

EXPLANATORY STATEMENT

Issued by the authority of the Minister for Defence

Defence Act 1903

Woomera Prohibited Area Rule 2014

Determination of Exclusion Periods for the Green Zone for June 2017

Amendment No.1

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 the Green Zone in the Woomera Prohibited Area for a financial year.

The Minister has delegated the power to determine exclusion periods.

Determination of Exclusion periods for the Green Zone for June 2017 Amendment No.1

Details of the Determination are set out in Attachment 1.

Consultation

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

Commencement

This instrument 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 Determination of Exclusion periods for the Green Zone for June 2017 Amendment No.1

The *Woomera Prohibited Area Rule 2014 Determination of an Exclusion Period for the Green Zone for June 2017* dated 1 December 2016 set out the periods in which permit holders are excluded from the Green Zone in accordance with subsection 8(1) of the *Woomera Prohibited Area Rule 2014*.

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for the Green Zone for June 2017 Amendment No.1 amends the determination by limiting the parts of the Green Zone to which the exclusion period will apply.

Under subsection 33(3) of the *Acts Interpretation Act 1901*, where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character (including rules, regulations or by-laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend or vary such instrument.

Attachment 2

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

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This 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 Determination

This Determination made under subsection 8(1) of the *Woomera Prohibited Area Rule 2014 for June 2017* dated 1 December 2016 exercised the power of the Minister for Defence by her delegate to determine the exclusion periods for the Green Zone in the Woomera Prohibited Area.

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 Green Zone.

This amendment amends the determination by limiting the parts of the Green Zone to which the exclusion period will apply.

Human rights implications

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

Conclusion

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

Ms Caroline Chalker, Director Woomera Prohibited Area Coordination Office