

Summary table: comparison between GFAC 2012 and GFAC 2022

GFAC 2012	GFAC 2022	Explanatory notes
1. Name of Regulation	1. Name of Regulation	Updated to GFAC Regulation 2022
2. Commencement	2. Commencement	Updated to commence when published, noting it repeals and replaces the 2012 Regulation
3. Definitions	3. Definitions	<p>Added licence definitions (commercial, hunting guide, professional, standard, visitor's) Added 'firearm' definition Added 'hunter' definition Added 'motor vehicle' definition Added 'possession' of a firearm definition</p> <p>The inclusion of these new definitions reflects contemporary drafting practices.</p>
4,5 (Repealed)	N/A	
6. Classes and types of game hunting licence	4. Classes and types of game hunting licence	Minor drafting changes only. No change to intent or functioning of provisions.
7. (Repealed)	N/A	
8. Standard hunting licence	5. Standard hunting licence	No change
9. Visitor's hunting licence – accompanied hunting	6. Visitor's hunting licence	<p>The requirement to be an overseas resident to be eligible for a visitor's hunting licence at 9(2) of the 2012 Regulation has been moved to 11(4) of the 2022 Regulation, to sit alongside other provisions relating to eligibility for licences.</p> <p>The requirement for a visitor's hunting licence holder to be supervised by a holder of a standard hunter's licence</p>

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		or a hunting guide licence of the same class (general or restricted) has been retained.
10. Hunting guide licence	7. Hunting guide licence	No change
11. Commercial hunter's licence	8. Commercial hunter's licence	No change
11A. Professional hunter's licence	9. Professional hunter's licence	No change
12. Approval of courses of training for licences	10. Approval of courses of training for licences	<p>Minor drafting changes only; no change to intent or functioning of the provisions.</p> <p>Section 12(3) of the 2012 Regulation has been removed as the intent of this section is already achieved through other provisions.</p>
13. Restrictions on granting licences	11. Restrictions on granting licences	<p>Minor drafting changes.</p> <p>The requirement to be an overseas resident to be eligible for a visitor's hunting licence at 9(2) of the 2012 Regulation has been moved to 11(4) of the 2022 Regulation, to sit alongside other provisions relating to eligibility for licences.</p> <p>The provision at 13(3) of the 2012 Regulation – a hunting licence must not be granted to a person under 12 years – has been retained at 11(3) of the 2022 Regulation.</p>
14. Licence applications	12. Licence applications	<p>Provisions relating to upgrading a General licence to a Restricted licence have been moved from the Licence Fees section of the 2012 Regulation to the Licence applications section of the 2022 Regulation.</p> <p>This provision also refers to Schedule 1, which contains the detail of licence fees.</p>

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15. Maximum duration of licences	13. Maximum duration of licences	<p>Retention of 5 years as the maximum licence term other than a Visitors Hunting licence which remains at 1 year.</p> <p>The 2022 Regulation excludes Visitor’s hunting licence from this five-year maximum term, which means that section 25(2)(a) of the Act instead applies, which restricts the licence term to 1 year.</p> <p>This section does not apply to native game bird management licences, which are addressed separately below.</p>
15A. (Repealed)	Removed	
16. Licence fees	12. Licence applications 14. Reduction in licence fees 15. Licence lost, destroyed or defaced Schedule 1 Licence fees	<p>The 2022 Regulation takes an updated drafting approach to licence fees. Fees are contained in Schedule 1.</p> <p>Section 16(2) of the 2012 Regulation, which sets out licence fee concessions for under-18s and eligible pensioners, has been retained as a standalone section 14 of the 2022 Regulation.</p> <p>The proposal to include a further concession for Australian Defence Force personnel has not been included in the 2022 Regulation.</p> <p>Section 16(3) of the 2012 Regulation, which relates to upgrading a General licence to a Restricted licence have been moved to section 12(3) the 2022 Regulation, to group this upgrade application with other licence applications.</p> <p>Section 16(4) of the 2012 Regulation, which relates to replacing lost, stolen or defaced licences, has been</p>

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		<p>retained as a standalone section 15 of the 2022 Regulation.</p> <p>Section 16(5) and 16(6) have been removed. This means that licence fees can only be changed by a further amendment to the 2022 Regulation. The proposal to automatically increase fees in line with inflation has not been included in the 2022 Regulation.</p>
17. Grounds for refusal of restricted licence	16. Grounds for refusal of licences	<p>Under the 2022 Regulation, this section now applies to all game hunting licences (in the 2012 Regulation, this section only applied to Restricted licences).</p> <p>The provisions at 17(a) of the 2012 Regulation in relation to the <i>Forestry Act 2012</i> have been retained in the 2022 Regulation at section 16(1)(j). References to the <i>Forestry Act 1916</i> are no longer required, as it has been greater than 10 years since that Act was in force.</p> <p>The list of offences that constitute grounds for refusal of a licence application have been clarified in section 16(1) and 16(2)(a) of the 2022 Regulation. These apply in addition to the existing grounds for refusal at section 23(3)(a) of the GFAC Act.</p> <p>The 2022 Regulation also adds section 16(2)(b) to ensure that equivalent offences committed in other states and territories and overseas can also be considered.</p>
18. Conditions of game hunting licences	17. Conditions of game hunting licences	<p>The conditions contained in Schedule 1 of the 2012 Regulation are now in Schedule 2 of the 2022 Regulation.</p> <p>The provision allowing for suspension of licence conditions at section 18(2)-(4) of the 2012 Regulation have been removed.</p>

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	18. Suspending or cancelling game hunting licences	This is a new section in the 2022 Regulation to improve oversight of game hunting licence holders during the term of their licence, including the introduction of a fit and proper person provision
19. Exemptions from licensing	19. Exemptions from licensing	The 2022 Regulation adds sections 19(1)(b)-(c) to clarify how the exemption retained from section 19(b) of the 2012 regulation only applies on certain types of land and with certain firearms requirements
19A. Application of Division 4 of Part 3 of the Act	20. Application of the Act, Part 3, Division 4	Minor drafting changes only; no change to intent. The proposal to exempt native game bird licence applicants from certain game hunting licence applicant requirements has not been included in the 2022 Regulation
19B. Applications for native game bird management licence	21. Applications for native game bird management licence	Minor drafting changes only; no change to intent
19C. Maximum duration of native game bird management licences	22. Maximum period for native game bird management licences	Changes the maximum term of a native game bird management licence to 1 year to allow licensing and species allocations to occur simultaneously
20. Notice of proposed declaration of hunting land	23. Notice of proposed declaration of hunting land	No change. Proposed refinements to this section have not been included in the 2022 Regulation.
21. Penalty notice offences and penalties	Schedule 3 section 1. Application of Schedule	Minor drafting changes only; no change to intent. All offences that could attract a PIN under the 2012 Regulation can still attract a PIN under the 2022 Regulation. Proposals to alter values of Penalty Infringement Notices have not been progressed in the 2022 Regulation.

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		The 2022 Regulation allows for a Penalty Infringement Notice of \$110 to be issued for the offence at section 55B of the Act relating to recording of appropriate details by a taxidermist. The option of issuing a PIN for this offence is an additional compliance option, whereas previously the offence could only be responded to by commencing court proceedings.
22. Savings	24. Repeal and savings	Provides for the smooth transition from the 2012 Regulation to the 2022 Regulation with standard legislative 'savings' provisions
22A. Savings and transitional provisions consequent on enactment of Game and Feral Animal Control Further Amendment Act 2012	Removed	No longer required in the 2022 Regulation
22B. COVID-19 pandemic – extension of duration of licences	Removed	No longer required in the 2022 Regulation
23. (Repealed)		
	Schedule 1 Licence fees	Retains existing fees from section 16 of the 2012 Regulation. There are no changes to the values of fees, and the proposal to automatically increase fees in line with inflation has not been included in the 2022 Regulation.
Schedule 1 Conditions of game hunting licences	Schedule 2 Conditions of game hunting licences	No change to title of Schedule
	1. Definitions	Inserts definition of 'hunter' and 'motor vehicle' in line with contemporary drafting practice. The definition of 'motor vehicle' clarifies that this definition does not include motorised wheelchair used

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		by a person with a disability that prevents them from hunting on foot.
1. Licence to be carried and produced on request	2. Licence to be carried and produced on request	Minor drafting changes only; no change to intent.
2. Hunting on declared public land requires permission to enter	5. Hunting on declared public land requires permission to enter	<p>Retains existing requirements from the 2012 Regulation with minor drafting changes only.</p> <p>The 2022 Regulation adds 4(3) to clarify that licence holders under 18 years and the person supervising them, both require written permission to hunt on the land.</p> <p>The 2022 Regulation also adds 4(4) to set out harvest return requirements, which are required within 30 days of hunting. These were previously a written permission condition. There is no change in practice because of this addition.</p> <p>The proposal to reduce the harvest return requirement to 14 days has not been included in the 2022 Regulation, meaning this requirement will remain at 30 days.</p>
3. Hunting by persons under 18 years of age	3. Hunting by persons under certain age	<p>Minor drafting changes only; no change to intent.</p> <p>The 2022 Regulation retains the requirement for licence holders under 18 years to be supervised.</p>
4. Prohibition on hunting from motor vehicles on roads on declared public hunting land	7. Prohibition on hunting from motor vehicles on declared public hunting land	<p>Clarifies this clause to cover all public hunting land (not just on or across a road).</p> <p>The 2022 Regulation removes the exemption to this clause for professional hunters – meaning that professional hunters cannot hunt from a motor vehicle.</p>
5. Open seasons for certain deer	Removed	The 2019 removal of deer from Part 1 of Schedule 3 to the Act (to Part 2 of Schedule 3 to the Act) means this condition is not needed.

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6. Using spotlights or electronic devices for hunting deer prohibited	Removed	<p>The 2019 removal of deer from Part 1 of Schedule 3 to the Act (to Part 2 of Schedule 3 to the Act) means this condition is not needed</p> <p>Hunting on public land using firearms or bows is already limited to day-time hours through written permission conditions.</p>
7. Hunting of game fleeing from fire or smoke prohibited	4. Hunting of game fleeing from fire or smoke prohibited	No change (the proposal to remove the professional hunter exemption from this clause has not been included in the 2022 Regulation).
7A. Game animals to which this Part applies	9. Definitions	Minor drafting changes only; no change to intent
8. Use of aircraft, watercraft and motor vehicles prohibited from hunting certain game	10. Use of aircraft, watercraft and motor vehicles prohibited for hunting game birds	The 2022 Regulation makes minor amendments to remove deer-specific provisions, as the 2019 removal of deer from Part 1 of Schedule 3 to the Act (to Part 2 of Schedule 3 to the Act) means that deer are not included within the scope of these specific provisions.
9. Use of baits, lures and decoys for hunting certain game	6. General requirements for hunting on declared public hunting land 11. Use of baits, lures and decoys for hunting game birds	<p>Changes made to cover both public and private land after the removal of deer from Part 1 of Schedule 3 of the Act.</p> <p>General intent remains consistent with 2012 Regulation.</p>
10. Hunting certain game at night prohibited	13. Hunting certain native game birds at night prohibited	<p>Specifies section applies only to native game birds.</p> <p>A clause limiting deer hunting at night, which restricted private land game hunting licence holders following the 2019 change to how deer are classified in the Act, has been removed. This clause does not apply on public land due to the hunting risk assessment).</p>
10A. Conditions relating to native game birds	9. Definition	Clarifies existing hunter requirements towards native game bird licence holders.

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	12. Special conditions relating to native game birds	Strengthens the 2012 Regulation by specifically requiring hunters to have permission from the native game bird licence holder to hunt on the licence holder's land. This ensures the 2022 Regulation reflects current practice.
11. Use of dogs when hunting game birds 12. Use of dogs for hunting deer 13. Use of dogs for hunting pigs on public land	8 Use of dogs 14 Use of dogs	<p>Combines requirements for use of dogs from 11 – 13 of GFAC 2012 into a single section for public land, while maintaining the section for Part 3 – Special provisions relating to game birds, which relates to private land.</p> <p>Clauses regarding identification, use of leads or radio collars and abandonment of dogs now apply to all dogs accompanying hunters, rather than only when targeting specific species</p> <p>Removal of redundant clause relating to use of dogs to hunt game birds in field trials. This does not affect the use of dogs in such trials.</p>
Schedule 2 Mandatory provisions of code of practice	Removed A standalone code of practice is being developed	<p>Public consultation required for the code approval (30 days) commenced on Wednesday 27 July and closed on Friday 26 August 2022.</p> <p>Visit the DPI website for more information for more information</p>
Schedule 3 Penalty notice offences	Schedule 3 Penalty notice offences	<p>Minor drafting changes only; no change to intent.</p> <p>All offences that could attract a PIN under the 2012 Regulation can still attract a PIN under the 2022 Regulation.</p> <p>Proposals to alter values of Penalty Infringement Notices have not progressed in the 2022 Regulation.</p> <p>The 2022 Regulation allows for a Penalty Infringement Notice of \$110 to be issued for the offence at section</p>

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		<p>55B of the Act relating to recording of appropriate details by a taxidermist.</p> <p>The option of issuing a PIN for this offence is an additional compliance option, whereas previously the offence could only be responded to by commencing court proceedings.</p>
Schedule 4 (Repealed)	Removed	