

Overview of licences to kill in the Northern Territory



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Licensing System

In the Northern Territory, the killing of native wildlife is primarily regulated by the *Territory Parks and Wildlife Conservation Act 1976* (NT) (**TPWC Act**) and the *Territory Parks and Wildlife Conservation Regulations 2001* (NT) (**TPWC Regulations**).

Under the TPWC Act, a person must not 'take'¹ or 'interfere with'² 'protected wildlife' unless the person is authorised to do so under the TPWC Act.³ All native vertebrates (mammals, birds, reptiles and amphibians) are 'protected wildlife' under the TPWC Act.⁴

One way the TPWC Act authorises the killing of native wildlife is via a 'permit to take or interfere with protected wildlife' (**Take Permit**).

Take Permits are used to regulate certain interactions between humans and native wildlife. While the TPWC Act does not specify that a Take Permit may be issued for this purpose, the Northern Territory Government's wildlife permit website states that a Take Permit may be granted to 'remove problem animals'. 'Problem animal' is not defined the TPWC Act, or the TPWC Regulations, and no guidance is provided on the Northern Territory Government website as to what constitutes a 'problem animal'. However, the Northern Territory Government's 'living with wildlife' webpage states that kangaroos' digging and foraging can damage lawns and gardens, which can be a nuisance for communities, and that certain interactions with wildlife may cause some people anxiety and frustration (e.g., flying-foxes making noise at night and early in the morning).

The Take Permit application form also refers to ‘pest removal’ and it is presumed that this is a reference to a ‘problem animal’. This suggests that if certain animals are said to be a ‘nuisance’, by interfering with a person’s enjoyment and use of their land (including by causing damage to property), they may be characterised as ‘problem animals’.

If a person wishes to kill a ‘problem animal’, they may apply for, and the Director of Parks and Wildlife (**Director**) may grant, a Take Permit.⁵

Unless the Minister for Environment (**Minister**) gives their written approval to do so, a Take Permit cannot be granted to kill or interfere with ‘threatened wildlife’.⁶

Lethal methods used to take wildlife

Neither the TPWC Act nor the TPWC Regulations specifically address which lethal methods a person may use to kill native wildlife, and it is not clear from the Northern Territory Government’s website, or the Take Permit application form, which methods are commonly used. It is therefore not known what lethal methods are used to kill native wildlife in the NT (although it is presumed that shooting with a firearm is the most permitted method, based on common practices in other jurisdictions).

Whichever method is ultimately employed, a person acting under a Take Permit (or the TPWC Act/TPWC Regulations) must comply with the *Animal Protection Act 2018* (**AP Act**).

The use of poison and steel traps is prohibited under the AP Act.⁷ However, the *Animal Protection Regulations 2022* may allow a person acting under a Take Permit to use poison to kill an animal.⁸

While neither the TPWC Act nor the TPWC Regulations expressly require a person acting under a Take Permit to hold a current firearms licence to shoot native animals, it is presumed that this is the case (although, unlike other jurisdictions, this requirement is not mentioned on the Take Permit application form, or on the Northern Territory Government’s wildlife permit website). Neither the TPWC Act nor the TPWC Regulations require a person to pass a shooter proficiency or species identification test to shoot native animals under a Take Permit,⁹ and the Northern Territory Government does not publicly encourage a person to use a professional shooter.

Exceptions to the requirement to hold a TRP/PDW

A person does not require a Take Permit to kill or injure a native snake (and will not be guilty of an offence of harming a native snake) if:¹⁰

- the snake is within 100 metres of an occupied building; or
- the person honestly believes that it is necessary to kill or injure the snake to avoid an immediate danger of death or injury to a person or a domestic animal.

The first aspect of this exception (i.e., the snake is within 100 metres of an occupied building) is unnecessarily broad, and it is not clear how either aspect of the exception would be enforced.

There are no other native animals that are ‘unprotected’ under the TPWC Act. However, the Minister may declare that it is lawful to kill protected wildlife.¹¹ The Minister is not required to consult the public (or anyone else) in this process (i.e., the Minister can unilaterally make the declaration) and there is nothing the Minister is required to consider in order for them to make such a declaration. This leaves the Minister with very broad discretion to make such a declaration (although it is noted that such a declaration does not remove the requirement for a person to apply for a Take Permit to harm protected wildlife). There is also nothing in the TPWC Act which precludes the Minister from making such a declaration in respect of threatened wildlife.

There is currently one declaration in force. On 4 July 2024, the Minister declared that it was lawful to kill, for a specified period, a specified number (i.e., bag limit) of native waterbirds, including magpie goose, pacific black duck, grey teal, hardhead duck, maned duck, wandering whistling duck, plumed whistling duck and pink-eared duck.¹² A declaration of this kind appears to be made on an annual basis to facilitate an annual recreational hunting season of native waterfowl.¹³ In accordance with the current declaration, a person will still require a Take Permit under the TPWC Act to participate in the 2024-2025 'season' and it appears that this has also been the case in the past.

Unlike other jurisdictions, a person will require a Take Permit to kill dingoes on their land (however wild dogs are poisoned with 1080 poison and the Northern Territory Government states that the term wild dog also includes dingoes. It is unclear how the Northern Territory Government ensures that dingoes are not killed under the guise of killing wild dogs, especially when it also says that is thought that over 90% of NT wild dogs are purebred dingoes).¹⁴

Numbers of native animals licensed to be killed in the NT

The Northern Territory Government does not maintain a public register of the permits granted under the TPWC Act or publish any information about how many Take Permits (and for what species) are granted on an annual basis, nor how many animals are killed (or by which methods). However, the Department of Environment, Parks and Water Security (**DEPWS**), the agency responsible for administering the permit system, provided some of this information in response to an application under the *Information Act 2002* (NT).

To provide a snapshot, in 2023, approximately 21,622 native animals were allowed to be killed by private landholders under Take Permits. This included (but was not limited to):

- **14,892 macropods** (agile wallabies and red kangaroos)
- **6,630 birds**, with the most persecuted being magpie goose, little corella and sulphur crested cockatoo
- **80 dingoes**
- **20 brushtail possums.**

The number of animals that were reported to have been killed under these permits was requested, but not provided. It is therefore not known how many native animals are reported as killed in the NT every year.



Application, assessment & enforcement

Applications

An application for a permit, including a Take Permit, must be:¹⁵

- in a form approved by the Director; and
- accompanied by the prescribed fee and the prescribed information, if any.

This criterion is not unique to an application for a Take Permit.

The TPWC Act/TPWC Regulations does not specify any other information that must be included with an application for a permit and at present, there does not appear to be any associated fees.

The Take Permit application form is available for download on the Northern Territory Government's website. It is generic and covers a range of purposes for which a person may be applying for a permit (e.g., removing 'problem animals', scientific purposes, commercial purposes¹⁶).

The application form requires any person that wishes to control wildlife under the permit (in addition to or instead of the applicant) to be listed on the application form. If a person other than the landholder is applying for the permit, they must also demonstrate that they have permission from the landholder to carry out the activity on the landholder's property.¹⁷

The form also asks the applicant some questions, including whether the applicant has been found guilty of a wildlife offence either under the TPWC Act or other legislation (including similar interstate legislation) and details of 'relevant experience'. The form does not ask whether the applicant has trialled/exhausted non-lethal methods to manage 'problem animals'. While the application form asks the applicant to state the reason they want a permit, it appears that no proof of the 'problem' being caused by the animal is required if the application is for the purpose of taking a 'problem animal'.

The Northern Territory Government does not appear to have a formal 'living with wildlife' policy. However, there is a living with wildlife website, which includes some, limited, information about wildlife in the NT and examples of ways to manage interactions with animals such as kangaroos and possums. This webpage notes that if the 'problem' with the animal is 'minor', it is better to tolerate the animal and consider their place in the environment, and that there are 'non-intrusive' ways of managing the problem if it is ongoing.

The Northern Territory Government does not suggest that a person must (or even should) trial/exhaust non-lethal methods before applying for a Take Permit to remove 'problem animals' (and indeed, there is no legal requirement to do same). There is no indication that the Northern Territory Government provides training or capacity building to landholders affected by 'problem animals' to help them manage the interaction in a non-lethal way.

Assessment

The Director may grant or refuse to grant a Take Permit.¹⁸

When deciding whether to grant a Take Permit, the Director must take into account:¹⁹

- the classification of wildlife (e.g., "endangered", "vulnerable");
- the principles of management (set out in section 31 of the TPWC Act²⁰);
- all relevant management programs, co-operative management agreements, declarations of areas of essential habitat²¹ and agreements under sections 73 and 74 of the TPWC Act;
- the likely effect (and in particular any detrimental impact) of the issue of a permit on the continued survival of wildlife, habitats, vegetation and ecosystems and on the landscape and the environment generally;

- the welfare of the animal or animals to which the permit relates; and
- the protection of the safety and welfare of the public.

The Director must also consider 'any prescribed matters' (e.g., management programs).

The Director must not grant a permit:²²

- authorising an activity that is inconsistent with the objectives of a management program; or
- the killing or interfering with wildlife that is threatened wildlife (unless, as noted above, the Minister approves this).

The Director must also not grant a permit to a person if the person or a nominee specified by the person in the application has been found guilty of an offence against the TPWC Act or that otherwise relates to wildlife within the five-year period immediately before the person applies for the permit.²³

It is acknowledged that the Director is required to consider a number of matters in determining whether to grant a Take Permit, including the welfare of animals, and the likely effect of the permit on the environment. However, it is not clear how these elements are synthesised in the decision-making process and how competing factors are weighed against each other. There is also no requirement for the Director consider whether the applicant has trialled/exhausted non-lethal methods.

Unlike other jurisdictions, the Northern Territory Government's wildlife permit website does not provide any guidance on the assessment or decision-making process. The Northern Territory Government advised that when further information is required to assess an application for a Take Permit, the relevant agency may discuss the application with the applicant and conduct site inspections of the relevant property (although it is not known whether/how often that occurs in practice).

Post-Approval

The TPWC Act does not provide for how long a Take Permit may be granted and it is therefore assumed that a Take Permit may be issued for any amount of time (i.e., there is no maximum permit length prescribed by the legislation).

The TPWC Act provides that it is a condition of all permits that:²⁴

- where the holder of the permit or a person who carries out activities under the permit for and on behalf of the holder of the permit is carrying out an activity authorised by the permit, the holder of the person must:
 - have the permit in his or her possession;
 - show the permit to a conservation officer upon request.
- all people acting under the permit must comply with the permit and the TPWC Act.

In addition, if granted, a permit is also subject to the:²⁵

- prescribed terms and conditions; and
- conditions imposed by the Director providing for all or any of the following:
 - the manner in which an animal may be killed or otherwise interfered with;
 - the maximum number or amount of an animal that may be killed;
 - the species, sex, age, size, location of the animal;
 - the furnishing to the Director of returns and reports;

- the furnishing to the Director of returns and reports;
- the period or periods of time during which, or the hours of each day when the permit is in force and the date of the expiration of the permit;
- the welfare of animals;
- the protection of the safety and welfare of the public;
- if the holder of the permit or a nominee under the permit will employ or otherwise engage one or more persons to carry out activities under the permit for or on behalf of him or her – the authorisation of those persons; and
- any prescribed matters.

The Northern Territory Government does not have a publicly available list of “standard” conditions that are ordinarily imposed on a Take Permit, so it is not known which, if any, of the above conditions are usually attached to a Take Permit. It is therefore not known whether all Take Permits are, ordinarily, subject to some or all of the above conditions. It is understood that a standard condition of a permit will require a permit holder to submit returns/reports, which includes the number of animals taken under the permit.

There is no public register of Take Permits (or other kinds of permits), or any publicly available information which records how many Take Permits have been granted in any given year and for what species. As noted above, while some of this information was provided in response to an application made under the *Information Act 2002* (NT), it is not known how many native animals are actually killed in total in the NT every year. Aside from waterfowl and crocodile, there are no publicly available population management plans and there is no publicly available information on how many animals may be killed under permits every year (e.g., quotas or ‘take limits’).

In other jurisdictions, it is common that a permit will require compliance with a code of practice that governs the killing of a particular animal in a particular method. However, in the NT, there do not appear to be any such codes of practice in place (although the Northern Territory Government advised that a condition of a permit may require a person to comply with a relevant code of practice from another jurisdiction (e.g. the *Code of Practice on the Humane Treatment of Wild and Farmed Australian Crocodiles*).

If they think it is appropriate to do so, the Director may vary a permit:²⁶

- on account of the classification of wildlife (e.g., if a species’ listing changes from ‘vulnerable’ to ‘endangered’), the principles of management, a management program, the declaration of an area of essential habitat, or a change in the circumstances in relation to the survival, conservation, or protection of wildlife or the environment generally; or
- for the purposes of the welfare of an animal or the safety and welfare of the public.

The holder of a permit may also apply to the Director to vary a permit for these same reasons.²⁷

This, in theory, allows for adaptive management of the NT’s licensing framework. However, it is not known whether these provisions are used in practice.

It is an offence for any person acting under a permit to contravene, or fail to comply with, a permit.²⁸

Importantly, if a person acting under a permit commits an offence but is not the holder of a permit, the holder of the permit is to be taken to have committed the same offence.²⁹

Enforcement

The Director may cancel a permit for a number of specified reasons, including if:³⁰

- the permit holder (or nominee) is found guilty of an offence against the TPWC Act or that otherwise relates to wildlife.
- the permit holder (or nominee) breaches a term or condition of the permit.
- information becomes available that indicates a new threat to, or any other new circumstance in relation to, the survival of wildlife, habitats, vegetation, ecosystems, the landscape or the environment generally (whether or not that will or has caused the classification of the wildlife to be varied) to which the permit relates.

If a person's permit is cancelled because they have been found guilty of an offence or have breached a condition of their permit, they are not eligible to apply for and be granted a permit until the expiry of five years after the date of the notice of cancellation.³¹

The TPWC Act provides for third party merits appeal rights for decisions made under Part 4 of the TPWC Act (wherein the permit provisions sit) in that 'a person who is aggrieved by a decision' may appeal against the decision to the Northern Territory Civil and Administrative Tribunal (**NTCAT**). This means that people other than the applicant for, or holder of, a Take Permit could potentially ask the NTCAT to review the decision on its merits.³²

In determining the appeal, the NTCAT may confirm or vary the decision, or remit a matter to which the decision relates to the person who made the decision for reconsideration, either generally or in respect of specified issues and for substitution of another decision.³³

Although it is unclear whether the merits appeal provision is readily used,³⁴ this is an important accountability mechanism and could be adopted by other jurisdictions.

It is also not clear how the Director (or DEPWS) ensures that permit holders are complying with the conditions of their permits (or that people are not killing native animals without a permit) (e.g., because the Northern Territory Government³⁵ does not advise that it carries out site inspections of properties to which permits relate to monitor whether a permit holder is complying with the conditions of their permit). However, there are some enforcement and investigative powers in the TPWC Act that could be used if the Director (or an authorised officer) thinks someone is contravening the Act.

It is also not clear when, how often, and what type of compliance and enforcement activities are carried out because the Northern Territory Government does not appear to publish information about monitoring of compliance and enforcement activities carried out in respect of Take Permits (except in relation to saltwater crocodiles and magpie geese, for which there are management programs in place).

There are no third-party civil enforcement provisions in the TPWC Act, which means it is unclear whether third parties can ask the Court to enforce breaches of the TPWC Act or a Take Permit.

► See page 10 for Northern Territory's performance against the governance criteria.³⁶

Recommendations for reform in the Northern Territory

HSI Australia supports wildlife coexistence and urges the Northern Territory Government to reconsider its approach to managing perceived problems between private landholders and native animals.

To this end, our overarching recommendation is that the Northern Territory Government provides increased resourcing to Parks and Wildlife to fund trials of non-lethal methods for managing wildlife, and provide training, capacity building, and workshops for Parks and Wildlife employees and landholders on coexistence.

However, while we oppose permits, we make the following recommendations to ensure a more robust, transparent, and accountable system that prioritises non-lethal strategies, tolerance, and human-wildlife coexistence.

► Amend the TPWC Act to:

- recognise animal sentience.³⁷
- prohibit the use of inhumane methods, such as 1080 poison, to kill native wildlife, and otherwise prescribe approved lethal methods.
- mandate the use of professional shooters and require a person to pass a wildlife specific shooter proficiency test, if a person is shooting native wildlife, as well as a species identification test.
- require the Minister to carry out public consultation before making a declaration that it is lawful to kill protected wildlife, and expressly preclude the Minister from making such a declaration in respect of threatened wildlife.
- introduce different categories or tiers of permits, with distinct application and assessment criteria for each kind of permit. This criterion should be relevant and proportionate to the kind of activity that is wishing to be carried out. For example, for a permit to kill 'problem animals', a person applying for the permit should be required to provide comprehensive proof of damage (or proof of the matters being claimed to be caused by the animal) and that non-lethal methods have been exhausted before the application has been made. This will also necessitate changes to the application form.
- define 'problem animal' in the legislation, or otherwise make it clear for what purposes the Director will consider granting this kind of permit. If it is for the purpose of preventing damage or loss to property for example, a definition of this should be introduced, as well as a minimum damage threshold.
- prescribe additional criteria that the Director must take into account when considering whether to grant a Take Permit. As noted above, the assessment criteria should be relevant and proportionate to an application for a permit to kill 'problem animals'. The Director should be required to consider whether the applicant has exhausted non-lethal management methods before applying for a permit and precluded from granting a permit if the applicant has not demonstrated same.
- include a provision which requires permit holders to submit returns/reports on how many animals have actually been killed under a permit (so that this is always a legal requirement (not just a matter for the conditions of the permit). Permit holders should be required to report on permit activities within 1-2 weeks of the maximum kill limit being reached, or every 6 months (whichever is sooner), documenting the species targeted, number of animals killed and the methods used. Permit holders should also be required to report, within 24 hours, if any non-target animals have been harmed/killed.

Recommendations

- limit the grant of a permit to a maximum of 1 year.
 - prescribe a fee to obtain a permit.
 - require Parks and Wildlife or the permit holder to notify neighbouring properties of the grant of a licence and if/when killing of native animals will be carried out under the licence.
 - introduce third party civil enforcement rights so that any person may remedy or restrain a breach of the TPWC Act or a condition of a permit.
- ▶ Amend the TPWC Regulations to remove the exception (or amend it) to killing snakes that are within 100 metres of an occupied building.
- ▶ Develop mandatory enforceable codes of practice for all animals that are routinely killed under Take Permits, with input from animal welfare specialists. Ensure that codes are reviewed and updated regularly and underpinned by contemporary animal welfare science.
- ▶ **Increase resourcing for the DEW to:**
- fund trials of (and provide subsidies for) non-lethal methods for managing wildlife.
 - provide training, capacity building and workshops for Parks and Wildlife employees and landholders to promote wildlife coexistence.
 - develop a formal 'living with wildlife' policy and update the Northern Territory Government website in respect of wildlife to ensure focus is on wildlife coexistence and providing more detailed information on managing interactions with wildlife and "problem animals". This information should be made available to a person before they can find out any information about Take Permits and should be available again at the time of applying for a permit. Guidance on the permit assessment and decision-making process should also be provided so that permit holders and the public can understand how applications for these kinds of permits are dealt with (and what will and will not be acceptable).
 - conduct site inspections during the permit application process to verify the need for a permit, and conduct inspections throughout the term of the permit.
 - carry out compliance and enforcement activities.
 - carry out robust monitoring and reporting of animal population (and make publicly available population management plans for species other than magpie geese and crocodiles).
- ▶ Maintain a public register of permits and publish information on how many native animals are killed under permits, including by what methods.
- ▶ Publicly report on monitoring of compliance and enforcement activities, including on investigations into and findings of illegal killing and permit breaches, suspensions and cancellations.
- ▶ Amend the webpage about 'wild dogs' to make it abundantly clear that dingoes are not wild dogs and that a permit is required if they are to be harmed/killed.

Performance of the Northern Territory against governance criteria

Category	Criteria	Status under current law/policy	Result
Animal welfare	Use of professional shooters	Not mentioned	
	Shooter competency testing	Not required under the <i>Territory Parks and Wildlife Conservation Act (TPWC Act)</i> or <i>Regulations (TPWC Regulations)</i>³⁸	
	Animal welfare laws apply	Yes	
	Licence holder to be fit and proper person	It is not described exactly as a fit and proper person test, however, the Director must not grant a permit to a person if the person or nominee specified by the person on the application has been found guilty of an offence against the TPWC Act or that otherwise relates to wildlife within the five-year period immediately before the person applies for the permit	
Prioritise human/wildlife coexistence	Law requires applicants to demonstrate, and decision-maker to consider, wildlife coexistence efforts	There is no legal requirement for applicants to trial/exhaust non-lethal methods before applying for a permit (and the application form does not request this information). Similarly, the Minister is not required by law to consider whether the applicant has/has not trialled/exhausted non-lethal methods	
	'Living with wildlife'/ non-lethal control policy and guidance	No formal policy, however, the Northern Territory Government has a 'living with wildlife' website which includes some, limited, information about wildlife in the NT and examples of ways to manage interactions with some more common animals	
	Landholder capacity building/training on non-lethal methods	Not mentioned	
Landholder justification for the use of lethal control	Proof of damage/ issues caused by wildlife	The application form requires the person to state the reason they are applying for a permit, but seemingly not required to provide proof of the 'problem' being caused by the animal	
Licences	Identification of all persons acting under the licence	Yes	
	Reporting requirements	The requirement to report may be imposed as a condition of a licence	
	Report non-target animals harmed	No legal requirement	
	Licence lengths	The Director may grant a Take Permit for any amount of time	

Transparency	Government maintains public register/publishes licence data, including number of animals reported killed	No public registry or published data. A FOI application was required and some limited, information was provided in response (but this did not include the number of animals which were reported as killed)	
	Public reporting of compliance and enforcement activity	No	
Responsibility for conservation	Obtain licence to kill threatened species	Yes, however only with permission from the Minister	
	Population Management Plans (PMPs) and non-commercial quotas for species	'Bag limits' are set for the killing of native waterfowl and there is a 'management program' for Magpie Goose and saltwater crocodiles. If PMPs and quotas exist for other species, they are not publicly available	
	Unprotected native species	There are no native animals that are officially "unprotected" under the TPWC Act. However, the Minister may declare that it is lawful to kill protected wildlife (there is also a defence to an offence of harm if a person kills a dangerous snake in specified circumstances)	
	Decision-maker considers environmental impacts	Yes	
Enforcement	Community empowered to enforce breaches of a licence or legislation	No third-party civil enforcement provisions in the TPWC Act	

Key



Controls that should be in place if killing of wildlife by private landholders is allowed.



Some controls in place but improvement required.



Controls not in place and significant improvement required.

Endnotes

¹ As per section 9 of the TPWC Act, in relation to an animal – take means to hunt, catch, restrain or kill, or attempt or assist to hunt, catch, restrain or kill, the animal.

² As per section 9 of the TPWC Act, in relation to an animal, interfere with means to harm, disturb, alter the behaviour of or otherwise affect the capacity of the animal or plant to perform its natural processes or damage or destroy the habitat of the animal or plant.

³ TPWC Act, section 66.

⁴ See definition of ‘protected wildlife’ in section 43 of the TPWC Act. The definition also extends protection to all ‘wildlife’ that is in a park, reserve, sanctuary, wilderness zone or area of essential habitat. The terms ‘wildlife’ and ‘vertebrate’ are defined in section 9 of the TPWC Act.

⁵ TPWC Act, sections 55 (Application for permit) and 56 (Grant or refusal to grant a permit).

⁶ TPWC Act, section 56(2)(b). As per section 9, threatened wildlife means a species of wildlife or an animal or plant of a classification or species of wildlife that the Minister identifies as threatened wildlife (by way of notice in the Gazette – see section 30).

⁷ AP Act, sections 27 – 29.

⁸ See *Animal Protection Regulations 2022* (NT), clause 7(a)(iii). In theory, this could capture permits granted under the TPWC Act, however, it is not known whether this ever occurs in practice.

⁹ Although a person may be required to undergo some training under the firearms legislation.

¹⁰ TPWC Regulations, clause 5.

¹¹ See section 45 of the TPWC Act.

¹² See *Government Gazette* No. G15 dated 4 July 2024 available at: https://nt.gov.au/__data/assets/pdf_file/0009/1404738/g15.pdf.

¹³ NB: the number of native birds killed under declarations of this kind will not be included in the total number of animals permitted to be killed in the NT, because this kind of activity falls outside the scope of this report.

¹⁴ See <https://nt.gov.au/environment/animals/feral-animals/wild-dog>.

¹⁵ TPWC Act, section 55(2).

¹⁶ While the scope of this report does not include the commercial killing of native animals, we note that unlike other jurisdictions, at present, the Northern Territory Government does not appear to allow the commercial harvesting of macropods.

¹⁷ This is also a legal requirement – see section 60.

¹⁸ TPWC Act, section 56(1).

¹⁹ TPWC Act, section 56(1).

²⁰ Section 31 provides that “the management of wildlife under this Act is to be carried out in a manner that promotes: the survival of wildlife in its natural habitat; the conservation of biological diversity within the Territory; the management of identified areas of habitat, vegetation, ecosystem or landscape to ensure the survival of populations of wildlife within those areas; the control or prohibition of: the introduction or release of prohibited entrants into the Territory; and any other act, omission or thing that adversely affects, or will or is likely to adversely affect, the capacity of wildlife to sustain its natural processes; and the sustainable use of wildlife and its habitat.

²¹ It is understood that no such declarations have been made to date.

²² TPWC Act, section 56(2).

²³ TPWC Act, section 56(3).

²⁴ TPWC Act, section 57(2)-(3).

²⁵ TPWC Act, section 57(1).

²⁶ TPWC Act, section 58(1).

²⁷ TPWC Act, section 58(1)(d).

²⁸ TPWC Act, section 67D.

²⁹ TPWC Act, section 115B(1). However, there are a range of defences to this offence (e.g., if the permit holder did not know or could not reasonably have been expected to know, that the offence was to be or was being committed, or they exercised due diligence to prevent the commission of the offence).

³⁰ TPWC Act, section 59(1).

³¹ TPWC Act, section 59(3).

³² Section 64(2) of the TPWC Act provides that the appeal is to be by 'hearing de novo' (i.e., afresh).

³³ TPWC Act, section 64(3).

³⁴ NB: A limited search of the Local Court's decision database did not find any relevant cases.

³⁵ The Northern Territory Government advised that Wildlife Operations is a unit within Parks and Wildlife that are the regulatory arm and compliance/enforcement is their core function.

³⁶ Humane Society International Australia developed a set of governance criteria for the *Licence to Kill* report to assess each jurisdiction's licensing framework. The governance criteria can be found on pages 27-29 of the *Licence to Kill* report.

³⁷ We also recommend that these be recognised in the Animal Protection Act.

³⁸ A person may be required to undergo some training under the firearms legislation.

Disclaimer

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