (2) The holder must ensure the return is given in electronic form.  
Maximum penalty—120 penalty units.

### 30 When return of operations must be given to chief executive

- (1) The holder of a commercial wildlife licence for dead macropods must ensure that a return of operations is given to the chief executive—
  - (a) for each return period for the holder; and
  - (b) within the prescribed number of days after each return period ends.Maximum penalty—120 penalty units.
- (2) Subsection (1) applies—
  - (a) even if no relevant event for the return happened during the return period; and
  - (b) to each return of operations required to be given under the Act for the return period.
- (3) In this section—

***prescribed number***, for a return period for the holder of a commercial wildlife licence for dead macropods, means—

- (a) if the return period is a week in a harvest period—7; or
- (b) if paragraph (a) does not apply—14.

***return period***, for the holder of a commercial wildlife licence for dead macropods, means—

- (a) if the chief executive has given the holder a notice stating the holder must give a return of operations for each week of a particular harvest period or part of a particular harvest period—a week in the harvest period or part; or

[s 31]

---

- (b) if paragraph (a) does not apply—a month in a harvest period.

## Subdivision 5      Audits

### 31      Audit of relevant records

- (1) The chief executive may give the holder of a macropod meat processing licence or macropod tanning licence a notice (an *audit notice*) requiring the holder to have a compliance audit conducted for the licence.
- (2) The holder must have the compliance audit conducted—
  - (a) by a person approved by the chief executive for conducting the audit (an *approved auditor*); and
  - (b) within 3 months after the holder is given the audit notice.

Maximum penalty—165 penalty units.

- (3) The compliance audit must include an audit of the relevant records for the licence by reference to the following—
  - (a) any macropod at the licensed premises for the licence while the audit is being conducted;
  - (b) the Queensland macropod tags supplied or approved by the chief executive for use under the licence.
- (4) The chief executive must not give the holder of a macropod meat processing licence or macropod tanning licence more than 1 audit notice for any year for which the licence is in force.
- (5) In this section—

*compliance audit*, for a macropod meat processing licence or macropod tanning licence, means an audit of all the relevant records for the licence to check whether the holder of the licence is complying with the Act.

## 32 Approved auditor's obligations

- (1) The approved auditor must, within 21 days after conducting an audit for a macropod meat processing licence or macropod tanning licence—
  - (a) prepare an audit report for the audit; and
  - (b) give a copy of the report to—
    - (i) the chief executive; and
    - (ii) the holder of the licence.

Maximum penalty—120 penalty units.

- (2) If the auditor forms an opinion that the holder of the licence has committed, is committing or will commit a serious offence, the auditor must immediately notify the chief executive or a conservation officer about the auditor's opinion.

Maximum penalty—50 penalty units.

- (3) In this section—

*serious offence* means an offence against the Act for which the maximum penalty is 165 penalty units or more.

## 33 Chief executive may ask holder to give audit response report

- (1) This section applies if—
  - (a) an audit report for a macropod meat processing licence or macropod tanning licence includes recommendations by the auditor of measures the holder of the licence may adopt to enable the holder to comply with the Act; or
  - (b) the chief executive, because of an audit under section 31, makes recommendations of measures the holder of a macropod meat processing licence or macropod tanning licence may adopt to enable the holder to comply with the Act.
- (2) The chief executive may, by notice, ask the holder to give the chief executive an audit response report for the audit.

[s 34]

---

- (3) The notice must state the measures recommended by the approved auditor or chief executive.
- (4) The holder must give the chief executive the audit response report within 60 days after the holder receives the notice.

Maximum penalty—120 penalty units.

- (5) In this section—

*audit response report*, for an audit conducted for a macropod meat processing licence or a macropod tanning licence, means a written report that includes the following information—

- (a) the measures recommended by the approved auditor who conducted the audit, or the chief executive, to enable the holder to comply with the Act;
- (b) the measures that have been adopted in response to the recommendations.

## **Division 4            Macropod harvesting licence**

### **Subdivision 1        Restrictions on grant of licence**

#### **34        Application for licence must be decided under precautionary principle**

The chief executive must decide an application for a macropod harvesting licence under the precautionary principle.

#### **35        Restriction about macropods for which licence may be granted**

The chief executive must not grant a macropod harvesting licence for a macropod that is not a harvest macropod.

---

**36 Restrictions about persons to whom licence may be granted**

- (1) The chief executive may grant a macropod harvesting licence only to an individual.
- (2) The individual must—
  - (a) be over 18 years; and
  - (b) hold an approved weapons licence; and
  - (c) have passed an approved course for the licence; and
  - (d) have passed an approved shooting test for the licence within the previous year.
- (3) Subsection (2)(d) does not apply to an individual who applies for a macropod harvesting licence if the individual—
  - (a) held a macropod harvesting licence within the previous year of making the application; and
  - (b) does not receive a notice from the chief executive under subsection (4) after making the application.
- (4) The chief executive may give a notice to an individual stating that the individual is required to take and pass an approved shooting test if the chief executive considers it is appropriate having regard to the following matters—
  - (a) whether the individual contravened a condition of a harvest period notice in the previous year, including, for example, the way a macropod may be taken;
  - (b) the number of macropods taken by the individual in the previous year;
  - (c) any other relevant matter.
- (5) In this section—

***approved course***, for a macropod harvesting licence, means a course of training about the harvesting of macropods approved by the chief executive for the licence.

***approved shooting test***, for a macropod harvesting licence, means a test for shooting approved by the chief executive for the licence.

[s 37]

---

*approved weapons licence*, for a macropod harvesting licence, means a licence under the *Weapons Act 1990* for a category of weapon approved by the chief executive for the macropod harvesting licence.

**37 Restriction about places for which licence may be granted**

The chief executive must not grant a macropod harvesting licence that allows the holder of the licence to take macropods from a State forest under the *Forestry Act 1959*.

**38 Restriction about premises for which licence may be granted**

The chief executive must not grant a macropod harvesting licence for licensed premises that are not in the State.

**Subdivision 2 Limitation and extension of activities under licence**

**39 Holder may only take macropods during harvest period**

The holder of a macropod harvesting licence may take macropods under the licence only during a harvest period for the macropods.

**40 Way macropod may be taken**

- (1) The holder of a macropod harvesting licence must not take the macropod in a way that causes damage or disturbance to other wildlife.

Maximum penalty—120 penalty units.

- (2) Also, if the holder of a macropod harvesting licence takes the macropod by killing it, the holder must kill it in a quick and humane way.

Maximum penalty—165 penalty units.



- (3) For subsection (2), the holder of a macropod harvesting licence is taken to have killed the macropod in a quick and humane way if the holder complies with the relevant code of practice for the macropod to the extent the code provides for the way in which the macropod may be taken.

#### **41 Prohibition on mustering or trapping macropod**

The holder of a macropod harvesting licence must not muster or trap a macropod that is taken under the licence.

Maximum penalty—165 penalty units.

#### **42 Prohibition on taking macropod from moving vehicle**

- (1) The holder of a macropod harvesting licence must not take a macropod from a moving vehicle.

Maximum penalty—165 penalty units.

- (2) In this section—

*vehicle* means anything used to carry persons by land, water or air.

#### **43 Relevant persons not authorised to take, keep or use macropods under licence**

A relevant person for the holder of a macropod harvesting licence is not authorised to take, keep or use a macropod under the licence.

#### **44 Keeping dead macropods at alternative storage place**

- (1) The chief executive may give the holder of a macropod harvesting licence a written approval (an *alternative storage approval*) stating the holder may keep, for a stated period, dead macropods in storage at a stated place that is not the licensed premises for the licence (an *alternative storage place*).

- (2) The holder may, under the alternative storage approval—

[s 45]

---

- (a) keep dead macropods at the alternative storage place for the stated period; and
  - (b) move dead macropods to and from the alternative storage place to the licensed premises for the licence.
- (3) The stated period for the alternative storage approval must be no more than 3 months.

#### **45 Moving macropods to authorised buyers**

- (1) The holder of a macropod harvesting licence may, without a wildlife movement permit, move a macropod taken under the licence from the place where the macropod was taken, or the authorised premises for the macropod, to an authorised buyer for the macropod.
- (2) However, if the holder engages a commercial carrier to move the macropod to the authorised buyer, the holder must fill in a movement advice for the movement of the macropod—
  - (a) from the place where the commercial carrier assumes possession of the macropod; and
  - (b) to the authorised buyer.

*Note—*

See also the *Nature Conservation (Wildlife Management) Regulation 2006*, chapter 7, part 2, division 2 for requirements about movement advices.

Maximum penalty—50 penalty units.

#### **46 Personal use of harvest macropods**

- (1) The holder of a macropod harvesting licence may—
  - (a) take for personal use up to 50 harvest macropods during a harvest period in addition to any macropods taken for a commercial purpose under the licence; and
  - (b) keep or use the macropods taken under paragraph (a).
- (2) If the chief executive is satisfied that the holder of a macropod harvesting licence has taken no more than 50 harvest

---

macropods for personal use under subsection (1) in a harvest period, the chief executive may give the holder written approval to—

- (a) take for personal use an additional 50 harvest macropods during the harvest period; and
  - (b) keep or use the macropods taken under paragraph (a).
- (3) To remove any doubt, it is declared that a macropod taken under this section is not taken for a commercial purpose.

### **Subdivision 3 Taking macropods from a public place**

#### **47 Application of subdivision**

- (1) This subdivision applies to the holder of a macropod harvesting licence who intends to take macropods from a public place (the *proposed taking place*) for a particular period (the *proposed taking period*).

- (2) In this section—

*public place* means a place, or a part of a place, that the public is entitled to use, is open to members of the public or is used by the public, whether or not on payment of money.

#### **48 Holder must give notice of taking**

- (1) The holder must—
- (a) at least 1 week before the first day of the proposed taking period, publish a notice complying with subsection (2) in a newspaper or other publication circulating generally throughout the locality in which the proposed taking place is situated; and
  - (b) give the chief executive a copy of the notice before the proposed taking period starts.

Maximum penalty—80 penalty units.

[s 49]

---

- (2) The notice must state the following—
- (a) the name and contact details of a person nominated by the holder to deal with enquiries about the holder's activities at the proposed taking place;
  - (b) the proposed taking period;
  - (c) the times within which the holder intends to take macropods from the proposed taking place for each day of the proposed taking period.

#### **49 Holder must display sign for the taking**

- (1) The holder must display a prescribed sign that is visible to the public at or near each entrance to the proposed taking place for a period—
- (a) starting on a day at least 1 week before the start of the proposed taking period; and
  - (b) ending at the end of the last day of the proposed taking period.

Maximum penalty—80 penalty units.

- (2) In this section—

***prescribed material*** means ink, paint or an adhesive material that is durable and weatherproof.

***prescribed sign*** means a sign that—

- (a) is rectangular with dimensions of at least 420mm and 297mm; and
- (b) is made of material that is durable and weatherproof; and
- (c) has written on it, in bold and in a clear and legible way, and by using a prescribed material—
  - (i) the word 'warning' at the top and in capital letters with a height of at least 30mm; and
  - (ii) the matters stated in section 48(2), with a height of at least 25mm.

---

**50 Limitation on time when taking may take place**

The holder must only take macropods from the proposed taking place during the proposed taking period between the hours of 12.00a.m and 4a.m.

Maximum penalty—80 penalty units.

**51 Approval and supervisor required for particular places**

- (1) The chief executive or a landholder of land that is, or is a part of, the proposed taking place may give the holder a notice stating that it will be impracticable to exclude the public from the proposed taking place for the proposed taking period.
- (2) If the holder is given a notice under subsection (1), the holder must not take macropods from the place unless—
  - (a) the police officer in charge of the nearest police station to the place gives the holder written approval to take macropods from the place; and
  - (b) a prescribed person supervises the holder's activities.

Maximum penalty—80 penalty units.

- (3) In this section—

***prescribed person*** means—

- (a) a police officer; or
- (b) an employee of a local government who is—
  - (i) uniformed; and
  - (ii) approved by the local government to supervise the holder's activities; or
- (c) a person who holds an appropriate licence under the *Security Providers Act 1993* to carry out the functions of a security officer under that Act.

[s 52]

---

## **Subdivision 4      Dealing with macropods taken under licence**

### **52      Application of subdivision**

This subdivision applies if the holder of a macropod harvesting licence takes a macropod under the licence.

### **53      Macropod must be dressed before moved**

- (1) The holder must dress the macropod before the macropod is moved from the land from which it was taken.

Maximum penalty—80 penalty units.

- (2) Also, if the macropod was taken for its skin only or for both its meat and skin, the holder must dress the macropod in a way that ensures the sex of the macropod may be identified.

*Note—*

See also section 84.

Maximum penalty—80 penalty units.

- (3) This section does not apply to a prohibited macropod.

### **54      Macropod must be tagged after dressed**

- (1) The holder must attach a Queensland macropod tag to the macropod, in a way that complies with part 4, division 1, immediately after the macropod is dressed.

Maximum penalty—120 penalty units.

- (2) This section does not apply to a prohibited macropod.

### **55      Dealing with unused parts of macropod**

- (1) The holder must ensure the unused parts of the macropod, after it has been dressed, are not left on—

- (a) public land; or

(b) a place that is visible from a road.

Maximum penalty—40 penalty units.

- (2) Also, if the holder disposes of the unused parts on any land, the holder must ensure the unused parts are disposed of in a responsible way, and in doing so, having regard to any specific requirements of the landholder of the land.

Maximum penalty—40 penalty units.

- (3) This section does not apply to a prohibited macropod.

- (4) In this section—

**public land** means—

- (a) a State-controlled road under the *Transport Infrastructure Act 1994*; or
- (b) a road controlled by a local government; or
- (c) land dedicated as a reserve for community purposes under the *Land Act 1994* for which a local government is trustee; or
- (d) a railway managed by a rail government entity under the *Transport Infrastructure Act 1994*.

**road** means a road as defined under the *Land Act 1994*, section 93.

**unused part**, of a macropod, means the offal or another part of the macropod that is removed from the carcass of the macropod when it is dressed.

## 56 Selling or giving away macropods generally

- (1) The holder of a macropod harvesting licence must sell or give away the macropod to—
- (a) the holder, or a relevant person for the holder, of a commercial wildlife licence for dead macropods; or
- (b) the holder of a corresponding licence in accordance with an approval under subsection (3).

Maximum penalty—120 penalty units.

[s 57]

---

- (2) Subsection (1) does not apply to—
  - (a) a macropod the holder keeps or uses under section 46;  
or
  - (b) a prohibited macropod.
- (3) The chief executive may give the holder of a macropod harvesting licence written approval to sell or give away harvest macropods, for a stated period of no more than 12 months, to the holder of a corresponding licence.
- (4) In this section—

*corresponding licence* means a licence issued under a law of another State that authorises activities similar to activities authorised under a commercial wildlife licence for dead macropods.

#### **57 Prohibition on selling or giving away macropods after particular day**

The holder of a macropod harvesting licence must not sell or give away the macropod after—

- (a) midday on the first day after the harvest period in which the macropod was taken ends; or
- (b) if the harvest period notice for the harvest period in which the macropod was taken states a later day and time for selling or giving away the macropod—the later day and time.

Maximum penalty—20 penalty units.

#### **58 Prohibited macropods not to be kept, used, sold or given away**

The holder of a macropod harvesting licence must not keep, use, sell or give away a prohibited macropod.

Maximum penalty—120 penalty units.



---

## Subdivision 5      Records and returns of operations

### 59      Definition for subdivision

In this subdivision—

*relevant person*, for the holder of a macropod harvesting licence, includes a person who normally lives with the holder.

### 60      Application and purpose of subdivision

This subdivision states matters about records and returns of operations for a macropod harvesting licence, including for the purpose of the *Nature Conservation (Administration) Regulation 2017*, parts 6 and 7.

### 61      Electronic records of relevant record particulars for Queensland macropods

- (1) The holder of a macropod harvesting licence must ensure an electronic record is made for the relevant record particulars for each Queensland macropod obtained or disposed of under the licence on or after the electronic record start day.

Maximum penalty—120 penalty units.

- (2) The holder must ensure the record is complete and accurate.

Maximum penalty—100 penalty units.

- (3) Subsection (1) does not apply if—

- (a) the approved electronic record system to be used to make the record is not working on the day on which the record must be made; and
- (b) the holder, or another person acting for the holder, has included the relevant record particulars in the record and return book supplied by the chief executive for the licence in the way required under this subdivision.

[s 62]

---

## **62 Other persons may keep record and return book and give returns for holder**

- (1) The chief executive may give the holder of a macropod harvesting licence a written approval stating a person stated in the approval may—
  - (a) keep, for the holder, a part of the record required to be kept in the record and return book supplied by the chief executive for the licence; or
  - (b) give, for the holder, returns of operations required, under the Act, to be given to the chief executive.
- (2) The holder to whom a notice has been given under subsection (1) may ask the person stated in the approval to—
  - (a) keep the part of the record for the holder; and
  - (b) give returns of operations to the chief executive for the holder.
- (3) For subsection (1), the chief executive may give the approval only if the chief executive is satisfied the holder is illiterate or otherwise can not keep the part of the record or give the returns.

## **63 Where records or copies must be kept**

- (1) Any part of the record for a macropod harvesting licence kept in an approved electronic record system, or a copy of the part, must be kept—
  - (a) when the holder of the licence is carrying out activities under the licence—in a secure way in the holder's possession; or
  - (b) otherwise—at the licensed premises for the licence.
- (2) Any part of the record for a macropod harvesting licence kept in the record and return book supplied by the chief executive for the licence, or a copy of the part, must be kept—
  - (a) if the holder of the licence or a relevant person for the holder keeps the record—

- (i) when the holder of the licence is carrying out activities under the licence—in a secure way in the holder’s possession; or
  - (ii) otherwise—at the licensed premises for the licence; or
- (b) if the person stated in an approval mentioned in section 62 keeps the record—at the place stated in the approval.

#### **64 Information that must be included in record**

The relevant record particulars for each macropod obtained or disposed of under a macropod harvesting licence must be included in the record for the licence.

*Note—*

See the *Nature Conservation (Administration) Regulation 2017*, section 138 for the requirement about complete and accurate information in records.

#### **65 When relevant record particulars must be included in record**

- (1) Any particulars for a record for a macropod harvesting licence kept in an approved electronic record system must be included no later than—
- (a) for the obtaining particulars for a macropod obtained under the licence—when the earlier of the following happens—
    - (i) 24 hours after the macropod was taken has passed;
    - (ii) the holder of the licence sells, gives away or moves the macropod to another person; or
  - (b) for the disposing particulars for a macropod disposed of under the licence—immediately after the holder sells, gives away or moves the macropod to another person.

[s 66]

---

- (2) Any particulars for a record for a macropod harvesting licence kept in the record and return book supplied by the chief executive for the licence must be included no later than—
  - (a) if the holder or a relevant person for the holder keeps the part of the record—
    - (i) for the obtaining particulars for a macropod obtained under the licence—the times mentioned in subsection (1)(a); or
    - (ii) for the disposing particulars for a macropod disposed of under the licence—the times mentioned in subsection (1)(b); or
  - (b) if a person stated in an approval mentioned in section 62 keeps the part of the record—
    - (i) for the obtaining particulars for a macropod obtained under the licence—before 48 hours after the macropod was taken under the licence has passed; or
    - (ii) for the disposing particulars for a macropod disposed of under the licence—immediately after the holder sells, gives away or moves the macropod to another person.

## **66 Giving return of operations electronically in particular circumstances**

- (1) This section applies if—
  - (a) the holder of a macropod harvesting licence is required to give a return of operations, under the Act, to the chief executive; and
  - (b) the return relates to relevant record particulars included in a part of the record for the licence kept in an approved electronic record system.
- (2) The holder must ensure the return is given in electronic form.  
Maximum penalty—120 penalty units.

---

**67 When return of operations must be given to chief executive**

- (1) The holder of a macropod harvesting licence must ensure that a return of operations is given to the chief executive—
  - (a) for each month of a harvest period; and
  - (b) within 14 days after each month of the harvest period ends.

Maximum penalty—120 penalty units.

- (2) Subsection (1) applies—
  - (a) even if no relevant event for the return happened during the month; and
  - (b) to each return of operations required to be given under the Act for the month.

**Division 5 Damage mitigation permit for macropods**

**68 Application for permit must be decided under precautionary principle**

The chief executive must decide an application for a damage mitigation permit for macropods under the precautionary principle.

**69 Restriction on grant of permit for harvest macropods if quota met**

- (1) The chief executive must not grant a damage mitigation permit for a harvest macropod in a calendar year after the total permit number for the macropod for the year has reached 2% of the estimated population size for the macropod.
- (2) In this section—

[s 70]

---

*estimated population size*, for a harvest macropod, means the population size estimated by the chief executive for the macropod.

*total permit number*, for a harvest macropod for a calendar year, means the total number of macropods of the same species for which damage mitigation permits have been issued or given under the *Nature Conservation (Administration) Regulation 2017* in the year.

## **Division 6                      Educational purposes permit for macropods**

### **70            Restriction on grant of permit**

- (1) The chief executive must not grant an educational purposes permit for a macropod unless the chief executive imposes a condition on the permit about what the holder of the permit must do with the macropod, or any progeny of the macropod, after the activities for which the permit is granted have ended.
- (2) The chief executive must write the condition on the permit.

*Note—*

See the *Nature Conservation (Administration) Regulation 2017*, section 69 for the requirement to comply with the condition.

## **Division 7                      Scientific purposes permit for macropods**

### **71            Restriction on grant of permit**

- (1) The chief executive must not grant a scientific purposes permit for a macropod unless the chief executive imposes a condition on the permit about what the holder of the permit must do with the macropod, or any progeny of the macropod, after the activities for which the permit is granted have ended.
- (2) The chief executive must write the condition on the permit.

*Note—*

See the *Nature Conservation (Administration) Regulation 2017*, section 69 for the requirement to comply with the condition.

**72 Limitation on activities under permit—processing for commercial purpose prohibited**

The holder, or a relevant person for the holder, of a scientific purposes permit for macropods must not, under the permit, process macropods for a commercial purpose.

## **Part 4 Queensland macropod tags**

### **Division 1 Attaching tags**

**73 Application and purpose of division**

This division—

- (a) applies to the holder of a macropod harvesting licence; and
- (b) states, for section 54, the requirements about attaching Queensland macropod tags to macropods taken under the licence.

**74 Order in which tags must be attached**

Queensland macropod tags attached to macropods taken under a macropod harvesting licence must be attached in increasing numerical order by reference to the numbers forming part of the identification codes for the tags supplied or approved by the chief executive for the licence.

[s 75]

---

## **75 Attaching tag**

- (1) The chief executive must publish, on the department's website, a notice stating the way a Queensland macropod tag must be attached to a macropod.
- (2) A Queensland macropod tag must be attached to a macropod in the way stated in the notice.

## **Division 2 Removing tags**

### **76 When tag attached to macropod may be removed—Queensland commercial macropods**

- (1) This section states, for the *Nature Conservation (Wildlife Management) Regulation*, section 336, the persons who may remove a Queensland macropod tag that is attached to the skin of a Queensland commercial macropod.
- (2) A conservation officer may remove the tag.
- (3) The holder of a prescribed relevant authority may remove the tag if the holder is directed by a conservation officer to remove the tag.
- (4) The holder, or a relevant person for the holder, of a macropod tanning licence may remove the tag if the holder or relevant person intends to flesh the skin of the macropod immediately after the tag is removed.

### **77 When tag attached to macropod may be removed—other Queensland macropods**

- (1) This section states, for the *Nature Conservation (Wildlife Management) Regulation*, section 336, the persons who may remove a Queensland macropod tag that is attached to the skin of a Queensland macropod that is not a Queensland commercial macropod.
- (2) Only the following persons may remove the tag (the *permitted remover*)—



- 
- (a) the holder of the macropod harvesting licence under which the macropod was taken;
  - (b) the holder, or a relevant person for the holder, of a macropod tanning licence.
- (3) However, the permitted remover may remove the tag only if the permitted remover intends to process the macropod, or the skin of the macropod, immediately after the tag is removed.
- (4) In this section—
- process*, a macropod, includes—
- (a) to tan; and
  - (b) to tan, stuff and mount.

## 78 When tag attached to macropod may be removed—imported macropods

- (1) This section states, for the *Nature Conservation (Wildlife Management) Regulation*, section 336, the persons who may remove an imported macropod tag attached to an imported macropod.
- (2) A conservation officer may remove the tag.
- (3) The holder, or a relevant person for the holder, of a macropod tanning licence may remove the tag if—
  - (a) the holder or relevant person intends to flesh the skin of the macropod immediately after the tag is removed; or
  - (b) the holder or relevant person is directed by the chief executive to remove the tag.
- (4) In this section—

*imported macropod tag*, for an imported macropod, means a tag attached to the macropod in a way required by a law of another State.

[s 79]

---

## **Division 3                      Identification requirements for possessing tags**

### **79            Identification requirement for possessing tags**

- (1) This section applies to the holder, or a relevant person for the holder, of a wildlife authority for macropods who possesses a Queensland macropod tag for macropods.
- (2) The holder or relevant person must, while possessing the tag—
  - (a) if the person is the holder of a wildlife authority, carry the authority or a copy of the authority; or
  - (b) if the person is a relevant person, carry—
    - (i) a copy of the authority endorsed by the holder of the authority with the person's name and residential address; and
    - (ii) a form of identification that shows a recent colour photograph of the person.

Maximum penalty—50 penalty units.

### **80            Particular persons must produce identification**

- (1) This section applies to a person who is required to carry a form of identification that shows a colour photograph of the person under section 79.
- (2) If asked by a conservation officer, the person must, unless the person has a reasonable excuse, produce the identification for inspection by the officer.

Maximum penalty—20 penalty units.

---

## **Part 5**                                **Period for keeping electronic records and returns of operations**

### **81        Period for which copy of part of record kept in approved electronic record system must be kept**

- (1) This section—
  - (a) applies to a part of the record for a prescribed relevant authority kept in an approved electronic record system; and
  - (b) states, for the *Nature Conservation (Administration) Regulation 2017*, section 171, the period for which the part of the record, or a copy of it, must be kept.
- (2) The part of the record, or a copy of it, must be kept for at least 2 years after the day the latest particular is included in the part.

### **82        Period for which copy of return of operations given in electronic form must be kept**

- (1) This section—
  - (a) applies to a return of operations required to be given, for a prescribed relevant authority, in electronic form; and
  - (b) states, for the *Nature Conservation (Administration) Regulation 2017*, section 171, the period for which a copy of the return must be kept.
- (2) A copy of the return must be kept for at least 2 years after the day on which the return was given.

[s 83]

---

## Part 6 Processed products

### 83 Processed products made or derived from macropods

- (1) For the Act, schedule, definition *protected animal*, paragraph (b), the following products are a processed product that is not included in the definition—
  - (a) a processed product mentioned in schedule 1;
  - (b) a product mentioned in paragraph (a) that has been unpacked;
  - (c) a product made or derived from a product mentioned in paragraph (a).
- (2) However, a processed product mentioned in subsection (1) stops being a processed product if—
  - (a) the macropod from which the product was made or derived is included in the list of threatened species established under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth); and
  - (b) the product is sold or given to a person other than the chief executive.

*Note—*

See the *Nature Conservation (Wildlife Management) Regulation 2006*, section 319 for circumstances when a person may be required to produce evidence of the source from which a processed product was made or derived.

- (3) In this section—

***unpack***, for a product, does not include removing a mark, label, tag or other thing that has been directly placed on, or attached to, the product.

---

## Part 7 Miscellaneous

### 84 Sex remnant must not be removed from dressed macropod

- (1) A person must not remove a sex remnant from a dressed macropod unless the person has written approval from the chief executive to remove the sex remnant.

Maximum penalty—80 penalty units.

- (2) Subsection (1) does not apply—
- (a) to the holder, or a relevant person for the holder, of a macropod meat processing licence if the holder or relevant person removes a sex remnant from a macropod and ensures the sex of the macropod is still reasonably identifiable; or
  - (b) to the holder, or a relevant person for the holder, of a macropod tanning licence, who removes a sex remnant from a macropod if the holder or relevant person intends to process the skin of the macropod immediately after the sex remnant is removed; or
  - (c) to the holder of a macropod harvesting licence who removes a sex remnant from a macropod taken under the licence if—
    - (i) the macropod was taken for personal use; and
    - (ii) the holder intends to process the macropod immediately after the sex remnant is removed; and
    - (iii) if the holder processes the macropod at the place from where the macropod was taken—the holder keeps the sex remnant with the processed macropod until the macropod is moved to the place where the holder intends to use the macropod.

*Note—*

For holders of a macropod harvesting licence, see also section 53.

[s 85]

---

**85 Conservation value for harvest macropods**

For section 95(1) of the Act, the conservation value for a harvest macropod is nil.

**86 Declaration of relevant document for use as extrinsic material**

The Queensland wildlife trade management plan for macropods is a relevant document for the *Statutory Instruments Act 1992*, section 15.

## **Part 8 Transitional provisions**

**87 Definition for part**

In this part—

*repealed plan* means the repealed *Nature Conservation (Macropod) Conservation Plan 2005*.

**88 Continuing harvest period notice**

The *Nature Conservation (Macropod Harvest Period 2017) Notice 2016* continues in force and is taken to be made under this plan.

**89 Existing applications for relevant authorities**

An application for a relevant authority for macropods made, but not decided, before the commencement must be decided under this plan.

**90 Recreational wildlife harvesting licence for macropods**

- (1) A recreational wildlife harvesting licence for macropods in force immediately before the commencement continues in force until the earlier of the following—

- (a) the term of the licence ends;
  - (b) the end of 31 December 2017.
- (2) Until the recreational wildlife licence harvesting licence for macropods ends, the repealed plan, part 4, divisions 1 and 5 apply to the licence as if the plan had not been repealed.
  - (3) For deciding under section 36(3)(a) whether an individual held a macropod harvesting licence for the previous year, an individual who held a recreational wildlife harvesting licence for macropods for the previous year is taken to have held a macropod harvesting licence.

## **91 Existing alternative storage approvals**

- (1) An alternative storage approval given to the holder of a commercial wildlife licence for dead macropods under the repealed plan, section 22 and in force immediately before the commencement—
  - (a) continues in force for its remaining term; and
  - (b) is taken to have been given under section 19 of this plan.
- (2) An alternative storage approval given to the holder of a macropod harvesting licence under the repealed plan, section 55 and in force immediately before the commencement—
  - (a) continues in force for its remaining term; and
  - (b) is taken to have been given under section 44 of this plan.

## **92 Existing audit notices**

- (1) This section applies if—
  - (a) before the commencement, the chief executive gave the holder of a macropod meat processing licence or macropod tanning licence an audit notice under the repealed plan, section 33; and
  - (b) at the commencement—

[s 93]

---

- (i) the time for complying with the audit notice has not passed; and
  - (ii) the compliance audit the subject of the audit notice has not been conducted.
- (2) The repealed plan, section 33 continues to apply to the audit notice as if the plan had not been repealed.
- (3) However, sections 32 and 33 of this plan apply to the audit as if the audit notice were given, and the audit were conducted, under section 31 of this plan.

### **93 Audits conducted before commencement**

- (1) The repealed plan, sections 34 and 35 continue to apply in relation to an audit conducted before the commencement as if the plan had not been repealed.
- (2) However, if the chief executive has not given a notice under the repealed plan, section 35 before the commencement in relation to the audit, the chief executive may act under section 33 of this plan in relation to the audit as if the audit were conducted under section 31 of this plan.

### **94 Existing notices about taking macropods from a public place**

- (1) A notice given under the repealed plan, section 58 for a proposed taking period that has not ended before the commencement is taken to be a notice given under section 48 of this plan.
- (2) A notice given under the repealed plan, section 61(1) for a proposed taking period that has not ended before the commencement is taken to be a notice given under section 51 of this plan.

### **95 References to repealed plan**

In an instrument, a reference to the repealed plan is taken, if the context permits, to be a reference to this plan.



---

## **Schedule 1      Processed products**

section 83

### **Part 1                      Processed products made or derived from Queensland macropods**

#### **1                      Meat or carcass of Queensland commercial macropod**

The meat or skinned carcass of a dead Queensland commercial macropod if—

- (a) the meat or carcass has been processed by the holder, or a relevant person for the holder, of a macropod meat processing licence; and
- (b) the way the meat or carcass is packed complies with the food safety requirements about packing the meat or carcass under the *Food Production (Safety) Regulation 2014*, chapter 6, part 3.

#### **2                      Skin of Queensland commercial macropod**

- (1) The skin, other than tail skin, of a dead Queensland commercial macropod if the skin has been processed by the holder, or a relevant person for the holder, of a macropod tanning licence.
- (2) The skin of a dead Queensland commercial macropod obtained from another State if the skin was—
  - (a) lawfully processed at a commercial tannery in the State from which it was obtained; and
  - (b) lawfully moved into the State.

**3 Other products made or derived from Queensland macropod**

- (1) A bone, claw, ligament, paw, penis, scrotum, tail meat, tail skin or tendon of a dead Queensland commercial macropod if the bone, claw, ligament, paw, penis, scrotum, tail meat, tail skin or tendon—
- (a) has been packed by the holder, or a relevant person for the holder, of a macropod meat processing licence and is in a sealed container with a prescribed processor label attached to it; or
  - (b) has been packed by the holder of a macropod harvesting licence who took the macropod under the licence, and is in a sealed container with a prescribed harvester label attached to it.
- (2) In this section—
- prescribed harvester label*, for a macropod harvesting licence, means a label with the following information written on it—
- (a) the licence number for the licence;
  - (b) the date the macropod was taken;
  - (c) the place from which the macropod was taken;
  - (d) the identification code of the tag that was attached to the macropod after it was taken;
  - (e) any other details required to be stated on the label under the harvest period notice for the harvest period in which the macropod was taken.

**Part 2 Processed products made or derived from imported macropods**

**4 Meat or carcass of imported macropod**

The meat or skinned carcass of a dead imported macropod if the meat or carcass—

- (a) is packed in a way that complies with an applicable law of the State from which it was obtained; and
- (b) was lawfully moved into the State.

## **5 Skin of imported macropod**

The skin of a dead imported macropod if the skin was—

- (a) lawfully processed at a commercial tannery in the State from which it was obtained; and
- (b) lawfully moved into the State.

## **6 Other products made or derived from imported macropod**

A bone, claw, ligament, paw, scrotum, tail meat, tail skin or tendon of a dead imported macropod if the bone, claw, ligament, paw, scrotum, tail meat, tail skin or tendon—

- (a) was packed by the holder, or a relevant person for the holder, of a macropod meat processing licence; and
- (b) is in a sealed container with a prescribed processor label attached to it.

## Schedule 2 Dictionary

section 5(1)

***approved auditor*** see section 31(2)(a).

***approved electronic record system*** means a system approved by the chief executive for making records, in electronic form, of information about macropods to which a Queensland macropod tag is attached.

***audit report***, for an audit conducted for a macropod meat processing licence or macropod tanning licence, means a report that includes the following information—

- (a) details of the licence for which the audit is conducted, including, for example, the address of the licensed premises for the licence;
- (b) the name of the approved auditor conducting the audit;
- (c) the day the audit started and the day the audit ended;
- (d) the total number of hours over which the audit was conducted;
- (e) details of the following inspected by the auditor—
  - (i) relevant records for the licence;
  - (ii) macropods;
  - (iii) Queensland macropod tags;
- (f) whether or not the auditor is satisfied the records, macropods and Queensland macropod tags show that the holder of the licence is complying with the Act;
- (g) the reasons the auditor is satisfied or not satisfied under paragraph (f);
- (h) if the auditor is not satisfied under paragraph (f)—any measures that the auditor recommends the holder may adopt to enable the holder to comply with the Act.

**body**, of a macropod, means a part of the macropod other than its head.

**commercial carrier** means a person in the business of moving anything for a commercial purpose.

**disposing particulars**, for a macropod disposed of under a macropod harvesting licence, means the following—

- (a) the particulars of the macropod;
- (b) the particulars of the transaction under which the macropod was disposed of under the licence.

**dress**, a macropod—

- (a) means—
  - (i) to skin the macropod; or
  - (ii) to remove the head, paws, tail, forelimbs, 1 hind limb or an internal organ of the macropod; and
- (b) does not include to process the macropod.

**electronic record start day** means the day stated in an electronic record system start notice as the day on or after which each holder of a prescribed relevant authority must keep the part of the record for the authority that is about the obtaining or disposing particulars for Queensland macropods, obtained or disposed of under the authority, in an approved electronic record system.

**electronic record system start notice** means a notice—

- (a) published by the chief executive; and
- (b) stating that, on or after a stated day at least 6 months after the day the notice is published, each holder of a prescribed relevant authority must keep the part of the record for the authority about the obtaining or disposing particulars for Queensland macropods, obtained or disposed of under the authority, in an approved electronic record system.

**flesh**, the skin of a macropod, means to mechanically remove, from the skin, the subcutaneous layer of flesh or tissue under the skin.

***harvest macropod*** means a species of macropod for which a harvest period has been declared under section 11.

***harvest period***, for a macropod, means a harvest period declared under section 11 for the macropod.

***harvest period notice*** see section 11(1).

***imported macropod*** means a macropod brought into the State that was lawfully taken in another State.

***macropod harvesting licence*** means a commercial wildlife harvesting licence for macropods.

***macropod meat processing licence*** means a commercial wildlife licence for dead macropods with the words ‘meat processing’ written on it.

***macropod tanning licence*** means a commercial wildlife licence for dead macropods with the word ‘tanning’ written on it.

***meat***, of a macropod, means the flesh and offal of the macropod.

***obtaining particulars***, for a macropod obtained under a prescribed relevant authority, means—

- (a) for a commercial wildlife licence for dead macropods—the following—
  - (i) the particulars of the macropod;
  - (ii) the particulars of the transaction under which the macropod was obtained under the licence; or
- (b) for a macropod harvesting licence—the following—
  - (i) the particulars of the macropod;
  - (ii) the date on which, and place from where, the macropod was taken under the licence.

***particulars***, of a macropod, include the identification code for any tag attached to the macropod.

***personal use***, of a macropod, does not include to sell or give away any of the following to another person—

- (a) the macropod;

(b) the meat or skin of the macropod.

***precautionary principle*** means the principle that, if there are threats of serious or irreversible environmental damage, lack of full scientific certainty must not be used as a reason for postponing measures to prevent threatening processes.

***prescribed processor label***, for a macropod meat processing licence, means a label with the licence number for the licence written on it.

***prescribed relevant authority*** means 1 of the following—

- (a) a commercial wildlife licence for dead macropods;
- (b) a macropod harvesting licence.

***prohibited macropod*** means a macropod that has a bullet wound in the macropod's body.

***proposed taking period*** see section 47(1).

***proposed taking place*** see section 47(1).

***Queensland commercial macropod*** means a macropod taken under a macropod harvesting licence for a commercial purpose.

***Queensland macropod*** means a macropod taken under a macropod harvesting licence.

***Queensland macropod tag*** means a tag supplied or approved by the chief executive for attaching to a macropod.

***Queensland wildlife trade management plan for macropods*** means the document—

- (a) called 'Queensland: Wildlife Trade Management Plan for Export—Commercially Harvested Macropods—2018–2022'; and
- (b) declared to be an approved wildlife trade management plan under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth), section 303FO.

***relevant event***, for a return of operations, means an event the particulars of which must be included in the return.

***relevant person***—

Schedule 2

---

- (a) generally—see the *Nature Conservation (Administration) Regulation 2017*, schedule 6; or
- (b) for part 3, division 4, subdivision 5—see section 59.

***relevant record***, for a macropod meat processing licence or macropod tanning licence, means a record about an activity carried out under the licence, including any of the following—

- (a) a record and return book;
- (b) a copy of an electronic record;
- (c) a copy of a return of operations given to the chief executive;
- (d) a copy of an invoice or other document about the buying, accepting, selling or giving away of a macropod;
- (e) a wildlife movement permit for the movement of a macropod bought, accepted, sold or given away;
- (f) a copy of a movement advice for a macropod.

***relevant record particulars***, for a macropod obtained or disposed of under a macropod harvesting licence, means—

- (a) for a macropod obtained under the licence—the obtaining particulars for the macropod; or
- (b) for a macropod disposed of under the licence—the disposing particulars for the macropod.

***this plan*** means this conservation plan.



ENDNOTES

- 1 Approved by the Governor in Council on 17 August 2017.
- 2 Notified on the Queensland legislation website on 18 August 2017.
- 3 The administering agency is the Department of Environment and Heritage Protection.

© State of Queensland 2017