

Wildlife Act 1975**SECTION 7A DECLARATION OF CERTAIN WILDLIFE AS
UNPROTECTED WILDLIFE ON PRIVATE PROPERTY****Order in Council**

The Lieutenant-Governor, with the advice of the Executive Council, on the recommendation of the Minister for Agriculture and the Minister for Energy, Environment and Climate Change, under section 7A of the **Wildlife Act 1975** –

- (a) revokes an Order made by the Governor in Council on 9 July 2013 declaring certain wildlife to be unprotected wildlife on private property, and published in Government Gazette G 28 on 11 July 2013;
- (b) declares all deer, except Hog Deer (*Axis porcinus porcinus*), to be unprotected wildlife on private property in the whole of Victoria; and
- (c) specifies the conditions, limitations and restrictions in the Schedule to which the declaration is subject.

SCHEDULE**Conditions, Limitations and Restrictions**

- 1 Any deer, except Hog Deer, that is causing injury or damage to any building, vineyard, orchard, garden or other property, any crop, grass, trees or other vegetation, or any taxon or kind of animal (including fish), may be taken or destroyed by a landowner on his or her property or by the manager, permanent employee or agent of that landowner on that property.
- 2 The taking or destruction of deer conducted by the manager, permanent employee or agent of a landowner on that landowner's property, must have written permission signed and dated by that landowner. The written permission must be carried by the landowner's manager, permanent employee or agent when taking or destroying, or in the pursuit of taking or destroying, deer on the landowner's property, and when transporting deer or deer parts taken under this Order. The written permission must be produced on the demand of an authorised officer or a member of the Victoria Police.
- 3 Written permission referred to in clause 2 above is valid for up to 12 months from the day it is signed by the landowner unless otherwise specified or unless sooner revoked in writing by that landowner and only while this Order remains in force.
- 4 All deer taken or destroyed under this Order must be destroyed with a firearm that meets the specifications contained in the table.
- 5 A deer that is taken or destroyed under this Order and which is stored or transported on or outside the landowner's property must be accompanied by documentation or a tag, on which the following particulars are legibly written: the name and address of the landowner and property from which the deer was destroyed; and the date on which the deer was destroyed.

Table: Approved firearms, calibres and projectile weights

<u>Firearm</u>	<u>Fallow and Chital Deer</u>	<u>Sambar, Rusa and Red Deer</u>	<u>Non-game Deer</u>
<u>Centre-fire rifle</u>	a minimum calibre of .243" (6.17 mm) with a minimum projectile weight of 80 grains (5.18 grams).	a minimum calibre of .270" (6.85 mm) with a minimum projectile weight of 130 grains (8.45 grams).	a minimum calibre of .270" (6.85 mm) with a minimum projectile weight of 130 grains (8.45 grams).
<u>Muzzle-loading rifle</u>	a minimum calibre of .38" (9.65 mm) with a minimum projectile weight of 200 grains (12.96 grams).	a minimum calibre of .45" (11.45 mm) with a minimum projectile weight of 230 grains (14.91 grams).	a minimum calibre of .45" (11.45 mm) with a minimum projectile weight of 230 grains (14.91 grams).
<u>Smooth-bore firearm</u>	a minimum bore of 20 and a maximum bore of 12, using a single solid projectile with a minimum weight of 245 grains (15.88 grams) and the firearm must be fitted with either: a front and rear iron sight (other than a beaded sight or sights); or a telescopic sight; or a reflex sight.		

This Order comes into operation on the day of its publication in the Government Gazette and expires 10 years after the day of publication unless earlier revoked.

Dated 27 February 2018

Responsible Ministers:

JAALA PULFORD
Minister for Agriculture

LILY D'AMBROSIO
Minister for Energy, Environment and Climate Change

ANDREW ROBINSON
Clerk of the Executive Council