

Section	Clause	Comments
24	24 Consultation about codes of practice (1) Before the making of a code of practice under this part is recommended to the Governor in Council, the chief executive must consult with relevant entities. (2) Subsection (1) does not apply to the adopted provisions of a code of practice.	Before adopting provisions of an existing Code of Practice the chief executive should be required to consult with industry. This will avoid the adoption of unsuitable Codes of Practice from other jurisdictions.
	(4) In this section— relevant entities means entities the chief executive considers have an interest in matters relating to exhibiting and dealing with exhibited animals. <i>Examples of types of entities—</i> entities from community groups or professional and industry associations	The consultation in relation to the making of a code of practice should be restricted to the involvement of the regulator and industry. The inclusion of ‘community groups’ provides for any group or person with nothing at stake to impose conditions on the operations of bona fide businesses operating as per the law. This opens the way, for example, for animals rights groups to impose unworkable and costly conditions on the operation of legitimate businesses. The definition of relevant entities must be changed so as to exclude this possibility.
26	Chief executive may make guidelines (3) Before making a guideline, the chief executive must take reasonable steps to allow entities the chief executive considers may have an interest in the proposed guideline to give the chief executive written submissions about it.	The consultation in relation to the making of a guideline should be restricted to the involvement of the regulator and industry. The inclusion of ‘community groups’ provides for any group or person with nothing at stake to impose conditions on the operations of bona fide businesses operating as per the law. This opens the way, for example, for animals rights groups to impose unworkable and costly conditions on the operation of legitimate businesses.
37	Meaning of management plan (1) A management plan is a plan, submitted by an applicant for an exhibition licence or interstate exhibitors permit, complying with subsections (2) to (4). (2) The plan must— (a) for an animal proposed to be exhibited and dealt with under the exhibition licence or interstate exhibitors permit as a particular animal—identify the animal (the subject animal); and	Management plans have the potential to have substantial resource implications for both government and industry if they are to be applied retrospectively as appears to be the intention. Some authority holders have well over a hundred species held on their authority and the burden of writing a multitude of management plans will be very costly especially considering all of the species held currently <u>are already approved</u> ; it would be entirely improper for the new requirement to be applied to existing authority holders for species that they already hold. The management plan requirement must

<p><i>Example of identifying a particular animal—</i> identifying a particular animal by referring to its species and a unique identifying number obtainable from a microchip inserted in the animal (b) for an animal proposed to be exhibited and dealt with under the licence or permit only as an animal of a species—identify the species (also, the subject animal); and (c) state how the applicant proposes to exhibit and deal with the subject animal; and (d) state the significant relevant risks and relevant adverse effects associated with exhibiting and dealing with the subject animal; and (e) state the ways in which the applicant intends to prevent or minimise the risks; and <i>Examples for paragraph (e)—</i> • how the subject animal is to be contained in an authorised enclosure or secured during an exhibition • if public interaction involving the subject animal is to be authorised, the restrictions to be applied (f) if the subject animal is not native wildlife, state the arrangements for managing reproduction of the animal, including, for example, arrangements for progeny of the animal. (3) If the plan is submitted by an applicant for an exhibition licence, the plan must also— (a) for a subject animal proposed to be an authorised animal (category A), identify each type of enclosure that is proposed to be— (i) a regular enclosure for the animal; and (ii) another authorised enclosure for the animal, if any; and (b) for a subject animal proposed to be an authorised animal (category B) or (category C), identify each enclosure that is proposed to be— (i) a regular enclosure for the animal; and (ii) another authorised enclosure for the animal, if any; and (c) identify each regular enclosure site for a regular enclosure mentioned in paragraph (a)(i) or (b)(i); and (d) without limiting subsection (2)(c), state— (i) how the applicant proposes to exhibit and deal with the subject animal in each proposed regular enclosure for the animal; and (ii) if different from a matter stated under subparagraph (i), how the applicant proposes to exhibit and deal with the subject animal in each</p>	<p>only be applicable to new authority applicants and new species sought by existing authority holders.</p> <p>Further it is not clear what government intends to actually do with these management plans once they receive them; given the regulating department's low level of staff resources it is quite likely that these management plans will simply be filed and forgotten. The exhibited animals industry has operated successfully with a good safety, security and welfare record for many years without the need for such management plans for native species.</p> <p>The Association proposes that management plans be made applicable to authorised animals (category B and C) only. Authorised animals (Category A) are animals that can be kept as pets by the holder of a private Recreational Wildlife Licence in the state of Queensland. Recreational Wildlife Licence holders are not required to have anything at all that resembles a management plan as is proposed under the <i>Exhibited Animals Bill 2015</i> for <i>Exhibition Authority</i> holders. Government is satisfied that relevant risks are adequately managed by private people who hold Category A species and the Association is simply requesting the same level of government oversight.</p> <p>Such an approach will save significant resources and cost for both government and industry.</p>
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	other proposed authorised enclosure for the animal.	
51	Requirements for application (2) However, the chief executive may waive payment of the fee if satisfied—	The fee should be waived to accommodate exhibition of prohibited wildlife at an event such as National Threatened Species Day (i.e. exhibits that do not generate any income and are focussed solely on conservation).
80	Definitions for div 1 In this division— <i>serious incident</i> means any of the following— (a) the death of, or serious injury or illness to or of, a person, caused by, or originating from, an authorised animal; <i>serious injury or illness</i> , to or of a person, means an injury or illness requiring the person to have— (a) immediate treatment as an in-patient in a hospital; or (b) immediate treatment for— (i) the amputation of any part of the person's body; or (ii) a serious head or eye injury; or (iii) the separation of the person's skin from an underlying tissue (for example, degloving or scalping); or (iv) a spinal injury; or (v) the loss of a bodily function; or (vi) serious laceration; or (c) treatment by a doctor within 48 hours of contact with the animal that caused the injury or illness or from which the injury or illness originated.	<p>The Association is comfortable with the definitions of a <i>serious incident</i> however <i>serious injury or illness point (c)</i> (which requires reporting as per Section 81 Obligation to notify serious incidents) will result in the need to report many small scratches and bites by animals such as lizards, koalas and parrots as these types of injuries are often treated by a doctor as a precaution against infection and/or tetanus. Such precautionary treatment is of no significance and must not be reportable to DAF as this will create unnecessary work for both industry and government.</p> <p>The Association suggests that the best way to set the reporting threshold is to refer to the <i>Work Health and Safety Act 2011</i> reporting requirements and make the reporting requirements the same for the <i>Exhibited Animals Bill 2015</i> but with the caveat that the <i>serious injury or illness</i> must be the direct result of contact with an animal. Therefore if you need to report a serious injury or illness to Worksafe Queensland <u>and</u> the injury or illness was caused as a result of direct contact with an exhibited animal then DAF are to be notified also.</p> <p>Adopting this suggestion will save resources for both industry and government whilst still achieving the government's intention of being notified of a <i>serious incident</i>.</p>
	(c) the escape, or unauthorised release or removal, of any authorised animal from a controlled area;	Peafowl and Guinea Fowl are maintained in zoos as fully-flighted free-ranging animals and subsequently they sometimes range outside of the controlled area (i.e. perimeter barrier of the facility) but return to the controlled area. This situation would precipitate the immediate need for notification as a serious incident. This situation could be alleviated by adding both species to Schedule 1 Exempted Animals . Peafowl and Guinea Fowl are two

		domesticated bird species essentially the same as chickens, ducks and turkeys (species which are already included in the list of exempted animals).
81	Obligation to notify serious incidents (1) The authority holder must notify the chief executive, as required under this section, of a serious incident relating to an authorised animal immediately after the holder becomes aware of the incident, unless the holder has a reasonable excuse.	See comments under Section 80 .
82	Obligation to notify significant change (1) This section applies to the authority holder if any of the following (each a <i>significant change</i>) happens— (a) a person moves an authorised animal outside of an authorised enclosure under section 43(c)(ii) or 47(c)(ii);	In this section licence holders should have a blanket approval to remove an animal from authorised enclosure <u>without</u> the reporting requirements. These situations arise quite regularly – for example moving a Brolga out of an enclosure whilst tree lopping is being done, removing a Koala from a pen whilst new forks are being installed, removing a Brown Snake from an enclosure to allow safe cleaning. These are all just routine, regular animal management and husbandry decisions that should not be required in management plans or should not require reporting. If it was written to deal with animals such as big cats or the like then it should be more focused on the area where there may be issues. This is an area to reduce red-tape and costs to industry and government.
	(b) a person deals with an authorised animal in a way— (i) that is not authorised under the authority; and (ii) that the person considers is necessary to prevent or minimise a relevant risk associated with exhibiting or dealing with the animal;	In this section licence holders should have a blanket approval to remove an animal from authorised enclosure <u>without</u> the reporting requirements. These situations arise quite regularly – for example moving a Brolga out of an enclosure whilst tree lopping is being done, removing a Koala from a pen whilst new forks are being installed, removing a Brown Snake from an enclosure to allow safe cleaning. These are all just routine, regular animal management and husbandry decisions that should not be required in management plans or should not require reporting. If it was written to deal with animals such as big cats or the like then it should be more focused on the

		area where there may be issues. This is an area to reduce red-tape and costs to industry and government.
Schedule 1	Exempted Animals	Suggest the addition of Peafowl and Guinea Fowl as two domesticated bird species essentially the same as chickens, ducks and turkeys (species which are already included in the list of exempted animals). This would alleviate issues associated with Section 80 serious incident part (c) , which requires escape from a controlled area to be notified to the Chief Executive, as Peafowl and Guinea Fowl are maintained as fully-flighted free-ranging animals in zoos and subsequently they sometimes range outside of the controlled area (i.e. perimeter barrier of the facility) but return to the controlled area.

Other Matters:

1. Under the current legislation the holder of a Wildlife Exhibitor Licence is able to automatically be granted a Wildlife Rehabilitation Permit without any additional application being made. Given the work that zoos do supporting the government in terms of wildlife rescue and rehabilitation this provision needs to continue so that the holder of an Exhibition Licence, who operates at a fixed location, under the *Exhibited Animals Bill 2015* automatically receives a Rehabilitation Permit under the NCA. This will remove the need for a licensee to have to deal with another government department; one of the key points of the move to the single piece of legislation.
2. Fees are set to rise very significantly (to be detailed in the regulation) and fees for minor authority amendments and fees for major authority amendments differ very substantially. It is not currently clear as to what will be considered a minor amendment and what will be a major amendment. DAF staff have stated that they will have some discretion available to them over what a particular amendment request by an authority holder may be considered to be; minor or major. Some detail on this would be useful for industry when considering the likely impact of the dramatically increased fees.