

## **EXPLANATORY STATEMENT**

Issued by the authority of the Minister for Defence

*Defence Act 1903*

*Woomera Prohibited Area Rule 2014*

*Determination of an Exclusion Period for the Green Zone 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 for a financial year.

### **Determination of Exclusion periods for the Green Zone 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.

## Attachment 1

### **Details of the Determination of Exclusion periods for Green Zone Amendment No.1**

*The Woomera Prohibited Area Rule 2014 Determination of an Exclusion Period for the Green Zone* dated 10 August 2015 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 an Exclusion Period for the Green Zone Amendment No.1* amends the exclusion period for the Green Zone. Permit holders will now be excluded from the Green Zone for the period 29 February 2016 – 13 March 2016.

## **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**

#### **Determination of an Exclusion Period for the Green Zone Amendment No.1**

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* dated 10 August 2015 exercised the power of the Minister for Defence by his 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 varies the dates on which an exclusion period will apply to the Green Zone.

#### **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.

**Mr Chris Birrer, Acting First Assistant Secretary Strategic Policy**