

EXPLANATORY STATEMENT

Issued by the authority of the Minister for Defence

Defence Act 1903

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2014 -2015 Amendment

Purpose

Subsection 8(1) of the *Woomera Prohibited Area Rule 2014* provides that the Minister for Defence may, by legislative instrument, determine the exclusion periods for Amber Zone 1 and Amber Zone 2 in the Woomera Prohibited Area for a financial year.

The Minister has delegated the power to determine exclusion periods for a financial year.

Determination of Exclusion periods for the Financial Year 2014 -2015 Amendment

Details of the Amendment are set out in Attachment 1.

Consultation

Consultation was not required in relation to this amendment on the basis that the determination of exclusion periods is an administrative process undertaken for each financial year.

Commencement

This amendment commences on the day after registration.

Statement of Compatibility with Human Rights -Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

A statement of compatibility with Human Rights is set out at Attachment 2.

Details of the Amendment to the Determination of Exclusion periods for Amber Zone 1 and Amber Zone 2 for the Financial Year 2014 -2015

Woomera Prohibited Area Rule 2014

Determination of Exclusion Periods for Financial Year 2014 – 2015 Amendment

The Determination dated 9 October 2014 set out the dates on which holders of a permit issued under the *Woomera Prohibited Area Rule 2014* are excluded from entering the Amber Zone 1 and Amber Zone 2 during financial year 2014 -2015.

The amendment to the Determination removes the period 2 March 2015 – 15 March 2015 as an exclusion period for Amber Zone 2 during financial year 2014 -2015. Permit holders whose permits allow access to Amber Zone 2 will be permitted to enter this zone during the period 2 March 2015 – 15 March 2015.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Woomera Prohibited Area Rule 2014

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2014 -2015 Amendment

This amendment to the Determination under the *Woomera Prohibited Area Rule 2014* is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Amendment

The Determination made under subsection 8(1) of the *Woomera Prohibited Area Rule 2014* dated 9 October 2014 exercised the power of the Minister for Defence by his delegate to determine the exclusion periods for Amber Zone 1 and Amber Zone 2 in the Woomera Prohibited Area for the financial year 2014 -2015.

The Determination set out the dates in which holders of a permit issued under the *Woomera Prohibited Area Rule 2014* are excluded from entering the Amber Zone 1 and Amber Zone 2 during financial year 2014 -2015.

The amendment to the Determination removes the period 2 March 2015 – 15 March 2015 as an exclusion period for Amber Zone 2 during financial year 2014 -2015. Permit holders whose permits allow access to Amber Zone 2 will be permitted to enter this zone during the period 2 March 2015 – 15 March 2015.

Human rights implications

This amendment does not engage any of the applicable rights or freedoms.

Conclusion

This amendment is compatible with human rights as it does not raise any human rights issues.

Mr Chris Birrer, Acting First Assistant Secretary Strategic Policy