



# Regulating the protection of Wildlife

Statement of Regulatory Intent

NOVEMBER 2021

CONSERVATION  
REGULATOR VICTORIA

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## Aboriginal acknowledgment

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices. We are committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.



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 Lachlan Clarke

## The importance of protecting wildlife

Wildlife is an important part of our environment and essential to the functioning and health of our ecosystems. Wildlife also has an intrinsic value at an individual and species level. All wildlife in Victoria, whether relatively common or of conservation concern, are protected under the *Wildlife Act 1975*, as is wildlife habitat.

Observing and enjoying our unique wildlife is an integral part of Victorian outdoor activities such as hiking, camping and photography. Many Victorians and visitors from both interstate and overseas enjoy encounters with wildlife. Humane treatment of wildlife and the protection of both species and individuals is in the public interest and central to protecting wildlife.

Traditional Owners have a deep cultural, spiritual and economic connection to country, with wildlife and its habitat often at the core of that attachment.

In Victoria we are privileged to, in certain circumstances, be able to lawfully keep wildlife – for both private and commercial purposes. Activities range from using wildlife for educational or cultural activities to keeping wildlife for companionship or a hobby.

### What is a Statement of Regulatory Intent?

This Statement of Regulatory Intent sets out proposed public commitments for how the Conservation Regulator will acquit its responsibilities for wildlife regulation and measure its performance as a regulator. Statements of Regulatory Intent provide an explanation of how the Conservation Regulator will use its powers to prevent, monitor and respond to breaches of the law to achieve our regulatory outcomes in specific topic areas. Implementation of Statements of Regulatory Intent will be publicly reported on annually, as part of the Conservation Regulator's reporting against its annual State and Regional Regulatory Priorities.

This statement outlines the role of the Conservation Regulator in regulating the protection, conservation and activities concerning wildlife, including the sustainable use of and access to wildlife, and describes what the community and regulated entities can expect from us as a regulator. Specifically, this statement describes how the Conservation Regulator intends to use available regulatory tools to prevent, detect and respond to breaches of the law.

Statements of Regulatory Intent should be read in conjunction with DELWP's **Regulatory Framework** and the Conservation Regulator's key policy and strategy documents including the **Compliance and Enforcement Policy**, annual **Regulatory Priorities** and **Engagement Strategy**.

These documents are available at [conservationregulator.vic.gov.au](https://www.conservationregulator.vic.gov.au)

Across Victoria in 2019-2020 6580 private licenses allowed the private keeping of wildlife, and 390 commercial licences permitted the use of wildlife in a commercial setting, encompassing everything from display of wildlife in wildlife parks to venomous snake capture and relocation.

The conservation, welfare and sustainability of wildlife is under increasing pressure from threats such as loss and fragmentation of habitat, introduced pests such as foxes and cats, illegal take from the wild, wildlife trafficking, climate change and growing human populations. All activities involving wildlife must consider impacts on individual animal welfare and on sustainability of populations.

There can be significant challenges in managing wildlife across public and private land, and there can be conflicts between wildlife and human activity. Wildlife can cause damage to property, crops and pasture, impacting on people's livelihoods. In urban areas, wildlife can become aggressive and potentially dangerous to people or cause serious road collisions. Some legal activities can negatively impact wildlife, such as vegetation removal. Over-abundant wildlife can also have negative impacts on biodiversity, recreation and amenity values.

Across Victoria in 2019-2020, 1990 Authorities to Control Wildlife were issued to manage human-wildlife conflict, through destruction, disturbance or relocation, where wildlife was damaging property, crops or pasture, or impacting human health and safety.

The Conservation Regulator is committed to the protection of wildlife, which includes the sustainable use of and access to wildlife. The Conservation Regulator is working towards ensuring that Victoria's public land and its biodiversity are appropriately managed and protected from illegal human activity; improving wildlife welfare and habitat outcomes, in cooperation with co-regulators; and encouraging Victorians to place more importance on a healthy environment and to contribute to environmental health.

The conservation and management of wildlife is a shared responsibility of all members of the Victorian community, including government, businesses, Traditional Owners and stakeholder organisations.

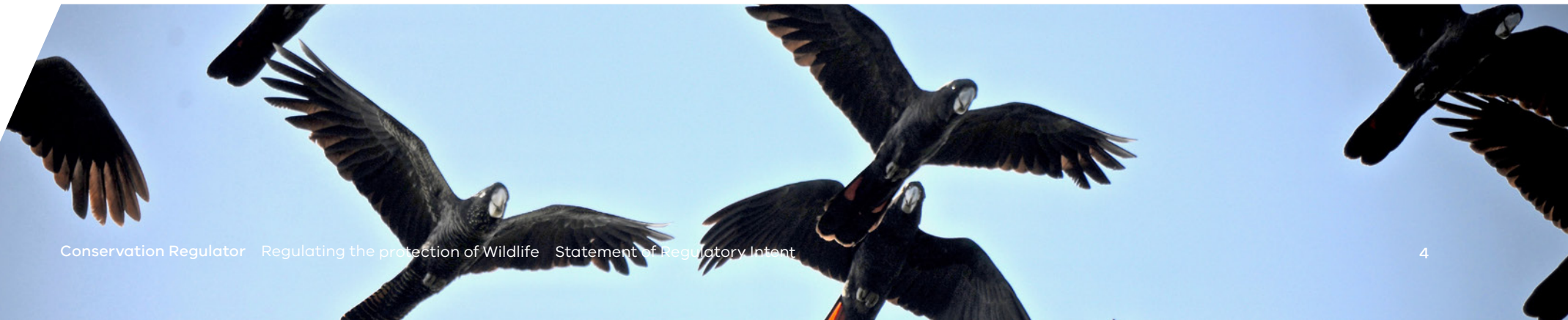
## The Conservation Regulator

The Conservation Regulator was established in 2019 following an independent review of DELWP's approach to timber harvesting regulation in Victoria's public forests.

The Conservation Regulator has regulatory responsibility for: timber harvesting, fire prevention, use of public land and biodiversity.

Biodiversity regulation includes wildlife, and the Conservation Regulator has a range of responsibilities particularly under the *Wildlife Act 1975*.

Information about the Conservation Regulator, its regulatory roles, responsibilities and purpose is provided on its website [conservationregulator.vic.gov.au](https://www.conservationregulator.vic.gov.au)





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## The regulatory framework for wildlife protection

There are a number of laws that make up the regulatory framework for the protection of wildlife in Victoria. The primary legislation is the *Wildlife Act 1975*. Note that the Victorian Government is currently conducting a [Review of the Wildlife Act 1975](#).

The *Wildlife Act 1975* and associated regulations provide a framework for members of the community wishing to control, possess, display, breed, trade in or interact with wildlife. They also provide the framework for the rescue and rehabilitation of wildlife by authorised volunteers, wildlife shelters and foster carers. The *Wildlife Regulations 2013* include an offence to damage, disturb or destroy wildlife habitat.

The *Flora and Fauna Guarantee Act 1988* provides a legislative basis for listing threatened species and communities. This Act is designed to protect, conserve, restore and enhance biodiversity.

The *Prevention of Cruelty to Animals Act 1986* specifies the provisions for protection of all animals from cruelty and suffering. This Act is used to ensure the welfare of wildlife both in the wild and where the wildlife is held in captivity or subject to human interference under a licence, permit or authority.

The *Sustainable Forests (Timber) Act 2004* contains provisions to protect wildlife from timber harvesting in native forests through the **Code of Practice for Timber Production 2014** (the Code) and its incorporated management standards and procedures.

The Code contain explicit requirements for the protection of some species, and implicit requirements protecting habitat and the wider ecosystem through the application of mandatory actions such application of as the precautionary principle. The Conservation Regulator's intent and actions regarding the *Sustainable Forests (Timber) Act 2004* are detailed in the **Regulating timber harvesting in State forests under the Allocation Order – Statement of Regulatory Intent**.

In 2021, the *Wildlife Act 1975* and the *Prevention of Cruelty to Animals Act 1986* are both under review. The Conservation Regulator commits to reviewing and updating this Statement of Regulatory Intent on the finalisation of these legislative reforms, and following any future relevant legislative review or reform processes.

Table 1 lists the Victorian and Federal legislation the Conservation Regulator has responsibility for and interest in for the purposes of wildlife regulation. For more detailed information on the regulatory framework that Conservation Regulator works under, see Annex 1, and the laws themselves at [legislation.vic.gov.au](http://legislation.vic.gov.au).

## Scope of this Statement of Regulatory Intent

: This Statement of Regulatory Intent does not cover deer or game birds (including pheasants and non-indigenous quail) which are regulated by the Game Management Authority under the Wildlife Act 1975.

The Statement of Regulatory Intent covers all indigenous waterfowl declared as game species outside the open season declared by the Wildlife (Game) Regulations 2012, during which these specified indigenous waterfowl are managed by the Game Management Authority.

It also does not apply to fish within the meaning of the Fisheries Act 1995 which are regulated by the Victorian Fisheries Authority; or crustaceans and invertebrates except where these animals are listed under the Flora and Fauna Guarantee Act 1988.

**Table 1 Legislation of responsibility and interest in wildlife regulation**

<b>Primary legislation</b>	<i>Wildlife Act 1975</i> (all wildlife)
Where the Conservation Regulator is the primary regulator	<i>Wildlife Regulations 2013</i> (wildlife habitat) <i>Wildlife (Marine Mammal) Regulations 2019</i> <i>Flora and Fauna Guarantee Act 1988</i> (threatened wildlife) <i>Sustainable Forests (Timber) Act 2004</i>
<b>Secondary legislation</b>	<i>Prevention of Cruelty to Animals Act 1986</i>
Where the Conservation Regulator has responsibility but is not the primary regulator or administrator	<i>Wildlife (State Game Reserves) Regulations 2014</i>
<b>Intersecting legislation</b>	(Commonwealth) <i>Environment Protection and Biodiversity Conservation (EPBC) Act 1999</i>
Where the Conservation Regulator has interest but no responsibility for the purposes of this document	<i>Wildlife (Game) Regulations 2012</i> <i>Traditional Owner Settlement Act 2010</i> <i>National Parks Act 1975</i>
<b>Out of scope legislation</b>	<i>Planning and Environment Act 1987</i> (for the purposes of protecting native vegetation on private property)



# The Conservation Regulator's approach to regulating wildlife

The Conservation Regulator undertakes a range of activities to support compliance with the law. We use a balanced approach including education, compliance support and enforcement of the law.

We seek to identify priority risks and take regulatory action to prevent harm where possible. The regulatory approach taken by Conservation Regulator includes:

- 1 Set standards that protect environmental, social and cultural values and provide clarity on regulatory obligations. This may include guidelines for the issue of permissions and welfare standards for captive wildlife.
- 2 Inform and educate regulated entities and the community about the law and the rules that must be obeyed to comply with the law. This may include website content, brochures, and face to face interactions.
- 3 Support compliance by assisting regulated entities and the community to understand how to comply with their obligations under the regulatory framework. This may include information on conditions given to permission holders, and engagement with industries known to impact on wildlife to ensure wildlife protection.
- 4 Monitor compliance with the law including using community information and inspections and audits of licences, permits and authorities we have granted.
- 5 Enforce the law by objectively and assertively requiring remedy for non-compliance with the regulatory framework, and where appropriate applying sanctions to deter future non-compliance. This may include fines, permissions cancellations, and prosecution where applicable
- 6 Collaborate by working with regulated entities and the community to improve practices and influence future standards of practice. This includes partnering with co-regulators and agencies such as Crime Stoppers to share resources and facilitate information flow.

Regulating the use, possession, trade, treatment and control of wildlife is an identified priority regulatory risk as identified by the **Conservation Regulator in our Regulatory Priorities 2020–2021**. Risk prioritisation is based on the likelihood of the risk event occurring and the consequences or impacts on the state and region if the risk does occur.

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## Priority harms

The Conservation Regulator has recognised that regulating the use, possession, trade, treatment and control of wildlife is a regulatory priority to avoid illegal events or activities that could harm wildlife or wildlife welfare. These identified harms include:

- - The unauthorised destruction of or interference with wildlife, with a particular focus on wildlife threatened by extinction
- Illegal destruction of wildlife habitat as included in the *Wildlife Regulations 2013*
- Illegal possession and trade of wildlife, both local and international
- Non-compliance with licence, permit or authority conditions leading to poor wildlife welfare outcomes.

## Drivers of non-compliance

Non-compliance with legislation and the conditions of licences, permits and authorities may be driven by the following factors:

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<b>Lack of awareness of regulations</b>	People who are unaware of the laws protecting wildlife may unwittingly breach those laws, potentially doing harm to wildlife or wildlife habitat. Examples of this could include interfering with bird nests, raising rescued orphaned animals without an authority, or taking wildlife such as skinks and geckos from their backyard to keep as pets.
<b>Economic gain</b>	The knowing or unknowing use of wildlife to illegally obtain a financial profit. For example, taking animals from the wild and selling them, or unauthorised marine mammal swim tours that may impact on the natural behaviours of animals. Economic gain is also a driver in situations where penalties for illegal activity are considered the cost of doing business; and where economic benefit or avoidance of economic loss intersect with protection of individual wildlife and localised populations, for example where illegal control occurs on agricultural land.
<b>Conflicts between wildlife and human activities</b>	This may occur when a protected species is locally abundant and/or develops habits that impact humans. For example: ducks grazing irrigated commercial crops; cockatoos and corellas damaging sporting grounds; and kangaroos damaging agricultural fences. In all these situations, the protection of the animal may be undermined by a person or organisation undertaking an illegal activity (knowingly or unknowingly) to manage economic, infrastructure or amenity loss. These activities may include harassment, destruction or injuring of native species in contravention of the law.
<b>A lack of awareness, or disregard for, the harm non-compliance can cause to wildlife and to the environment</b>	This occurs where people do harm to a species or habitat because they don't understand the effects of their actions or because they deem their actions to be more important than wildlife and habitat protection. For example walking dogs on certain beaches disrupting shore-nesting birds, or boating at extreme speeds risking collision injuries with marine mammals such as dolphins, seals or whales.

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## Our key activities and intended outcomes

Our key commitments and activities are designed to both support compliance with the law; and to monitor and enforce the law and regulated permissions activities.

### Supporting compliance with the law

- Raise awareness of the regulations and improve the protection, welfare, conservation and interaction with Victoria's wildlife
- Publish information on how to apply for a licence, permit or authorisation on our website
- Deliver information and guidance to support a common understanding of how to comply with the law
- Support licence and permit holders in understanding their obligations to prevent non-compliance
- Publish information about our major operations and enforcement actions through a variety of channels, such as our websites and social media.

### Monitoring and enforcing the law and permissions activities

- Administering permissions under the *Wildlife Act 1975*
- Reforming wildlife permissions, initially focusing on Authorities to Control Wildlife
- Monitoring compliance with licence and permit conditions
- Investigating and responding to wildlife crime, prioritising serious and significant incidents
- Patrols and surveillance.

### Outcomes

The short-term (1-3 years) outcomes for these activities are anticipated to be:

- Increased community awareness and understanding of regulations
- Increased community engagement with field staff including proactive information sharing
- Increase in perception that people will be held accountable for illegal activities
- Increased collaboration between co-regulators
- Investigations, monitoring and patrols effectively identify and target high risk locations and activities
- Non-compliance is addressed with appropriate enforcement actions
- Immediate environmental harm is prevented through compliance activities.

Longer term outcomes, projected for the 3-to-5-year timeframe include:

- Community deterred from illegal activities on public land
- Increased compliance with relevant regulations and related licences
- Maintenance and improvement of suitable habitat and ecological values at high-risk locations on public land
- Protection of threatened and vulnerable species and habitat
- Use of permissions is risk-based, efficient, understood and trusted by the community, and consistently applied and monitored by DELWP staff.

These outcomes are expected to contribute to the overarching goal outcomes of the Conservation Regulator:

- Ensuring Victoria's public land and its biodiversity are appropriately managed and protected from illegal human activity
- Improving wildlife welfare and habitat outcomes
- Encouraging Victorians to place more importance on a healthy environment and to contribute to environmental health.

## What does success look like?

Wildlife regulation requires the management and consideration of inherent human-wildlife conflicts, opposing values across stakeholders, complex land tenure arrangements, demanding timeframes and the need to prioritise human and animal welfare.

The Conservation Regulator is committed to continuous improvement in how wildlife is regulated in Victoria.

The Conservation Regulator is working to achieve these goals:

- Significant reductions in the illegal keeping of, and trade in, Victorian wildlife
- Support the perpetuation of vulnerable and endangered species by prioritising regulatory effort to protect them and their habitat
- Ensure the Authority to Control Wildlife system is timely, consistent and transparent, providing for the humane management of over-abundant species or wildlife presenting risks to human health and infrastructure
- Regulatory effort is focussed on areas of highest risk to sustainable and healthy wildlife populations.
- Community trusts the Conservation Regulator to protect Victorian wildlife within the current regulatory framework.

The Conservation Regulator is committed to reporting on its performance, to be transparent in operations and outcomes. The Conservation Regulator will publish a report as detailed in [Annex 2](#) to provide an indication of performance and achievements in the previous year.

Reporting is intended to be meaningful, reflective of the key responsibilities of the Conservation Regulator and limited to information that is easily extracted from key business systems. This will provide a significant narrative about the work the Conservation Regulator achieves while ensuring the focus and effort of Conservation Regulator staff remains with addressing and preventing wildlife harms.



## Our key regulatory tools

### Permissions

The Wildlife Act provides for various licences, permits and authorisations that allow for specific activities involving wildlife. These include:

- Authorities to Control Wildlife (ATCW), a regulatory permission for landholders and land managers that allows control of wildlife (e.g. lethal control, disturbance or relocation) where the wildlife is damaging property, crops or pasture, or impacting human health and safety. ATCWs aim to balance wildlife welfare and protection with that of human safety, property and livelihood
- Licences authorising the keeping of wildlife in accordance with conditions that preserve wildlife health and welfare. These include Basic, Advanced and Dingo wildlife licences.

- Licences authorising wildlife-based businesses, including for: wildlife dealers, wildlife demonstrators, wildlife controllers, wildlife farmers, and permits to undertake commercial tours to observe whales and seals in the wild. These licences also stipulate conditions to preserve wildlife welfare.
- Wildlife Shelter or Wildlife Foster Care Authorisations enabling the care and rehabilitation of sick, injured and orphaned wildlife.
- Wildlife research permits.
- Import and export permits, to protect against illegal wildlife trafficking and preserve our biosecurity.

The Conservation Regulator is responsible both for issuing these wildlife permits, and for ensuring that they are complied with. It is an offence under the Wildlife Act to breach the conditions of a permit, or to fail to have a permit for regulated activities.

### Permissions reform

The Conservation Regulator is committed to ongoing reforms to wildlife permissions, intended to increase clarity of use and application for applicants, provide improved guidance on complying with the law, ensure appropriate wildlife protection and welfare, and supporting consistent, transparent decision making.

An early priority for the Conservation Regulator has been a comprehensive review of the Authority to Control Wildlife permission framework.

Reforms include:

- Better guidance material for applicants and the public to support compliance with the law and improve the efficiency of the application process;
- Transition to online application processes, significantly reducing the administrative burden of applying and improving timeliness;
- More consistent decision making, and a risk-based approach to inspections, through internal standards and procedures.



### Responding to community reports

The Conservation Regulator responds to a range of wildlife crime ranging from breaches of licences, to wildlife cruelty, to illegal destruction and illegal trafficking of wildlife. The Conservation Regulator will apply its resources based on risk and urgency ensuring that priority resources are put to the most serious and significant wildlife incidents.

All community reports are subject to initial assessment, and verified non-compliance is ranked for priority action in accordance with the Conservation Regulator's Compliance and Enforcement Policy. This policy recommends actions based on robust evidence that prioritise the reduction of harm to wildlife, persons and the environment.

### Wildlife and Forest patrols

Proactive patrols of state forest and coastal areas are regularly conducted by Conservation Regulator officers, with the intention of providing education and guidance to the community on how to comply with relevant laws within the forest and coastal environment. During these patrols, officers are conscious of wildlife – human interactions and address wildlife crime where it is identified.

### Seizure of wildlife

The Wildlife Act provides powers for the Conservation Regulator to intervene to seize wildlife in certain circumstances. Wildlife seizure may be undertaken for animal welfare reasons; evidentiary reasons, to support an enforcement action including prosecution; and to prevent the continuation of an offence.

In making decisions to intervene, we prioritise animal welfare, as well as considering the alleged or perceived level of criminality, biosecurity and public safety. We ensure that the intervention is proportionate and appropriate, considering the range of available actions like retention notices, infringements and the seizure of wildlife if necessary.

The Conservation Regulator is committed to animal welfare during and after seizure, and is developing protocols for the seizure, retention and disposal of seized wildlife that guide husbandry of wildlife in custody as well as principles regarding euthanasia for welfare and biosecurity purposes.



## Review

The Wildlife Statement of Regulatory Intent will be kept current as additional intelligence, regulatory reform, and innovative regulatory approaches emerge.

The Conservation Regulator will review and update this Wildlife Statement of Regulatory Intent on a five-year cycle, to maintain currency of information and accuracy of activities.

A review is currently underway for the Wildlife Act 1975, the Wildlife Regulations 2013, and the Prevention of Cruelty to Animals Act 1986. The Wildlife Statement of Regulatory Intent provides our current approach on wildlife regulation under the current legislation. However, the Conservation Regulator commits to reviewing the Wildlife Statement of Regulatory Intent when these legislative reviews are finalised.

 Lachlan Clarke





## Contact us

There are several ways you can communicate with us, whether you've seen something that could be a breach in compliance, causing environmental harm, to seek advice, find information or to share your idea.

### Visit us online

[www.conservationregulator.vic.gov.au](http://www.conservationregulator.vic.gov.au)

Or search

Conservation Regulator Victoria

### DELWP Customer Contact Centre

136 186

### Report suspected wildlife trafficking

Crime Stoppers Victoria

1800 333 000

[www.crimestoppersvic.com.au/report-a-crime](http://www.crimestoppersvic.com.au/report-a-crime)

### Timber harvest compliance

Report potential timber harvest compliance issues

[www.forestsandreserves.vic.gov.au/forest-management/forest-reports](http://www.forestsandreserves.vic.gov.au/forest-management/forest-reports)

### Email us directly

[conservationregulator@delwp.vic.gov.au](mailto:conservationregulator@delwp.vic.gov.au)

### National relay service

If you are deaf, or have a hearing impairment or speech impairment, contact us through the National Relay Service on 133 677 or visit [www.relayservice.gov.au](http://www.relayservice.gov.au)

### Twitter

@ConservationReg

To find out more about what we are doing, follow us on Twitter

# Annex 1 Overview of the legislative framework and roles and responsibilities for Wildlife protection

There is a range of legislation and regulatory instruments that make up the regulatory framework that protects and regulates activities concerning wildlife. There are also regulatory frameworks which relate to environment protection or management, land use planning and management, primary production, and animal welfare that operate in parallel.

The Conservation Regulator notes these other regulatory frameworks and will seek to collaborate with the responsible regulators to seek integrated regulatory outcomes for wildlife.

## Legislative framework for the protection, conservation and activities concerning wildlife

There are several pieces of legislation that apply to the protection, conservation and activities concerning wildlife. The Conservation Regulator has regulatory responsibility for the following acts, unless noted.

LEGISLATION	KEY PROVISIONS
<i>Wildlife Act 1975</i>	<p>The <i>Wildlife Act 1975</i> seeks to ensure:</p> <ul style="list-style-type: none"> <li>• The protection and conservation of wildlife</li> <li>• The prevention of taxa of wildlife from becoming extinct</li> <li>• The sustainable use of and access to wildlife</li> </ul> <p>The Act prohibits and regulates the conduct for persons involved with activities concerning or related to wildlife and provides a framework for regulating activities concerning wildlife.</p> <p>The Act includes a framework for people wishing to control, possess, display, breed, trade in or interact with wildlife and provides a framework for the rescue and rehabilitation of wildlife which is undertaken by authorised volunteers, wildlife shelters and foster carers.</p>
<i>Wildlife Regulations 2013</i>	<p>These regulations provide for the management, conservation and humane use of wildlife, and establish provisions for licensing, fees and offences, and exemptions under the <i>Wildlife Act 1975</i>. It also includes an offence for destruction of wildlife habitat.</p>
<i>Wildlife (Marine Mammal) Regulations 2019</i>	<p>This Act provides for the protection and governs activities including interaction with marine mammals and the setting of standards for watching marine mammals in the wild (viewing from land, sea and air).</p>
<i>National Parks Act 1975</i>	<p><i>National Parks Act 1975</i> allows for the preservation and protection of the natural environment through land classification. This allows the restriction of activities that may be harmful to the environment, to wildlife, and to wildlife habitat. This legislation, and it's attached regulations, are primarily administered by Parks Victoria and other relevant land managers.</p>

LEGISLATION	KEY PROVISIONS
<b><i>Flora and Fauna Guarantee Act 1988</i></b>	<p>The <i>Flora and Fauna Guarantee Act 1988</i> (FFG Act) is the key piece of Victorian legislation for the conservation of threatened species and communities and for the management of potentially threatening processes.</p> <p>The Act's objectives are to protect, conserve, restore and enhance biodiversity.</p> <p>The Act also provides a legislative basis for listing threatened species and communities.</p> <p>The Secretary of DELWP can determine critical habitat for threatened species and improve their protection.</p> <p>The FFG Act has been amended to provide a modern and strengthened framework for the protection of Victoria's biodiversity. The <i>Flora and Fauna Amendment Act 2019</i> came into effect on 1 June 2020 and provides implementation guidelines for the FFG Act, requires consideration of biodiversity across government, and modernises the enforcement framework of the FFG Act.</p>
<b><i>(Commonwealth) Environment Protection and Biodiversity Conservation (EPBC) Act 1999</i></b>	<p>The <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) aims to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places — defined in the EPBC Act as matters of national environmental significance.</p> <p>This Act includes provisions to regulate national and international trade in wildlife and is administered by the Commonwealth Department of Environment and Energy.</p>
<b><i>Wildlife (State Game Reserves) Regulations 2014</i></b>	<p>The <i>Wildlife (State Game Reserves) Regulations 2014</i> provide for the management of State Game Reserves established under the <i>Wildlife Act 1975</i>. These regulations are administered by DELWP and Parks Victoria.</p>

LEGISLATION	KEY PROVISIONS
<b><i>Prevention of Cruelty to Animals Act 1986</i></b>	<p>The <i>Prevention of Cruelty to Animals Act 1986</i> (POCTA Act) aims to prevent cruelty to animals including to wildlife, animals in the wild, those held under a wildlife licence, research permit or other authorised activity.</p> <p>This Act, except Part 3 (scientific procedures), does not apply to anything done in accordance with the <i>Wildlife Act 1975</i>. Accordingly, a breach of a condition of an authorisation issued under the Wildlife Act could also result in contravention of the POCTA Act. The Act has specific enforcement and regulatory powers, including Codes of Practice of the care of animals, some of which are specified as mandatory requirements for wildlife licence holders by the <i>Wildlife Regulations 2013</i>.</p> <p>While primary responsibility for this legislation sits with the Minister for Agriculture and the Department of Jobs, Precincts and Regions, some of the Conservation Regulator's Officers are authorised under the Act and may investigate allegations of cruelty in relation to wildlife and will investigate where the Conservation Regulator has provided a permission relating to wildlife.</p> <p>Other regulatory officers authorised under this legislation include Agriculture Victoria, Victoria Police, the RSPCA and Local Councils.</p>
<b><i>Wildlife (Game) Regulations 2012</i></b>	<p>The <i>Wildlife (Game) Regulations 2012</i> provide for the effective management of game species and game hunting, granting and administering game licences, open and close of seasons and manage bag limits. It also regulates methods of hunting, identification, possession and use of game and specified hunting areas. These regulations are administered by the Game Management Authority.</p>
<b><i>Wildlife (Tour Operator Licence Fee) Regulations 2011</i></b>	<p>These regulations provide for fees to be collected for State Wildlife Reserve tour operator licences, granted under the <i>Wildlife Act 1975</i>. The regulations also provide for the reduction, waiver or refund of tour operator licence fees.</p>



## Annex 2 Performance reporting

The Conservation Regulator will report in October each year on its performance for the previous financial year. This will include information on guidelines and standards published, engagement activities, enforcement action taken, and the results of any prosecutions conducted.

While the Conservation Regulator is still developing processes and targets for our risk-based compliance monitoring program, in the future we hope to be able to set targets as to the number and/or percentage of compliance monitoring activities or particular permission types. At this stage, the Conservation Regulator will improve its transparency by reporting the number of activities it undertakes in these areas.

ACTIVITY REPORTING		VALUE
Permissions	Wildlife permission by type issued	Number
	Proportion of Wildlife Licence Holders that submitted their required annual return	Number or percentage
Set standards, inform and educate, supporting compliance	<p>A descriptive report to be published annually providing qualitative measures of performance in these areas. Content may include:</p> <ul style="list-style-type: none"> <li>• Number of standards and guidelines published.</li> <li>• Availability of 'how to apply for a licence, permit or authorisation' information sheets published on our website.</li> <li>• Availability of 'how to comply with a licence, permit or authorisation' or 'how to comply with the law' information sheets published on our website.</li> <li>• Education campaigns (either new or ongoing) delivered to achieve a common understanding of the regulatory objectives and requirements.</li> <li>• Reach at events attended to assist regulated entities understand how to comply with the law.</li> <li>• Number of instances where regulated entities were provided with specific information on how to comply with law either face to face or in writing.</li> </ul>	Descriptive report (incorporated within the Conservation Regulator's 'Year in Review' publication).
Monitoring compliance	Number of licence, permit and property inspections conducted to determine compliance with conditions	Number
Enforcement of the law	Number of times Infringement Notices issued and number of prosecutions commenced in response to non-compliance, in line with the Conservation Regulator Compliance and Enforcement Policy	Number
Collaborate	Number of contacts received and assessed by our Customer Contract Centre concerning wildlife	Number



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