

Lower Austrian Hunting Act 1974

On 21 November 2019, the Lower Austrian Parliament resolved:

Page 7

Article 3

Game animals, harvestable game

(11) The Lower Austrian Environmental Ombudsman and an environmental organisation recognised pursuant to Article 19 para. 7 of the Environmental Impact Assessment Act – UVP-G 2000, Federal Law Gazette No 697/1993, that has been granted party status in Lower Austria shall have the right to seek remedies against official notices pursuant to para. 8 through the Provincial Administrative Court. The authorities shall publish these official notices in the electronic information system pursuant to Article 133b. An environmental organisation shall be permitted to inspect the administrative act for a period of five weeks from the day of publication. The right to inspect the relevant records shall be indicated in the publication of the official notice. The Lower Austrian Environmental Ombudsman shall also have the right to inspect the relevant records during the period for appeal.

Page 75

Article 133b

Electronic information system

- (1) The official notices specified in Article 3 para. 11 and 142 para. 11 shall be published in an electronic information system.
- (2) Environmental organisations recognised pursuant to Article 3 para. 11 shall be provided with access to this electronic information system.
- (3) The official notices specified in Article 3 para. 11 and 142 para. 11 shall be deemed delivered vis-à-vis the environmental organisations named in Article 3 para. 11 one week after their publication.
- (4) These shall be removed from the electronic information system no earlier than five weeks after publication.

§ 142

Transitional provisions

Page 82

(11) Environmental organisations recognised pursuant to Article 3 para. 11 shall have the right to file a complaint with the Provincial Administrative Court against official notices issued up to one year before this provincial law as set forth in Provincial Law Gazette No 26/2019 entered into force. Complaints against such official notices shall have no suspensive effect. Article 3 para. 11 applies accordingly.

(12) The Provincial Government shall conduct a scientific evaluation of these exemptions before the end of the period stipulated in Article 95 para. 4.

§ 143

Regulations being revoked

The following shall be revoked in the province of Lower Austria at the time that this law enters into force:

1. All hunting regulations enacted for the Republic of Austria or its subdivisions in the period from 13 March 1938 to 10 April 1945, especially

2. the regulation dated 13 April 1938, German Reich Law Gazette I, p. 388 (Law Gazette for Austria No 84/1938), on the enactment of Reich Hunting Law in the country of Austria,
3. the Reich Hunting Law of 3 July 1934, German Reich Law Gazette I, p. 549, as amended in the law of 23 April 1938, German Reich Law Gazette I, p. 410,
4. and all implementing and supplementary provisions enacted on the basis of these regulations,
5. the law of 10 July 1945, State Law Gazette No 71, on the application of Reich Hunting Law, as amended in the law of 11 December 1946, Provincial Law Gazette No 7/1947,
6. the first Hunting Decree of 19 September 1945, State Law Gazette No 178.