

A GUIDE TO LAWS RELATING TO AN ASSISTANTS LICENCE IN VICTORIA (Version 9.1)

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'A guide to laws relating to an Assistants Licence in Victoria (Version 8.1)'
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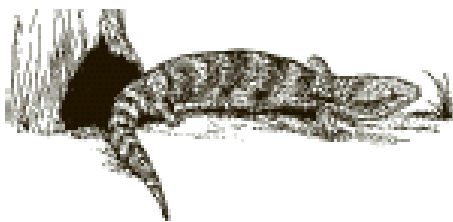
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This publication is intended only as a 'guide' to the entitlements, obligations and conditions of Commercial Wildlife Licences. Anyone possessing wildlife should familiarise themselves with the relevant licensing provisions of the Wildlife Act 1975 and Wildlife Regulations 2002, including any subsequent amendments.



CONTACTS

Wildlife & Game Licensing Service

PO Box 500
East Melbourne VIC 8002
DX: 210098
Facsimile (03) 9637 8475

DSE Customer Service Centre

136 186 (Monday to Friday, 8am to 6pm)

or email: customer.service@dse.vic.gov.au

GENERAL INFORMATION

In Victoria we are privileged to have a diverse range of wildlife which is protected under the *Wildlife Act 1975* and the *Wildlife Regulations 2002*, and any subsequent amendments.

Different laws apply in each Australian State and Territory

with respect to wildlife. So, the wildlife laws of other States and Territories do not necessarily apply in Victoria. If in doubt, check with the Wildlife & Game Licensing Service at DSE.

Wildlife must not be taken from the wild or released to the wild without the prior written approval of the Secretary to the Department of Sustainability and Environment (DSE); "the Secretary". This includes removing dead wildlife from the wild.

If you find a sick, injured or abandoned native animal, hand it to an authorised Wildlife Shelter operator who will care for and rehabilitate it for release back to the wild. The animal may not be retained under a licence. Details of local Wildlife Shelters are available from our Customer Service Centre, telephone 136-186, or your local DSE office.

Bureau of Animal Welfare – Codes of Practice

The keeping and housing of wildlife is subject to various Codes of Practice, which are administered by the Bureau of Animal Welfare.

Copies are available at www.dpi.vic.gov.au

Go to:

DPI Home > Agriculture > Animals and Livestock > Animal Welfare > Acts, Regulations & Codes of Practice

TABLE OF CONTENTS

General Information	1
National Police Certificate	2
Work Experience Students	2
About the Assistants Licence	2
Wildlife Officers	4
Application Form (2 Pages)	5-6

NATIONAL POLICE CERTIFICATE

Provision is made under Section 23(1)(a) of the *Wildlife Act 1975* for the Secretary to refuse to grant an application if the applicant is not a fit and proper person.

For this reason, any application for an Assistants Licence must be supported by a 'National Police Certificate', issued within the last two years.

This can be obtained from Victoria Police, by completing VP Form 820A 'Consent to check and release National Police Record', which is available from your local Police Station, or on-line at www.police.vic.gov.au

Go to:

Police Home > Our Services > Police Record Checks

*** Only a copy of a 'National Name Check' is required.**

When you receive your National Police Certificate, you should attach a copy to your Assistants Licence application before lodgement. DSE will only take into account those matters relevant to the type of licence you are applying for; see 'Privacy' on Page 3.



WORK EXPERIENCE STUDENTS

For the purpose of vocational training (work experience), the Department of Education and Training has identified **Veterinary Parks and Wildlife** as a high risk industry.

As such, **pupils are prohibited from handling animals** but may prepare feeds and work in the office while under supervision (after appropriate induction & training).

Further information is available on line at:-
<http://www.sofweb.vic.edu.au/voced/workexp/wemannual.htm>

An Assistants Licence is not required for work experience students, provided:

- the student is a full-time student, and;
- the period of work experience does not exceed two consecutive weeks with any one commercial wildlife licence holder, and;
- the arrangement is endorsed by the Principal of the student's school (with appropriate parental consent).

Individual students will be eligible for only one exemption in any calendar year.

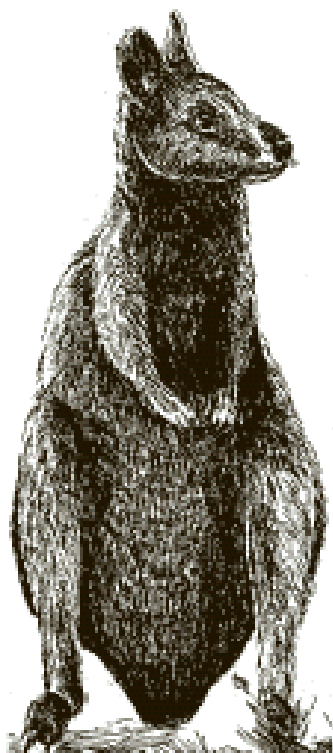


ABOUT THE ASSISTANTS LICENCE

Please read these points carefully before completing the application form. If you would like more information, contact our Customer Service Centre on 136-186.

The following information is intended only as a guide to the entitlements, obligations and conditions of Commercial Wildlife Licences. Anyone possessing wildlife should familiarise themselves with the relevant licensing provisions of the *Wildlife Act 1975* and the Wildlife Regulations 2002, including any subsequent amendments.

- **When is an Assistants Licence required ?**
An Assistants Licence is required if a person is employed by the holder of a current Commercial Wildlife Licence to undertake an activity for which a licence is required. The holder of an Assistants Licence is authorised to undertake any activity involving wildlife, (except taking wildlife from the wild), permitted under a commercial wildlife licence, while acting on behalf of the holder of the commercial licence, (whose name and licence number appear in the Assistants Licence).
- **Who can apply ?**
An Assistants Licence can only be issued to a natural person and cannot be issued to business or company name. An Assistants Licence will not be issued to persons under 18 years of age.
- **A valid licence**
A person must not participate in any transaction on behalf of the holder of a Commercial Wildlife Licence until the appropriate Assistants Licence has been obtained. Even if payment of the licence fee has been accepted, you are not authorised to possess or trade in wildlife until you have received and signed your licence.
- **Licences are not transferable**
An Assistants Licence will only be issued to one person, that is, in one name. Assistants Licences cannot be transferred to another person.



- **Applying for an Assistants Licence**

Assistants Licence applications must be endorsed by the holder of that Commercial Wildlife Licence which the assistant will be operating under, before it will be accepted. If approved, the licence will be issued (for a period not exceeding 15 months) to next 30 June. There is no concession rate available for this type of licence.

- **Renewing an Assistants Licence**

All licences are renewable annually at 30 June upon payment of the prescribed licence fee, but it is the responsibility of the licence holder to ensure that the licence remains current. A renewal reminder notice is sent out by the Wildlife & Game Licensing Service approximately six weeks before the licence is due to expire. There is no concession rate available for this type of licence.

- **Amending an Assistants Licence**

If any licence details shown on an Assistants Licence are incorrect, or if they change, (eg. change of address, name etc), return your licence to the Wildlife & Game Licensing Service for amendment and include a note clearly stating what correction or amendment is required.

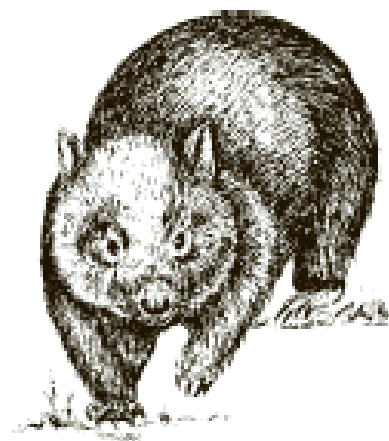
- **Other legal obligations**

If the commercial wildlife licence listed on your Assistants Licence expires or is cancelled by a Court, you must immediately return your Assistants Licence to the Wildlife & Game Licensing Service. Similarly, you must return your licence if you cease to be employed by the commercial wildlife licence holder specified in your Assistants Licence.

In addition to compliance with the conditions of a wildlife licence, the *Wildlife Act 1975* and the Wildlife Regulations 2002, a licence holder must comply with any relevant Federal or State legislation or by-laws or other requirements of relevant Local Government.

- **Privacy**

The Department of Sustainability and Environment (DSE) is committed to protecting your Personal Information in accordance with the principles set out in the *Victorian Information Privacy Act 2000*. This Privacy Statement applies to the collection and use of personal information, voluntarily provided by you, in relation to administration of licences and permits under the *Wildlife Act 1975*. A licence or permit may not be issued if the information required is not provided. You may also apply for access to your personal information at anytime to confirm that it is accurate and up to date, upon payment of a prescribed fee (if any). Enquiries should be directed to the Customer Service Centre on 136-186.



WILDLIFE OFFICERS

Protecting our wildlife resources

Wildlife Officers ("Authorised officer") may inspect wildlife held by any person. They may also inspect wildlife record books and any other documentation associated with the keeping and trade of wildlife. Mostly, inspections are conducted by uniformed officers (but not always) and they will show you official identification. If identification is not offered, you should ask to see it.

If you are requested to participate in an inspection it does not mean that you have done anything wrong. Inspections are often conducted to monitor general trends in wildlife licence holders. As a wildlife licence holder you have certain rights and obligations.

Your Obligations

If requested, you must:

- give the officer your name and address when asked;
- allow an officer to inspect wildlife held by you;
- produce your licence or record book for inspection;
- allow the officer to search your vehicle, boat or property (or house if the officer has a warrant);
- surrender anything the Officer tells you is seized;
- comply with any retention notice issued for wildlife in your possession;
- not obstruct, threaten or abuse an Officer in the course of his or her duty.

Your Rights

- You may ask to see a Wildlife Officer's identification;
- You do not have to answer any questions or do anything if you think that it might incriminate you. If you are to be interviewed about an offence you will be informed of your rights. (You must, however, state your full name and correct address if asked. It is in your best interests to cooperate with officers);
- You may request a receipt for anything seized from you;
- If you keep wildlife inside your house, it is a condition of your licence that you allow inspection of that wildlife by an Authorised Officer at any reasonable time for the purpose of monitoring compliance with the Act, the regulations or the conditions of the licence.

Licence Fees - Wildlife Regulations 2002

Please Note that Wildlife Licence fees are exempt from the Goods & Services Tax (GST). Where appropriate, monthly pro-rata figures are rounded to the nearest 10 cents.

How much will my licence cost ?

- 1) Refer to the relevant Table shown below and select **today's** Month. The correct fee is shown alongside in **Bold**.
- 2) Tick the required box and send a Cheque or Money Order for the appropriate fee together with your completed Application Form.

ASSISTANTS LICENCE

Please refer to the current **Month** and **Licence Type** to determine the correct fee payable **TODAY**.

	Assistants Licence
July '09	\$23.30
August '09	\$21.30
September '09	\$19.40
October '09	\$17.40
November '09	\$15.50
December '09	\$13.50
January '10	\$11.60
February '10	\$10.00
March '10	\$10.00
April '10	\$5.00
May '10	\$5.00
June '10	\$5.00

- Assistants Licences are issued for the unexpired part of the related Commercial Licence, which has an expiry date of 30 June each year.
- An application for an Assistants Licence lodged during June will not be processed until the associated Commercial Wildlife Licence has been renewed; the Assistants Licence will then be valid for the same period.

Who should I make my cheque payable to ?

Please make your Cheque or Money Order payable to the **'Department of Sustainability and Environment'**.

When can I expect to receive my licence ?

If your application is approved, you should expect to receive your licence about three weeks after your application is received by DSE.

Note: *You are not authorised to act on behalf of a Commercial Wildlife Licence holder until you receive and sign your Assistants Licence.*

Assistants Licence Application Form

WILDLIFE ACT 1975

Items 1-10 to be completed; an incomplete application will delay issue of a licence.

Please send your completed application form, **together with payment** of the licence fee, to

Department of Sustainability and Environment, C/- Accounts Receivable,
Corporate Finance, PO Box 500, East Melbourne VIC 8002

Cheque or Money Order to be payable to the 'Department of Sustainability and Environment.'

Please allow at least 3 weeks for your application to be processed. You must not act as an Assistant until you have received and signed your licence.

1. Your Customer Number (if known)

2. Applicant's Personal Details

(An Assistants Licence may only be issued to one natural person, of 18 or more years of age).

Mr/Mrs/Ms

First Name

Other Names

Surname

Date of Birth

Sex (M/F)

3. Applicant's Residential Address

Property Name (Name of house, farm or building if applicable).

Flat/Unit No.

House/Lot No.

Street Name

City/Suburb/Town

Post Code

4. Applicant's Telephone Contact Numbers

Telephone at Work:

Telephone at Home (or Mobile):

5. Applicant's Prior Convictions ?

Have you been convicted of any offence under the *Wildlife Act 1975*, the *Catchment and Land Protection Act 1994* or the *Prevention of Cruelty to Animals Act 1986*, (or similar interstate legislation) during the last 10 years ? If "Yes", give details below:

Yes / No	Offence	Year	State
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

6. National Police Certificate ?

Have you enclosed a copy of a 'National Police Certificate' issued in your name (as shown above) within the last two years ? Please refer to Page 2 of this Guide. An incomplete application cannot be accepted.

7. Declaration by Applicant (There are heavy penalties for making a false declaration).

I hereby declare that all details provided by me on this form are true and correct.

Signature of Applicant

Date

8. Declaration by Witness (There are heavy penalties for making a false declaration).

I hereby declare that all details provided by me in this Declaration are true and correct and that the details on the Applicant's identification presented to me match those on this application.

Name of Witness

Signature of Witness

Type of Witness (refer to list below)

Witness's Official or Business Stamp (if applicable)

Contact Telephone Number

Only the following people may witness an application:

a dentist	a justice of the peace	a member of the police force	a chartered accountant
a pharmacist	a bail justice or sheriff	a town clerk or shire secretary	a veterinary surgeon
a bank manager	a clerk of courts or petty sessions	a councillor of a municipality	a judge or stipendiary magistrate
a postmaster	a barrister or solicitor	a teacher with over 5 years experience	a minister of religion authorised to celebrate marriages
a medical practitioner	a public servant with over 5 years experience		

9. Commercial Wildlife Licence Holder

Customer No:

Commercial Wildlife Licence No:

Licence Holder's Name:

Company, Business or Trading Name:

Operating Address:

10. Declaration by Commercial Wildlife Licence Holder (There are heavy penalties for making a false declaration).

I understand that it is my responsibility to ensure that the Applicant is fully aware of the precise activities that an Assistant may undertake on my behalf, and that all details provided by me on this form are true and correct.

Signature of Commercial Licence Holder

Date

Information Privacy Act 2000

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Please ensure that you have completed both pages of the Application Form (Pages 5-6) and that you have obtained and read Pages 1-4.