



Exhibiting animals at the regular enclosure site & Special Exhibition Approvals

Exhibited Animals Act 2015

Overview

The purpose of the *Exhibited Animals Act 2015* (Act) is to ensure the relevant risks and adverse effects associated with exhibiting and dealing with exhibited animals are prevented or minimised. The Act, which came into effect on 1 July 2016, provides a risk management framework covering environment, public safety and welfare matters associated with the exhibition of native wildlife and non-indigenous species.

Exhibiting animals at a licensed premises

A person that resides in Queensland may apply to exhibit and deal with an animal at the premises where an exhibition licence is issued (the *regular enclosure site*) by submitting a completed exhibition licence application in the approved form. Examples may include businesses such as zoos or wildlife parks where the public enter the licensed premises to view an exhibited animal within an approved enclosure (the *regular enclosure*).

How to apply for a species

Provided that the animal may be obtained legally and is permitted for exhibit within Australia, an applicant may apply to exhibit an animal by submitting a completed management plan.


Each management plan must address how an applicant will prevent or minimise relevant risks and adverse effects while exhibiting and dealing with an animal of a species.

Risks include to the welfare animal of the animal, human health, safety and wellbeing, social amenity, the economy and the environment. In addition, an applicant must demonstrate how they will meet the Act's general exhibition and dealing obligation (GEDO) for each proposed animal species.

Animal categories exhibited at the licensed premises

Animals obtained under an exhibition licence fall into three main categories - A, B or C. Category C is further divided into two sub-categories, C1 and C2. Regardless of a species category, all animals obtained under an authority must be held for at least one month prior to transfer off the licence.

Exhibiting a category A, B or C animal at a private event, taking photos or filming the event, posting footage on the internet of the event or any other similar activities are considered exhibiting the animal. However, exhibiting an animal in this way does not count towards the minimum exhibit timeframe requirements unless the activity has been endorsed for film and television production in the form of a story,



narrative or documentary and is approved on the exhibition licence. An exhibition licence will not be granted solely for the purpose of exhibiting by way of film and television including displaying images or video on social media or similar platforms.

Category A animals

Category A animals are animals that may be obtained under a native animal keeping licence under the *Nature Conservation Act 1992* (NCA). A management plan for each species may identify a type of regular enclosure that will be used rather than specifics of each enclosure proposed.

For example, an applicant may wish to apply for a number of different python species that are managed in exactly the same way. Rather than provide detailed descriptions for each regular enclosure for each python, an applicant may choose to provide enclosure details for all pythons between 1-2 meters provided, they are managed in the same way.

There is no minimum timeframe for the exhibition of category A animals however, when applying for a category A animal, a person must prove that they are acquiring each species for the purpose of conducting exhibits under the Act. If applicants are proposing to breed category A animals there must be sound justification for the request. Applicants who are proposing to acquire category A species solely for the purpose of breeding and selling may apply to obtain a native animal keeping licence under the NCA.

Category B animals

All other native wildlife that is not a category A animal is a category B animal. The dingo (*Canis lupus dingo*) and European rabbit (*Oryctolagus cuniculus*) are also considered category B

species. All category B species listed on the licence must be exhibited once in each calendar month, or a total of 12 occasions in the preceding year for the term of the licence.


For each category B species proposed, all exhibition and dealing obligations must be addressed through the submission of a management plan. All detailed information about the proposed regular enclosure at the regular enclosure site, transport information, responsible person experience and relevant risks and adverse effects of exhibiting each species must be detailed in the relevant management plan.

If applying for a category B species to be exhibited outside of the regular enclosure site, each animal must be identifiable by a third person. This may be achieved by microchipping or using another approved identification device.

Category C1 animals

Category C1 species are particular non-indigenous species listed in the Exhibited Animals Regulation 2016 (Regulation) that may be authorised for mobile exhibit. In addition, these species may be authorised to a licensed address that is not open to the public for the purpose of display. Licence holders must meet their mandatory exhibit requirements by exhibiting each species to the public for a minimum of 50 hours in each calendar month or a total of 600 hours in the preceding year. Applicants proposing to exhibit category C1 species must address all relevant risks and adverse effects associated with the species in a management plan.

Category C1 species have been identified, via a risk assessment process, as having a low risk of establishment and no more than a moderate adverse effect in the event of escape.



If exhibition licence holders are authorised to exhibit category C1 species in a mobile display, there is no requirement to apply for a Special Exhibition Approval (SEA).

Category C2 animals

All other non-indigenous species that are not listed under another category are classed as category C2 species. Examples may include Green iguana, Common marmoset, Tiger and the Boa constrictor.

When applying for a category C2 species, licence holders must address all relevant risks and adverse effects, including all exhibition and dealing obligations in a management plan. Licence holders must meet their mandatory exhibit requirements by exhibiting each species to the public at the regular enclosure site for a minimum of 50 hours in each calendar month or a total of 600 hours in the preceding year.

Exempt species

There are a number of native wildlife species and exotic birds that are identified as exempt under the NCA. Species that are identified as exempt have no associated minimum exhibit timeframe requirements however, the Act's GEDO must be met for each exempt animal held. A licence holder or new applicant must stipulate all the information for exempt animals in relevant management plans if proposing to hold an exempt animal in an enclosure with a category A, B or C species. This means that all exempt animals held with a category species must be listed on the licence.

Special Exhibition Approval (SEA)

A licence holder may apply for a SEA to exhibit category C2 species off the regular enclosure site for a particular event. All licence holders

wishing to apply for a SEA must submit a SEA application and a detailed management plan for identified category C2 animals they wish to exhibit off the regular enclosure site. A SEA is approved for a maximum term of one year or, if prior, on expiry of the licence.

Due to the high risk of taking category C2 species off the regular enclosure site, SEA approved species are only permitted for exhibit off the regular enclosure site in circumstances where the licence holder is aware of all specifics related to the proposed exhibit.

Licence holders approved to take category C2 species off the regular enclosure site must ensure each animal is identifiable by a third party. This may be achieved by microchipping or using another approved identification method as prescribed in the Regulation.

General considerations

If proposing to obtain a Category A, B, C1 or C2 animal, applicants need to consider the following prior to applying:

- Species management - do you have proven responsibility for daily management of the species?
- Animal welfare - is the species appropriate for mobile exhibition?
- Relevant approvals – have you considered additional approvals such as Local Government approvals for keeping animals at your premises and can you provide proof that these relevant approvals have been obtained or are not needed?
- GEDO - Are you able to meet all general exhibition and dealing obligations for each animal applied for both on and of the regular enclosure site?



There are various obligations that an authority holder must comply with if granted an exhibition licence, including record keeping requirements and licence conditions. An applicant must be able to meet these requirements on an ongoing basis and have a sound understand of what is required if granted an exhibition licence under the Act.

On being granted an exhibition licence, a licence holder will be provided an exhibit notice and a full copy of the exhibition licence. The exhibit notice provides details of the front page of the licence without the private address details. The exhibit notice must always be on display while exhibiting animals.

The full copy of the licence specifies all the activities approved under the licence and must be readily available for viewing by an inspector appointed under the Act on request. In addition, the exhibition licence will record numerous conditions that a licence holder must comply with. Failure to comply with conditions of the licence may result in a show cause as to why the licence should not be amended, suspended or cancelled.

It is the licence holder's responsibility to ensure they read through, have a thorough understanding of, and comply with all conditions of the licence.

Record keeping requirements

The Regulation specifies numerous record keeping requirements that a licence holder must keep and produce if requested by an inspector appointed under the Act. When applying for a licence, an applicant should provide information that demonstrates that they understand and will comply with all record keeping requirements.

For further information regarding record keeping requirements under the Regulation refer to the

Exhibited Animals Regulation 2016 and Other Act Requirements factsheet.

Additional laws

There are additional laws that an applicant will be required to comply with that are outside the scope of the *Exhibited Animal Act 2015* requirements. An applicant may be asked for proof that they are compliant with other relevant laws during the application process. An example of other laws include Local Government laws such as the provision of proof that Development Approval under the *Planning Act 2016* and associated conditions have been met.

For more information visit www.daf.qld.gov.au

