

Policy

Exhibition Licence requirements for mobile exhibitors

Exhibited Animals Act 2015

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1 Policy statement

This policy details the Department of Agriculture and Fisheries (department) considerations when assessing applications for a person that proposes to exhibit authorised animals at premises other than the licence address (mobile exhibits) under the *Exhibited Animals Act 2015* (Act). This policy should be read in conjunction with *Policy – Application considerations for mobile exhibitors* and additional reading material located on the [Qld Government Publication Portal](#) and the [Exhibited Animals website](#).

2 Background

In certain circumstances a business may be authorised to meet requirements for exhibit timeframes by exhibiting animals away from the licensed address (licensed premises). Animals acquired for this purpose are held in secured authorised regular enclosures at the licensed premises and are only exhibited off the licensed premises. This policy applies to exhibition licence holders who are authorised to exhibit category A, B or C1 species off the licensed premises.

3 Minimum exhibition timeframe requirements

The Act prescribes minimum exhibit timeframes that must be met for category B and C1 species. Minimum exhibit timeframes for category A species are not prescribed, however, like category B and C1 species, category A animals must be acquired for the purpose of exhibit.

Section 75 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 specifies that at least one authorised animal of each category C1 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 and paying the associated fee. 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 information 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 licence 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 action.

3.2 Licence holder responsibilities

The licence holder is responsible for ensuring that animals being exhibited are always in the immediate control¹ of the licence holder or a responsible person for the licence (employee under the authority). 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 is applied for, minimum requirements for how the activity must be undertaken are specified.

Authority holders must not conduct the following activities unless the activity is identified on the exhibition licence.

- Leaving an animal unattended while exhibiting off the licensed premises.
- 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 used for training that has AEC registration and 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 in 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:

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).*

- subject 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:
 - 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.
 - *Maximum timeframes for animal handling during public interaction should 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 venomous snakes under Animal Ethics Committee approvals, 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.
- The use of a bird in free flight outdoor venues provided the responsible person is in immediate control of the bird and the flight does not incite fear or concern in the general public.
- The use of birds in free flight indoor venues such as shopping centres or schools, provided flight from one person or fixture to another person or fixture is short, within a designated controlled area, approved in management plans and does not incite fear or concern in the general public.
- Use travel enclosures provided the enclosures are authorised under the exhibition licence and are authorised for the particular animal to be held.

3.3 Authorised activities

Authority holders must be careful not to 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 and are not authorised.

- *Examples of activities not automatically authorised with the licence, include:*
 - *conducting film and television activities that are not considered standard exhibit for reality television, e.g., an actor entering a tank holding snakes*

- *filming animals outside authorised enclosures and authorised controlled areas or off the licensed premises e.g., placing animals like juvenile crocodiles 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 authorised animals 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 C1 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.*

3.4 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.

3.5 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 not directly engaged under the licence, 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 rather than providing certification on how to care for and manage animals. 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 native snakes are commonly used for training members of the public in handling techniques for the temporary handling of wild snakes. 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 category A snakes to provide competency based training on handling techniques, a licence for the mobile exhibition of species will not be granted for the sole purpose of using authorised animals for forms of training certification.

Providing training about how to care for, handle and maintain animals in a captive environment, such as techniques used for captive animal husbandry, to people who are not responsible people under the exhibition licence, is not within the scope of the Act regardless of any AEC approval. In addition, no exhibition licence holder has been granted a licence to conduct these types of training certification activities related to AEC approval on or off the licensed premises and this will continue to be an unauthorised activity.

Activities associated with certification of how to temporarily handle (not care for and maintain) category A (excluding snakes) may be considered provided that the primary intent of exhibition licence activities is to exhibit animals by way of standard exhibit activities and in accordance with the below dot points. An application that relates to education and training activities associated with AEC approval may be considered provided that:

- the activity relates to how to temporarily handle (the relocation of wild animals) category A reptiles, rather than providing certification associated with how to care for and maintain animals on an ongoing basis.

- *an example of training for the purpose of how to care for and maintain animals includes training for the purpose of keeping animals as pets in a captive environment.*
- the activity is not for the purpose of training that involves AEC approval for non-reptile category A species, or any category B or C species
- the activity is not to be conducted at the licensed premises
- for category A reptiles (excluding snakes) the activity is in addition to standard exhibit activities
- associated risks can be prevented or minimised and these risks are addressed in management plans.

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. 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 licence 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 undertaking exhibit activities. 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 while 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 not authorised.

- Non-employed (i.e., a volunteer) 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 while animals are attended solely by volunteers or people that are not directly employed for the management of authorised animals.
 - *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 the exhibitor is authorised to exhibit that particular animal.

This exhibit notice is issued on the granting of an exhibition licence and is a 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.

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 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.

8 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.

9 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*.

10 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](#)