

11^h December 2023

Hon Mark Furner
Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities
E: agriculture@ministerial.qld.gov.au

RE: Exhibited Animals Consultation - Adoption of National Standards

Dear Minister Furner,

I am writing to you to express concerns with the method of consultation being carried out by the Department of Agriculture & Fisheries (DAF) in order to adopt changes to the Regulations that are part of the Exhibited Animals Act 2015. ([Exhibited Animals Act 2015](#))

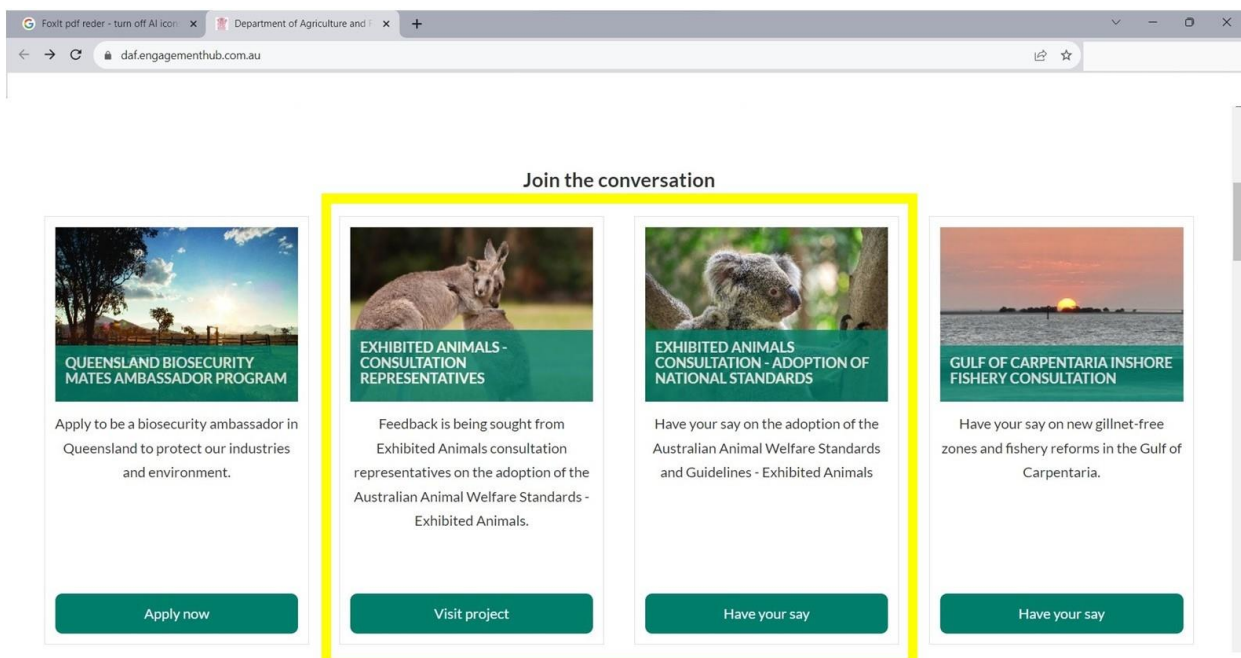
Animal Care Australia acknowledges Regulations may be changed by a minister (yourself) at any point without needing to be presented to or approved by parliament.

However, Animal Care Australia objects when said changes are made without a full and proper consultation with those industry members and/or stakeholders that will be directly affected by any changes to regulations, especially given other states & territories are courteous and consult with stakeholders when updating, and reviewing their regulations.





Today, I am writing to express our dismay in the manner in which the current consultation process is being completed.

Firstly, the DAF website implies there are two processes of consultation being undertaken – see picture attached:

The first graphic: ‘Exhibited Animals – Consultation Representatives (Visit Project)’ indicates the department has sought out specific industry stakeholders to act as consultants – and yet that is technically incorrect.



Join the conversation

 <p>QUEENSLAND BIOSECURITY MATES AMBASSADOR PROGRAM</p> <p>Apply to be a biosecurity ambassador in Queensland to protect our industries and environment.</p> <p>Apply now</p>	 <p>EXHIBITED ANIMALS - CONSULTATION REPRESENTATIVES</p> <p>Feedback is being sought from Exhibited Animals consultation representatives on the adoption of the Australian Animal Welfare Standards - Exhibited Animals.</p> <p>Visit project</p>	 <p>EXHIBITED ANIMALS CONSULTATION - ADOPTION OF NATIONAL STANDARDS</p> <p>Have your say on the adoption of the Australian Animal Welfare Standards and Guidelines - Exhibited Animals</p> <p>Have your say</p>	 <p>GULF OF CARPENTARIA INSHORE FISHERY CONSULTATION</p> <p>Have your say on new gillnet-free zones and fishery reforms in the Gulf of Carpentaria.</p> <p>Have your say</p>
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Not all key stakeholders were contacted to advise of the application process in order to be appointed as one of those representatives.

Several members of Animal Care Australia contacted us to ask why we were not one of the consultation representatives and felt they were not being adequately represented by the one or two persons appointed by DAF.

More concerning is the consultants/representatives are unable to advise of specifics details of any proposed changes. They may only imply the 'intent' of said changes. This in itself is an unnecessary burden on those representatives as it subjects them to potential angst and frustration from members of the industry who are expecting to have their questions and concerns responded to. The reality is that is not occurring. The reality is ten (10) individuals have been asked their opinion of changes to Regulations – that is the mandating of National Standards that could directly impact the entire exhibited animals industry within Queensland, including zoos, wildlife parks and mobile exhibitors.

The greatest level of concern is the latter group – mobile exhibitors – as the National Standards your department is seeking to mandate were not written with mobile exhibitors in mind. They are structured for zoos and wildlife parks with permanent enclosures.

Animal Care Australia acknowledges DAF have recognised this point – HOWEVER - they have also decided that they will make the necessary changes in wording of the Standards in order to make them apply to mobile exhibitors. Animal Care Australia notes there are only three (3) representatives being consulted on behalf of the entire mobile exhibitor industry. This is appalling!

The second graphic: 'Exhibited Animal Consultation – Adoption of National Standards (Have Your Say)' implies that anyone is able to contribute to the consultation. Again this is not correct. This page leads to a Survey. The survey is structured more as a 'fishing expedition' by the department to catch out exhibited authority holders who may not be currently aware or implementing the National Standards correctly.

This survey (see attached Appendix) is particularly suspicious when you consider that to complete the survey one must sign up and receive a login. It is not therefore anonymous. Questions include whether they hold an authority; know that they should be abiding by National Standards – that do not actually provide for their circumstances; and then proceeds to ask what species applicable to the impending Standards they currently keep?

Beyond asking the individual whether they support having those Standards or not – there are no questions about how the current Standards may or may not affect their daily activities as a mobile exhibitor. This is especially important given the departments intention to make changes in order for the Standards to have the capacity of being mandated and enforceable!

Animal Care Australia also questions how the information received through the survey will be utilised? It is not a stretch to use the combined responses from each individual to accurately identify the exhibitor, the species they hold, their understanding of how the Standards apply and then dispatch inspectors to follow up!

Animal Care Australia notes the Exhibited Animals Act 2015; Division 1 Section 24 : Consultation about codes of practice states:

(1) Before the making of a code of practice under this division is recommended to the Governor in Council, the chief executive must consult with relevant entities.

(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.

Examples of types of entities—

entities from community groups or professional and industry associations

The department has stated they are meeting the required policy on consultation with this process. Animal Care Australia STRONGLY questions whether consultation with just 12 hand-picked individuals (specifically selected by the department) is:

- a) Meeting Section s24 (1) effectively and accurately, and,
- b) A policy that meets the community expectations of transparency and accountability – which is also a government policy that appears to be being ignored here.

Animal Care Australia respectfully requests a meeting with you, regarding this matter and we look forward to hearing from you.

Kind regards,



Michael Donnelly
President
0400 323 843

Cc:

Hon Tony Perrett - Shadow Minister for Agriculture, Fisheries and Forestry
E:Gympie@parliament.qld.gov.au

Mr Robbie Katter MP - Member, State Development and Regional Industries Committee
E: traeger@parliament.qld.gov.au

Appendix: Survey Questions

Q.1

Do you have an authority under the Exhibited Animals Act 2015? *

Q.2

I am aware of the Australian Animal Welfare Standards and Guidelines – Exhibited Animals * (Yes or no)

Q.3

How important is it to you to know that animals authorised under the Exhibited Animals Act 2015 are kept under standardised nationally agreed requirements.

Q.4

I support adoption of the Australian Animal Welfare Standards and Guidelines – Exhibited Animals (National Standards) to be written as codes of practice into the Exhibited Animals Regulation 2016.

Q.5

Please select the option that relates to your circumstance. *

I do not have an exhibited animal authority

I predominantly conduct mobile exhibits

I predominantly conduct fixed exhibits

I predominantly conduct mobile exhibits with rabbits

I predominantly conduct fixed exhibits with rabbits

Q.6

Are you aware of the current requirement to refer to the National Standards on application under the Exhibited Animals Act 2015? *

Yes, but I do not have an exhibited animal authority

No, and I do not have an exhibited animal authority

No, and I have an exhibited animal authority

Yes, and I only have approval for European rabbits

Yes, and I have approval for species other than European rabbit

Q.7

Do you have any species from the following listed on your exhibited animal authority? *

Wombats

Macropods

Crocodylians

Koalas

Ratites

N/A I do not have an exhibited animal authority

I have an exhibited animal authority but do not have any of the species listed

Q.8

Would you prefer or not prefer to have standards to refer to for native wildlife and non-indigenous species held for exhibition purposes?

I would prefer to have standards

I would prefer no standards