



Queensland Consolidated Regulations

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Search this Act\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#) [\[Download\]](#) [\[Help\]](#)

NATURE CONSERVATION (WILDLIFE MANAGEMENT) REGULATION 2006 - SECT 332

332 Tampering with animal breeding place

(1) A person must not, without a reasonable excuse, tamper with an animal breeding place that is being used by a protected animal to incubate or rear the animal's offspring.

Maximum penalty — 165 penalty units.

(2) For subsection (1), an animal breeding place is being used by a protected animal to incubate or rear the animal's offspring if—

- (a) the animal is preparing, or has prepared, the place for incubating or rearing the animal's offspring; or
- (b) the animal is breeding, or is about to breed, and is physically occupying the place; or
- (c) the animal and the animal's offspring are physically occupying the place, even if the occupation is only periodical; or
- (d) the animal has used the place to incubate or rear the animal's offspring and is of a species generally known to return to the same place to incubate or rear offspring in each breeding season for the animal.

(3) It is a reasonable excuse for a person to tamper with the breeding place if—

- (a) the tampering happened in the course of a lawful activity that was not directed towards the tampering; and
- (b) the tampering could not have been reasonably avoided.

(4) Also, subsection (1) does not apply to a person removing or otherwise tampering with the breeding place if—

- (a) the removal or tampering is part of an approved species management program for animals of the same species; or

(b) the person holds a damage mitigation permit for the animal and the permit authorises the removal or tampering.

(5) In this section—

approved species management program, for a species of animal, means a program about managing the population and habitat of the species of animal that is approved by the chief executive.

tamper, with an animal breeding place, means damage, destroy, mark, move or dig up the breeding place.

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Search this Act\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#) [\[Download\]](#) [\[Help\]](#)