



QNFAG Queensland
Native Fauna
Advisory Group inc.

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Members of Queensland Native Fauna Advisory Group Inc. acknowledge the purpose of the Exhibited Animals Act is "... to provide for exhibiting and dealing with exhibited animals."

We welcome this act and wholeheartedly believe it is a step forward for Queensland animal exhibitors. But we have some issues which we have struggled to have addressed.

It is noted that "...It is also a purpose of this Act to ensure the relevant risks associated with exhibiting and dealing with exhibited animals, are prevented or minimised..."

We believe that should an exhibitor be able to manage the relevant risks whether they are a fixed or mobile exhibitor then as the Exhibited Animals department notes in their RIS, then all exhibitors should be entitled to the same terms and conditions.

We believe that various commercial aspects of this Act have been omitted.

We accept the following terms and conditions:

- (c) imposing additional obligations on persons exhibiting or dealing with exhibited animals under authorities; and
- (d) providing for monitoring and enforcement of compliance with this Act; and
- (e) providing for codes of practice relating to a person's obligations under this Act; and
- (f) providing for the chief executive to make guidelines about the application of this Act and how a person may comply with obligations imposed under this Act."

We note that the above conditions are best achieved through accompanying regulations.

We note Chapter 2 Part 1 section 18: Obligation of responsible person for exhibited animal

This section requires a responsible person to ensure that all obligations are met. To reject non fixed exhibitors from the same commercial opportunities as fixed and interstate exhibitors predisposes that the license holder is unable to meet the same requirements without due process.

A main issue is that while the Exhibited Animals Bill states that all exhibitors will be “equal”, in fact by the nature of Chapter 3 they are not equal.

If an exhibitor is able to meet the criteria set and manage the relevant risks as noted in the Exhibited Animals Bill and the accompanying regulations then they should be afforded the same opportunities.

Basically as the Exhibited Animals Bill reads now, and as stated by the Exhibited Animals team only fixed exhibitors will be able to display category 2 species (i.e. Prohibited Matter).

Our members are not asking for special consideration, they instead are asking for equal consideration in exploring their own business opportunities.

While interstate exhibitors will be able to display category 2 species, Queensland companies will be prevented from the same commercial opportunities.

Under the federal constitution all Australian companies are afforded the right to the same business opportunities, yet the Bill in essence goes against that.

Chapter 3 Exhibited animal authorities

30 Categories of exhibited animal authorities

The chief executive may give exhibited animal authorities of the following categories—

- (a) an exhibition licence;
- (b) a permit (an interstate exhibitors permit) to exhibit and 18 deal with an animal in this State if the animal is the subject of an interstate authority;

Subsection (b) allows interstate exhibitors commercial opportunities that are unavailable to the majority of Queensland exhibitors

We thus request that Chapter 3 be changed to afford all operators the same business opportunities.

Our members were assured that any Code of Practice to be initiated under the new act would have their input. Yet the below quoted section of the bill seems to contradict this.

We request clarification on this matter, and assurance that no code of practice will be introduced without our concerns being addressed.

There is a federal cop at present being reviewed and it is our members fear that such a cop will be introduced to Queensland without input.

Unfortunately the federal cop does not address mobile exhibitors and to have mobile exhibitors being forced to adhere to a cop not designed for them could lead to problems.

Chapter 2 Part 2 Division 1 Codes of Practice Section 24 Consultation about codes of practice (2) Subsection (1) does not apply to the adopted provisions of a code of practice.

We feel that this subsection should be deleted as it does not ensure full community or industry consultation. Especially considering that industry are the experts in this field.

Categories of exhibited animals are discussed but are not defined. Such that there is confusion as to what animals are available to which particular commercial operation.

We have issues with 68 2 (a) with regards to exhibition time, namely the figure 900 hours. This number we feel is excessive and an arbitrary number arrived at due to not enough consideration given to future commercial possibilities. We believe it should be reduced to allow greater commercial flexibility. We believe this number should be addressed in a regulation. In which case should in the future the number be required to be changed it would be a relatively simple process

We have issues with 68 4 and 69 3 where commercial possibilities are again being restricted. We as commercial operators should not be restricted due to a perception. There is a market for private functions, which in their nature are low relevant risk.

By their very nature special exhibition permits ensure that mobile establishments are fulfilling their obligations to exhibit category 2 animals. Simply by the fact that to move a category 2 animal to an offsite venue would require a special exhibition permit. By applying for the special exhibition permit the department would be continuously aware of the offsite exhibits and thus fully aware of the exhibit. This ensures that operators are not holding category 2 animals for other that exhibition purposes.

Official assessments also ensure that those mobile operators that wish to apply for category 2 animals are fulfilling their obligations and minimising relevant risks as per the Exhibited Animals Bill.

70 d the requirement of access within one hour is excessive, this should be at least 24hrs

In summary our commercial members are requesting that all exhibitors are afforded the same rights and conditions in running their business.

This can be achieved by

- a) allowing all operators the opportunity to exhibit category 2 (prohibited matter)
- b) reducing the 900 hour exhibit time to 400 hours
- c) allow special exhibition permits run per year
- d) ensure any CoP is done with mobile exhibitor participation
- e) extend the notice of a visit to 24hrs notice

We would appreciate an audience to further explain the negative commercial implications of this bill and to allay any concerns.

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Presient