




Speech By  
**Linus Power**

**MEMBER FOR LOGAN**

---

Record of Proceedings, 21 May 2015

### **EXHIBITED ANIMALS BILL**

 **Mr POWER** (Logan—ALP) (5.31 pm): As many would know, I came late to the Agriculture and Environment Committee. Before I joined the committee I had little of the detailed knowledge that the member for Glass House displayed of the bill before the House, the Exhibited Animals Bill. Perhaps like many I had assumed when I saw the bill that it was about the exhibited animals of the opposition. However, this is not true. Instead, the bill is vital regulation about the many professional animal exhibitors of a variety of animals that are both fixed and mobile throughout the state. I do not know of any Queenslanders who has not, at least in childhood, been profoundly moved and informed by seeing live animals at a zoo, a park, an aquarium, a circus or at a demonstration at a school or a fete. However, we also want our government to ensure that these exhibitions of animals are safe for both workers and our children—biosafe in the case of non-native species or species that could carry diseases—while, of course, protecting the vital welfare of the animals themselves. For the House's benefit, that is the true purpose of this piece of legislation.

This legislation addresses a real need in our community and our fragile continent to regulate special types of animals that are used in exhibitions throughout this state. This is a \$100 million industry in our state and a considerable number of Queensland families rely on the income that the showing and displaying of animals creates. It is vital though that we put safeguards in place, firstly for the patrons of these displays, shows and zoos, secondly for the biosecurity of our state, the spreading of exotic diseases and the escape and uncontrolled breeding of wildlife and, thirdly and just as importantly, the regulation of the welfare of the animals themselves that are being displayed.

As I said, I came late to this process but have read through the work of the committee that took submissions and met with stakeholders throughout this process. The committee took submissions from smaller part-time animal exhibitors, as well as peak bodies such as the Zoo and Aquarium Association, the RSPCA, zoos and a number of circuses. Submitters commented on the number of days that animals need to be displayed, the length of time that interstate travelling and mobile exhibitors such as circuses could travel throughout the state and the nature of the required management plans. Though not involved in this process, I recognise the good work of the committee and the collaborative attitude of both the chair of the committee, the member for Ipswich, and the deputy chair of the committee, the member for Burnett, as well as, of course, the fantastic member for Hervey Bay, the member for Mount Isa and the member for Mackay. The process of submissions and discussions has brought forward practical recommendations.

The purpose of this bill is to manage animal welfare, biosecurity and safety risks associated with the exhibition of animals. To give some background to members who have perhaps not had the full opportunity to absorb the associated documentation in its totality, previously elements of these goals were managed under separate legislation that both crossed over and were considered incomplete. The Animal Care and Protection Act 2001 applies to exotic animals but fails to account for native animals. The legislation that takes care of employees is the Work Health and Safety Act 2011. This bill makes it the responsibility of the exhibitor to provide safety for both workers and patrons who

view the exhibited animals and fills in gaps that may have been left by the Work Health and Safety Act. The Exhibited Animals Bill 2015 seeks to effectively consolidate these regulations and licensing processes into a single fit-for-purpose act. This makes clear the responsibilities of the exhibitors in a single act and although there are some regulations to comply with, the requirement to comply is more clearly contained within the one act.

This bill, as the member for Nanango put forward, has had a long journey. It was first proposed in 2008. We certainly need to recognise that it built upon the work of the previous committee on the Exhibited Animals Bill 2014 that lapsed in the previous parliament when it was prematurely dissolved for the election in January. Unlike the member for Nanango, I generously acknowledge that the committee work we do in this House is significantly built on the work of others previously.

Simply put, this bill makes explicitly clear that exhibitors must take reasonable and practical steps to prevent or minimise the risks to animal welfare and the adverse impacts that could occur from a failure to take these steps. This for the first time is to apply to all exhibited animals, including those animals that can be kept without a licence. This bill also has a process of risk based licensing whereby animal exhibits would gain a licence through the creation by the exhibitor of a management plan that would show how they would minimise their animal welfare, biosecurity and safety risks. These licences, if successful, would be granted for up to three years. The bill also restricts the licensing of some animals that represent significant threat and are classified as prohibited matter under the Biosecurity Act, which includes most exotic animals, amphibians and reptiles. Around State of Origin time Queenslanders cannot help but be reminded of the presence of invasive species such as the cane toad. That is something that makes us so aware of the significant risks of a failure of biosecurity. Further, we know the invasive nature of rabbits, fire ants, carp and other species. This is not a hollow threat. The Everglades of Florida in the United States now face significant environmental damage due to the introduction and dumping of unregulated exotic snake species. The regulation of such species in Australia is far stronger. This bill is part of the continuing defence of Australia and Queensland's biosecurity.

Private collectors who might want to do a very limited exhibition to attempt to gain a licence and to own a C class exotic animal will be deterred by the requirements that animals be on display and exhibited to the public for a significant time period. That means the keeping of an animal or animals is primarily for a professional or educational purpose rather than for a personal reason. In effect, it is for exhibition rather than to be kept as a pet. The time period was something that was actively discussed by the committee. I thank the other members for their active consideration of these issues.

Another vital component of the legislation is the ongoing monitoring of the risk based framework, which includes the monitoring of exhibitors who have a base where animals are kept in a place where they are not on permanent display. The frequency of the assessments of compliance will be undertaken on differing time frames depending on the risks associated with the particular animals for which the exhibitor has been granted a licence. In some cases, an inspector may make a random check that an exhibitor is still in compliance with the terms of the licence granted through their risk management plan.

In addressing this bill, it is vital to understand that some animals simply will not be allowed to be exhibited. As I said, none of the many exhibitors who presented to the committee sought any regulation that would allow them to exhibit any member of the opposition. Even though I am a member of the government, I have serious reservations about a particular aspect of the bill and I hope the minister is not unhappy that I raise some of those concerns in this speech. I have informally raised the issues with both the chair of the committee, the member for Ipswich, and the deputy chair of the committee, the member for Burnett, and they were very interested in those issues. Under this bill, even category 3 does not contain a regulation for the displayed exhibition of Queensland dinosaurs. Under the legislation, there will be no legal way to display any of the dinosaurs of this place. The famous dinosaur Tyrannosaurus rex, once king but now toothless and lost in the suburb of Ashgrove, will not be seen again. The less well known 'health-guarantee-asaurus' is not wanted by the public.

**Mrs FRECKLINGTON:** I rise to a point of order. I ask that you rule on relevance.

**Mr POWER:** I am addressing the relevance.

**Mr Rickuss:** Madam Speaker, I ask you that rule on poor humour.

**Mr POWER:** I will let others be the judge of that. As I said, 'health-guarantee-asaurus'—

**Madam DEPUTY SPEAKER (Ms Grace):** Order! Member for Logan, please resume your seat for one moment. That really was out of order and frivolous. I think we need to put that on the record. The member for Logan has the call. I understand that members are getting a little bit anxious, but member for Logan, with relevance, please come back to the bill.

**Mr POWER:** My apologies, Madam Deputy Speaker. I will come back to the bill, because it is important to consider what other animals could or could not be exhibited under this category. As I said, the name of that species of dinosaur is under contention. Many in the health profession believe it to be false. Indeed, the consensus amongst most dinosaur experts is that it should be correctly—and please bear with me, because my Latin is not strong; they have settled on this name professionally—‘future-member-for-Maranoa-saurus’. Although the bill makes no provision for the commercial display of that animal, members wishing to view that particular dinosaur may be able to see it at the cafes and restaurants of Kingston and Manuka. I shall leave the regulation of that particular dinosaur to the Legislative Assembly of the Australian Capital Territory.

Another dinosaur is ‘economic-wrecker-saurus’. It used to thrill the kids as it wandered around the Queensland economic jungle. It knocked over a few 1,000 jobs, but the kids loved it.

**Mrs FRECKLINGTON:** I rise to a point of order.

**Madam DEPUTY SPEAKER:** Order! Member for Logan, there is a point of order.

**Mrs FRECKLINGTON:** This is a very important bill before the House. I ask that you rule on relevance.

**Madam DEPUTY SPEAKER:** Member for Logan, it would be wonderful if you could please come back to the bill. I agree that we need to speak about the issues that are contained within the bill.

**Mr POWER:** Madam Deputy Speaker, I am disappointed in the ruling. I feel I never left the bill. I was dealing with some of its central measures. But I will respect the ruling of the chair.

**Madam DEPUTY SPEAKER:** Member for Logan, I ask you to please withdraw that remark. That is a reflection on the chair.

**Mr POWER:** I unconditionally withdraw and, of course, I respect the ruling of the chair. More seriously, I wish to conclude by thanking my fellow members of the committee. I thank the chair, the member for Ipswich, and the deputy chair, the member for Burnett, whose participation in the debate was really fantastic and collegial. Thank you, Steven. I thank the member for Mackay, who made a vital and worthwhile contribution to the debate. I thank the member for Hervey Bay, who spoke earlier and made a fantastic contribution. I thank Rob Katter. Vitally, coming from a rural and remote region, he could comment on issues such as travelling circuses. I was really impressed by the submissions that I read through, which I think gave us new insight into the way the bill is framed and improved it. I am disappointed that I could not make a contribution about potential and hypothetical animals that might be examined under the bill, but I thank the House for its time. I commend the bill to the House.