

Wildlife Act 1975**WILDLIFE (PROHIBITION OF GAME HUNTING) NOTICE NO. 2**

I, Mary-Anne Thomas, Minister for Agriculture and I, Lily D'Ambrosio, Minister for Energy, Environment and Climate Change, make the following Notice:

Dated 26 April 2021

Dated 30 April 2021

MARY-ANNE THOMAS MP
Minister for Agriculture

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

1. Objective

The objectives of this Notice are to:

- (a) revoke the Notice entitled Wildlife (Prohibition of Game Hunting) Notice made under section 86 of the **Wildlife Act 1975** and published in Victoria Government Gazette S69 on 12 February 2021; and
- (b) prohibit absolutely the taking, destroying or hunting in Victoria of specified indigenous game birds (waterfowl) and otherwise regulate and control the taking, destroying or hunting of indigenous game birds (waterfowl), which would otherwise be permitted during the 2021 open season.

2. Authorising provision

This Notice is made under section 86 of the **Wildlife Act 1975**.

3. Notice prevails

Under section 86(3) of the **Wildlife Act 1975** this Notice prevails over any inconsistent regulation made under the **Wildlife Act 1975** or any licence, permit or other authority to take, destroy or hunt any particular kind of taxon of wildlife issued under the **Wildlife Act 1975**.

4. Revocation

The Notice entitled Wildlife (Prohibition of Game Hunting) Notice made under section 86 of the **Wildlife Act 1975** and published in Victoria Government Gazette S69 on 12 February 2021 is revoked.

5. Definitions

In this Notice:

2021 modified open season means the open season in 2021 for indigenous game birds (waterfowl) as modified by this Notice, being from 8.00 am Wednesday 26 May 2021 to 30 minutes after sunset on Monday 14 June 2021;

default bag limit for indigenous game birds (waterfowl) means the maximum number of indigenous game birds (waterfowl) that a person may take or destroy on any day during an open season as prescribed by Regulation 30 and items 8 to 15 of Schedule 4 of the Wildlife (Game) Regulations 2012;

indigenous game bird (waterfowl) means any of the following, being the kinds or taxa of game set out in Part 3 of Schedule 3 of the Wildlife (Game) Regulations 2012:

- (a) Pacific Black Duck (*Anas superciliosa*);
- (b) Australasian (*Blue-winged*) Shoveler (*Anas rhynchos*);
- (c) Chestnut Teal (*Anas castanea*);
- (d) Grey Teal (*Anas gracilis*);
- (e) Hardhead (White-eyed Duck) (*Aythya australis*);
- (f) Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*);
- (g) Pink-eared Duck (*Malacorhynchus membranaceus*); and
- (h) Australian Wood Duck (Maned Duck) (*Chenonetta jubata*).

6. Commencement and period Notice has effect

This Notice takes effect on the day that it is published in the Victoria Government Gazette and continues to have effect until the end of the 2021 modified open season.

7. Prohibition on hunting of specified indigenous game birds (waterfowl)

- (a) The taking, destroying or hunting of any indigenous game bird (waterfowl) is prohibited at all times from the commencement of this Notice until the commencement of the 2021 modified open season.
- (b) The taking, destroying or hunting of the Australasian (Blue-winged) Shoveler (*Anas rhynchos*) is prohibited during the 2021 modified open season, anywhere in Victoria.
- (c) The taking, destroying or hunting of any indigenous game bird (waterfowl) from anywhere in Victoria is prohibited during the following times from 26 to 30 May 2021 inclusive:
 - i. 12.00 am until 8.00 am; and
 - ii. from 30 minutes after sunset until 12.00 am.

8. Modification of bag limit

- (a) Subject to paragraph (b), the default bag limit for indigenous game birds (waterfowl) is modified to a maximum of five indigenous game birds (waterfowl), on any day during the 2021 modified open season.
- (b) Paragraph (a) does not apply to the Australasian (Blue-winged) Shoveler (*Anas rhynchos*) due to the prohibition on taking, destroying or hunting the Australasian (Blue-winged) Shoveler (*Anas rhynchos*) specified at paragraph 7(b) of this Notice.

9. Contravention of Notice

A person must not contravene any part of this Notice.

Penalty: 25 penalty units.
