

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 2016 -2017*

Purpose

Subsection 8(1) of the *Woomera Prohibited Area Rule 2014* provides that the Minister for Defence may, by legislative instrument, determine 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 Amber Zone 1 and Amber Zone 2 for
Financial Year 2016 - 2017***

Details of the Determination are set out in Attachment 1.

The Determination is a legislative instrument for the purposes of the *Legislation Act 2003*.

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 Amber Zone 1 and Amber Zone 2 for Financial Year 2016 - 2017

1. *Woomera Prohibited Area Rule 2014*

Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 - 2017

This Determination sets out the Exclusion Periods that apply to the Woomera Prohibited Area for Amber Zone 1 and Amber Zone 2 for financial year 2016 – 2017 in accordance with subsection 8(1) of the *Woomera Prohibited Area Rule 2014*.

The Exclusion Periods in the Schedule are 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 2016 -2017

The Woomera Prohibited Area is the area prescribed in section 5 of the *Woomera Prohibited Area Rule 2014*.

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 Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 - 2017

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* exercises 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 2016 -2017.

The Determination sets 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 2016 -2017.

Section 10 of the *Woomera Prohibited Area Rule 2014* provides that a permit does not provide permission for a person to be at a place in a zone during an exclusion period for the 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