



New South Wales

Game and Feral Animal Control Amendment Bill 2013

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Game and Feral Animal Control Act 2002* (*the Principal Act*) and other Acts and instruments as follows:

- (a) to abolish the Game Council of New South Wales,
- (b) to transfer to the head of the Department responsible to the Minister (*the Regulatory Authority*) the licensing, enforcement and other regulatory functions of the Game Council under the Principal Act,
- (c) to establish a Game and Pest Management Advisory Board to represent the interests of licensed game hunters in matters arising under the Principal Act and to provide advice to the Minister and the Regulatory Authority in relation to game and feral animal control and other matters,
- (d) to make other miscellaneous and consequential amendments.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Schedule 1 Amendment of Game and Feral Animal Control Act 2002 No 64

Schedule 1 [1], [2], [10] and [11] omit provisions of the Principal Act relating to the establishment and functions of the Game Council and the Committee of Management of the Game Council.

Schedule 1 [3] and [4] insert provisions into the Principal Act relating to the establishment and functions of the Game and Pest Management Advisory Board. The Board will consist of not more than 8 members appointed by the Minister (including regional representatives) and will represent the interests of licensed game hunters in matters arising under the Principal Act and provide advice to the Minister and the Regulatory Authority in relation to game and feral animal control and other matters. **Schedule 1 [10]** inserts standard provisions into the Principal Act relating to the members and procedure of the Advisory Board.

Schedule 1 [5] and [9] replace references to the Game Council with references to the Regulatory Authority in various sections of the Principal Act relating to licensing, enforcement and other regulatory functions under the Principal Act.

Schedule 1 [6] and [7] make consequential changes on the abolition of the Game Council and the Game Council Division of the Government Service in relation to the appointment of inspectors.

Schedule 1 [8] inserts section 53A into the Principal Act to enable the Regulatory Authority to delegate functions to authorised persons.

Schedule 1 [8] also inserts section 53B into the Principal Act to establish the Game and Pest Management Trust Fund under the control of the Minister to finance research into game and feral animal control and game hunting enforcement costs. One of the functions of the Advisory Board will be to provide advice to the Minister on priorities for expenditure on any such research.

Schedule 1 [12] authorises the making of regulations of a savings or transitional nature consequent on the enactment of the proposed Act or any other Act that amends the Principal Act.

Schedule 1 [13] inserts specific savings and transitional provisions consequent on the enactment of the proposed Act (including the formal dissolution of the Game Council).

Schedule 2 Consequential amendments of other Acts and instruments

The Schedule makes consequential changes to the following Acts and instruments:

- (a) The *Game and Feral Animal Control Further Amendment Act 2012* (uncommenced amending Act)—consequential changes and replacement of proposed Native Game Bird Management Committee (that was to comprise representatives of the Department of Primary Industries, the Game Council and the Office of Environment and Heritage and that is to set quotas of native game birds that may be killed) with the Regulatory Authority acting in consultation with the head of the Office of Environment and Heritage.
- (b) The *Public Sector Employment and Management Act 2002*—abolition of separate Game Council Division of the Government Service (the staff are transferred to the Department of Trade and Investment, Regional Infrastructure and Services by Schedule 1 [13] to the proposed Act).
- (c) The *Deer Act 2006*—removal of requirement for the Minister to consult the Game Council before making a deer control order.
- (d) The *First State Superannuation Act 1992*, *State Authorities Non-contributory Superannuation Act 1987*, *State Authorities Superannuation Act 1987* and *Superannuation Act 1916*—removal of Game Council as an employer of staff for the purposes of those Acts.

- (e) The *Game and Feral Animal Control Regulation 2012*, *Local Land Services Act 2013*, *Public Finance and Audit Act 1983* and *Rural Lands Protection Act 1998*—consequential changes on the abolition of Game Council.