



Victoria Government Gazette

No. S 311 Monday 10 September 2012
By Authority of Victorian Government Printer

Subordinate Legislation Act 1994

NOTICE OF DECISION IN ACCORDANCE WITH SECTION 12 OF THE SUBORDINATE LEGISLATION ACT 1994

Wildlife (Game) Regulations 2012

I, Peter Walsh, Minister for Agriculture and Food Security, and I, Ryan Smith, Minister for Environment and Climate, in accordance with section 12 of the **Subordinate Legislation Act 1994** give notice that we have decided to proceed with the making of the Wildlife (Game) Regulations 2012.

Following closure of publication of the regulatory impact statement for the proposed Regulations and consideration of submissions, it is proposed that the following changes to the Regulations be adopted:

- extending the exclusion periods for protestors by applying them to every day of the duck season. This is due to the changing nature of anti-duck hunting protestors who are actively operating throughout the duck season, and is a result of significant public safety concerns that have been raised by regulatory agencies;
- slightly changing the above exclusion period to coincide with sunset (i.e. two hours before sunset), rather than a fixed time of 5:00pm. This ensures that there is always a suitable time buffer between the prohibited time of entry into a specified hunting area and the timing of sunset, which changes throughout the season;
- increasing the distance that protestors may approach a specified hunting area from 5 metres to 25 metres. The increase in distance provides a safer buffer between hunters and protestors. An exclusion distance of 25 metres provides authorised officers with a better opportunity to apprehend protestors prior to them illegally entering a specified hunting area and engaging in confrontation with duck hunters;
- clarifying spotlighting laws for hunters using torches/headlamps for on-foot navigation. This clarification ensures that people legitimately using artificial lights for safe navigation while in possession of a firearm will not be committing an offence;
- allowing one additional gundog breed for game bird and deer hunting (other than Hog Deer), and one additional deer hunting dog breed for deer hunting (other than Hog Deer). These dogs are considered appropriate to be used for game hunting and pose no animal welfare concerns to game or other wildlife;
- prescribing sight requirements for smoothbore firearms used for deer hunting (i.e. the firearm must be fitted with front and rear iron sights, a telescopic or a reflex sight). This ensures that firearms specific for deer hunting are being used;
- removing the proposal to allow the use of 10 gauge shotguns to hunt game birds as these firearms are prohibited for use (they are defined as 'punt guns') under the **Wildlife Act 1975**. The existing 12 gauge limit will be maintained;
- maintaining the regulation to allow the use of toxic (lead) shot in 16 State Game Reserves for the purpose of quail hunting only.

Other suggested changes were not adopted because they fell outside the scope of the regulatory review or were contrary to current government policy on game hunting.

The proposed Regulations are the most effective means of managing game hunting in Victoria.

A copy of a statement of reasons for proceeding with the proposed Regulations with the amendments is available on the Department of Primary Industries' website at www.dpi.vic.gov.au/game-hunting or a hard copy may be obtained by calling the Customer Service Centre on 136 186.

Dated 10 September 2012

PETER WALSH MLA
Minister for Agriculture
and Food Security

Dated 10 September 2012

RYAN SMITH MP
Minister for Environment
and Climate Change

SPECIAL

bluestar * **PRINT**

The *Victoria Government Gazette* is published by Blue Star Print with the authority of the Government Printer for the State of Victoria

© State of Victoria 2012

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria

Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order**Mail Order****Victoria Government Gazette**

Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001
DX 106 Melbourne

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

email

gazette@bluestargroup.com.au

**Retail & Mail Sales****Victoria Government Gazette**

Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

**Retail Sales****Victorian Government Bookshop**

Level 20, 80 Collins Street
Melbourne 3000

**Telephone**

1300 366 356

**Fax**

(03) 9208 3316

Price Code A