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SPECIAL

Subordinate Legislation Act 1994
NOTICE OF PREPARATION OF
REGULATORY IMPACT STATEMENT
Wildlife (Game) (Human Safety) Regulations
1996

Notice is given under section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement has been prepared in relation to the proposed Wildlife (Game) (Human Safety) Regulations 1996.

The objective to be achieved by the proposed Regulations is to provide for increased safety of all persons present in specified hunting areas throughout the open season for ducks in each year and, in particular, on the opening weekend of the season.

The Victoria Police and officers of the Department of Conservation and Natural Resources have been concerned for some years at the increasing levels of confrontations between hunters and animal welfare protesters during the duck open season, particularly during the opening weekend of the season. The reason for the proposed Regulations is, therefore, to reduce the potential for conflict between hunters and protesters, thereby reducing the likelihood of dangerous incidents. Similar Regulations have been put in place for the past two duck open seasons, and have been reasonably successful in reducing conflict between hunters and protesters.

The proposed Regulations amend the Wildlife (Game) Regulations 1990, to—

- (a) prohibit a person who is not the holder of a valid game licence allowing the hunting of ducks and a shooter's licence, from entering the waters, or within 5 metres of the waters of game reserves and other specific areas where hunting is permitted. This prohibition will apply only at certain times on the opening weekend of the open season for ducks in each year; and

- (b) prohibit a person who is not the holder of a valid game licence allowing the hunting of ducks and a shooter's licence, from approaching within a distance of 10 metres, a person who is carrying a firearm, who is hunting or taking duck. This prohibition will apply throughout the open season for ducks in each year in the same areas mentioned in paragraph (a).

The Regulations also enable the Secretary to issue authorities for persons to enter the areas mentioned in paragraph (a) above, when they would otherwise be prohibited from doing so and provide for the issue of infringement notices in respect of any failure to comply with the Regulations.

The Regulatory Impact Statement examined three alternatives to the proposed Regulations. The first of these alternatives, a voluntary code of behaviour, was rejected as this measure had been attempted during the 1992 duck season without success. The second alternative examined, was to introduce only that part of the Regulations which restricts the distance within which a person can approach a hunter. This alternative was also rejected as it was not considered an effective means of reducing the potential for conflict between hunters and protesters.

The third alternative examined was to prohibit all but appropriately licensed duck hunters from entering the designated wetlands for the entire opening weekend of the duck season. Whilst it would have achieved the stated objective, it was considered to be unnecessarily restrictive and would impact upon a greater proportion of the community than would the proposed Regulations. The RIS concluded that the proposed Regulations are the most effective means of meeting the stated objective.

Copies of the RIS and proposed Regulations may be obtained by contacting Geoff Morsby on (03) 450 8600, between 9 a.m. and 4 p.m.

weekdays, or collected from the CNR Information Centre, Ground Floor, 240 Victoria Parade, East Melbourne 3002.

Public comments or submissions on the proposed Regulations and RIS are invited. All comments or submissions must be in writing and must be received at the following address by no later than 5 p.m. on Friday, 22 December 1995.

Subordinate Legislation Officer, Portfolio Coordination Branch, Department of Conservation and Natural Resources, 8/250 Victoria Parade, East Melbourne 3002.

All submissions will be treated as public documents.

GEOFF COLEMAN
Minister for Natural Resources



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