

## **58 Molesting and disturbing etc. protected wildlife**

(1) Any person who—

- (a) wilfully molests or injures protected wildlife or wilfully causes protected wildlife to be molested or injured;
- (b) wilfully disturbs, chases or herds protected wildlife or wilfully causes protected wildlife to be disturbed, chased or herded;
- (c) wilfully separates protected wildlife from its young or causes it to be so separated— shall be guilty of an offence against this Act.

Penalty: 20 penalty units.

(2) Subsection (1) does not apply to a person—

(a) who is disturbing wildlife or causing wildlife to be disturbed—

(i) who holds an authorisation under section 28A(1) that authorises the person to disturb wildlife or cause wildlife to be disturbed, when that person is acting in accordance with the authorisation; or

(ii) who is a member of a class of person in respect of whom an authorisation order has been made that authorises the disturbing of wildlife or the causing of wildlife to be disturbed, when that person is acting in accordance with the order; or

(b) who holds any other authorisation or a licence under this Act that authorises the person to—

(i) wilfully molest or injure protected wildlife or wilfully cause protected wildlife to be molested or injured; or

(ii) wilfully disturb, chase or herd protected wildlife or wilfully cause protected wildlife to be disturbed, chased or herded; or

(iii) wilfully separate protected wildlife from its young or cause it to be so separated— when that person is acting in accordance with that authorisation or licence.