

Department of  
Primary Industries, Parks, Water  
and Environment



# DEER FARMING LEGISLATION

Pursuant to the *Wildlife (Deer Farming) Regulations 2010*

## **Applying to farm deer:**

A person must not operate a deer farm unless they have received written notice of approval from the Secretary.

Before a person can operate a deer farm they are required to notify the Secretary of their intention to operate a deer farm, the site of the deer farm and provide complete details of their fencing arrangements. An Intent to Farm Deer Registration Form has been prepared to facilitate this process.

On behalf of the Secretary, a wildlife officer will be required to inspect the proposed farm and confirm the suitability of the fencing and advise the applicant in writing of their findings.

## **Inspection of deer farm fencing:**

A wildlife officer may, at any time, inspect a deer farm to ensure that it is fully enclosed by an approved deer farm fence. In the instance that the officer deems the fence to be no longer effective, a notice must be given in writing instructing the deer farmer to carry out repairs, modifications or additions as specified in the notice, to which a deer farmer must comply.

A person must not interfere with an approved deer farm fence so as to cause, or to be likely to cause, any farm deer to escape.

## **Record keeping:**

A deer farmer may keep all records, or copies of records, necessary to establish ownership of each farm deer on their deer farm, or mark, brand or tag each farm deer on their deer farm to establish ownership of that farm deer.

## **Issuing of receipts:**

Before a deer farmer disposes of any farm deer or product of farm deer to any other person, the deer farmer must give that other person a receipt describing the date of disposal, the farm deer or product of farm deer being disposed of, and detail the deer farm of origin.

To assist the deer farmer, the department will provide the deer farmer with a *Farm Deer Vendor Declaration Receipt Book* in a duplicate format. The *Farm Deer Vendor Declaration Receipt Book* will assist the deer farmer in meeting his recording requirements in that it will be a record of the disposal of farm deer or products of farm deer from their deer farm. The duplicate form will act as the receipt to be retained by the recipient of disposed farm deer or products of farm deer for as long as they possess the farm deer or products of farm deer.

A person, other than the deer farmer, must not possess any farm deer or product of farm deer unless that person is in possession of a receipt in respect of that farm deer or product of farm deer.

A wildlife officer may seize and detain any farm deer or product of farm deer in respect of which ownership cannot be established in accordance with this regulation.

### **Escape or release of farm deer into the wild:**

A person must not cause or permit, or do any act, matter or thing which is likely to cause or permit, any farm deer to either escape or be released into the wild.

As soon as practicable after a deer farmer becomes aware that any farm deer has escaped or has been released in the wild, they are required to notify the Secretary via a wildlife officer of that escape or release and take all reasonable steps to recover the farm deer, or if it is necessary to prevent an immediate risk to the public or environment, destroy the farm deer.

Any farm deer, having escaped or having been released into the wild, that is not recovered within a period of 48-hours after the deer farmer becomes aware of the escape or release is forfeited to the Crown.

A deer farmer is required to notify the Secretary via a wildlife officer for an extension of the 48-hour period.

It is incumbent upon the deer farmer to comply with record keeping or marking provisions so as to be eligible for the recapture provisions outlined above.

### **Recovery or destruction of escaped or released farm deer:**

As soon as a wildlife officer is aware that any farm deer has escaped or has been released into the wild, they are required to take any steps they consider necessary to facilitate recovery; or destroy the farm deer if they are of the opinion that it is necessary to prevent an immediate risk to the public or the environment; or the deer farmer consents to the destruction of the farm deer.

A wildlife officer may require a deer farmer, by written notice, to take any action that the wildlife officer considers necessary. This may include but is not limited to the prevention of escape or release of farm deer, the prevention of re-escape or re-release of farm deer, the destruction of farm deer and the recovery of farm deer.

A deer farmer must comply with a requirement given by a wildlife officer.

A deer farmer is liable to pay to the Crown the full amount of any costs, charges and expenses reasonably incurred by a wildlife officer in the destruction of, the recovery of, or an attempt to destroy or recover, any escaped or released farm deer.

The Crown is not liable to pay compensation in respect of any escaped or released farm deer that has been destroyed under this regulation.

### **Entry on land to recover or destroy escaped or released farm deer:**

In certain circumstances a wildlife officer may enter any land for the purpose of recovering or destroying any escaped or released farm deer.

### **Infringement notice offences and penalties**

Infringement notices apply to offences under the *Wildlife (Deer Farming) Regulations 2010*.