

Policy

Exhibition Licence requirements for fixed exhibitors

Exhibited Animals Act 2015

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1 Policy statement

This policy details the Department of Agriculture and Fisheries (department) licensing requirements under the *Exhibited Animals Act 2015* (Act) for exhibition licence holders in circumstances where members of the public enter the licensed premises to view authorised animals. This policy should be read in conjunction with *Policy – Application considerations for fixed exhibit locations* and additional information on the [Qld Government Publication Portal](#) and the [Exhibited Animals website](#)

2 Overview

In certain circumstances a business may propose to develop a facility with the intention of exhibiting native wildlife and non-indigenous species to members of the public at a particular address (licensed premises). Animals acquired for this purpose must be secured in an authorised regular enclosure for the animal that is generally in a fixed position at the licensed premises. When applying for an exhibition licence, a completed application and associated fee for an exhibition licence must be submitted to the department. Information about how an applicant will prevent or minimise relevant risks or adverse effects must be detailed in accompanying management plans. Management plans must address all key criteria specified in section 37 of the Act.

In addition to applying to exhibit animals at the licensed premises, applicants may apply simultaneously, to exhibit suitable category A, B or C1 species off the licensed premises. There are specific requirements for exhibiting category C2 species off the licensed premises and a special exhibition approval (SEA) may be granted in circumstances where a licence holder already holds the C2 species of animal.

3 Minimum exhibition timeframe requirements

The Act prescribes minimum exhibit timeframes that must be met for category B and C species. Minimum exhibit timeframes for category A species are not prescribed, however, like category B and C species, category A animals must be acquired for the purpose of exhibit.

Section 75 of the Act specifies minimum exhibit timeframes for category B species. Generally, an authority holder is required to exhibit at least one authorised animal of each category B species in each calendar month during the term of the exhibition licence, or a combined total of at least 12 separate occasions in the year.

Section 76 of the Act specifies that at least one authorised animal of each category C species is exhibited for a minimum of 50 hours in each calendar month during the term of the exhibition licence, or a combined total of at least 600 hours in the year. If an animal of a species has only been held under the licence for part of the licence term, at least one animal of each species must be exhibited for an average of at least 50 hours for each month it is held under the licence.

3.1 Applications for amendment to an exhibition licence

A licence holder may apply to amend a current exhibition licence by completing and submitting the approved amendment form. Where the application for amendment relates to risks associated with an animal of a species, a completed new or amended management plan must accompany the application. If proposing to amend an existing management plan the new details may be highlighted in a different colour or the tracked changes function of the document used.

The department suggests reviewing all information in existing management plans rather than only adding newly proposed changes to ensure existing data is accurate and reflects current circumstances. There are some circumstances where the associated risks require amendment and the updating of a management plan but do not necessarily require the submission of an amendment application. Minor revisions to diets, cleaning schedules or other similar changes require adjustments to the relevant management plan however, they may be submitted with amendment details in future applications that require

assessment. The following provides guidance as to the circumstances that require submission of an amendment application that must be authorised under the licence prior to the proposed change occurring.

- Changes to the primary contact details for the authority that the Department holds on file.
- Changes to the business structure in a way that effects authorised individuals identified in the business structure or the business name relevant to licence details.
- Changes to the licensed address.
- Enclosure amendments or development including new enclosures amendment to existing enclosure structures and design or similar changes.
- Proposed changes in animal numbers beyond the maximum permitted quantity on the licence.
- Proposed acquisition of a new species.
- Newly proposed breeding provisions for a species or a particular animal of a species.
- Changes in animal gender holdings within an enclosure (enclosures authorised for single sex animals only moving to mixed sex groups).
- Public interaction activities with a species or a particular animal of a species.

Failure to have any significant amendments approved prior to the change occurring may result in non-compliance with requirements.

3.1.1 Special Exhibition Approval (SEA)

A special exhibition approval (SEA) is required when an exhibition licence holder wishes to exhibit one or more category C2 animals off the licensed premises for a particular event. A SEA can only be approved where the authority holder has already exhibited and dealt with the individual animals proposed for exhibit at the licensed premises.

Applicants must complete an amendment to the licence by submitting a special exhibition approval application. All information relevant to the particular event including the place, date, address, identified animals to be used and all relevant risks and adverse effects must be detailed in an accompanying management plan. The movement of C2 species off the licensed premises is considered a high-risk activity and applications will only be considered in circumstances where:

- an SEA application and management plan have been completed and submitted for assessment
- the applicant has mitigated all relevant risks and adverse effects
- the proposal is for the exhibition of an animal identified in accordance with exhibited animal requirements
- the species has been held by the authority holder for a period of time and there has been no compliance action undertaken (this excludes circumstances where the authority holder has held similar C2 snake species).

There are some activities that pose unmanageable risks that will not be considered when proposing to exhibit category C2 animals off the licensed premises. The following identifies the types of activities that will not be authorised under an exhibition licence.

- Exhibiting animals at venues such as private parties associated with activities outlined in the *Policy – Approved premises for the exhibition of authorised animals*.
- Exhibiting animals in a way that does not meet requirements outlined in the *Policy – Criteria for exhibiting or dealing with authorised animals at two or more premises*.

- Proposing to use particular species that are not considered appropriate for movement off the licensed premises, particularly mammalian species.
 - *Considerations include community expectation, conditioning of the animal to movement off the licensed premises, uncontrollable external factors, animal welfare, human health and safety and biosecurity risks.*
- Proposing to exhibit and deal with animals in a way that does not comply with exhibited animal requirements.
- Public interaction with dangerous animals or animals that do not meet community expectation for interaction outside the licensed premises, particularly in circumstances where the risks cannot be adequately mitigated.
- Exhibiting animals in a manner that is degrading or associated with degrading activities including activities that do not meet community expectation, this includes the dressing up of authorised category C2 animals.
 - *Dressing up does not include the use of restraint aids or materials used for proven animal welfare purposes.*
- Exhibiting at an event that requires extensive travel times or overnight stays, in circumstance where all risks cannot be adequately managed, particularly for mammalian species.

Exclusions include the use of identified animals conditioned for the purpose of film and television provided all relevant risks and adverse effects are prevented or minimised and required information has been submitted with the relevant SEA Application.

3.2 Animals with exempt, domestic or similar status

There are a number of species that may be held for the purpose of exhibit that are deemed exempt (e.g. the Sulphur crested cockatoo, alpaca), domestic animals or similar. Although there is no requirement to exhibit these species for minimum timeframes, they must be included in applications if proposing to hold individuals with authorised category A, B or C animals. The spatial requirements that these animals need when sharing enclosures with authorised animals must be considered during the application assessment and recorded on the authority. This is particularly important when authorised species have specific criteria that must be met in accordance with relevant standards, regulations or codes of practice.

All animals must be dealt with in accordance with the *Animal Care and Protection Act 2001* and authority holders must meet their general exhibition and dealing obligation under the Act for all native wildlife and non-indigenous species held for exhibit, including species deemed as exempt or similar status.

3.3 Authority holder responsibilities

The authority holder is responsible for ensuring that animals being exhibited are always in the immediate control¹ of the authority holder or a responsible person for the authority (employee under the authority) when exhibited off the licensed premises. Animals must be managed in a way that all relevant risks and adverse effects are mitigated while exhibiting and dealing with authorised animals throughout Queensland. The following provides details about the types of activities that may not be authorised due to the risks associated with the activity. If the activity may be applied for, minimum requirements for how the activity must be undertaken are specified.

Authority holders must not conduct the following activities unless the activity has been applied for and is specifically identified on the exhibition licence:

- Leaving an animal unattended while exhibiting off the licensed premises.

¹ *Within very close proximity to an animal or able to freely engage in restraint of an animal without impeding circumstances (holding another animal or thing or preoccupied in a similar way).*

- Allowing animals to be exhibited and dealt with off the licensed premises without the authority holder or an employee present (volunteers or similarly engaged individuals are not considered employees).
- Exhibiting and dealing with multiple animals outside approved enclosures at the same time, where the animal to responsible person ratio is disproportionate.
 - *An example includes allowing numerous reptiles or mammals to roam in a way that immediate control of each animal is not feasible.*
- Permitting members of the public to come into contact with dangerous animals such as venomous snakes (*excluding the use of snakes for the purpose of training with adequate AEC approval*).
- Moving animals throughout Queensland without having a preorganised exhibit location to attend with each authorised animal, prior to leaving the licensed premises.
- While travelling through Queensland with authorised animals, authority holders are not permitted to undertake employment or other activities that may pose additional risks associated with holding animals away from the licensed premises. These activities often delay returning animals to the licensed premises which increases associated risks.
 - *An example that would delay animals being returned to the licensed premises would be engaging in work or similar activities that are not associated with the exhibition of authorised animals, such as damage mitigation permit work that would unnecessarily delay the authority holder's movements to the next exhibit location or return to the licensed premises.*
- Leaving animals outside an authorised enclosure or in authorised enclosures in a way that they are:
 - subjected to excessive extremes in temperature
 - not adequately monitored i.e. during the construction or dismantling of exhibit marquees etc.
 - accessible to members of the public and at risk of being handled, fed, theft or similar circumstance
 - subjected to unnecessary stressors.
- An authorised person under the exhibition licence must not walk, carry, hold or similar an animal outside of an authorised enclosure, or travel enclosure, unless authorised under the licence. This includes actions taken while:
 - traveling with or exhibiting the animal off the licensed premises
 - taking the animal from the transport vehicle to the allocated exhibit area
 - returning the animal to the transport vehicle from the allocated exhibit area
 - allowing access to the animal by the public that are not within the controlled area of the exhibit.
- Excessively handle animals and use rapid change over methods whilst transferring animals between members of the public or from an authorised person to or from a member of the public.
 - *Timeframes used for animal handing during public interaction must be identified in management plans.*
- Increase relevant risks and adverse effects by failing to notify accommodation facilities of the animals held when booking accommodation.

Authority holders may apply to conduct the following activities within the parameters specified.

- Dangerous animals such as venomous snakes may be displayed outside fully enclosed secure key/code entry locked enclosures, provided the snake is displayed in a walled snake pit where the walls and flooring are joined together in a way that ensures the pit is escape proof.

- Exhibit snakes, including Animal Ethics Committee-approved venomous snake training, provided the snakes are handled adequately, including the use of tools commonly accepted and used by the industry for capture and restraint. If the species is known to be venomous, the animal must be treated as such, regardless of the animal having been modified to prevent venom injection.
- Free flight bird shows that involve short flights from one person to another in indoor venues provided that it is within a designated controlled areas and the activity has been proposed in management plans. Birds are not permitted for free flight demonstrations at venues where associated risks are too high to be managed. This includes facilities such as inside shopping centres and other confined built up facilities.
- Use travel enclosures provided travel enclosures are authorised under the exhibition licence and are authorised for the particular animal to be held.

3.4 Authorised activities

Authority holders must be careful not assume that a specific, activity may be conducted simply because a licence has been granted. If an application does not state how an animal will be exhibited and dealt with (including proposed activities), those activities will not be assessed during the application process are not authorised.

- *Examples of activities not automatically authorised in a licence, include*
 - *conducting film and television activities for reality television, e.g., an actor entering a tank full of snakes.*
 - *Filming animals outside authorised enclosures and authorised controlled areas at the licensed address or off the licensed premises e.g., placing boa constrictors in unauthorised areas within the licensed premises and filming them for social media.*
 - *Allowing any authorised animal to roam throughout the licensed premises outside of authorised enclosures or controlled areas for the animal e.g., allowing macropods or wombats to roam in areas of the licensed premises that are contrary to authorised enclosures, controlled areas and approved activities for the animal.*
 - *Taking juvenile animals and hand rearing them outside of authorised enclosures or off the licensed premises, particularly category C animals.*
 - *Using animals to provide training to people not directly engaged as responsible people under the authority and in a way that requires Animal Ethics Committee registration and approval.*

3.5 Film and television activities

Film and television activities proposed with an animal must be detailed in the management plan for the species. The management plan must also provide sufficient information related to any activity that is outside the scope of standard exhibit². Film and television activities for standard exhibit practices including the use of images or filming are authorised provided that the activity is approved on the relevant management plan.

Filming or images taken of an authorised animal during standard exhibit practices do not count towards minimum exhibition timeframes. This means that an authority cannot be granted solely for the purpose of providing images or video of an authorised animal. In the event filming or imaging for standard exhibit activities is proposed, no additional information is required provided that

- A. the animal will be recorded whilst displaying behaviour it normally would inside its authorised enclosure

² Standard exhibit is when the animal acts as it normally would inside its authorised enclosure.

- B. the animal is being filmed or photographed during activities that are generally recognized as acceptable activities and these activities are authorised under the licence.

- *An example of an acceptable activity is a public interaction encounter approved under the licence i.e. a member of the public holding a carpet python.*

The department also considers community expectations and how the proposed activity will be perceived by the general public. The use of animals during film and television or standard imagery must address all associated risks. Exhibiting animals in clothing, using props or similar and posting those images or video on social media platforms is not considered standard exhibit activities and is not part of exhibition licence standard approvals. Unless explicitly applied for and approved under the exhibition licence, the use of animals in or outside their authorised enclosure to undertake video or imagery outside the scope of standard exhibit practices is not authorised. The use of animals on programs such as documentaries or reality television programs in circumstances where the animal is not used for standard exhibit activities is not approved unless:

- the activity has been identified during application for the species
- relevant risks and adverse effects have been assessed during the application process.

If proposing imagery, film and television activities outside the scope of standard exhibit, i.e. for reality television, imagery in an area at the licensed premises not authorised for the animal, the management plan must clearly specify how the animal will be used during these activities. These requirements apply to all circumstances where film and television or general imaging is proposed including the use of all social media platforms such as Facebook and Instagram, standard advertising, documentary, reality television or similar.

3.6 Periods of travel

During movement throughout Queensland, exhibition licence holders must ensure that animals are transported in a manner that protects the animal from being injured or exposed to unsuitable or stressful climatic or environmental conditions. Generally, the authority holder must ensure that:

- animals are:
 - sheltered from rain, wind and extremes in temperature including adequate provisions of species appropriate thermogradients
 - regularly checked to ensure they are comfortable, not injured or showing signs of stress
 - supplied with adequate amounts of food and water relevant to the animal's needs
 - provided with suitable enclosure space and substrate that allows the animal to comfortably stand, sit or lie down without slipping or injury occurring and promotes the animal positioning itself in a way that it would naturally feel comfortable
 - kept away from excessive light and loud noises as much as practicable
 - not exhibited unless conducting an exhibit agreed to prior to leaving the licensed premises
 - held in enclosures in a way that does not promote fear due to other animals held in close proximity or injury caused by other animals
- there are no unnecessary delays or diversions during transport including:
 - leaving animals unattended in a transport vehicle for extended periods of time
 - leaving animals unattended in a transport vehicle unnecessarily

- leaving animals in accommodation locations unattended for unnecessary periods of time, for example when undertaking work that is not relevant to exhibiting animals within Queensland.
- enclosures are:
 - secured in the transport vehicle in a way that prevents the animal or enclosure being moved around unnecessarily
 - built in a way that they will not harm, injure or promote sickness from lowered autoimmune responses due to extremes in climate change or similar external factors
 - constructed in a way that they are easy to load and unload to prevent dropping of the enclosure
 - designed in a way that they are easily cleaned and enclosure structure controls spillage of faeces and promotes adequate hygiene
 - secure and designed in a way that they are structurally sound and escape proof with no degeneration, unintentional holes, or broken aspects of the enclosure
 - secured in a way that prevents escape and are key, code entry locked at all points of entry, particularly if housing a dangerous or venomous animal
 - built in a way that does not limit the animal's ability to regulate its temperature in accordance with the species needs such as
 - the inclusion of vents for general air flow
 - refraining from the use of conductive metal enclosures without sufficient insulation such as the use of toolboxes for reptiles.

3.7 Scientific use of animals – teaching

There may be circumstances where native wildlife is used in a manner which falls within the scope of using an animal for a scientific purpose as defined under the *Animal Care and Protection Act 2001* (ACPA). Prior to undertaking these activities, the authority holder must be registered with Biosecurity Queensland as a person using animals for scientific purposes. The person must also have each proposed activity approved by an Animal Ethics Committee (AEC). Generally, registration is required if providing a certificate of participation, competency or similar to a person who is participating in a training event. Exhibition licence holders who are subject to these approvals are not permitted to conduct relevant activities within Queensland unless the activity is authorised under the exhibition licence in the first instance, and the authority holder is registered with the department and the activity approved by an AEC.

The primary purpose for the granting of an exhibition licence for native wildlife is to conduct standard exhibit activities. A standard exhibit activity is the exhibition of a species in a way that provides information about the species, its habitat, species behaviour and the ecological role each species plays. The department acknowledges that the use of native snakes is commonly used for training members of the public in handling techniques. This activity has historically been conducted for many years which has allowed for the standardisation of methods used in a way that reduces relevant risks and adverse effects and is generally accepted by the community.

Excluding the use of native snakes, an exhibition licence will not be granted for the purpose of using authorised animals for training. Providing training about how to handle or care for animals to people who are not responsible people under the exhibition licence, is not within the scope of the Act regardless of AEC approval. In addition, exhibition licence holders will not be granted a licence to conduct any form of training that relates to activities associated with AEC approval at the licensed premises. If a licence holder conducts activities not authorised under the exhibition licence, regardless of AEC approval, the licence holder may be breaching a condition of the licence. This may result in compliance action including

amendment, suspension or cancellation of the licence with a maximum penalty of 200 penalty units. An application that relates to education and training activities associated with AEC approval may be considered provided that

- the activity is solely for the use of native snakes and no other category A, B or C species
- the proposal is not to be conducted at the licensed premises
- associated risks can be prevented or minimised and these risks are addressed in management plans
- the training is primarily based on safe handling techniques for native snakes rather than other aspects such as training to maintain snakes on a daily basis i.e. training for the purpose of keeping animals as pets.

An application that relates to conducting these activities for the purpose of commercial gain and provision of certification for reptiles other than native snakes have not been authorised for any current exhibition licence holder and will, continue to be unauthorised activities. Further information regarding the use of animals for scientific purposes may be viewed on the Queensland Government [Business Queensland](#) website.

4 Employed and non-employed staff

It is the responsibility of the authority holder to ensure that they, or a responsible person (i.e., an appropriately qualified employed person for the authority) is monitoring animals at all times while not on the licensed premises. In the event that the authority holder is not conducting the exhibit and in immediate control of animals, a responsible person for the authority must be present whilst exhibiting and dealing with authorised animals. Persons acting under the authority who are not paid employees, such as volunteers, are not permitted to conduct activities without the authority holder or responsible person for the authority being present. The following provides details of the types of activities that are unauthorised.

- Non-employed staff being in the immediate presence during an exhibition activity without the presence of the authority holder or a responsible person for the authority.
- Non employed staff moving animals to exhibit locations without the authority holder or a responsible person for the authority present.
 - *An example includes volunteers taking (walking, driving or similar) animals to exhibit locations without the presence of the authority holder or a responsible person for the authority.*
- An authority holder or a responsible person for the authority not being present and in the immediate vicinity of the exhibit area whilst animals are attended solely by volunteers or non-employed staff.
 - *An example includes the authority holder or staff member sitting in the car or not being present in some way while non-employed staff monitor the exhibit area.*

5 Additional protective measures

During the exhibition of animals, all required personal protective equipment and first aid equipment should be readily available and be in sound working order. At minimum, hand sanitiser must be available for use by members of the public and relevant advice on how to use the sanitiser should be provided. Where practicable, the authority holder should advise members of the public participating in exhibit activities, where the closest handwashing facilities are and advise participants to thoroughly wash their hands once they leave a display.

While conducting exhibits, all risk mitigation measures, including crowd control measures, must be in place. Authority holders must have an established method of crowd control, particularly during exhibits that provide handling or patting opportunities for members of the public. Animal welfare considerations including maximum timeframes for the use of individual animals during general exhibit and public interaction (patting, holding or photo opportunities) must be addressed in management plans submitted with the exhibition licence application.

6 Proof of authorisation (during exhibit and for Inspectors)

When exhibiting an animal authorised under an exhibition licence, the exhibit notice (front page of the exhibition licence) must be displayed in a prominent position in a way that it is easily visible to persons attending the place where the animals are exhibited. Displaying the exhibit notice identifies to members of the public that particular authorisation is required to exhibit particular animals and that the exhibitor is authorised to do so.

This exhibit notice is issued on the granting of an exhibition licence and is separate document to the full exhibition licence. To reduce the risk of animal theft, the exhibit notice will not include address details for premises that are deemed residential. There are significant risks associated with the keeping of authorised animals at private residences and all associated risks including additional security measures must be considered on application for a licence.

While conducting an exhibit, a full copy of the exhibition licence must be available for inspection if requested by an appointed inspector. This may be an electronic copy of the exhibition licence provided it may be produced for viewing on request by an inspector and is easily viewable and legible.

7 Public interaction

Public interaction with animals of a species may be considered provided that all risks associated with the proposed activity can be managed. Public interaction proposals can be included in the development of a management plan, identifying all the applicable risks and how they will be managed. Animals used in public interaction activities must be adequately assessed prior to use to prevent any detrimental effects on the animal. For example, animals that are showing signs of stress or aggression or should generally not be used e.g. handling a snake that has just, is about to, or is shedding, must not be used for presentations at the licensed premises or at venues off the licensed premises.

8 Exhibited Animals Regulation 2016 and licence conditions

The Exhibited Animals Regulation 2016 (Regulation) prescribes identification and record keeping requirements (Schedule 2, Division 2, Exhibition Information) for exhibition licence holders. The Regulation and conditions of the exhibition licence specify key criteria that must be met when authorised under an exhibition licence. Record keeping requirements stipulated in the Regulation include:

- identification of species in each enclosure held at the licensed premises (section 7)
- notification to the Department of loss of required record within 7 days (section 12)
- requirements for identification of animals including microchip requirements (section 9, 10, 11)
- required desexing of rabbits (section 13)
- obtaining information about other authority holders when transferring animals on or off the licence (schedule 2)
- details about the place where an animal was exhibited, what animals were used and exhibit timeframe record requirements for exhibiting authorised animals including time to and from exhibits and timeframe of exhibits (schedule 2)
- medical records for an animal including how these records must be dealt with on transfer of an animal (schedule 2)
- animal records for changes in animal numbers including births, deaths, transfers on and off the exhibition licence (schedule 2)
- animal movement record requirements (schedule 2)

There are conditions recorded on an exhibition licence that an authority holder must comply with. Failure to comply with these conditions may result in compliance action being undertaken and result in potential amendment, cancellation, or suspension of the exhibition licence and a maximum penalty of 200 penalty units.

9 Additional laws for consideration

There may be additional laws outside the scope of the Act that an authority holder may be subject to. It is the obligation of the authority holder to ensure that the exhibition of animals is approved at particular premises and relevant laws, or requirements are adhered to. This may include specific Local Government planning and amenity laws, Queensland Health or Workplace Health and Safety Queensland requirements. An applicant should provide proof that they have an understanding and are compliant with laws that relate to acquiring an exhibition licence or animals of a species under the licence. In particular, applicants may be required to provide proof that the application does not relate to relevant additional requirements such as development approval under the *Planning Act 2016* or local government approval for the number and type of animals being applied for.

10 Human rights considerations

This policy has been reviewed to ensure actions and decisions under this policy can be made in a way that is compatible with the *Human Rights Act 2019*.

11 Related and reference documents

Related reference material including defined terms in the Act and Regulation may be acquired from the department's website at <https://www.business.qld.gov.au/>

Additional reference documents include

- *Exhibited Animals Regulation 2016*
- *Exhibited Animals Act 2015*
- *Additional policy:* [Qld Government Publication Portal](#)