

Exhibited Animals Bill 2015

Amendments during consideration in detail to be moved by

The Honourable the Minister for Agriculture and Fisheries and Minister for Sport and Racing

1 Clause 31 (Meaning of *special exhibition approval*)

Page 30, line 27, ‘category C’—

omit, insert—

category C2

2 Clause 34 (Meaning of *authorised animal (category B)*)

Page 32, lines 17 to 19—

omit, insert—

(x) wombat (Family Vombatidae); or

3 Clause 35 (Meaning of *authorised animal (category C)*)

Page 32, line 22—

omit, insert—

35 Meaning of *authorised animal (category C)*, *authorised animal (category C1)* and *authorised animal (category C2)*

4 Clause 35 (Meaning of *authorised animal (category C)*)

Page 32, line 23, ‘An’—

omit, insert—

(1) An

5 Clause 35 (Meaning of *authorised animal (category C)*)

Page 32, after line 25—

insert—

- (2) An ***authorised animal (category C1)*** is an authorised animal (category C) of a species prescribed by regulation.
- (3) An ***authorised animal (category C2)*** is an authorised animal (category C) other than an authorised animal (category C1).
- (4) The Minister may recommend to the Governor in Council the making of a regulation under subsection (2) only if the Minister is satisfied—
 - (a) the escape of animals of that species in Australia would pose no more than a low risk of the species becoming established—
 - (i) for a species the Minister believes is established in Australia but outside the State and whose eradication is not technically feasible—in the State; or
 - (ii) otherwise—anywhere in Australia; and
 - (b) the establishment of animals of that species in Australia poses or would pose no more than a moderate risk of an adverse effect on any of the following matters (the ***relevant considerations***)—
 - (i) the health, safety or wellbeing of a person;
 - (ii) social amenity, the economy or the environment.
- (5) For subsection (4)(a) and (b), in assessing the extent of the risk of a species becoming established and the risk posed by the establishment of the species, the Minister—

- (a) must have regard to any relevant scientific assessment of—
 - (i) the risk of animals that are prohibited matter becoming established in the State or elsewhere in Australia if they were to escape; and
 - (ii) the risk of an adverse effect on the relevant considerations posed, or that would be posed, by the establishment in Australia of animals that are prohibited matter; and
- (b) must consult with relevant entities.
- (6) However, a failure to consult under subsection (5)(b) does not affect the validity of a decision under subsection (4)(a) or (b).
- (7) In this section—
 - escape* includes release.
 - relevant entities* means entities the Minister considers have an interest in—
 - (a) preventing the establishment within Australia of animals that are prohibited matter; or
 - (b) exhibiting animals that are prohibited matter.

6 **Clause 37 (Meaning of *management plan*)**

Page 33, line 33, ‘risks’—

omit, insert—

significant relevant risks and relevant adverse effects

- 7 Clause 37 (Meaning of *management plan*)**
Page 35, line 5, ‘category C’—
omit, insert—
category C2
- 8 Clause 65 (Additional content for exhibition licence)**
Page 51, line 25, ‘C’—
omit, insert—
C2)
- 9 Clause 73 (Exhibiting authorised animal (category C))**
Page 56, line 3, ‘category C’—
omit, insert—
category C2
- 10 Clause 73 (Exhibiting authorised animal (category C))**
Page 56, line 5, ‘category C’—
omit, insert—
category C2
- 11 Clause 76 (Minimum exhibition period for authorised animal (category C))**
Page 58, line 12, ‘75’—
omit, insert—
50
- 12 Clause 76 (Minimum exhibition period for authorised animal (category C))**
Page 58, line 17, ‘900’—

omit, insert—

600

13 Clause 76 (Minimum exhibition period for authorised animal (category C))

Page 58, line 23, ‘75’—

omit, insert—

50

14 Clause 76 (Minimum exhibition period for authorised animal (category C))

Page 58, line 29, ‘450 hours averaging 75’—

omit, insert—

300 hours averaging 50

15 Clause 76 (Minimum exhibition period for authorised animal (category C))

Page 58, line 31, ‘animal’—

omit, insert—

authorised animal (category C2)

16 Clause 77 (Conditions of authority decided by the chief executive)

Page 60, line 11, ‘*Example*’—

omit, insert—

Examples

17 Clause 77 (Conditions of authority decided by the chief executive)

Page 60, after line 11—

insert—

- 1 An eastern grey kangaroo that is an authorised animal under an exhibition licence requires prolonged training to prepare it for filming for a television production. The licence is amended to include a condition allowing the holder to train the animal for 6 months without being required to comply with the mandatory condition under section 75.

18 Clause 77 (Conditions of authority decided by the chief executive)

Page 60, line 12, ‘An’—

omit, insert—

2 An

19 Clause 94 (Application to amend authority)

Page 71, line 10, ‘category C’—

omit, insert—

category C2

20 Clause 131 (Definition for pt 1)

Page 90, line 18, ‘category C’—

omit, insert—

category C2

21 Clause 238 (Recovery of costs of investigation)

Page 155, line 3, ‘a court convicts a person’—

omit, insert—

a person is convicted

22 Clause 238 (Recovery of costs of investigation)

Page 155, line 5, ‘the court’—

omit, insert—

a court

23 Schedule 2 (Dictionary), definition *authorised animal (category C)*

Page 185, line 32, ‘35’—

omit, insert—

35(1)

24 Schedule 2 (Dictionary)

Page 185, after line 32—

insert—

authorised animal (category C1) see section 35(2).

authorised animal (category C2) see section 35(3).

25 Schedule 2 (Dictionary), definition *court*

Page 187, lines 7 and 8, from ‘218’ to ‘decision’—

omit, insert—

218 or 238

26 Schedule 2 (Dictionary), definition *serious injury or illness*

Page 195, lines 29 to 31—

omit, insert—

(c) treatment by a doctor within 48 hours of exposure to a substance that has been transmitted from an animal, other

than treatment consisting of the administration of a tetanus injection or antibiotic.

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