

to the organisation against whom the allegation has been made. You are under no obligation to give such permission.

## INVESTIGATIONS

Investigations into complaints can incorporate:

- interviews with the complainant; the organisation that is the subject of the complaint; witnesses; and other organisations concerned with animal welfare or wildlife regulation;
- inspection of the facility or animals that are the subject of the complaint;
- seeking expert advice on technical matters.

Complaints about animals exhibited at places of education may also be referred to the relevant Animal Care and Ethics Committee for internal investigation.

## PROVEN COMPLAINTS

NSW DPI may take one or more of the following actions:

- caution or reprimand the animal exhibitor;
- issue directions to the exhibitor requiring compliance with the legislation within a specified period;
- prosecute the exhibitor for failure to comply with the legislation;
- change the conditions on the exhibitor's authority to exhibit animals;
- suspend the exhibitor's authority to exhibit animals for up to 60 days;
- cancel the exhibitor's authority to exhibit animals;
- not act on the complaint when there is insufficient evidence or when the complaint is shown to be incorrectly made.

*For further information —*

*By mail:*

**Leader, Exhibited Animals**  
Animal Welfare Branch  
NSW Department of Primary Industries  
Locked Bag 21  
Orange NSW 2800

*By phone:*

(02) 6391 3725

*By fax:*

(02) 6391 3570

OR

*By mail:*

**Animal Welfare Inspectorial Office**  
NSW Department of Primary Industries  
PO Box 100  
Beecroft NSW 2719

*By phone:*

(02) 9872 0572

*By fax:*

(02) 9871 6938



NSW DEPARTMENT OF  
PRIMARY INDUSTRIES

# Complaints under the Exhibited Animals Protection Act 1986



This brochure explains how members of the public can make complaints under the *Exhibited Animals Protection Act 1986*.

Complaints can be made to NSW DPI's Animal Welfare Branch or the Exhibited Animal Advisory Committee — the two bodies with responsibility under the Act for monitoring the conduct of animal exhibits in New South Wales.

***If you are concerned about the treatment or condition of an animal in:***

- *a zoo, fauna park, or oceanarium;*
- *a circus;*
- *a mobile reptile display;*
- *a mobile animal nursery;*
- *some other types of animal exhibit;*

***you can make a complaint to NSW Department of Primary Industries Animal Welfare Branch.***

Informal complaints may be made by phone or in person. A formal complaint can be made in writing to:

Leader, Exhibited Animals  
Animal Welfare Branch  
NSW Department of Primary Industries  
Locked Bag 21  
ORANGE NSW 2800

***PRIORITY WILL BE GIVEN TO THE INVESTIGATION OF COMPLAINTS WHICH:***

- are in writing;
- identify the complainant;
- are about a new matter and not the subject of previous investigations;
- refer to actions occurring within the preceding six months or which are continuing;
- are well supported — for example by witnesses, records, times, dates, photographs;

- allege breaches of the Exhibited Animals Protection Act, Regulation or prescribed standards;
- have serious implications for animal welfare, rather than being of a minor technical nature;
- if investigated, are likely to lead to practical and measurable improvements to animal welfare.

***BREACHES CAN INCLUDE:***

- an animal is being displayed or kept for display in a manner which does not comply with the prescribed standards;
- an animal is exhibited in an unsafe manner;
- an animal exhibitor does not employ sufficient numbers of appropriately qualified staff to maintain the level of care required;
- an animal is being displayed or kept for display in breach of conditions on the exhibitor's authority;
- an animal is being exhibited without an appropriate authority;
- facilities for animal exhibition have been constructed without approval from NSW DPI;
- an exhibited animal has been acquired or disposed of without the necessary approvals from NSW DPI;
- an animal exhibitor fails to report widespread outbreaks of disease among the animals, escapes of animals, or injuries caused to people by animals;
- an exhibitor fails to keep animal records up-to-date;
- a person has failed or refused to comply with a direction given under the Act by an inspector;
- a person has made false or misleading statements in an application or in purporting to comply with the Act.

Copies of the Act and Regulation are available from the Government Information Bookshop on 1300 656 986. The prescribed standards are available from the Animal Welfare Branch on (02) 9872 0572 or (02) 6391 3725.

Formal complaints may be reported to the Exhibited Animals Advisory Committee by NSW Department

of Primary Industries. The nature and depth of investigation is at the discretion of NSW DPI which acts with the advice of the Exhibited Animals Advisory Committee.

The complainant must provide supporting evidence with their allegation.

Trivial or frivolous complaints will not be investigated nor will complaints about actions occurring more than six months before the date of the complaint, except in exceptional circumstances. Vexatious complaints also may not be investigated.

***INFORMAL COMPLAINTS***

NSW DPI generally suggests that you first take any complaint to the manager of the animal exhibit in question to have it resolved.

If you are unable or unwilling to do this; where attempts at resolution have proved unsuccessful; or where the complaint is of a particularly serious or urgent nature; you can ring or complain in person at NSW DPI Animal Welfare Branch offices in Sydney or Orange.

Inspectors authorised under the Act may ask you to make a written statement if the allegations are serious. All complaints will be treated with complete confidentiality.

***FORMAL COMPLAINTS***

If you are aware of a serious incident, you may wish to make a formal complaint. Formal complaints must be made in writing to the Animal Welfare Branch.

You will need to specify the grounds for your complaint, sign it and lodge it at the Head Office of NSW Department of Primary Industries, 161 Kite Street, Orange or post it to the Leader, Exhibited Animals, Animal Welfare Branch, NSW Department of Primary Industries, Locked Bag 21, Orange NSW 2800

Where inspectors believe it would be helpful to an investigation, the complainant may be asked for permission to provide a copy of the written complaint