

Policy

Requirements for acquiring an Interstate Exhibitors Permit

Exhibited Animals Act 2015

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1 Policy statement

The purpose of this policy is to detail Biosecurity Queensland's licensing requirements for applicants wishing to apply for and exhibit animals in Queensland under an Interstate Exhibitors Permit (Permit) granted under the *Exhibited Animals Act 2015* (Act).

2 Background and scope

Under section 50 of the Act, the holder of an interstate authority to exhibit animals may apply to the chief executive for the granting of a Permit that provides for temporarily exhibiting and dealing with animals throughout Queensland. In addition, under section 94, an existing Permit holder may apply for an amendment to their Permit.

This policy applies to all holders of an interstate authority wishing to apply for a Permit, and existing Permit holders wishing to amend their Permit. There is no renewal process for a Permit. On expiry of a Permit, the Permit holder is required to apply as a new applicant if proposing to enter Queensland for the purpose of exhibiting native wildlife or non-indigenous species.

3 Species category

There are three main categories of animals, category A, B and C. Category C is further divided into two distinct categories - C1 and C2. All native wildlife is primarily managed under the *Nature Conservation Act 1992* (NCA). Excluding category B dingo and European rabbit species, native species identified as category A or B are prescribed in accordance with each species status under the NCA. Category C species are all non-indigenous species and are prescribed as prohibited matter under the *Biosecurity Act 2014*.

In summary

- *Category A* - an authorised animal that is a class 1 or class 2 animal (including dangerous animals) under the Nature Conservation (Animals) Regulation 2020.
- *Category B* - an authorised animal that is neither a category A or category C animal.
- *Category C* - an authorised animal that is designated prohibited matter under the *Biosecurity Act 2014* other than an animal that is international wildlife under the NCA. Category C is separated into authorised animals of a species prescribed under the Exhibited Animals Regulation 2016 (Regulation) as category C1 species. All prohibited matter that is not a category C1 species are identified as category C2 species.

4 Relevant risks and adverse effects

A person proposing to apply for a Permit must address all relevant risks and adverse effects associated with exhibiting and dealing with the species and activities proposed. Section 17 of the Act identifies relevant risks and adverse effects as

- relevant risks as
 - risks to the welfare of any animal
 - biosecurity risks
 - risks to public safety, death of, injury or illness to a person, caused directly by, or originating from, the exhibited animal; and
- a relevant adverse effect caused by an event such as an escape whilst exhibiting and dealing with an animal includes
 - the welfare of the animal
 - the health, safety or wellbeing of a person
 - social amenity, the economy and the environment.

5 Overview

A person granted a Permit is approved to move throughout Queensland with animals authorised under the Permit for the purpose of exhibiting animals to members of the public. Exhibits conducted in Queensland must be preorganised events that have been agreed to by the event holder prior to the Permit holder entering Queensland.

A person may only be granted a Permit to conduct exhibits in Queensland with animals of a species that they are currently approved for on the relevant authority in their residing state. Permit holders will not be granted approval for activities that are not permitted for Queensland based licence holders. In addition, activities proposed to be conducted within Queensland must also be approved on the residing State authority and proof of approval provided during the Permit application process.

An activity approved on the authority for the residing state is not automatically approved in the same manner when applying for a Permit for Queensland. This is because Queensland has different requirements that must be demonstrated in an application process.

The following are some aspects that are taken into consideration when assessing an application for a Permit:

- the proposed activity meets all Queensland legislative requirements including relevant animal standards and policies
- all relevant risks and adverse effects are identified and prevented or minimised
- the proposed activity is consistent with approvals granted to Queensland based authority holders
- the proposal does not place Queensland authority holders in breach of legislative requirements by way of exhibiting animals at authority holders premises, including within their enclosures.

There may be circumstances where native wildlife is used in a manner which falls within the scope of using an animal for scientific purposes as defined under the *Animal Care and Protection Act 2001* (ACPA). Prior to undertaking these activities, the Permit holder must be registered with Biosecurity Queensland as a person using animals for scientific purposes. The Permit holder 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. Further information regarding the use of animals for scientific purposes may be viewed on the Queensland Government [Business Queensland](#) website.

5.1 Authorised activities

A Permit holder is primarily authorised to conduct activities associated with exhibiting:

- native wildlife in a way that provides educational value and promotes appreciation of and respect for animals of a species and their environment
- the use of snakes for the purpose of teaching handling skills for the temporary handling of wild snakes, provided additional AEC approval and animal ethics registration has been granted
- category A, B or C animals for the purpose of film and television such as movies and documentaries about the species, their behaviour and natural habitat
- rabbits as part of a magic show or domestic animal petting exhibit.

5.2 Activities not authorised

The Permit only authorises exhibiting and dealing with authorised animals in accordance with residing State authority approvals. The Permit holder is authorised to enter Queensland with particular animals to which the application relates and a Permit will not be granted for activities associated with the following.

- Exhibiting native wildlife and non-indigenous animals at venues such as private parties associated with activities specified in the *Exhibited Animals Policy – Approved premises for the exhibition of authorised animals*.
- Public interaction with non-indigenous animals excluding interaction that occurs during film and television production.
- Dressing up animals or other activities not authorised under the licence, the Act or activities not in accordance with Exhibited Animal policy requirements for Queensland based licence holders.
- Exhibiting native wildlife or non-indigenous animals in a manner that is degrading or associated with degrading activities including activities that do not meet community expectations.
- Using animals for activities such as abatement, animals used for therapy, or using animals such as snakes for domestic animal awareness training.

6 Permit holder responsibilities

It is the Permit holder's responsibility to ensure that animals being exhibited are always in the immediate control of the Permit holder or a responsible person for the authority (employee under the authority in the residing State). Animals must be managed in a way that all relevant risks and adverse effects are mitigated whilst exhibiting in Queensland.

The following provides examples of some activities not authorised whilst exhibiting throughout Queensland.

- Leave an animal unattended whilst exhibiting or dealing with an authorised animal.
- Exhibit and deal with multiple animals outside approved enclosures at once, in circumstances where the animal to responsible person ratio is not equally weighted.
- Permit members of the public to come into contact with dangerous animals such as venomous snakes, unless authorised under the Permit and in accordance with Animal Ethics Approval.
- Have travel enclosures that do not identify the animal within or holding animals not in accordance with approved management plans and Act requirements.
- Move animals throughout the state without having a preorganised exhibit location that was organised prior to bringing animals into Queensland.
- Undertake employment or other activities that are not associated with travelling through Queensland for the purpose of exhibiting under the Permit. These activities often delay returning animals to the residing state which increases associated risks.
 - *An example of an unauthorised activity that would delay animals being returned to the residing state would be taking on damage mitigation permit work that would unnecessarily delay the Permit holders movements to the next exhibit location or returning to the residing state.*
- Leave animals outside an authorised enclosure or in authorised enclosures in a way that they are:
 - 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.
- Walk with animals outside of their authorised enclosure through crowds that are not in the immediate vicinity of the allocated exhibit area in a way that is not authorised under the Permit.
- Handle animals in an inappropriate manner or a manner that does not meet community expectations. This includes 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.
- Increase relevant risks and adverse effects by failing to notify accommodation facilities of the animals held when booking accommodation.

Permit holders may apply to conduct the following activities within the parameters stipulated.

- Exhibit venomous snakes outside fully enclosed secure key/code entry locked enclosures in a walled snake pit where the walls and flooring are joined together that ensures the pit is escape proof.
- Training using venomous native snakes, provided 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.
- The use of particular animal travel enclosures to relocate authorised animals. Unless authorised under the Permit, the Permit holder must not walk, carry, hold or similar an animal
 - from the transport vehicle to the allocated exhibit area
 - to the transport vehicle from the allocated exhibit area
 - throughout areas including crowds of people that are not within the controlled area of the exhibit, unless authorised under the Permit.

If whilst exhibiting and dealing with any animal, the animal shows signs of stress or aggression that do not subside after short exposure to an audience, the animal must be removed from exhibit activities.

6.1 Periods of travel

During movement in Queensland, Permit holders are required to 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 Permit holder is to 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 as required 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 residing State that is authorised under the Permit
- 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 transporting animals, 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
 - *an example of leaving an animal in accommodation unnecessarily includes 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 via 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 or animal
 - 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, crush proof 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 the animal's temperature in accordance with the species needs such as
 - the inclusion of air holes and general air flow
 - refraining from the use of conductive metal enclosures without sufficient insulation such as the use of toolboxes for reptiles.

7 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

exhibit¹. 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.

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 while displaying behaviour 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.*

A licence cannot be granted for the sole purpose of filming an animal and uploading footage onto social media platforms or similar. To meet criteria for obtaining a licence solely for film and television, an applicant must prove they are regularly employed by television networks to create television documentaries about the species, their behaviour and natural habitat to be aired on television networks or for film (movie) work.

The department also considers community expectations and how the proposed activity will be perceived by the 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 automatically granted with the granting of a Permit. 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.

8 Employed and non-employed staff

The Permit holder is responsible for monitoring animals at all times. A qualified staff member employed under the authority of the residing state may also be responsible for exhibiting and dealing with animals. Non-employed staff engaged under the authority that are not paid employees, such as volunteers, are not permitted to conduct activities under the authority without the Permit holder being present. This includes all activities associated with the Permit such as during times of exhibit.

9 Additional protective measures

During the exhibition of animals, all required personal protective equipment and first aid equipment must be readily available and be in sound working order. At minimum, hand sanitiser for public interaction activities must be available for use by members of the public and advice on how to use the sanitiser must be provided. Where possible, 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 the interaction is completed.

While conducting exhibits, all risk mitigation measures including crowd control measures must be in place. Permit 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

¹ Standard exhibit is when the animal acts as it normally would inside its authorised enclosure.

during general exhibit and public interaction (patting, holding or photo opportunities) must be addressed in management plans submitted with the Permit application.

10 Displaying the exhibition notice

While conducting an exhibit, a full copy of the Permit must be available for inspection if requested by an appointed Inspector under the Act. This may be an electronic copy of the Permit provided it is legible and can be produced for viewing on request by an Inspector. While exhibiting an animal authorised under the Permit, the Exhibition Notice (front page of the Permit) 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.

11 Particular animals not authorised for ongoing mobile exhibit

When proposing to exhibit and deal with animals of a particular species, the Permit holder is required to address all relevant risks and adverse effects associated with the exhibition of each animal. There are certain circumstances where the risks posed to an animal's welfare are too great of a risk and the department will not consider applications for solely mobile exhibits of certain types of species. In addition, the department must consider community expectations and how the use of an animal or a proposed activity will be perceived by the public. There may be circumstances where a Permit holder applies for a particular animal such as a category C species to be used for mobile exhibit purposes. This may occur in circumstances where a category C animal is required for exhibit for the production of a movie. In these circumstances an application addressing all relevant aspects of the proposed activity may be detailed within the management plan and assessment of the associated risks and if they can be minimised or prevented will be conducted.

12 Continued exhibition within Queensland

Permit approvals are granted for the purpose of temporarily exhibiting animals throughout various locations within Queensland and then returning animals to the residing state. The department must consider all risks associated with animals not being held in a regular enclosure at an authorised fixed location that meets Queensland legislative requirements. Even if the Permit holder is the legal occupier of a premises within Queensland or proposes to stay with family friends or similar, risks associated with prolonged stays and additional travel are increased due to animals not being held in authorised enclosures at an approved licence premises.

Permit holders are required to return to the residing state as soon as possible after exhibit if not travelling to the next exhibit destination. The Department accepts there may be some delays between exhibits where the Permit holder is not travelling or using animals for exhibit. However, Permit holders are expected to return to their residing State in situations where there are extended periods with no preorganised exhibits or travel required between exhibits.

If proposing to hold animals within Queensland for an extended period of time that is outside the timeframe required to move from one exhibit to the next, an exhibition licence application that meets all relevant criteria for exhibiting and dealing with animals in Queensland must be submitted.

13 Exhibited Animals Regulation 2016 and other Act requirements

The Exhibited Animals Regulation 2016 (Regulation) prescribes additional record keeping requirements for Permit holders. Part 3, Division 2, Section 14 requires the Permit holder to notify the department at least 14 days prior to entry into Queensland of

- A. the day animals are to be brought into Queensland (arrival date)
- B. the day animals are to be removed from Queensland (departure date).

There are numerous conditions recorded on the Permit that must be complied with. Failure to comply with these conditions may result in compliance action being undertaken and result in potential amendment, cancellation, or suspension of the Permit with a maximum penalty of 200 penalty units.

A primary Permit condition requires the Permit holder to notify the department of any potential change in the arrival date or departure date. The Regulation and Permit conditions specify key criteria that must be met when authorised under a Permit. This includes Regulation requirements for the identification of animals (Part 3, Division 2, Section 10) and record keeping requirements for the exhibition of animals (Schedule 2, Division 2, Exhibition Information).

14 Public Interaction

For standard exhibit activities, public interaction with native species may be considered provided that all risks associated with the proposed activity can be managed. Public interaction approval can be applied for through the development of management plans identifying all the applicable risks and how they will be managed. If public interaction is proposed, activities must not fall outside the scope of activities that are permitted for Queensland based exhibition licence holders.

15 Additional laws for consideration

There may be additional laws outside the scope of the Act that a Permit holder may be subject to. It is the obligation of the Permit 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 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 importing animals into Queensland under a Permit.

16 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*.

17 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:* [Exhibited Animals Legislations - Dataset - Publications | Queensland Government](#)