

# Policy

## Requirements for exhibiting and dealing with a European rabbit in Queensland

*Exhibited Animals Act 2015*

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## 1 Policy statement

The purpose of this policy is to clarify approved activities when exhibiting and dealing with a European rabbit (rabbit) under the *Exhibited Animals Act 2015 (Act)*.

## 2 Background and context

Queensland has strong laws regarding rabbits. Under the *Biosecurity Act 2014*, rabbits are a restricted invasive animal and must not be moved, kept, fed, given away, sold, or released into the environment without a permit. A permit can be obtained for legitimate public display, magic acts and circuses.

The Act provides for the granting of an authority for a rabbit provided the applicant is in the business of exhibiting animals generally and all relevant risks and adverse effects of exhibiting and dealing with the rabbit are prevented or minimised.

Generally, exhibiting a rabbit means displaying the animal to the public in a mobile or fixed exhibit. Examples of using a rabbit for the purposes of exhibition under the Act may include:

- exhibiting a rabbit at a zoo
- using a rabbit in a magic show or circus performance
- exhibiting a rabbit at a petting farm
- exhibiting a rabbit as part of an educational show such as a pest information program.

Generally, dealing with a rabbit means carrying out an activity other than exhibiting the animal. Examples of dealing with a rabbit include:

- moving a rabbit
- keeping or possessing a rabbit
- giving, selling or otherwise disposing of a rabbit.

When exhibiting and dealing with a rabbit, the relevant risks include:

- a risk to the welfare of the rabbit
- a biosecurity risk
- a risk to public safety including injury, illness or death caused directly or indirectly to a person.

Relevant adverse effects include incidents that may occur in the event of an escape or similar and must be considered with respect to:

- the welfare of the rabbit in the event of an escape or similar
- the health, safety or wellbeing of a person
- the social amenity, the economy and the environment.

The purpose of the Act is primarily achieved by imposing general obligations on persons exhibiting and dealing with exhibited animals to prevent or minimise associated relevant risks and adverse effects. The department must also consider community expectations and what is considered reasonable and humane use of an animal. This includes ensuring a rabbit exhibited and dealt with for exhibition meets certain standards of care and management.

The Act's primary intent is to provide for rabbit exhibition for entities that exhibit animals. There are certain activities that an authority will not be granted for. Examples include a rabbit held:

- Keeping rabbits at commercial premises such as doctors' surgery, veterinary surgery, pet store, dentist practice, caravan park or similar
- for human or animal therapy
- at café's, pubs, restaurants or similar
- within schools or similar premises such as universities and childcare centers
- at residential premises where the premises is not open to the public and the rabbit may only be viewed by appointment.
- The use of rabbits for training other animal species

### **3 Applicant and authority holder responsibilities and accountabilities**

Persons applying to exhibit and deal with a rabbit under the Act must apply through the application process and detail proven skills, knowledge and experience they have with a rabbit and include how the relevant risks and adverse effects of the proposed activity will be prevented or minimised. Authority holders granted an authority under the Act have specific legislative requirements that must be adhered to. The authority holder must understand all relevant legislative requirements of the Act, including:

- record keeping requirements set out in the Exhibited Animals Regulation 2016 (Regulation)
- general obligations under the Act including incidents that require authority holders to notify the department within specific timeframes, for example a serious incident notification or significant change notification
- compliance with all criteria recorded on the authority including:
  - conditions
  - enclosure details
  - security
  - minimum requirements for the exhibition of a rabbit
  - mandatory desexing and microchipping requirements.

During the application assessment process, the department must consider all risks associated with the granting of an authority under the Act including:

- the legitimacy of the business relevant to the activities proposed
- business viability in consideration of the applicant's ability to:
  - meet minimum display requirements for the rabbit
  - ensure suitable placement of the rabbit in the event of business failure
  - the impacts on the rabbit in the event that it must be moved to another authority
  - the authority holder's understanding of other local government laws or legislative requirements
- measures to prevent the rabbit escaping
- suitable husbandry practices and enclosures that promote optimal welfare for the rabbit
- proven skills, knowledge and experience relevant to sound understanding of rabbit welfare requirements.

#### 4 Film and television activities

If the authority holder proposes to take videos and still photographs for film and television activities, the management plan must include sufficient information related to the activities that will be undertaken outside of normal standard exhibit<sup>1</sup>). Film and television activities for standard exhibit practices including the use of those images or filming are authorised provided that this is addressed in the management plan.

Film and still images of an authorised animal taken 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. If filming or imaging the animal during standard exhibit activities is proposed, no additional information is required provided that:

- A. the animal will be recorded while displaying behaviours expected of the species inside its authorised regular enclosure
- B. the animal is not disturbed, or its behaviour is not interrupted or modified for the purpose of taking the film or images

*Note: this excludes behaviours associated with C, such as calling the animal to encourage the animal to look at the camera.*

- C. 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 participating in a meerkat experience*

In assessing an application for an animal species to be used for film or television, DAF will consider community expectations and how the proposed activity will be perceived by the general public.

Dressing animals in clothing, using props or similar and posting images or video on social media platforms of animals outside of standard exhibit activities is not acceptable. The use of authorised animals for film and television that is outside standard exhibit such as interactions seen on reality television programs is not approved unless the risks have been addressed in management plans and the activity endorsed under the licence.

If proposing filming outside of standard exhibit activities, the management plan must clearly detail how the animal will be used during these activities and the activity must be approved. Film and television or general imaging requirements specified in this policy apply to all circumstances where these activities are proposed including the use of all social media platforms such as Facebook and Instagram, standard advertising, documentary or reality television.

#### 5 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 all relevant laws or requirements are adhered to. This may include Queensland Health or Workplace Health and Safety Queensland requirements.

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<sup>1</sup> Standard exhibit means the animal acting as it normally would inside its authorised enclosure

## **6 Responsibilities and accountabilities**

The Exhibited Animals team, in the Department of Agriculture and Fisheries will be responsible for assessing applications submitted under the Act.

## **7 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*.

## **8 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](#)