

# Wildlife Controller Licence Guide

THINGS YOU NEED TO KNOW 2025



## **Conservation Regulator**

# Wildlife Controller Licence Guide

→ Read online

vic.gov.au/wildlife-controller-licence-guide

#### **Traditional Owners 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.

#### **Accessibility**

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#### Produced by the Conservation Regulator

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# Introduction

Licensed wildlife controllers can remove wildlife of the species listed on their licence from situations where it presents a danger to people or is damaging property. The purpose of this guide is to assist holders of a wildlife controller licence to meet the conditions of their licence.

→ Visit Wildlife Regulations 2024

legislation.vic.gov.au/in-force/statutory-rules/wildlife-regulations-2024

It is important wildlife in the wild are kept free of human intervention for the health and safety of both wildlife and people. However, in some circumstances wildlife may find themselves in situations that create unacceptable risks to human safety, or where they may cause damage to property through behaviours that conflict with human activities and land use.

In circumstances where wildlife populations are secure and animal welfare can be appropriately managed, wildlife controller licence holders are able to capture and dispose of or release certain species to urgently address damage or danger.

As a commercial licence type, the holder of a wildlife controller licence can charge customers a fee to carry out these activities.

This guide outlines the requirements of a wildlife controller licence as set by legislation and in licence conditions. It sets out the objectives of each requirement and provides information about how to comply. This guidance stipulates where an action is mandatory to meet the conditions of a wildlife controller licence for example, where guidance specifies an action *must* occur.

In some instances the information is not mandatory but intended to assist licence holders in understanding their entitlements and indicating best-practice, for example, where guidance specifies an action *should*, *may*, or *can* occur. This guidance also indicates options on how licence holders might comply with conditions where there are multiple viable methods to meet the obligation.

Some wildlife licences may be subject to additional conditions. Please ensure you read your licence conditions carefully, and your activities comply with all conditions associated with your specific wildlife controller licence.

If you have questions about how to comply with specific conditions in your licence, call or email us

 € Call
 DEECA Customer Contact
 136 186

 ☑ Email
 wildlifelicensing@deeca.vic.gov.au

#### Wildlife licences in Victoria

All wildlife in Victoria is legally protected. The Conservation Regulator administers licences, permits and authorisations under the Wildlife Act, which allows the holder of a certain licence type to engage in specific activities relating to wildlife that are illegal for non-licence holders.

Information about the different types of wildlife licences, and how to apply, can be found on our website.

Visit vic.gov.au/wildlife-licences-and-permits
 Visit legislation.vic.gov.au/in-force/statutory-rules/wildlife-regulations-2024
 Visit vic.gov.au/commercial-wildlife-licences

# All wildlife licence types fall into two categories

1 Commercial wildlife licence

Commercial licences allow the holder to engage in business activities relating to wildlife. The wildlife controller licence is an example of a commercial licence. These licences can be issued to a person, corporation, company or other business entity.

2 Private wildlife licence

Private wildlife licences are designed for individuals who want to keep small numbers of wildlife at home. Private wildlife licence holders are not permitted to engage in commercial activities relating to wildlife, and the wildlife must be kept at the address specified in the licence.

# Wildlife conditions that may be attached to a wildlife licence

There are two sets of conditions that may be attached to a wildlife licence:

- 1 Conditions that are stipulated in the Wildlife Regulations. The Wildlife Regulations state who those conditions apply to, and that ranges from all wildlife licence holders to all wildlife controller licence holders.
- 2 Additional conditions that are applied by the Conservation Regulator that are needed to further protect animal welfare, biodiversity, public safety, or to ensure that the regulator can perform its role effectively. The power for the Conservation Regulator to apply these conditions is provided in Section 22(3)(b)(ii) of the Wildlife Act.

# What a wildlife controller licence allows you to do

Wildlife controller licence holders can control certain wildlife species in specific circumstances. The species you are authorised to control under your licence with no further permission required are listed in your licence conditions and are generally limited to:

- Indigenous reptiles.
- Brushtail possums.
- Sulphur-crested cockatoos, long-billed corellas and galahs.

You can only control these species when they are damaging property or are a danger to people, as otherwise specified in your licence conditions.

Sometimes you may receive a request to relocate wildlife, even when the wildlife are not dangerous to people or causing property damage. In these circumstances, the landowner or manager needs an Authority to Control Wildlife to allow the wildlife to be relocated, even if the relocation is to be carried out by the holder of a wildlife controller licence. See <u>Authority To Control Wildlife</u> on page 10 for further information.

You may hold other wildlife licences and authorities apart from your wildlife controller licence. However, the intent and activities permitted under each licence category are different, so you must keep any activities permitted under your wildlife controller licence separate from any other licences and authorities.

→ | Page 10 <u>Authority To Control Wildlife</u>

# What you cannot do under a wildlife controller licence

You cannot keep, trade, display, buy, sell, or breed wildlife under your wildlife controller licence. You cannot disturb or interfere with wildlife under your wildlife controller licence except as specifically provided for in your licence conditions.

Your licence only allows you to take, dispose of, or destroy of wildlife where they are causing damage or are a danger to people, and are a species specified on your licence. This wildlife must be in your possession for the minimum practicable time prior to release or other lawful disposal, and that disposal must occur on the day of capture or as otherwise specified in your licence conditions.

You cannot relocate non-dangerous wildlife under your wildlife controller licence. For example, you cannot relocate turtle species from dams or ponds and cannot control or relocate non-dangerous reptiles such as blue-tongued lizards (*Tiliqua*). In Victoria, sick, injured, or orphaned wildlife can only be rehabilitated by a wildlife rehabilitator. A wildlife rehabilitator is a wildlife shelter operator or foster carer who is authorised under section 28A of the Wildlife Act.

It is illegal to keep any wildlife taken from the wild. This includes under your wildlife controller licence. You may only possess wildlife to transport it to a release site, to the holder of a Rehoming Wildlife Authorisation in accordance with your conditions, or to a vet for treatment or euthanasia if necessary. You cannot transfer wildlife controlled under your wildlife controller licence into your possession under another licence or any authorisation, including a rehabilitation authorisation.

You must not display your control activities to the public or allow your activities to be filmed by the public as much as reasonably practicable. This includes display of images or videos of wildlife control activities through traditional or social media.

You may not use wildlife as a lure, bait, or decoy to attract any other wildlife or to assist in capture.

#### What does reference to the Secretary mean?

A Secretary leads a government department, and is granted powers under different legislation, including Acts and regulations. Throughout this guide, the legislation refers to the Secretary in relation to licences. The Secretary in this circumstances is the Secretary of the Department of Energy, Environment and Climate Action (DEECA). The Secretary has the discretion to delegate powers they hold in legislation to other persons within their government department, which allows other people to also exercise these powers – without preventing the Secretary doing so when required.

The Secretary has delegated powers under the *Wildlife Act 1975* in regard to licences to the Conservation Regulator, so guidance throughout this document will refer to the Conservation Regulator as the decision maker for these powers. Similarly, references to the Secretary in legislation quoted in this document can be taken as references to the Conservation Regulator.

## **Conservation Regulator**

#### **Role of Authorised Officers**

The Conservation Regulator's Authorised Officers monitor compliance with and enforce laws relating to natural resources, public land, and wildlife. Authorised Officers work with the community, including wildlife licence holders, to support them to understand and meet their responsibilities.

Authorised Officers are authorised under specific legislation to enforce the law, including issuing infringement notices that carry penalties for not complying. Under the Wildlife Act, Authorised Officers have the power to, at any reasonable time, and having regard to the circumstances:

- Enter, inspect, or search any property, buildings, structure, vehicles, or boats for the purposes of the Wildlife Act. This can occur with or without notice.
- Ask to see, inspect, or take photos of any wildlife held under your authorisation or wildlife licence.
- Ask to see, inspect, or make copies of your record books and any other documentation associated with your authorisation or wildlife licence.
- Inspect any parcel, bag, or receptacle the officer reasonably believes is being used or is likely to be used in contravention of the Act (for example, a cardboard box they believe holds wildlife, a hunter's bags, or esky).
- Investigate reports of alleged illegal activity relating to wildlife.
- Seize wildlife in your possession, if the officer reasonably believes an offence against the Act has been, is being, or is about to be, committed.
- Seize anything which the officer believes has been used or has assisted with an offence against the Act.
- Direct you in writing to make specific changes or alterations to animal enclosures. This must be done within the period specified in the direction.

If requested, you must:

- Give the Authorised Officer your name and address.
- Allow an Authorised Officer to inspect wildlife
  held by you (including inside your house at any
  reasonable time) for monitoring compliance with
  the Wildlife Act, regulations, and conditions of your
  licence. If you do not provide reasonable access to
  all wildlife you hold, your licence may be cancelled.
- Produce your record book for inspection.
- Allow the Authorised Officer to search your vehicle, boat, or property.
- Provide anything the Authorised Officer tells you is seized.
- Comply with any legal notice issued under the Wildlife Act regarding wildlife in your possession.
- Not obstruct, threaten, or abuse an Authorised Officer during the conduct of their duties.

You can expect our Authorised Officers will act with honesty, impartiality and in a way that is procedurally fair. We will engage with you respectfully and in good faith and we ask that you do the same. Whilst we will undertake a number of activities to support you to understand and comply with the laws we regulate, the responsibility for complying with the law rests with you as a wildlife licence holder.

You have rights when interacting with an Authorised Officer, including the right to ask to see an Authorised Officer's identification, not answer any questions that you think might incriminate you, request a receipt for anything seized from you (including wildlife), and request that an officer visit your home at a more reasonable time. You will be informed of your rights if you are being interviewed about an offence. You must, however, state your full name and correct address if asked.

If you have a complaint about the way an Authorised Officer or Forest and Wildlife Officer has interacted with you, you can submit a complaint to the department by emailing or writing to us. Further information about our complaint handling process is available on the DEECA contact webpage.

	deeca.vic.gov.au/our-department/contact-us
☑ Email	CR.internalreview@deeca.vic.gov.au
	Conservation Regulator Internal Review, PO Box 500, East Melbourne VIC 8002

#### Failure to comply with the law

Failure to comply with the conditions, limitations or restrictions of your licence is an offence under section 22(6) of the Wildlife Act. Failure to comply can result in fines of up to 100 penalty units (over \$19,000) and may result in your licence being suspended, cancelled, or not renewed.

#### **Penalties for cruelty**

In addition to your wildlife licence conditions, you are obligated to adhere to other relevant legislation. The welfare of all animals in Victoria is protected under the *Prevention of Cruelty to Animals Act 1986* (POCTA Act). Anyone who commits an act of cruelty is liable for an offence under the POCTA Act. Failure to comply with some of the conditions of your licence may also be an offence under the POCTA Act.

The penalties for offences under the POCTA Act are serious. Penalties include fines of over \$40,000 or jail for up to 12 months for animal cruelty (for individuals), and fines of over \$80,000 or imprisonment for up to two years for aggravated cruelty. Aggravated cruelty is cruelty that causes the death or serious disablement of an animal.

# Penalties for illegally obtained or traded wildlife

A wildlife controller licence only permits the control and temporary possession of wildlife. Keeping and trading of wildlife are not permitted under this licence. Disposal of controlled wildlife may only occur by:

- Release to the wild, in accordance with conditions.
- In-field euthanasia, in accordance with conditions.
- Humane destruction or euthanasia by vet.
- Giving the wildlife to the holder of a rehoming wildlife authorisation.

When disposing of wildlife to the holder of a rehoming wildlife authorisation, ensure the authorisation is current and valid. If you are not sure if a wildlife licence is valid or required, <u>email us</u>.

Under no circumstances can you keep or possess beyond day of capture wildlife obtained from the wild. In Victoria, sick, injured or orphaned wildlife can only be rehabilitated by a wildlife rehabilitator. A wildlife rehabilitator is a wildlife shelter operator or foster carer who is authorised under section 28A of the Wildlife Act.

It is an offence to possess wildlife from an unlawful source under sections 45 and 47 of the Wildlife Act. This includes animals from the wild.

Offences under section 45 carry a penalty of 240 penalty units (over \$45,000) or 24 months imprisonment, or both the fine and imprisonment and an additional penalty of 20 penalty units (over \$3,500) for every head of wildlife in respect of which an offence has been committed.

Offences under section 47 carry a penalty of 50 penalty units (over \$9,500) or 6 months imprisonment, or both the fine and imprisonment and an additional penalty of 5 penalty units (over \$900) for every head of wildlife in respect of which an offence has been committed.

If wildlife is offered to you from an unlawful source, do not accept the animal and call or email us.

Call Crime Stoppers Victoria 1800 333 000
DEECA Customer Contact 136 186
Email wildlifelicensing@deeca.vic.gov.au

## Report illegal possession of wildlife and non-compliance

You can report wildlife crime to Crime Stoppers.

This includes if you suspect that someone is holding wildlife unlawfully.



Call Crime Stoppers Victoria

1800 333 000



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crimestoppersvic.com.au/report-a-crime

Report someone not complying with the conditions of their authorisation by phone, email or in person.



Call DEECA Customer Contact

136 186



wildlifelicensing@deeca.vic.gov.au



In person

deeca.vic.gov.au/communities-and-regions/regions-and-locations



# Wildlife controller licence conditions

These conditions apply to all wildlife controller licences. These include the conditions that are specified in the Wildlife Regulations 2024, plus additional conditions applied by the Conservation Regulator to further protect animal welfare, biodiversity, biosecurity, public safety, or to ensure that the regulator can perform its role effectively.

## **General control requirements**

#### Control and possession of wildlife

A wildlife controller licence authorises the licence holder to take from the wild and to destroy or dispose of, but not sell, wildlife that is damaging property or is a danger to persons if—

- **a** the wildlife is a taxon of wildlife that is listed in Schedule 6 and specified in the licence; or
- **b** if no taxon of wildlife is specified in the licence, the wildlife is listed in Schedule 6.
- WILDLIFE REGULATIONS 2024, REG 12

#### **Objective**

To clarify the purpose of the wildlife controller licence.

#### How to comply

Licensed wildlife controllers can remove indigenous reptiles, common brushtail possums, sulphur-crested cockatoos, long-billed corellas and galahs from situations where they present a danger to people or are damaging property. Wildlife must either be removed and released or destroyed as per the conditions specified in the licence.

A wildlife controller licence allows the temporary possession of wildlife from the wild and does not under any circumstances allow any keeping of wildlife, or the possession of wildlife beyond the entitlements to capture, transport, and dispose of the wildlife in accordance with your licence conditions. Disposal methods are limited to those listed under your licence conditions – see <u>Disposal of wildlife</u> on page 14 for more information.

The control and lawful disposal of wildlife under a wildlife controller licence must occur on the same calendar day. In the unlikely event that control occurs at or close to midnight preventing disposal on the day of capture, the Conservation Regulator accepts that disposal on the same calendar day may be impractical. In this case, disposal must occur as soon as possible, and possession may not exceed 24 hours.

The exception to the requirement to seek disposal of controlled wildlife on the day of capture is for controlled reptiles that do not naturally occur in the area they are found, Reptile control on page 20.

When you control wildlife under your licence, you are not permitted to trade, transfer or otherwise provide that wildlife to any other person, including the holder of a commercial or private wildlife licence, unless they are specifically listed in the disposal options for the species. See <u>Additional control conditions for specified wildlife species</u> on page 16 for further information on disposal.

If you hold another licence which allows the keeping of wildlife, it is recommended that you do not use the same equipment utilised for control of wild wildlife under your wildlife controller licence to care for, handle or interact with any captive wildlife. The use of equipment across wild and captive wildlife populations may allow the spread of disease.

Wildlife must only be controlled where it is damaging property or a danger to persons, and only wildlife listed on the licence is eligible for control. See Wildlife eligible for control on page 10 for further information.

- $\rightarrow$ | Page 14 <u>Disposal of wildlife</u>
- $\rightarrow$ | Page 20 Reptile control
- $\rightarrow \mid \mathsf{Page}\,\mathsf{16} \ \ \, \underbrace{\mathsf{Additional}\,\mathsf{control}\,\mathsf{conditions}\,\mathsf{for}\,\mathsf{specified}}_{\mathsf{wildlife}\,\mathsf{species}}$
- $\rightarrow$ | Page 10 Wildlife eligible for control

#### Wildlife eligible for control

It is a condition of any wildlife controller licence that if the licence holder is employed by an owner, occupier or manager of land to take or destroy wildlife listed in Schedule 6, the licence holder must ensure that the owner, occupier or manager of the land holds an authorisation issued under Part IIIA of the Act unless—

- **a** the wildlife is declared by the Governor in Council to be unprotected in that area; or
- b the licence holder is taking or destroying reptiles
- WILDLIFE REGULATIONS 2024, REG 60(2)

#### **Objective**

To ensure only species that are eligible for control are controlled under a wildlife controller licence.

#### How to comply

You can only engage in control activities for the species of wildlife listed on your licence, and only where they are causing damage to property or pose a danger to humans. All wildlife controller licences have the same species list, which is:

- Indigenous reptiles.
- Common brushtail possums.
- Sulphur-crested cockatoos.
- Galahs.
- Long-billed corellas.

Control activities involving any species other than the above, or control activities where wildlife-caused damage or danger is not present are not covered by your licence. Control of common brushtail possums, sulphurcrested cockatoos, galahs, and long-billed corellas must occur in accordance with both the specific licence conditions, and with the conditions of the Governor in Council orders declaring those species unprotected in certain circumstances. See Additional control conditions for specified wildlife species on page 16 for further information on the requirements of Governor in Council orders.

#### **Authority To Control Wildlife**

If you are engaged to undertake wildlife control on behalf of a landowner, occupier or manager outside the entitlements covered by your licence, then the landowner, occupier or manager must hold a valid Authority To Control Wildlife (ATCW) for the activity. See our website for more information on wildlife management and control authorisations.

In these circumstances, you are not operating under your wildlife controller licence, and the activity does not need to be entered into the record book for your wildlife controller licence. Instead, you must comply with the conditions of that ATCW and carry a copy of the ATCW allowing the activity in the course of your duties.

An ATCW allows disturbance, capture, and/or relocation of wildlife when intervention is considered necessary and other management options are not possible. The relevant landowner, occupier or manager must apply for an ATCW – you may not apply for an ATCW on their behalf. Information on applying for an ATCW is available on the Conservation Regulator website.

✓ Visit vic.gov.au/wildlife-management-and-control-authorisations
 ✓ Visit vic.gov.au/authority-control-wildlife-atcw-application-form-guide



#### Permission from land holder

It is a condition of any wildlife controller licence that the licence holder must not take or destroy wildlife on any land (whether it is private land or Crown land) without the prior written approval of the owner, occupier, or manager of that land.

WILDLIFE REGULATIONS 2024, REG 60(1)

#### Objective

To ensure control only occurs as required and requested by landowners, occupiers, or managers; to protect the privacy of these persons; and to prevent unnecessary control activities.

#### How to comply

Written approval for wildlife control from the landowner, occupier or manager is required to ensure:

- Permission for access is provided prior to control.
- The scope or purpose of the land-owner approval is clear
- The land manager understands what they are providing permission for.

You must only undertake control activities on the request of the landowner or manager. You cannot self-deploy to control a perceived issue, or a wildlife issue raised by a member of the public other than the landholder, including a neighbour.

Written approval may take the form of a contract for services, or a form-letter signed by the landowner, occupier or manager that:

- Specifies the services requested, including species targeted for control, control location, and control timeframe.
- Consents to land access by the wildlife controller licence holder.

The written approval from the landowner, occupier or manager is a business document, and a copy (electronic or paper) should be maintained with your records for no less than two years from the date of the control activity. This written approval may be requested by Authorised Officers during compliance monitoring activities.



#### Display of wildlife prohibited

It is a condition of any wildlife controller licence that the licence holder must not display to the public the wildlife, or any operations undertaken in accordance with the licence.

WILDLIFE REGULATIONS 2024, REG 63

#### **Objective**

To protect the welfare of people and wildlife during control activities, and to ensure that observation of control activities does not contribute to unauthorised control activities, such as unskilled copycat behaviour.

#### How to comply

Your licence is not intended for education or display, including for service promotion. There are other licences prescribed for this purpose. You must not display any control activities or wildlife being controlled to the public. Display for these purposes means:

- Direct observation of your control activity or captured wildlife by anyone other than the licence holder or their employees.
- Requesting, consenting to, or promoting filming and/or photographing of your control activity by an unlicensed person.
- Publishing video or images of your control activity through traditional or social media, including reposting video or images taken by others.

Control activities include every step of wildlife control. This includes but is not limited to species identification, wildlife capture, wildlife transport, and release, destruction or disposal of wildlife.

Display of control activities to the public can be dangerous for both people and wildlife. Display of control operations generally prolongs the period of wildlife handling and exposure, increasing stress and impacting welfare.

Where bystanders are in proximity to observe control behaviour, the risk of adverse contact with wildlife increases.

In limited circumstances, the display of control activities may encourage a false confidence and increase in copycat behaviour. This occurs where people believe they have observed enough expert control activities to undertake these activities themselves, in particular on encountering venomous snakes. Control of wildlife should only be conducted by licensed, experienced persons, and limiting the availability of filmed control activities may assist in limiting the incidence of this behaviour for the safety of both people and wildlife.

If a person is observing, filming, or otherwise recording your control activity, you must take reasonable steps to stop the filming and move the person away from the area where safe to do so.

An exception to this rule is a reasonable request by the landholder or manager to oversee works on their property. This must be at a safe distance, not interfere with control activity, and does not extend to allowing display of your control activities through published filming or photography.

When releasing wildlife, move away from the area as quickly and safely as possible to allow the wildlife to adjust and prevent unnecessary wildlife disturbance. Do not film wildlife on release or allow another person to film the release of wildlife.

Any publication of your control activities, including through social or traditional media, will be subject to investigation. Breach of this condition may result in fines in addition to restrictions on your licence entitlements, licence suspension, or licence cancellation.

#### **Equipment**

- 1 It is a condition of any wildlife controller licence that the licence holder must only use equipment that is specified in the licence for taking or destroying wildlife.
- 2 It is a condition of any wildlife controller licence that the licence holder must attach a clear label specifying the wildlife licence number to all equipment specified in the licence that is to be used in connection with the licence.
- WILDLIFE REGULATIONS 2024, REG 61

#### Objective

To protect animal health and wildlife biosecurity, and to indicate legitimacy of activities to observers.

#### How to comply

Control has the potential to be detrimental to wildlife welfare. Control activities should be undertaken in a way that reduces the risk of wildlife distress or injury, and wildlife suffering resultant from control activity should be minimised even if the final outcome of the wildlife is death.

For this reason, only specified control measures are permitted to be used under the conditions of your wildlife controller's licence. You must only use only this equipment that is specified in your licence while conducting control activities.

- For indigenous reptiles, equipment is limited to catching sticks, catching bags or nooses. See Reptile control on page 20 for more information.
- For brushtail possums, equipment is limited to confinement traps. See <u>Common brushtail possum</u> <u>control</u> on page 18 for more information.
- For sulphur-crested cockatoos, galahs, and longbilled corellas, this is limited to firearms meeting the specifications below.

SPECIES	FIREARM	SHOT SIZE	MAXIMUM RANGE METRES
Sulphur-crested cockatoo	12-gauge shotgun	3s – 5s	30
Long-billed corella	12-gauge shotgun	3s – 5s	30
Galah	12-gauge shotgun	4s – 6s	30

See <u>Sulphur-crested cockatoo</u>, <u>long-billed corella</u>, and galah control on page 16 for more information.

If you wish to use additional or alternative control equipment outside the items listed, you need to seek prior written permission from the Conservation Regulator. You can <u>email us</u> your request for consideration.

#### **Biosecurity**

Contagious diseases that present a risk to other wildlife and to humans are present in wild animal populations. To prevent transfer of disease between animals, species, and locations, it is recommended that you keep equipment used for controlling wildlife separate from equipment used for captive wildlife or control of non-native species.

Your equipment for control must be clearly marked with your licence details. This can help distinguish between equipment used for wildlife control, and equipment used for other activities including handling of captive wildlife or non-native species. Additionally, the display of licence details legitimises activities otherwise illegal if observed by the public and can prevent false reporting. If asked by an Authorised Officer, you must allow them to inspect your equipment.

As a further measure to prevent and manage the spread of disease, it is recommended that you take steps to prevent direct skin contact during handling as much as possible and if necessary, wash your hands after every control activity. You should also clean your equipment with veterinary disinfectant after each use.

$\rightarrow$	Page 20	Reptile control
$\rightarrow$	Page 18	Common brushtail possum control
$\rightarrow$	Page 16	Sulphur-crested cockatoo, long-billed corella, and galah control
7	Visit	vic.gov.au/rehoming-wildlife-authorisation
S	Email	wildlifelicensing@deeca.vic.gov.au

#### Disposal of wildlife

It is a condition of any wildlife controller licence that the licence holder must not dispose of wildlife to any person or organisation, unless the disposal is—

- **a** to a person or an organisation specified in the licence; or
- **b** in accordance with the prior written approval of the Secretary.
- **WILDLIFE REGULATIONS 2024, REG 62**

#### **Objective**

To prevent wild animals from entering the captive trade, and to restrict unauthorised access to wildlife.

#### How to comply

Each species listed under the wildlife controller licence for control has specific allowable methods for disposal following control. Disposal may include transfer of the wildlife to a registered veterinarian, release, or destruction as specified in the conditions.

If you wish to dispose of wildlife to a person or organisation not covered by the conditions, you need to seek prior written permission from the Conservation Regulator. You can email us your request for consideration.

#### Indigenous reptiles

Where the natural range of a species includes the location of capture, allowable disposal methods are:

- Release to the wild on public land within five kilometres of the capture site.
- Destruction by registered veterinarian where release per above cannot be facilitated.
- If the reptile is sick or injured on capture, euthanasia by a registered veterinarian or transfer to the care of a wildlife shelter or foster carer authorised under the Wildlife Act.
- If the reptile is sick or injured on capture, in-field euthanasia by the licence holder.

Disposal must be carried out on the same day the wildlife is controlled. Other than those listed above, no person is able to take possession of this controlled wildlife. Where the natural range of the species does not include the location of capture (that is, the species is indigenous to Australia but not naturally found at the control site) allowable disposal methods include:

- Destruction or euthanasia by a registered veterinarian on the day of capture.
- Transfer to the holder of a Rehoming Wildlife authorisation under S.28A of the Wildlife Act within 72 hours of capture.

Other than registered veterinarians and the holders of a S.28A Rehoming Wildlife authorisation, no other person is authorised to take possession of this controlled wildlife. It is not your responsibility, nor is it lawful under your licence, for you to reunite lost pets with potential owners, to transfer the wildlife to any other person, or to retain possession of wildlife. More information on rehoming wildlife authorisations can be found on our website. See Reptile control on page 20 for more information.

#### **Brushtail possums**

The allowable disposal methods are release on the property where control occurred within 50 metres of the capture site after sunset on the day of capture, or humane destruction via registered veterinarian. Other than registered veterinarians, no other person is authorised to take possession of this controlled wildlife. See Common brushtail possum control on page 18 for more information.

Sulphur-crested cockatoos, galahs, and long-billed corellas

There is no specified disposal method, as control is via lethal means only and the carcasses of controlled birds must remain and be disposed of at the property where the control occurred. Disposal must occur as per your licence conditions. See Sulphur-crested cockatoo, long-billed corella, and galah control on page 16 for more information.

 → | Page 20
 Reptile control

 → | Page 18
 Common brushtail possum control

 → | Page 16
 Sulphur-crested cockatoo, long-billed corella, and galah control

 ✓ Visit
 vic.gov.au/rehoming-wildlife-authorisation

 Email
 wildlifelicensing@deeca.vic.gov.au

## Additional wildlife controller licence conditions

#### Prohibition on keeping wildlife

This licence does not permit the keeping of wildlife. All wildlife controlled under this licence must be released, destroyed, or otherwise disposed of in accordance with licence conditions on the day of capture, unless otherwise specified.

WILDLIFE CONTROLLER LICENCE CONDITION 1

#### **Objective**

To prevent wildlife being taken from the wild and kept in captivity.

#### How to comply

A wildlife controller licence allows the temporary possession of wildlife from the wild and does not under any circumstances allow any keeping of wildlife, or the possession of wildlife beyond the licence entitlements to capture, transport, and dispose of the wildlife in accordance with licence conditions.

The control and lawful disposal of wildlife under a wildlife controller licence must occur on the same calendar day. In the unlikely event that control occurs at or close to midnight preventing disposal on the day of capture, the Conservation Regulator accepts that disposal on the same calendar day may be impractical. In this case, disposal must occur as soon as possible, and possession may not exceed 24 hours.

The exception to the requirement to seek disposal of controlled wildlife on the day of capture is for controlled reptiles that do not naturally occur in the area they are found (see Reptile control on page 20).

You may not keep controlled wildlife in your home, possess controlled wildlife for periods longer than specified in the conditions, or undertake other activities involving wildlife under your wildlife controller licence. If you want to keep wildlife or undertake other activities in regard to wildlife, visit the Conservation Regulator website at <u>Keeping and trading wildlife</u> to understand the different licence types.

If you have multiple wildlife licences, any wildlife taken under your wildlife controller licence (that is, wildlife taken from the wild) that is in your possession as allowed by your conditions must be completely separated from captive wildlife held under any other licences or authorities.

→ | Page 20 Reptile control

→ Visit vic.gov.au/keeping-and-trading-wildlife

#### Species eligible for control

Of the species listed in Schedule 6 of the Wildlife Regulations, only the following may be controlled under this licence in accordance with the circumstances set out below:

- a Sulphur-crested cockatoo (Cacatua galerita), long-billed corella (Cacatua tenuirostris) and galah (Cacatua roseicapilla).
- **b** Common brushtail possum (*Trichosurus vulpecula*); and
- c All indigenous reptiles.
- 7 WILDLIFE CONTROLLER LICENCE CONDITION 2

#### **Objective**

To limit the species that can be controlled under a wildlife controller licence to those likely to cause damage or present danger to people, and where the control methods that protect animal welfare and preserve human safety are clearly defined.

#### How to comply

You can only engage in control activities for the species of wildlife listed on your licence:

- Indigenous reptiles.
- · Common brushtail possums.
- Sulphur-crested cockatoos.
- Galahs.
- Long-billed corellas.

Control activities involving any other species, or control activities where wildlife-caused damage or danger is not present are not covered by your licence. See <u>Authority To Control Wildlife on page 10</u> for further information.

ightarrow | Page 10 | Authority To Control Wildlife

## Additional control conditions for specified wildlife species

## Sulphur-crested cockatoo, long-billed corella, and galah control

Sulphur-crested cockatoos, long-billed corellas and galahs may only be lethally controlled using firearms in accordance with the *Firearms Act 1958* and the specifications (right):

SPECIES	FIREARM	SHOT SIZE	MAXIMUM RANGE METRES
Sulphur-crested cockatoo	12-gauge shotgun	3s – 5s	30
Long-billed corella	12-gauge shotgun	3s – 5s	30
Galah	12-gauge shotgun	4s – 6s	30

#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 3

Control of birds in accordance with this licence may only be conducted in daytime hours.

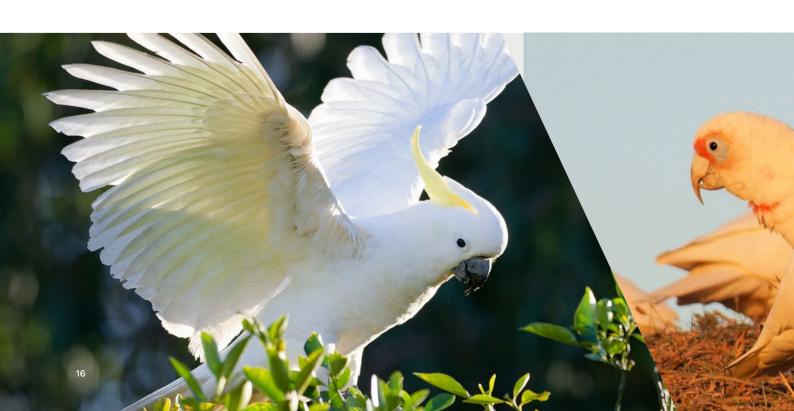
#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 4

Only one bird may be targeted for control at a time. Birds controlled in accordance with this licence must be confirmed dead before moving on to targeting the next bird, and all targeted birds must be confirmed dead prior to leaving the property where control has taken place.

#### WILDLIFE CONTROLLER LICENCE CONDITION 5

Sulphur-crested cockatoos, long-billed corellas and galahs controlled in accordance with this licence must not be taken from the property on which the control has taken place.

WILDLIFE CONTROLLER LICENCE CONDITION 6



#### **Objective**

To mitigate reasonably predictable welfare risks to sulphur-crested cockatoos, galahs and long-billed corellas during control, and to ensure that control is targeted towards addressing damage rather than being conducted for any other reason.

#### How to comply

Control of sulphur-crested cockatoos, galahs and long-billed corellas must follow the conditions of your wildlife controller licence and the Governor in Council Order that declares these species unprotected in certain situations.

The approved control equipment for these species is a 12-gauge shotgun with a minimum shot size and a maximum targeting distance of 30 metres. This ensures:

- Shot size and spread are sufficient for humane destruction.
- Reduced likelihood of injury without death.
- Positive species identification prior to control
- Effective proximity to deter or disrupt damage-causing behaviour.

Only the use of firearms is permitted under the relevant Governor in Council Order (Government Gazette 26, 4 July 1996), meaning any other method of control will require additional permission. <u>Email us</u> if you wish to seek approval to use alternative control methods.

To legally use a firearm, wildlife controller licence holders must comply with the *Firearms Act 1996*, including holding a valid firearms licence and ensuring human safety. You may also need a Public Place Permit from Victoria Police. For more information, visit the <u>Victoria Police website</u> or call Victoria Police Licensing Services.

To minimise welfare risks:

- Control must only target one animal at a time, not a group or flock.
- The firearm must be aimed and discharged with intent to kill the targeted animal immediately.
- The targeted animal must be confirmed to be dead before targeting another animal.

This time-spaced shooting also provides a constant deterrent to damage-causing wildlife behaviours on the property, such as feeding on crops or grain stockpiles.

Control may only occur after sunrise and before sunset on any day to reduce risks to human safety and animal welfare. Night-time control is prohibited to avoid use of firearms with poor visibility and potential for non-lethal wounding, and to reduce human health and safety risk.

Bird carcasses must remain on the property where control occurred. All wildlife is protected under the Wildlife Act, whether alive or dead, and your licence does not allow for you to keep or possess the wildlife controlled, including any carcass. Removal of any carcass from the property where control occurred will require prior written approval from the Conservation Regulator.

Using baits, lures, decoys, live animals, recorded sounds, electronic devices, or artificial light to attract wildlife is prohibited and considered an offence under Regulation 118 of the Wildlife Regulations 2024.

 ✓ Visit
 police.vic.gov.au/firearms-licensing

 ℰ Call
 Victoria Police Licensing Services
 1300 651 645

 ଙ Email
 wildlifelicensing@deeca.vic.gov.au



#### Common brushtail possum control

Only confinement traps may be used for common brushtail possums (*Trichosurus vulpecula*) and must be designed not to cause injury to wildlife.

#### → WILDLIFE CONTROLLER LICENCE CONDITION 7

Trapped common brushtail possums must be released on the property on which they were captured, up to a maximum of 50 metres from the capture site after sunset on the day of capture.

#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 8

Where release condition is not reasonably possible, common brushtail possums must be humanely destroyed by a registered veterinary practitioner, at the licence holder's expense, within 24 hours of capture.

#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 9

Trapped Common Brushtail possums must be protected from rain or wind, direct sun, and domestic animals at all times.

#### WILDLIFE CONTROLLER LICENCE CONDITION 10

Only common brushtail possums living within buildings or in municipal parks and municipal gardens may be controlled.

GOVERNOR IN COUNCIL ORDER DECLARING COMMON BRUSHTAIL POSSUMS UNPROTECTED: GOVERNMENT GAZETTE 28, 10 JULY 2003, SCHEDULE 1

Trapping in municipal parks and gardens may only occur with the express permission of the land manager and may only be conducted in accordance with a management plan that includes the use of non-lethal methods of damage control.

7 GOVERNOR IN COUNCIL ORDER DECLARING COMMON BRUSHTAIL POSSUMS UNPROTECTED: GOVERNMENT GAZETTE 28, 10 JULY 2003. SCHEDULE 3(B)



#### **Objective**

To mitigate reasonably predictable welfare risks to common brushtail possums during control, and to ensure that control is targeted towards addressing specified damage rather than being conducted for any other reason.

#### How to comply

Control of common brushtail possums must follow the conditions of the Governor in Council Order that declares this species unprotected in certain situations.

Common brushtail possums use tree hollows for shelter, but in residential areas, they often use sheltered spaces in buildings due to a lack of available hollows. Possums living in roof spaces and walls can cause building damage, which is why wildlife controller licence holders can remove them.

On private property, only possums in buildings may be controlled in accordance with the relevant Governor in Council order (Government Gazette 28, 10 July 2003). Possums damaging or living in gardens, depositing faeces, or nesting outside buildings are not eligible for control under a wildlife controller licence.

For efficient control, before trapping it is best practice to determine how many possums are using the building for shelter and ensure the access point for trapped wildlife is repaired afterward to prevent further occupation of the building. Positive species identification is crucial, as Ringtail Possums are not eligible for control unless an Authority to Control Wildlife is issued by the Conservation Regulator. See <u>Authority To Control Wildlife</u> on page 10 for further information.

Only confinement traps (that is, cage traps) may be used for removal. Traps must not cause pain or injury to the animal and should not have hooks or protrusions. Traps must be placed in sheltered areas to avoid exposure to adverse weather conditions and domestic animals.

Traps must be checked every 24 hours, preferably in the morning as traps are not target specific. Nontarget animals must be released promptly and treated if injured.

→| Page 10 <u>Authority To Control Wildlife</u>

If a non-target animal is trapped and uninjured, the required action is dependent on the species category:

Domestic animal	Take to local council or shelter	
Protected wildlife under <i>Wildlife Act</i> 1975	Release at point of capture	
Declared pest under Catchment and Land	Humanely destroy	
Protection Act 1994	If legally-owned, it may be	
List of declared pest species on Agriculture	returned to the owner	
Victoria website		

If a common brushtail possum is trapped, it must be sheltered from stress, adverse weather conditions and domestic animals and either:

- Released on the same property within 50 metres from point of capture after sunset.
- Transported to a veterinarian for humane destruction.

Possums must be released or destroyed humanely within 24 hours. Extended captivity is harmful to their welfare. Releasing a trapped possum other than in accordance with wildlife controller licence conditions is highly likely to lead to territorial conflict and death.

Only registered veterinarians can destroy controlled possums. Field destruction is not permitted to ensure humane treatment.

∀isit agriculture.vic.gov.au/biosecurity/protecting victoria/legislation-policy-and-permits/
 consolidated-lists-of-declared-noxious-weeds and-pest-animals

#### Possum control in municipal parks and gardens

In accordance with the relevant Governor in Council order (Government Gazette 28, 10 July 2003), a wildlife controller licence holder can control possums in municipal parks and gardens upon request by the land manager. Control follows all other conditions of the licence, except that the land manager must have a management plan that includes non-lethal common brushtail possum control alongside trapping.

This management plan is not a document that is assessed or required by the Conservation Regulator but is designed to prompt the land manager to develop and utilise adaptive and varied wildlife management methods suited to the site's circumstances.

Before engaging in control activities, ensure the plan exists and includes non-lethal methods.

### Reptile control

Control of indigenous reptiles endemic to the area of capture may only occur where the animal is damaging property or a danger to persons

#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 11

Control of indigenous reptiles that are not endemic to the area of capture may only occur where the animals is at large outside the natural home range of the species

#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 12

If a reptile taken in accordance with this licence has no visible injuries, is endemic to the area in which it is captured, and there is suitable habitat on public land within five kilometres of the point of capture (unless another distance is specified in writing in by the relevant regional Permissions Lead, Regulatory Operations at the Conservation Regulator), the reptile must be released on that land on the day of capture

#### WILDLIFE CONTROLLER LICENCE CONDITION 13

If there is no suitable habitat on public land on which a reptile can safely be released, it must be humanely destroyed by a registered veterinary practitioner on the day of capture at the expense of the licence holder

#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 14

Non-dangerous locally endemic reptiles must not be controlled, taken, or relocated. Dangerous in this context refers to venomous snakes and endemic species of the genus *Varanus* 

#### WILDLIFE CONTROLLER LICENCE CONDITION 15

If a reptile is captured which is not endemic to the area where it was captured from, it must be either humanely destroyed by a registered veterinary practitioner or disposed of to the holder of a Rehoming Wildlife permission that authorises the rehoming of wildlife within 72 hours of its capture

#### 7 WILDLIFE CONTROLLER LICENCE CONDITION 16

If a reptile which is endemic to the area where it was capture from and is sick or injured, it must be either immediately humanely destroyed in the field or disposed of to a registered veterinary practitioner of to the holder of a Wildlife Shelter or Foster Carer authorisation issued under the Wildlife Act. The accepted form of euthanasia in the field is to crush the skull of the reptile. All destroyed reptiles must be disposed of by incineration or burial

#### 7 WILDLIFF CONTROLLER LICENCE CONDITION 17

Reptiles taken in accordance with this licence may only be captured by use of catching sticks, catching bags or nooses.

7 WILDLIFE CONTROLLER LICENCE CONDITION 18



#### **Objective**

To mitigate reasonably predictable welfare risks to reptiles during control, to prevent controlled wildlife being taken from the wild, and to ensure that control is targeted towards mitigating risk of dangerous wildlife rather than being conducted for any other reason.

#### How to comply

Reptiles generally do not cause property damage that would justify control under a wildlife controller licence. Control for reptiles naturally occurring in Victoria is only required when dangerous reptiles are found near people or frequently used spaces.

Not all reptiles are considered dangerous. It is an offence to disturb or harass wildlife, so only those species which pose a risk of serious harm, injury or death if accidentally interacted with are considered dangerous and therefore eligible for control.

For example, species like blue-tongued lizards or Jacky lizards do not pose significant danger to people if accidentally encountered, so are not eligible for control. Species such as venomous snakes or *Varanus* species monitors (for example, lace monitors) could cause injury or envenomation if startled or accidentally encountered and are considered suitable for control when in close proximity to areas of human use or occupation. In some areas of Victoria, large pythons like the diamond python may also be controlled if found inside homes or vehicles.

Wildlife that is not considered dangerous cannot be relocated under the entitlements of a wildlife controller licence. Relocation requests for non-dangerous wildlife require additional permissions from the Conservation Regulator. See <u>Authority To Control Wildlife</u> on page 10 for further information.

Reptile control must be done using safe, effective tools, currently limited to catching hooks, nooses, and bags, including those held on hoops.

→ | Page 10 Authority To Control Wildlife

#### Disposal of sick or injured reptiles

Once a reptile is captured, conduct a visual examination to determine if it is sick or injured, where safe to do so. You may not retain possession of sick or injured reptiles controlled under your wildlife controller licence. It is a condition of your licence that you destroy or dispose of wildlife controlled under your wildlife controller licence from your possession on the day of capture.

#### Species that naturally occur in the area of capture

Where a controlled reptile is naturally occurring in the location of capture, and the reptile is sick or injured on capture, it must be either transported for care or euthanised in the field.

#### Euthanasia in-field

- If euthanising immediately, the licence holder must crush the skull of the reptile to cause rapid loss of consciousness followed by death. The reptile must be confirmed dead prior to disposal, permitted by incineration or burial. No euthanised wildlife may be disposed of or given to another person.
- In-field euthanasia can have a high margin of error depending on the reptile species and the person's experience. If you are hesitant about performing in field euthanasia or concerned about your ability to do so humanely, do not attempt in-field euthanasia and instead transport the wildlife to a registered veterinarian for medical euthanasia.

#### Disposal to a registered veterinarian

- To ensure humane euthanasia, it is recommended that a registered veterinarian assess and if necessary euthanise the animal.
- Where euthanasia via vet is sought, it is recommended that the holder of the wildlife controller licence contact the veterinary clinic prior to attendance to confirm clinic capacity to treat the wildlife.

#### Disposal to an authorised wildlife shelter or foster carer

- Your conditions also allow for reptiles that naturally occur in the area of capture to be sent to a wildlife shelter or foster carer authorised under the Wildlife Act if they are injured or sick, to facilitate rehabilitation and release.
- This option should only be used in remote areas with limited access to veterinarians, and the shelter or foster carer must have the appropriate skills and capacity to care for the reptile.
- As this condition only applies to locally occurring wildlife this disposal capacity only applies for dangerous wildlife; in this case, the shelter or foster carer must be contacted prior to the animal being received to obtain consent and agreement to care given the potential for significant human health and safety impacts resultant from handling venomous or otherwise dangerous reptiles.

In any case, where wildlife are sick or injured registered vets are the most appropriate contact, as they can administer first aid and as required dispense restricted medications for both animal treatment and human safety (for example, sedation).

## Species that do not naturally occur in the area of capture

Where a controlled reptile is of a species that is not naturally occurring in the location of capture, and the reptile is sick or injured on capture, it must be transported to a registered veterinarian or the holder of a Rehoming Wildlife authorisation under S.28A of the Wildlife Act. Rehoming Wildlife authorisations can only currently be held by registered veterinarians operating out of a commercial clinic, or facilities with close working relationships with veterinary professionals.

In this instance, sick or injured wildlife should be transferred as soon as practicable post capture. It is strongly recommended that the wildlife is disposed of as per above immediately post capture, in any circumstance within 72 hours. Withholding necessary veterinary care for a sick or injured animal may be considered an offence under the *Prevention of Cruelty to Animals Act 1986*.

#### Release of wildlife

#### Species that naturally occur in the area of capture

If the natural range of the species of wildlife subject to control includes the location of capture and the wildlife is not injured, they must be released on suitable public land within five kilometres of the point of capture. Suitable release sites are species-specific and can be subjective, but in general consider whether a site:

- Provides suitable shelter. For example, the area must have vegetation that provides cover from aerial predators, or for lace monitors provide tall trees to climb to escape perceived threats.
- Provides access to food and water as appropriate for the species. Some species show a preference for proximity to water, and this should be facilitated where reasonable.
- Will pose a reasonably predictable risk to human safety. For example, you would not release a venomous snake in or in close proximity to a children's playground.
- Provides means for the wildlife to disperse safety if required. For example, you should not release wildlife on a freeway central reserve.

Where a suitable release site is available, the reptile must be released. Where there is no available suitable release site, the reptile must be humanely destroyed by a registered vet – there is no provision for in-field destruction in this circumstance.

## Species that do not naturally occur in the area of capture

In rare cases, you may be contacted to control native reptiles whose species natural range does not include the location the animal has been found – the species is not endemic to the local area. While these animals may have independently found their way to the location through misadventure, it is more probable that these animals have escaped or been released from captivity. It is not recommended that they remain in the wild, due to their potential to spread novel disease to wild populations and the likely mismatch between the environment they are found and their preferred habitat – including factors such as preferred prey availability and climate.

In these situations, whether or not they are likely to be dangerous to persons, you may capture the wildlife and may only dispose of the animal to:

- A registered veterinarian, for humane destruction or euthanasia on welfare grounds only.
- The holder of a Rehoming Wildlife authorisation.
   These authorisations are issued to allow captive wildlife that is surrendered or lost to be placed in new licensed homes following a comprehensive health check and a publicly accessible application process.

It is not within the entitlements of a wildlife controller licence to keep this wildlife, transfer the wildlife to another licence holder for rehoming, or to hold the animal to attempt to reunite any animal believed to be an escaped pet with the likely owner. These activities are the remit of the Rehoming Authorisation, in cooperation with the Conservation Regulator.

You may not keep any wildlife controlled under your licence or any wildlife taken from the wild, whether or not the species is locally endemic. Non-endemic wildlife taken from the wild must be disposed of within 72 hours of the reptile being captured. It is an offence to take wildlife from the wild under Sections 45, 47 and 47D of the Wildlife Act. For more detail, see Penalties for illegally obtained or traded wildlife on page 6.

→ Page 6 Penalties for illegally obtained or traded wildlife



# 2 Commercial wildlife licence requirements

These are legal requirements that apply to all wildlife commercial licence holders, as specified in the Wildlife Regulations 2024.

#### **Commercial licence conditions**

#### **Employees**

- 1 It is a condition of any commercial wildlife licence that the licence holder must ensure that all employees of the licence holder who are employed to engage in conduct on behalf of the licence holder under that licence are aware of, and competent in, the scope of activities which may be undertaken on behalf of the licence holder under the wildlife licence.
- 2 It is a condition of any commercial wildlife licence that the licence holder must provide a copy of the wildlife licence to an employee before that employee can undertake any activity on behalf of the licence holder under that licence.
- 3 It is a condition of any commercial wildlife licence that the licence holder must take reasonable steps to ensure that the employee carries a legible copy of the licence when undertaking any activity under the licence.
- 7 REG 58

An employee of a holder of ... any wildlife controller licence must carry a legible copy of the employer's licence when undertaking any activity under that licence.

WILDLIFE REGULATIONS 2024, REG 111

#### Objective

To ensure all employees are aware of the requirements under the licences and maintain wildlife welfare under the licence.

#### How to comply

You are required to take reasonable steps to ensure employees are trained to prevent conduct that is in breach of your licence. You are liable as the licence holder for the conduct of your employees unless you have taken reasonable steps to ensure they avoid this conduct.

You must provide a copy of your licence to your employees prior to them undertaking any activity on your behalf, and ensure your employee carries a copy of your licence when undertaking control activities.

Train your employees in all activities they will undertake under the licence, including the specific requirements outlined in this guide. This ensures they can undertake wildlife control activities lawfully.

Employees should also be trained in the skills of capture, handling and management of wildlife as permitted by your licence.

Additionally, employees should be trained in first aid for both animals and humans. When handling or capturing venomous snakes, it is particularly important that staff are capable of applying the correct first-aid treatment for snakebite.

The holder of a wildlife controller licence must always be directly present for all activities under that licence – an employee cannot control any wildlife without the licence holder present.

This allows for wildlife controller licence holders to operate with an assistant or in pairs for safety purposes but does not allow employees to undertake potentially high-risk activities (such as the capture and handling of venomous snakes) without the employer present to ensure responsible conduct under the licence. If an employer requires an employee to undertake control without supervision, the employee also needs to hold a valid wildlife controller licence in their name.

You should provide your employees with adequate safeguards to protect their health. This may include, but is not limited to, appropriate handwashing facilities, protective clothing and equipment, tetanus immunisation and access to antivenenes. You must also implement appropriate hygiene measures to prevent the transmission of disease-causing organisms which can be transmitted to humans (zoonoses). This is particularly important for species known for harbouring zoonoses.

If your employees change, you must notify the Conservation Regulator. Refer to <u>Change of staff</u> on page 25.

 $\rightarrow$ | Page 25 <u>Change of staff</u>

## Change of staff

- I It is a condition of any commercial wildlife licence that, within 10 business days of employing any person to engage in conduct under that licence on the licence holder's behalf, the licence holder must notify the relevant body in writing of the following details—
  - the name, date of birth, telephone number and residential address of the person employed;
  - **b** the capacity in which the person is employed;
  - c the date on which the person commenced employment with the licence holder.
- 2 It is a condition of any commercial wildlife licence that the licence holder must notify the relevant body in writing within 10 business days after a person who is employed to engage in conduct on behalf of the licence holder under that licence ceases to be an employee of the licence holder.
- → WILDLIFE REGULATIONS 2024, REG 37

#### Objective

To maintain oversight of all persons in Victoria engaging with wildlife under a licence.

#### How to comply

An employee is a person registered under the business to carry out activities on behalf of the licence holder.

You must notify the Conservation Regulator within 10 business days of any changes to the employment status of employees who undertake activities in accordance with your wildlife licence.

You can notify us by completing the <u>Changes to</u> <u>employee employment status form</u> on our website. An updated licence and employee register will be provided to the licence holder following notification.

More information and notification forms are available on our website.

✓ Visit vic.gov.au/commercial-licence-obligations-and-record-keeping
 ☑ Email wildlifelicensing@deeca.vic.gov.au

#### Change of responsible person

It is a condition of any wildlife licence held by a person who is not a natural person that the licence holder must notify the relevant body in writing within 10 business days of any change of the natural person who is responsible for managing the activities authorised under the licence.

MILDLIFE REGULATIONS 2024, REG 36 (2)

#### **Objective**

To ensure licence details are up to date and the person responsible for the wildlife licence is identifiable.

#### How to comply

You must notify the Conservation Regulator within 10 business days to any change to the nominated responsible natural person, where the licence is issued to a business. You can do this by completing the form available on our website.

An amended licence will be posted to you.

 $\nearrow$  Visit vic.gov.au/commercial-licence-obligations-and-record-keeping



# General wildlife licence requirements

These are legal requirements that apply to all wildlife licence holders, as specified in the Wildlife Regulations 2024.

### Wildlife welfare and care

#### **Transportation**

- A person who consigns or transports wildlife, other than in circumstances set out in subregulation (4), must ensure that any container used to consign or transport the wildlife is designed, constructed and maintained to
  - a withstand transportation; and
  - **b** prevent the escape or injury of the wildlife; and
  - c protect against predators; and
  - d resist interference; and
  - **e** provide for the good health and welfare of the wildlife during transport in accordance with any of the following codes of practice that are relevant in the circumstances
    - i the Code of Practice for the Welfare of Amphibians in Captivity, made under section 7(1) of the *Prevention of Cruelty to Animals Act 1986*, as published from time to time;
    - ii the Code of Practice for the Housing of Caged Birds (Revision Number 1), made under section 7(1) of the *Prevention of Cruelty to Animals Act 1986*, as published from time to time;
    - **iii** the Code of Practice for the Husbandry of Captive Emus (Victoria) (Revision 1), made under section 7(1) of the *Prevention of Cruelty to Animals Act 1986*, as published from time to time;
    - iv N/A
    - v the Code of Practice for the Welfare of Animals—Private Keeping of Reptiles, made under section 7(1) of the *Prevention of Cruelty to Animals Act 1986*, as published from time to time.
- 2 A person who consigns a specimen of wildlife for transport, other than in circumstances set out in subregulation (4), must ensure that the container in which the specimen is placed has a label securely attached to it that clearly displays the following information
  - **a** the person's name and address and wildlife licence number (if any);
  - **b** the name and address and wildlife licence number (if any) of the person to whom the specimen is being transported;
  - **c** the common name (if any) specified in the relevant Schedule to these Regulations of the taxon of the specimen that is being consigned;
  - **d** the number of specimens of each taxon of wildlife in the container in which the specimen that is being consigned is placed.
- A person who transports a specimen of wildlife, other than in circumstances set out in subregulation (4), must ensure that the container in which the specimen is placed has a label securely attached to it that clearly displays information that the person reasonably believes is the following information
  - a the name and address and wildlife licence number (if any) of the owner of the specimen;
  - **b** the name and address and wildlife licence number (if any) of the person to whom the specimen is being transported;
  - **c** the common name (if any) specified in the relevant Schedule to these Regulations of the taxon of the specimen that is being transported;
  - **d** the number of specimens of each taxon of wildlife in the container in which the specimen that is being transported is placed.
- → WILDLIFE REGULATIONS 2024, REG 122(1-3)

#### **Objective**

To ensure wildlife are transported in appropriate enclosures that prevent injury, stress, and disease.

#### How to comply

Transport can be a particularly stressful and high-risk time for most wildlife species. Your transportation must meet the needs of the species being transported. The comfort and wellbeing of all animals should be monitored at minimum every two hours during transport.

Wildlife must be restrained during transport to prevent injury to the wildlife and to people. This may be achieved, for example, by use of an appropriately sized animal crate constructed of sufficiently robust material to prevent escape (for example, coated metal or rigid plastic).

Animals should be in a fit state before being transported. Sick or injured animals should not be transported except for veterinary care, with precautions taken to minimise further stress or injury. A person who is transporting sick, injured or abandoned wildlife to a vet or a wildlife rehabilitator does not need to meet these requirements.

Any equipment used to transport wildlife must be clearly and securely labelled with the details of the licence holder including the licence number.

When transporting wild-caught reptiles:

- Care must be taken to avoid exposure of reptiles to extreme temperatures or changes in temperature during transport.
- Reptiles must not be fed during transport.
- Transport containers must not be placed in direct sunlight, water, or draughts.

When transporting wild-caught possums:

- Care must be taken during transport to avoid exposure of possums to environmental extremes or rapid environmental fluctuations, including to temperature, noise, and light.
- Possum transport cases must be secure enough to prevent escape.
- Transport containers must not be placed in direct sunlight, water, or draughts.

#### Dependent wildlife

A person must not...dispose of...or transport any wildlife that is:

- a a flighted bird that is too young to fly; or
- a flightless bird that is less than 4 weeks old;
   or
- c a mammal that is not fully weaned; or
- **d** wildlife that is obviously diseased, sick, or injured; or
- e wildlife that is an egg
- → WILDLIFE REGULATIONS 2024, REG 123 (6)

#### **Objective**

To ensure the welfare and survival of dependent, sick, or juvenile wildlife and prevent the spread of disease.

#### How to comply

Do not control wildlife that is considered dependent. This includes birds that have not fledged (birds in nests) or any wildlife egg.

You may encounter sick or injured wildlife during assessment for control. Under Regulation 132, you may transport sick or injured wildlife to a registered vet for care regardless of your wildlife controller licence. If, however, wildlife are injured during control activities, you may:

- Transport the wildlife to a registered vet or, where a registered vet is not available, an authorised.
   wildlife shelter or foster carer, for definitive care
- For indigenous reptiles only, where safe and suitable to do so for the species, destroy the injured wildlife by crushing the skull.
- For listed bird species, if a bird is injured during control activity you must make appropriate efforts to locate and destroy the bird via firearm to prevent prolonged suffering.

Eggs are not eligible for control, as they are not considered dangerous or able to cause damage. All eggs produced by wildlife are also considered protected wildlife. If you are unsure whether eggs of unknown origin are wildlife or not, assume they are. In fact, under Section 65 of the Wildlife Act, any eggs are presumed to be threatened species unless proven otherwise.

## **Record keeping requirements**

#### **Record books**

- All record books supplied by the relevant body remain the property of the relevant body.
- 2 It is a condition of any wildlife licence that the licence holder must record the following information relating to the licence or wildlife held under the licence in a book supplied by the relevant body
  - a all transactions made under the licence;
  - **b** any theft of the wildlife;
  - c the occurrence of any incident that the relevant body requires the licence holder to record;
  - **d** any other information relating to a transaction or incident that the relevant body requires the licence holder to record.
- 3 It is a condition of any wildlife licence that the licence holder must complete all records required to be in the record book fully, accurately, legibly, and permanently.
- 4 It is a condition of any wildlife licence...
  that the licence holder must make each
  entry in the record book required under
  subregulation (2) by the close of business on
  the day of the transaction or incident.
- WILDLIFE REGULATIONS 2024, REG 27 (1)-(4)

#### **Objective**

To ensure that wildlife interactions are documented and lawful.

#### How to comply

Relevant transactions include control and disposal, including release or destruction of wildlife.

Your Wildlife Record Book is used to record all wildlife transactions. You cannot undertake wildlife control activities until you have received both your licence and record book.

All record books for all wildlife licences are supplied by the Conservation Regulator and remain the property of the Conservation Regulator. Making or keeping records that are inaccurate or false is an offence under the Wildlife Act.

To comply with this condition, you must:

- Ensure entries are recorded on the same day that an activity occurs.
- Ensure entries are permanent and legible.
- Request an additional record book from wildlife licensing if you no longer have sufficient pages to record your wildlife transactions.
- Retain all record books you have been issued until you choose to not to renew your licence.
- Return your record book to the Conservation Regulator within 10 business days should you choose not to renew your wildlife licence.
- Return your record book the Conservation Regulator if your licence is cancelled.

If you lose or damage your record book, you must report your loss to the Conservation Regulator <u>by email</u> or the <u>online form</u> within two business days. There is a fee for each book lost or damaged.

Please refer to <u>Theft</u>, <u>loss</u>, <u>or damage of record book</u> <u>or return form</u> on page 34 for further information.

→ | Page 34 Theft, loss, or damage of record book or return form

✓ Visit delwp.snapforms.com.au/form/notify-theft-loss-damage-or-escape

© Email wildlifelicensing@deeca.vic.gov.au

#### **Annual return forms**

- 1 All return forms supplied by the relevant body remain the property of the relevant body.
- 2 It is a condition of any wildlife licence that the licence holder must record in a form supplied by the relevant body the following information for the period specified in the licence
  - **a** a summary of all transactions made under the licence during the period;
  - b a summary of incidents that the relevant body requires the licence holder to record that occurred during the period.
- 3 It is a condition of any wildlife licence that the licence holder must complete all records required to be in the return form fully, accurately, legibly, and permanently.
- 4 It is a condition of any wildlife licence that the licence holder must keep a legible copy of each return form the licence holder is required to complete
  - **a** for the period during which the licence remains in force; and
  - **b** if the licence is renewed, for the period during which the renewed licence remains in force.
- 5 It is a condition of any wildlife licence that the licence holder must provide the relevant body with a return form at the time specified in the licence.
- WILDLIFE REGULATIONS 2024, REG 28(1)-(5)

#### **Objective**

To provide a state-wide overview of legal wildlife interactions in Victoria, which helps to ensure we have the right legal framework in place. This record keeping also provides a mechanism for the regulator to prevent illegal trade of wildlife.

#### How to comply

Your return is a summary of the wildlife transactions you conducted under your licence in the 12-month period between 1 April and 31 March. Information contained in the returns is confidential.

You must submit a completed return form by 14 April each year. You must also keep a copy for your returns for future reference.

A return form must be submitted even if you have not controlled any wildlife. In this instance, wildlife controller licence holders should mark their return as **Ni**l and submit by **14 Apri**l.

You may submit your return online on our website.

If you are unable to complete the online form, you can request a form by calling or emailing us.

If you do not submit a return, you may not be eligible to renew your licence. Additional penalties may also apply if these obligations are not met.

✓ Visit vic.gov.au/licences-annual-returns
 ← Call DEECA Customer Contact 136 186
 ✓ Email wildlifelicensing@deeca.vic.gov.au



# Do not tamper with record books or return forms

- **6** It is a condition of any wildlife licence that the licence holder must not
  - a tamper with, or permit to be tampered with, any entry in a record book or return form; or
  - **b** be in possession or control of a record book, return form or copy of a return form that has been tampered with.
- 7 In this regulation— tamper with includes damage, destroy, deface, erase, delete or remove.
- WILDLIFE REGULATIONS 2024, REG 33(6 & 7)

#### **Objective**

To ensure record books and return forms are a true and accurate representation of wildlife possession and trade in Victoria.

#### How to comply

Record books and return forms are legal documents. They must be accurate and include all control activities undertaken under your licence. You do not have to record control activity that occurs under an Authority to Control Wildlife.

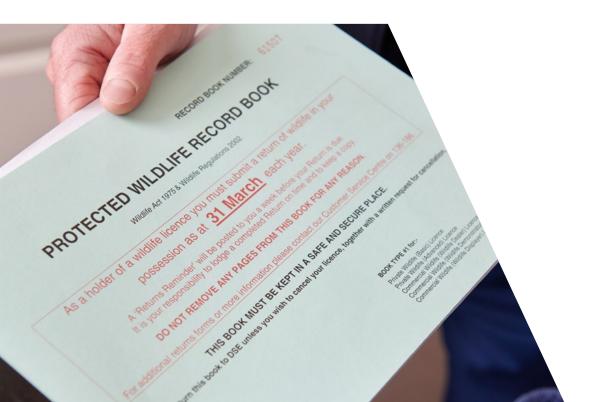
Record books and return forms remain the property of the Conservation Regulator. Tampering with them in any way is an offence. Tampering includes erasing or editing entries, removing pages, or otherwise damaging records.

All entries in your record book, and on hard copy return forms, must be permanent and legible. You must write in your record book with a pen in black or blue ink.

If you make a mistake when filling in an entry, you should:

- Strike a line through the entry.
- Write your initials and date of the correction next to the corrected entry.

You cannot use white out or other methods to cover up entries. You also cannot remove any pages from your record book.



#### Additional record keeping obligations

It is a condition of any wildlife licence that the licence holder must produce the record book or copies of return forms for inspection when requested to do so by an authorised officer.

#### 7 REG 29

It is a condition of any wildlife licence that the licence holder must ensure that the record book and copies of return forms are kept in a safe and secure place at the premises specified in the licence, except when undertaking a transaction in circumstances set out in regulation 38(1).

#### 7 REG 31

- 1 Within 10 business days of a person ceasing to hold a wildlife licence, the person must return all record books and copies of return forms to the relevant body.
- 2 The relevant body, in writing, may direct the holder of a wildlife licence to surrender all record books or return forms in the licence holder's possession to the relevant body within a time period specified in the direction.
- 3 The holder of a wildlife licence must comply with a direction given to the licence holder under subregulation (2) within the time period specified in the direction.
- → WILDLIFE REGULATIONS 2024, REG 32

#### **Objective**

To ensure oversight of all wildlife transactions in Victoria, while maintaining the confidentiality of licence holders.

#### How to comply

Keep your record book and return forms at the address specified on your wildlife licence and in a secure location to prevent loss or theft.

Under the Wildlife Act, you must provide a copy of your record book, licence and return forms to Authorised Officers when asked. Authorised Officers have the power to, at any reasonable time with regard to the circumstances, ask to see, inspect or make copies of record books and any other documentation associated with your wildlife licence.

The record book and return forms remain the property of the Conservation Regulator. Should you choose not to renew your licence, or surrender your wildlife, you must return your record book to the Conservation Regulator within 10 business days.

If you are provided with a written direction to surrender your wildlife record book by the Conservation Regulator, you must surrender all record books and return forms by the date specified.



## Reporting

#### Theft or loss of wildlife

- 1 It is a condition of any wildlife licence that the licence holder must report any theft of wildlife relating to the licence to a police officer within 2 business days of the licence holder becoming aware of the theft.
- 2 It is a condition of any wildlife licence that the licence holder must retain a copy of the police report relating to the theft described in subregulation (1).
- 3 It is a condition of any wildlife licence that the licence holder must provide a copy of the police report described in subregulation (2) to an authorised officer upon request.
- 4 It is a condition of any wildlife licence that the licence holder must
  - a notify the relevant body of any theft, misplacement or escape of any wildlife under the licence in a form approved by the relevant body within 2 business days of becoming aware of the theft, misplacement or escape;
- WILDLIFE REGULATIONS 2024, REG 33(1)-(5)

#### **Objective**

To uphold the health and wellbeing of wildlife in captivity, through appropriate monitoring and investigation of theft, loss or escape.

#### How to comply

If there has been a theft, loss or escape of wildlife in your possession, such as loss of wildlife in transit to a release or disposal point, you must:

- For suspected theft, report it to Victoria Police within two business days of the suspected event, meaning no more than two business days after the associated wildlife control event.
- Retain a copy of the police report. If requested by an Authorised officer, you must produce a copy of the police report.
- Report the theft, loss or escape of wildlife to the Conservation Regulator by email, or by completing the Notify theft, loss, damage or escape form available on our website below and emailing us the completed form within two business days of becoming aware of the loss.
- Record the theft, loss or escape of wildlife into your record book.

∀ Visit vic.gov.au/private-licence-obligations-and-record-keeping



# Theft, loss, or damage of record book or return form

- 5 It is a condition of any wildlife licence that the licence holder, in a form approved by the relevant body, must notify the relevant body of any theft or loss of, or damage to, any of the following within 2 business days of becoming aware of the theft, loss or damage
  - a a record book;
  - **b** a return form;
  - c a copy of a return form;
- WILDLIFE REGULATIONS 2024, REG 33(5)

#### **Objective**

To ensure the integrity and confidentiality of records.

#### How to comply

You must report the loss, theft or damage of your Wildlife Record Book or Annual Returns to the Conservation Regulator by email within two business days of becoming aware. You can do this by completing the **Notify theft**, loss, damage, or escape form available on our website.

vic.gov.au/commercial-licence-obligations-andrecord-keeping

#### **Change of details**

It is a condition of any wildlife licence that the licence holder must notify the relevant body within 10 business days of any change of name, address or telephone number of the licence holder.

WILDLIFE REGULATIONS 2024, REG 36(1)(A)

#### Objective

To ensure licence details are up to date and the person responsible for the wildlife licence is identifiable.

#### How to comply

You must notify the Conservation Regulator within 10 business days of any changes to the details listed on your licence, including changes to your name, contact details, or the address of your specified premises. This also includes changes to the name, address or contact telephone number of the nominated responsible person where the licence is issued to a business. You can do this by completing the form available on our website.

Licences are not transferable to another person. An amended licence will be posted to you.

vic.gov.au/commercial-licence-obligations-andrecord-keeping



