

Agriculture and Environment Committee

Parliament House

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Distinguished Members,

The Queensland Native Fauna Advisory Group (QNFAG), welcome the opportunity to voice our collective opinions on this newly presented bill.

QNFAG currently represents over 1000 people from all walks of life with an interest in fauna. Many members will lose the possibility of being exposed to exotic wildlife, some of whom will be adversely affected financially, should this Bill become an Act as it stands.

We as a group of like-minded people are concerned with the welfare, biosecurity, ecology, and especially public safety of captive animals, and have concerns regarding some overly restrictive aspects of this novel bill.

Noting the policy objectives, with statements regarding the present legislation such as "...frustrates innovation..." we wonder how this new Bill expects to achieve innovation. In general we feel that the slant of the Bill is in favour of fixed exhibitors. The major beneficiaries of this Bill are the Government, and fixed exhibitors. Very little benefit is seen with regards to mobile exhibitors. Instead it stymies' their ability to be innovative.

It should be noted that the vast majority of exhibitors are in fact mobile, greater than fifty percent.

In fact if one was to read through all the portrayed improvements with this novel Bill, we cannot see any true improvement over present legislation for mobile exhibitors.

As society changes new expectations and opportunities arise. By fixing so many restrictions in the Act it ensures that when changes are required, it becomes more difficult to ensure the expectations of the public and also the operators are simply fulfilled.

We feel a better place to put some of these restrictions is in the regulations, which by their nature are easier to change according to societies expectations.

After discussion amongst members we wish to make the below comments:

**a) New single licence system; and/or new system of interstate exhibitors' permits and special exhibition approvals**

In general we are very much in favour of a new licence system, with the potential to streamline the current system.

We can understand and appreciate the need for a single licence.

Our concern is that far too many business opportunities are being denied due to insufficient opportunity to expand ones business due to the one size fits all category.

The legislation presented does not allow simple changes or flexibility, in the future, such as species lists, and exhibit periods

We notice the extension of interstate exhibitor permits from six months to one year. But are still of the opinion that all permits should have the ability to be issued for up to three years. Obviously the issuer will then have the opportunity to issue for a lesser period, but should all relevant risks be minimized to as low as reasonably practicable then a three year term is valid. We refer you to Clauses 16, 17 and 18, if a business fulfils these three clauses why should they not have the ability to hold a three year licence as are other businesses?

Special exhibition approvals should be available across all facets of the industry, rather than as proposed, restricted to interstate and fixed exhibit exhibitors.

**b) General criteria and mandatory conditions for exhibited animal authorities**

We see no issue with such, as long as all exhibitors are treated equally and are able to enact their business plans on an even playing field.

Though we feel clause 69(g) is overly restrictive with the one hour time frame. Possibly the addition of wording to the effect “without reasonable excuse”, should be added.

**c) Requirement to prepare and submit exhibited animal management plans**

We welcome this novel proposal and can see many benefits.

The main concern is what depth of detail will be required upon submission.

We would like assurances that a template management plan be presented prior to enacting regulations to ensure that any such management plan is reasonably practicable.

**d) Official assessments (audits) and private/3rd party assessments (certifications)**

This novel idea for the fauna industry has merit, we welcome the proposal, but again would need clarification of the regulations prior to enactment. To quote an old saying “the devil is in the detail”.

The use of official assessments are a tool that can ensure all operators are bono-fide exhibitors. Thus negating one argument against mobile exhibitors having the opportunity to exhibit Cat C wildlife. It would be a non argument to say that the exhibited animals team will be responsible for issuing licences only to bono fide operators then say that they cannot be verified. It is the duty of the government to ensure they only issue licences to entities that genuinely wish to exhibit wildlife to the public. Simple things like verification of insurance, a business plan and investment in infrastructure should point in the right direction of a bono-fide business.

**e) Accreditation for private (3rd party) persons/assessors**

An interesting part of the Bill and one that if done correctly will greatly ease the burden of bureaucracy upon exhibitors and the Government. Again we would need to see the detailed set of criteria before we could make a worthwhile contribution.

**f) Minimum exhibition periods for certain categories of exhibited animals**

The requirement for fixed exhibits be open to the public for 900 hours is overly burdensome, it is our understanding that this number was drawn up with no science behind it. The number was simply thought up to satisfy an unstated requirement.

It expressly shows the slant of the bill towards classic “zoo” operations, and does not address the greater, wider sections of the fauna exhibition industry.

It does not allow for a business to adapt to new opportunities as they arise. It pigeon holes all exhibitors into a stale industry with minimal opportunity to be innovative.

For Cat C species an adjustment could be made for mobile exhibitors to exhibit 400hrs per year. This is based on one exhibit per week per year. This ensures bono-fide operators are able to compete with fixed exhibitors, while still giving them flexibility. This could be further clarified by a register insuring the exhibit is attended by paying clients, and exhibit dates.

**g) General exhibition and dealing obligation**

This is the basis for an exhibitor to exhibit wildlife. If an exhibitor can satisfy this they should not be discriminated against because they are a mobile operation.

Mobile operations have the unique ability to bring wildlife to the public. Large swaths of the Queensland population are unable to travel to the few fixed exhibits mainly located in South East Queensland.

The simple satisfaction of Clause 18 should ensure the business has full and open access to all wildlife available to all exhibitors.

Should an exhibitor not be able to fulfil any criteria then the Exhibited Animals team can simply refuse that business either a licence or a species, according to the criteria unfulfilled.

The Exhibited Animals team are there to ensure that licences are only issued to bono-fide operators. To simply lump all mobile exhibitors into a category of not being able to fulfil any particular criteria smacks of hypocrisy.

**h) Costs and impacts on business resources, operations and competitiveness.**

It is very difficult to comment on something which is not defined. We are told for some, the cost of licences will increase, for others decrease. But this is not clarified.

Obviously the initial cost of preparing the management plan will be onerous for some, especially struggling small businesses.

The biggest point as stated above, is the unequal access to wildlife species will allow some operators a competitive edge. Over fifty percent of exhibitors will be denied the same opportunity as fixed exhibitors and interstate companies.

- **Respond or comment on matters raised in other submissions/or by other witnesses.**

The biggest issue for mobile operators as stated in prior communications and submissions is fair and equal treatment and access to business opportunities.

Obviously we are not asking that operators be issued licences for any and every species of wildlife. We are asking that every operator has the same opportunity to prove their ability to manage the risks. If a business can show as per stated requirements in this Bill that they can manage the risks then they should be able to operate as per their proposed management plan for specified species.

It has been stated by Exhibited Animals that “All those involved in exhibiting or dealing with an exhibited animal will be required to take reasonable and practical steps to prevent or minimise risks to animal welfare, biosecurity and safety ...” If this is the case then why the refusal to allow non-fixed exhibitors the ability to attain these same criteria. There has never been a single reasonable reason why mobile exhibitors should not be able to have the same opportunities as fixed exhibitors. We would welcome a debate on this very topic.

Note the following Exhibited Animal statement “An exhibition licence could be granted for any species if the chief executive was satisfied relevant risks and relevant adverse effects would be appropriately managed under a plan.” This statement is false for mobile exhibitors.

In fact if one was to read through all the statements put out by Exhibited Animals, and note what they portray and the reality, for a mobile exhibitor one would overwhelmingly notice the Bill has been designed and written from a fixed exhibitor point of view. Minimal consideration has been put into addressing those in the mobile industry.

It is noted within the RIF that if a business can allay biosecurity fears, and reduce the biosecurity risks as low as reasonably practicable then a greater range of fauna species will be available. It does not state except mobile exhibitors. It brings to the forefront of one’s mind the book *Animal Farm* by George Orwell, we are all equal except some.

Mobile operators have an impeccable biosecurity record. The question needs to be asked if the aim of the bill is to streamline the onerous burden of permitting, reduce biosecurity risk, and promote business’ with valid education programmes, why this illogical restriction.

In fact fauna held off display have a lower biosecurity risk than those on display. This is proven by the number of thefts from “zoos” open to the public.

Again the restriction for Category C species to those business with fixed exhibits open to the public for 900 hours, reduces the market to only those facilities. Thus preventing the wider majority of exhibitors from educating the public with these species and therefore reduces non fixed exhibitors business opportunities.

Once again this returns to the conflict between the aim of the Bill and the reality of the result of the Bill.

The Bill allows mobile exhibitors from other states to enter Queensland and conduct business in a manner that is denied to local business, this is really absurd. If an interstate business can be

accepted as managing the risk of exhibiting Cat C species why a Queensland mobile exhibitor can't be accepted as being able to manage the risk.

We refer you to Clause 3 and 4 of the Bill and ask if our suggestions are in conflict, if not then why the refusal to allow over fifty percent of exhibitors, (who will be adversely affected commercially), these opportunities, and ensure an even playing field for all. If an operator can satisfy Clause 17 and 18 then they should be granted a license for those species of wildlife applied for, even if they are a mobile operation.

Scott Eipper

Secretary

Queensland Native Fauna Advisory Group