

5. Collection, Use and Disclosure of Personal Information

Privacy and Data Protection Act 2014

The Department of Environment, Land, Water and Planning (DELWP) is committed to protecting personal information provided by you in accordance with the principles of the Victorian privacy laws. The information you provide will be used to monitor compliance with licence conditions and to provide information about any changes to legislative requirements. Your contact details may also be used by DELWP or its contracted service providers under confidentiality agreements to survey you about your experience with DELWP or to seek feedback related the keeping of wildlife. A licence may not be issued if the information required is not provided.

The information you provide will also be made available to any authorised law enforcement agency.

You may access the information you have provided to DELWP by contacting the Privacy Coordinator on 136 186.

6. Declaration by Producer

"I understand that there are heavy penalties for making a false declaration and that any Authorisation issued as a result of a false declaration will be cancelled and may affect my eligibility to use wildlife for commercial films in future.

I declare that wildlife will not be endangered, killed or abused by the proposed activities or convey that the abuse or misuse of wildlife is acceptable. The welfare of wildlife will be maintained at all times. The details provided by me on this form are true and correct and that I have obtained and read and will abide by the current 'Code of practice for the welfare of film animals'.

I also consent to the collection, use and disclosure of my Personal Information for the purposes described in Part 5."

Signature of Producer

Date

7. Declaration by Wildlife Licence Holder

"I understand that there are penalties for making a false declaration and that any Authorisation issued as a result of a false declaration will be cancelled and may affect my eligibility to use wildlife for commercial films in future.

I declare that wildlife will not be endangered, killed or abused by the proposed activities or convey that the abuse or misuse of wildlife is acceptable. The welfare of wildlife will be maintained at all times. All details provided by me on this form are true and correct and that I have obtained and read and will abide by the 'Code of practice for the welfare of film animals'.

I also consent to the collection, use and disclosure of my personal information for the purposes described in Part 5."

Signature of Wildlife Licence Holder

Date

Please send your completed application form to:

wildlifelicencing@delwp.vic.gov.au

or post to:

**Permissions Delivery
Department of Environment, Land, Water and Planning
475 Mickleham Rd
Attwood VIC 3049**

CONTACTS

Wildlife Licensing
Department of Environment, Land, Water and Planning
PO Box 500 East Melbourne VIC 8002

DELWP Customer Service Centre 136 186

GENERAL INFORMATION

It is unlawful to use wildlife in commercial films without first obtaining written authorisation from the Secretary. A commercial film is defined under the Wildlife Regulations as including, but not limited to, commercial films, theatrical productions, television productions and advertisements.

Permission to film wildlife held under licence will only be granted if the Secretary can be reasonably satisfied that:

- wildlife will not be endangered, killed, stressed or abused either intentionally or inadvertently by proposed activities;
- wildlife that is sick, injured, diseased or stressed or not self-sufficient cannot be used for filming; and
- the proposed production does not portray or create an impression that the abuse or misuse of wildlife is acceptable or desirable.

Any licence holder seeking permission to use/provide wildlife in a production that proposes to intentionally kill, injure, stress or abuse wildlife for entertainment purposes or creates the impression that abuse or misuse of wildlife is desirable will be refused.

The use of wildlife that is deemed not to be self-sufficient under the Wildlife Regulations 2013 will not be approved for filming. This includes:

- mammals that are not fully weaned;
- if a flighted bird, is too young to fly or if a flightless bird, is less than 4 weeks old;
- any wildlife that is obviously diseased, sick or injured;
- an egg.

You should allow 1 to 2 weeks for your application to be approved.

An incomplete application or insufficient information may delay approval.

Different laws apply in each Australian State and Territory with respect to wildlife. Consequently, the wildlife laws of other States and Territories do not necessarily apply in Victoria. If in doubt, call the DELWP Customer Service Centre.

In Victoria wildlife is protected under the *Wildlife Act 1975* the Wildlife Regulations 2013 and *the Prevention of Cruelty to Animals Act 1986*.

Other legal obligations

In addition to the conditions of the Secretary's written approval, the use of wildlife in commercial films must comply with the *Wildlife Act 1975*, the Wildlife Regulations 2013 and the relevant Code of Practice, as well as any relevant Federal or State legislation or by-laws or other requirements of the relevant local government where the production is to occur.

Codes of Practice

Licence holders and producers should obtain and be familiar with the Victorian Code of practice for the welfare of film animals. Copies can be obtained online from www.agriculture.vic.gov.au or by contacting 136 186.

WILDLIFE FOR USE IN COMMERCIAL FILMS

Only wildlife held under a Wildlife Demonstrator, Wildlife Displayer or Wildlife Taxidermist Licence can be used in commercial filming.

A licensed Wildlife Demonstrator may provide wildlife of any taxon listed in Schedules 2, 3 or 4, or specified by the Secretary in the Demonstrator's Licence, for use in commercial films.

A licensed Wildlife Displayer may provide any wildlife for use in commercial films.

A licensed Wildlife Taxidermist may provide parts or complete specimens of dead wildlife that are of the taxa listed in Schedules 2, 3, 4, and 7 for use in commercial films.

In all cases, a written authorisation is required prior to the commencement of filming or theatre productions.

WILDLIFE OFFICERS

An Authorisation holder has certain rights and obligations.

If requested, you must:

- give the officer your full name and correct 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 may request a receipt for anything seized from you.

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To receive this publication in an alternative format, please contact DELWP on 136 186 or at customer.service@delwp.vic.gov.au. You can also contact DELWP via the National Relay Service on 133 677 or www.relayservice.com.au.

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