



Standards for Exhibiting Animals during Temporary Removals in New South Wales

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Definitions

Words and expressions that occur in these Standards have the same meaning as they have in the Act, unless otherwise specified in these Standards.

In these Standards:

approved means approved in writing by the Secretary.

attendant means a volunteer who has been suitably trained to handle or care for animals for exhibit purposes and who is taking direction from an employee or a fixed exhibitor.

crush resistant container means an animal transport container that resists squashing in the event that a weight is placed upon it or breaking in the event of an accident.

Department means the Department of Industry.

display site means the premises to which a fixed exhibitor has taken animals to carry out a temporary exhibition.

employee means a person working for a fixed exhibitor for pay.

enclosure includes a cage or other structure in which an exhibited animal is kept or is treated for illness or injury.

fixed establishment means an animal display establishment comprising premises used, on an ongoing basis, for the display, and the keeping for display, of animals, not being the following:

- a) a mobile establishment,
- b) an off-display establishment.

fixed exhibitor means the holder of a licence for a fixed or associated off-display establishment.

fixed or associated off-display establishment means a fixed establishment and an off-display establishment associated with or used in connection with the fixed establishment

handle means to move or restrain an animal using one or more hands, or hand held instrument(s); for example, a snake hook.

manager means an employee who manages the licensed fixed or associated off-display establishment on behalf of the fixed exhibitor.

mobile establishment means an animal display establishment comprising premises used, on a temporary basis, for the display of the following animals, but only while the animals are displayed or kept for display at the premises:

- a) animals that are the subject of an approval under section 22 of the Act, or
- b) animals that are the subject of a permit.

NSW DPI means the NSW Department of Primary Industries, being a departmental office within the Department.

off-display establishment means an animal display establishment comprising premises used for the keeping for display of animals, but not the display of animals, that are:

- a) the subject of an approval under section 22 of the Act, or
- b) the subject of a permit, or
- c) ordinarily exhibited at a fixed establishment,

and includes the land, buildings, enclosures and facilities used for that purpose.

prescribed standards means standards prescribed under the Act.

Secretary means the Secretary of the Department.

staff means the employees of a fixed exhibitor.

temporary exhibition means the exhibition of an animal by a fixed exhibitor at a display site including an educational talk or other presentation to an audience, a promotion, photo-shoot or filming.

temporary removal means

- a) the removal of an animal from a fixed or associated off-display establishment to carry out a temporary exhibition); and
- b) the removal of an animal from its normal enclosure at a fixed establishment to carry out a temporary exhibition within that establishment.

the **Act** means the *Exhibited Animals Protection Act 1986*.

the **EAP Regulations** means regulations made under the Act.

these Standards means the Standards for Exhibiting Animals during Temporary Removals in New South Wales.

veterinary practitioner has the same meaning as in the *Veterinary Practice Act 2003*.

Notes

Notes that occur in these Standards are for information only and do not form part of these Standards.

Part 1 – General

Clause 1 - Scope of standards

1. These Standards apply to all holders of a licence for a:
 - a) fixed or associated off-display establishment who remove an animal from the fixed or off-display establishment to carry out a temporary exhibition; and
 - b) fixed establishment who removes an animal, or causes an animal to be removed, from its normal enclosure at that establishment to carry out a temporary exhibition within that establishment.

Some sections of these Standards apply only to animals that are temporarily removed from the fixed or associated off-display establishment for the purposes of a temporary exhibition and these are marked with a double asterisk (**).

2. These Standards must be used in conjunction with all other relevant prescribed standards and policies of the Department (including NSW DPI).
3. An applicant may seek the Secretary's approval to any variation of the application of these Standards. An applicant must satisfy the Secretary that the proposed variation is appropriate for the particular species to be used in a temporary exhibition. The Secretary if so satisfied may approve a variation in the particular circumstances.

Clause 2 – Purpose of the standards

These Standards have been primarily developed to ensure the welfare of animals used in a temporary exhibition but cover a range of areas including:

- a) psychological and physical animal welfare;
- b) educational value of exhibits;
- c) public safety; and
- d) requirements for new or existing temporary exhibitions.

Part 2 – Staff

Clause 3 – Staff

1. A fixed exhibitor must ensure that a suitably qualified person is in charge of each temporary removal who is able to:
 - a) handle and restrain the species used in the temporary exhibition;
 - b) ensure members of the public are not placed at risk;
 - c) recognise signs of behavioural and physical stress in the species used in the temporary exhibition and to take actions to reduce this stress;
 - d) identify biological, behavioural and husbandry requirements of the species used in the temporary exhibition;
 - e) maintain hygiene to minimise disease risk; and
 - f) answer questions from the public regarding the husbandry and welfare of the animals used in the temporary exhibition.

Note. The Secretary may ask the fixed exhibitor for references or other evidence to confirm the competencies of a person proposed to be the person in charge of a temporary removal. The Secretary may also refer to industry to assist in assessing such a person's competencies.

2. A fixed exhibitor must ensure the person in charge of a temporary removal is:
 - a) the fixed exhibitor (if that is a person); or
 - b) an employee; or
 - c) an attendant if the animal is exhibited within the fixed exhibitor's fixed establishment. Under no circumstances is an attendant permitted to temporarily remove an animal from the fixed exhibitor's fixed or associated off-display establishment except in the company of the fixed exhibitor or an employee.
3. **A fixed exhibitor must ensure the person in charge of a temporary removal from the fixed exhibitor's fixed or associated off-display establishment is present for the duration of the temporary removal and is able to immediately contact the fixed exhibitor or the manager via phone or radio at all times while in possession of any of the fixed exhibitor's animals.

Part 3 – Animal suitability

Clause 4 – Suitability of animals

Note. It is imperative that fixed exhibitors understand the nature of their animals and be aware of the stresses that can be imposed on them by removing them from their normal environment and subjecting them to closer than normal interaction with crowds of people. At all times consideration must be given to the differing temperaments and tolerances to stress between and within species.

1. Subject to subclause 2, a fixed exhibitor must ensure that only animals that are conditioned or habituated to a high degree of human contact are normally used in a temporary exhibition.
2. Other animals may only be used in a temporary exhibition after the fixed exhibitor has carefully considered how risks to the animals' welfare can be both justified and minimised.

Note. Animals that are only infrequently removed from their normal enclosure tend to react more adversely to being displayed than those that are regularly removed and have become conditioned to particular exhibit facilities while on temporary display. The inference from this situation is that fixed exhibitors who wish to regularly display animals should establish a routine to be followed in a consistent way so the stress to animals is minimised. However there are some instances where a natural response is desired for educational purposes (where an animal can be trained or conditioned) such as expanding the frill of a frilled lizard, eliciting the rattle of a rattlesnake and raising the crest of a cockatoo.
3. A fixed exhibitor must ensure the animals being temporarily removed are in good health before and after each temporary exhibition.

Note. A fixed exhibitor must ensure the person in charge complies with this and any other requirement on behalf of the fixed exhibitor.
4. A fixed exhibitor must ensure the suitability of individual animals for each temporary removal, for example, by assessing the normal weight range, condition or behaviour, before an animal is temporarily removed.

Note. Known pregnant animals (especially in the last trimester and obviously pregnant) should not normally be used for a temporary removal.

5. ** A fixed exhibitor is not permitted to temporarily remove an exotic venomous reptile from a fixed or associated off-display establishment unless the temporary removal is undertaken in accordance with an approved standard operating procedure.

6. A fixed exhibitor must ensure that a snake is not removed from its enclosure for demonstration purposes if there is potential for it to regurgitate.

Note. *Experienced snake demonstrators usually wait at least 1-2 days following feeding but it may be necessary to wait longer.*

7. ** A crocodylian may only be temporarily removed from a fixed or associated off-display establishment under the following conditions:

- a) the crocodylian (other than a Freshwater Crocodile) is less than 1.2 metres in total length;
- b) a Freshwater Crocodile must be less than 1.0 metre in total length;
- c) a person in charge of the temporary exhibition may utilise mouth restraints on a crocodylian when it is used for hands-on interaction with a member of the public. Mouth restraints must be made of a soft material that does not rub on the animal's snout and must be placed on the animal immediately prior to, and removed immediately after, each individual demonstration with the animal.

Note. *The investment of time in assessing an individual crocodylian's temperament to allow an experienced person in charge to display them without a mouth restraint is considered preferable to the message implied by the use of a mouth restraint for hands-on contact sessions.*

8. ** A monitor lizard greater than 1.2 metres in total length cannot be temporarily removed from a fixed or associated off-display establishment except in accordance with an approved standard operating procedure.

9. A bird may be temporarily removed if it is:

- a) feather trimmed only as a long term management tool for that bird and not a one off temporary removal; or
- b) not pinioned to inhibit its flying ability for the specific purpose of undertaking a temporary removal; and

Note. *Pinioning for internal management purposes may only be performed on the following bird orders in accordance with the "Guidelines for Pinioning Birds" (see the DPI website).*

c) displayed in one of the following ways:

- i. within a fully enclosed area which, for a flighted bird, must have a maximum roof height that is sufficiently low to permit the recovery of the bird; or
Note. *The height of the roof should ideally not exceed five metres in height to allow easy recovery.*
- ii. within an unroofed enclosed area, if the bird is of a flightless species or cannot fly due to accidental injury or has been previously pinioned or feather trimmed for other husbandry reasons; or
Note. *The Secretary may require evidence of the reasons for pinioning or feather trimming.*
- iii. outside an enclosed area if the bird is:
 - a homing pigeon; or
 - a tawny frogmouth displayed on a perch during daylight hours; or
 - a bird of prey that is prevented from flying away by a handler holding on to jesses fitted to the bird; or

- free flown as part of a free flight display, or during conditioning for a free flight display, operated in accordance with an approved standard operating procedure. This will require the bird to be adequately conditioned to minimise the risk of escape. Raptors are to be fitted with a working transmitter that the person in charge can use to track the bird if required;
 - adequately conditioned to minimise the risk of escape, for example, hand-reared birds;
 - a flightless waterbird on an open body of water.
10. A macropod joey may only be temporarily removed if it:
- a) is being hand-reared; and
 - b) has not yet left its artificial pouch unaided, or
 - c) can leave its artificial pouch, but is still pouch dependent.
11. A deer may only be temporarily removed under the following conditions:
- a) the only species of deer to be used in a temporary exhibition are Fallow Deer, Red Deer and Rusa Deer. Adult male Rusa Deer are not to be used;
 - b) an entire adult male deer (stag) must not be used in a temporary exhibition during the months of February through September unless the temporary removal is undertaken in accordance with an approved standard operating procedure.
12. Pigs are not allowed to be held in an enclosure containing any other species during a temporary exhibition.
- Note. A person must not feed stock food to a pig if the stock food contains a mammal product unless the feeding of the mammal product to the pig is authorised under Clause 37 (Prohibited Pig Feed) of the Biosecurity Regulation 2017.*
13. ** A fixed exhibitor is not permitted to temporarily remove a primate or carnivore of the Order Carnivora (except a pinniped, domestic dog, dingo or cat), except where:
- a) the fixed exhibitor can demonstrate the temporary removal will comply with the security, display and enclosure requirements of the Standards for Exhibiting Circus Animals in New South Wales; or
 - b) the temporary removal is undertaken in accordance with an approved standard operating procedure.
14. During a temporary removal of a carnivore of the Order Carnivora (except a pinniped, domestic dog, dingo or cat), the fixed exhibitor must ensure the carnivore is not handled in public, that is, without being in a cage environment, unless it weighs less than 20kg and is at a stage of development and conditioning that presents no risk of serious injury to people (for example, by biting or scratching).
15. A primate may be temporarily removed if the primate:
- a) is being hand reared; and
 - b) weighs less than 20kg or is at a stage of development and conditioning that presents no risk of serious injury to people (for example, by biting or scratching).
16. A pinniped longer than 3.5 metres in length may not be temporarily removed unless the temporary removal is undertaken in accordance with an approved standard operating procedure.

Part 4 – Authorisation

Clause 5 – Prior preparation

1. A fixed exhibitor may only temporarily remove an animal from a fixed or associated off-display establishment or cause or permit it to be temporarily removed if:
 - a) the fixed exhibitor has lodged an ‘Application to Remove an Animal from Authorised Premises’ that complies with subclause 4. at least seven (7) days prior to the temporary removal and the application has been approved; or
 - b) the fixed exhibitor has lodged:
 - i. an ‘Application to Remove an Animal from Authorised Premises’ that proposes multiple temporary removals in accordance with a standard operating procedure (that complies with subclause 4. c), d), f), g), h) and i)) for temporarily removing those animals and the application has been approved; and
 - ii. an itinerary that complies with subclause 5.
2. The Secretary may suspend or cancel a temporary removal approval that is conditional upon compliance with an approved standard operating procedure if the fixed exhibitor:
 - a) fails to provide an itinerary that complies with subclause 5. prior to temporary removal;
 - b) exhibits contrary to these Standards or other relevant prescribed standards; or
 - c) does not carry out a temporary removal in accordance with an approved standard operating procedure.

When such a temporary removal approval is suspended or cancelled a fixed exhibitor may only temporarily remove an animal from a fixed or associated off-display establishment, or cause or permit it to be temporarily removed, if the fixed exhibitor complies with subclause 1. a).

3. A fixed exhibitor is required to lodge a completed “Application to Remove an Exhibited Animal from Authorised Premises” at least seven (7) days before a proposed temporary exhibition of an animal at a “bar area” as defined (under the *Liquor Act 2007*). The application must be approved before the animal is taken to the bar area.

Note. *Temporary removal of an animal to the premises of an employee or fixed exhibitor for hand rearing may be approved on the condition that a contract is signed between the fixed exhibitor and the employee. A record should be kept of the circumstances that require the animal to be hand reared and the estimated time it will take to complete the hand rearing. All exhibited animals being temporarily removed from the fixed or associated off-display establishment for hand rearing are regarded as ‘exhibited animals’ and must be listed on the establishment animal record book. The fate of the animal temporarily removed from the fixed or associated off-display establishment for hand rearing must also be recorded in the animal record book.*

Note. *If a native animal that is an exhibited animal is to be hand reared at premises other than the licensed fixed or associated off-display establishment by a non-staff (that is, a person who is not the fixed exhibitor, nor an employee), then that person must have an appropriate licence issued by the Office of Environment and Heritage (within the Department of Planning and Environment). In this case the transfer to the non-staff cannot be treated as a temporary removal as the recipient is not part of the licensed exhibiting organisation. Instead, it is treated as a disposal of the animal to the recipient and this must not occur until the fixed exhibitor’s application to dispose of the animal has been approved.*

4. An application for approval to temporarily remove an animal from a fixed or associated off-display establishment must clearly outline the:
 - a) proposed dates of departure from and return to the fixed or associated off-display establishment;
 - b) proposed date(s) and duration of each temporary exhibition;
 - c) number of each species of animal, indicating any that are not adult;
 - d) method of transport;
 - e) destination – the name and address of each display site;
 - f) arrangements for public safety;
 - g) how is the animal to be used or temporarily exhibited;
 - h) type of event:
 - i. educational institution;
 - ii. party entertainment ;
 - iii. shopping centre;
 - iv. fair;
 - v. agricultural show or field days;
 - vi. filming;
 - vii. radio;
 - viii. television;
 - ix. photo shoot;
 - x. promotion;
 - xi. trained performance
 - xii. other (provide description).
 - i) number of staff accompanying the animals.
5. An itinerary for a temporary removal from a licensed fixed or associated off-display establishment that is carried out under a standard operating procedure must clearly outline:
 - a) proposed date of departure from and return to the fixed or associated off-display establishment;
 - b) proposed date(s) and duration of each temporary exhibition;
 - c) number of each species of animal, indicating any that are not adult;
 - d) destination – the name and street address of each display site; and
 - e) type of event (as listed above in subclause 4. h).
6. A fixed exhibitor must retain a record of each temporary removal carried out for a period of at least one year, including a copy of each itinerary and approved temporary removal application.

Note. *Temporary removals that are conducted within the licensed fixed establishment do not require the submission of an itinerary or an application for temporary removal.*

The transfer of an animal to a veterinary practitioner that is located off the licensed fixed or associated off-display establishment does not require an itinerary or an application for temporary removal.

Part 5 – Transport and exhibition

**Clause 6 – Requirements for animal containers and vehicles

1. An animal to be used in a temporary exhibition must be transported to and from a display site in accordance with the requirements set out in this clause.
2. An animal must be transported in a manner that protects the animal from being injured or exposed to unsuitable or stressful climatic or environmental conditions. The animal must not be transported in an uncovered section of a vehicle or trailer.

Note. Adequate ventilation can be provided in the form of an air intake device or air conditioning. The space in which the animals are being transported may require modifications to ensure transport conditions are maintained at an appropriate ambient temperature (whether heating or cooling).

3. An animal must be transported within a container that:
 - a) is structurally sound so that it is crush resistant and escape proof; and
 - b) is constructed in such a way that it will not injure any enclosed animal; and
 - c) can be easily loaded and unloaded; and
 - d) provides suitable barriers between the enclosed animals where there is risk of an animal injuring another; and

Note. It is recommended that individual animals are transported in separate containers so they can be more easily monitored. This makes it easier to determine which animal is the source of any faeces, urine or blood that may be of concern.

- e) for terrestrial animals, has a non-slip floor and allows freedom of movement for the enclosed animals to stand, sit, lie down, turn around and stretch out their full length, with the following exceptions: equids must not be allowed room to turn around due to injury concerns; snakes and lizards may be transported in containers that do not allow them to stretch out their full length; and
 - f) allows frequent visual or environment (for example, monitoring of ambient temperature) inspections to be undertaken; and
 - g) includes an appropriate warning sign if it contains a venomous or dangerous species; and
 - h) is designed to allow ease of cleaning and disinfection.
4. An animal transport vehicle must incorporate:
 - a) facilities to securely fasten animal transport containers to prevent them moving within the vehicle; and
 - b) a vehicle exhaust system that does not pollute the air inside the animal transport container; and
 - c) a barrier between the animal transport container and the driver's compartment strong enough to hold the weight of animals and their containers in the event of an accident.
5. A compartment within which animal transport containers are transported must:
 - a) allow handling of the containers without risk to the handlers; and
 - b) be designed to control spillage of faeces and be disinfected after each use.

Note. *Animals are susceptible to injury or the exacerbation of sub-clinical infection during loading, handling and transportation. These problems often arise due to cumulative stresses. Common stressors include:*

- *unusual yarding and handling;*
- *deprivation of food and water;*
- *changes in climatic conditions;*
- *overcrowding or isolation, unfamiliar surroundings, noises and sensations;*
- *inappropriate care during road transportation; and*
- *physiological responses associated with pregnancy and lactation.*

The greater the number of stressful experiences that can be removed from the temporary removal experience, the better the chances of the animal arriving at its destination in the same condition as it departed.

****Clause 7 – Transportation**

1. A fixed exhibitor must ensure that a sufficient number of experienced staff accompany animals during a temporary removal, to ensure compliance with these Standards.
2. A fixed exhibitor must ensure the person in charge of a temporary removal has a documented contingency plan detailing how the person in charge is to manage the animals in the event of an accident, breakdown or escape of animals while transporting the animals.

Note. *For many animals it is recommended that inspection of animals be carried out by the person in charge, not more than two hours after the commencement of a journey, and thereafter at maximum intervals of two hours. During these inspections clean fresh water should be offered to all animals.*

Temperature probes can be installed into boxes or the compartment carrying animals and a temperature reader can be fixed to the dashboard of the car to allow constant monitoring. Additional food and water, and ideally a generator to power a fan to allow air flow, in the event of a vehicle breakdown should be carried by the transportation vehicle.

3. Veterinary assistance must be sought as soon as possible for any animal seriously injured during transportation to or from the display site.
4. Each animal must be checked as soon as possible upon arrival at the display site by the person in charge of the animal or their delegate.
5. Where an animal is to be displayed within an enclosure at a display site, it must, where possible, be released directly into the exhibit enclosure from the transport vehicle or container. If the animal must be walked from the transport vehicle to the exhibit the fixed exhibitor must ensure appropriate crowd control is in place and that the animal does not walk on unsuitable substrate, that is, slippery floors.

Clause 8 – Requirements at the display site

1. ****** A fixed exhibitor must ensure the person in charge of the temporary removal has a copy of the relevant current Department approval for the temporary removal or a copy of the approved standard operating procedure for the relevant species.
2. A fixed exhibitor must ensure the temporary removal is conducted in accordance with any applicable approved standard operating procedure.
3. All staff must be clearly marked as representatives of the fixed exhibitor during the entire temporary exhibition period. That is, the staff must wear a uniform with appropriate patches or badges that identifies the fixed exhibitor (except during private functions where the staff are wearing a themed costume).
4. A fixed exhibitor must ensure there are sufficient employees and appropriate use of barriers to safely handle and control the animals used in the temporary exhibition, and to safely

control the public interactions with and access to the animals used in the temporary exhibition.

Note. *It is important to brief the security staff at the display site that their assistance would be appreciated if crowd behaviour is unacceptable.*

Use of barriers, or assistants, may be unnecessary where the ratio of fixed exhibitor and staff to visitors/onlookers does not exceed 1: 15, however barriers must always be available so that appropriate visitor control can be achieved if more visitors/onlookers arrive than are expected. To avoid any such problems arising, it is recommended that a rule be enforced that the visitors can only touch tame animals.

5. A fixed exhibitor and staff must prevent members of the public from coming in contact with dangerous or venomous animals.
6. Appropriate facilities must be available at a display site to allow animals that are not being displayed to be held in an area that:
 - a) is secure from members of the public;
 - b) is secure so the animals cannot escape; and
 - c) provides suitable stable environmental conditions for the animals.
7. A fixed exhibitor must ensure that no visitor contact with an animal occurs at a display site unless the person in charge is present and can recognise the behavioural characteristics indicative of an animal of that species objecting to being touched and:
 - a) the animal can withdraw from the contact if it wishes by moving away from the enclosure fence or, in walk-in exhibits, into a suitably identified refuge area that excludes visitors and onlookers. In the case of small animals such as rabbits, guinea pigs and birds, such as chickens and ducks, the animals must be able to withdraw into a hutch or enclosure that is accessible by the fixed exhibitor and staff but not by visitors and onlookers; or
 - b) the period of contact is sufficiently short for an animal that is not able to withdraw, for example, a hand held python, or a goat being walked on a leash, to ensure the animal does not display behaviours indicative of stress.

Unacceptable practices include carrying or leading non-tame animals through crowds either within the licensed fixed establishment or at display sites such as sporting events and shopping centres.

Note. *It must be recognised that not all species show obvious behaviours indicative of stress.*

8. Facilities at a display site must provide an animal with:
 - a) shelter from rain, wind, extreme temperatures and loud noise; and
 - b) adequate space to move in all directions; and
 - c) a supply of adequate amounts of fresh food and water; and
 - d) where appropriate, sight barriers from the viewing public so that the animal can screen the public from its view; and

Note. *Exhibit furniture can be used as sight barriers from the viewing public so that the animal can screen the public from its view.*

 - e) the opportunity to avoid being touched by visitors; and
 - f) external radiant heating where the ambient temperature is below 30oC, in the case of newly hatched birds, less than five weeks of age.

9. Any animal whose fight-or-flight reaction, signs of stress or aggression do not subside after a short exposure to an audience must be removed from display to an area that complies with subclause 6. (above). If this is in an area where the public could distress the animal then the fixed exhibitor or staff must stay with the animal to ensure that the animal will not be harassed.

Clause 9 – Exhibition

1. The temporary exhibition facilities for animals at a display site must be designed so that the animals cannot escape.
2. The construction of any temporary exhibition facilities must be safe for the animals, staff and the public.
3. A fixed exhibitor must ensure the animal's enclosure temperature is monitored and ensure that it is kept within an appropriate temperature range for an animal held in the enclosure.
4. Subject to subclause 5, only a fixed exhibitor or an employee is permitted to handle an animal that has been temporarily removed and is used in a temporary exhibition and they must be in control of the animal at all times.
5. A fixed exhibitor may permit a third party to handle an animal that has been temporarily removed and is used in a temporary exhibition if the fixed exhibitor or an employee is in the immediate vicinity of the animal and is able to ensure its welfare in circumstances where other relevant prescribed standards allow such an animal to be hand held.

Note. For example, a fixed exhibitor or staff may use a teacher, student or member of the audience to hold an animal while the fixed exhibitor or employee gives a talk or takes a photo.

6. Where visitors are permitted to enter an enclosure at a display site containing animals:
 - g) the enclosure must have a double gate through which the public can enter;
 - h) the enclosure must include a designated area where animals can retreat from visitors without being touched. The retreat area must include adequate bedding and be large enough to allow at least half the animals on display to rest there at any one time;
 - i) the person in charge must ensure suitable supervision is provided to ensure the welfare of the animals.
7. Where deer are displayed within an enclosure at a display site, the fixed exhibitor must not permit members of the public to enter the enclosure unless the deer are juvenile or tame adult female Fallow Deer. In this situation the exhibit must include a designated area where the deer may retreat from visitors.

Note. Hard-hoofed animals like deer can easily slip and hurt themselves on smooth surfaces such as tiles or floorboards.
8. To prevent injuries, juveniles of small sized species (for example, rabbits, chickens, guinea pigs, duck etc.) must be exhibited separately from larger animals, such as juvenile or adult sheep or cattle, unless approved.

Note. Approval may be granted by the Secretary if animals within the mixed exhibit are within a similar weight range.
9. An animal must not be tethered while on display, except in the case of:
 - a) a working dog or domestic hoof stock, where they have access to shelter and clean water while tethered;
 - b) an adult female goat or cow, where they are being used for a milking demonstration.
10. Deer may only be walked through public areas at a display site if:
 - a) each deer is tame and controlled by a handler via the use of headstall and rope;

- b) subject to subclause c), deer handlers are at least 16 years old;
- c) deer handlers less than 16 years old may be used to control deer that are less than one year old;
- d) all persons, other than the fixed exhibitor's deer handlers, are kept at least one metre from the deer while they are in motion in public areas;
- e) the deer are never placed or walked on escalators or moving walkways;
- f) subject to subclause g), any adult male deer being walked has been castrated before its first rut, and individually identified by microchip. Evidence of castration before first rut must be supportable by a veterinary certificate which also states the microchip number given to the animal;
- g) an entire adult male deer (stag) may be walked through public areas if the fixed exhibitor's permit contains a condition specifically authorising this use.

Note. Approval is usually conditional upon applicants demonstrating to the Secretary's satisfaction their knowledge and experience with handling entire stags.

11. ** The maximum length of time an animal may be allowed to be temporarily removed to any one display site on a continuous basis is 14 days. This allows for temporary exhibition at agricultural shows including the Royal Easter Show. If animals are to be exhibited at the same display site for more than 14 days, all animals and display structures such as pits or enclosures must be removed daily and returned the following day. Exhibitions exceeding 14 days in the length at the same display site must be approved.

Clause 10 – Supervision and safety

1. A fixed exhibitor must ensure any person in charge of a temporary removal is supervised so as to ensure the temporary removal complies with relevant prescribed standards.
2. A fixed exhibitor must ensure there is a person adequately trained in First Aid available at each display site, and that this person has access to a First Aid kit adequately equipped for accidents or incidents.
3. A venomous snake being used in a temporary exhibition must be exhibited at a safe distance from members of the audience or film crew or enclosed within an approved safety barrier, such as a walled pit, designed to protect all members of the audience from being bitten by the snake unless the temporary removal is undertaken in accordance with an approved standard operating procedure.
4. A fixed exhibitor must ensure that any person handling one of the fixed exhibitor's venomous reptiles:
 - a) uses appropriate safety equipment such as snake hooks and hoop bags;
 - b) handles only one reptile at a time and ensures that no other animals are loose within the display enclosure;
 - c) uses a hook to assist with handling the reptile, except during venom extraction carried out as part of a recognised program;
 - d) does not cause the reptile to be physically touched to promote striking behaviour;
 - e) situates lockable transport boxes in a secure location within the confines of the exhibit enclosure or pit;
 - f) has a mobile phone immediately available to call for an ambulance if required; and
 - g) never uses a reptile that has had its venom glands removed.

Note. The escape of a permit species (listed in Schedule 2 of the EAP Regulations) and the recapture of the animal must be notified to the Secretary, within the timeframes stipulated in the EAP Regulations.

The EAP Regulations require a fixed exhibitor to immediately report to the Secretary any incident involving the death of a person or injury to a person that requires medical treatment caused by an animal to which the licence relates.

5. A temporary exhibition must not be left unsupervised by the person in charge while members of the public have the potential to access the animals.
6. Promotion of direct contact between a reptile and a member of the public must only take place if the reptile is a non-venomous species, and if the person in charge can recognise the behavioural characteristics that indicate that the reptile is objecting to being handled.
7. During the temporary exhibition of any species of bat a fixed exhibitor must ensure the bat cannot be reached by a member of the public due to the potential for infection with Australian Bat Lyssavirus. The fixed exhibitor, any staff and any attendants involved in the handling of a bat must be vaccinated against the Australian Bat Lyssavirus.

Clause 11 – Education

1. A temporary exhibition must provide educational value (except for displays for film and television advertisements) and promote appreciation of and respect for the animals and their environment.
2. An animal must not be used in a degrading way in a temporary exhibition. Degrading uses include practices that promote an audience to laugh at the degradation of an animal or involve dressing up animals.

Note. It should be understood that most people requesting fixed exhibitors to display animals are doing so because they see the presence of the animals as an attraction for their event/promotion/ business. Therefore fixed exhibitors should promote their exhibition business in a manner that creates an awareness of, and respect for, animals and interest in their conservation.

3. If an animal is to be used in a temporary exhibition through presentation by a handler, educational information must be given verbally to the audience. The information must be sufficient that it would comply with the information requirements for signs under clause 6 of the 'General Standards for Exhibiting Animals in New South Wales'.
4. If an animal is displayed in an enclosure at a display site, the enclosure must:
 - a) provide a naturalistic setting which resembles the animals' habitat and provides for its behavioural and physical well-being as required by clause 19 of the 'General Standards for Exhibiting Animals in New South Wales'; and
 - b) subject to subclause c), provide animal information signs for each animal species contained within the enclosure, in accordance with clause 6 of the 'General Standards for Exhibiting Animals in New South Wales';
 - c) it is not necessary for an exhibit enclosure to meet the requirements of subclause b) while a presenter is verbally providing the audience with educational information about the animal.
5. When handling dangerous or venomous species, a presenter must explain to the audience that he or she is an experienced handler, and that it would be unsafe for a member of the public to copy the actions of the presenter.

Clause 12 – Zoonoses

Note. Zoonoses are diseases that are transmissible from animals to humans and include Australian bat lyssavirus, chlamydia, cryptosporidiosis, hydatids, leptospirosis, psittacosis, ringworm, salmonella, tetanus, toxoplasmosis and toxocariasis.

1. Due to the risk to members of the public of contracting zoonotic diseases, a fixed exhibitor must ensure that members of the public who have contact with their animals are discouraged from:
 - a) sucking or licking fingers or other objects that the animals may have contacted or soiled;
 - b) touching their mouth with their hands;
 - c) kissing the animals;
 - d) eating food intended for animals;
 - e) eating food of any type until their hands are thoroughly cleaned;
 - f) wiping hands on clothing; and
 - g) touching animal faeces, soil or other substrate used by the animals.
2. Subject to subclause 3, where members of the public are allowed to contact animals, proper hand washing facilities must be provided at the display site and the members of the public must be encouraged to thoroughly wash their hands after touching any animals.
3. If proper hand washing facilities cannot be made readily available, a fixed exhibitor must ensure that members of the public who touch animals can clean their hands with anti-bacterial gel or wipes provided and are encouraged by the fixed exhibitor to use them.

Note. Unless hands are thoroughly cleaned the bacteria and other pathogens associated with reptiles and other animals are likely to be ingested after contact, either directly from the hands or via food that is consumed. Though any person is potentially susceptible to disease as a result of such exposure, it has a higher potential to cause disease in individuals with weak immune systems.

Note. Proper hand washing means:

- using soap and running water, warm to hot water is best.
- wetting hands thoroughly and lathering with soap.
- rubbing hands vigorously for at least 10-15 seconds as you wash them.
- paying attention to back of hands, wrists, between fingers and under fingernails.
- rinsing hands well under running water.
- drying hands with disposable paper towel, clean towel or air drier.
- turning off the tap with the used paper towel, if applicable.

Ideally a sign should be displayed that outlines this information.

**Clause 13 – Exhibition during transit as part of an acquisition or disposal

Unless specifically approved, during the transportation of an animal to effect its acquisition or disposal, a fixed exhibitor is not permitted to break the journey between the fixed exhibitor's fixed or associated off-display establishment and the premises of the other party involved in the transaction. Stopping for media or other displays is prohibited once the animal has left the fixed exhibitor's fixed or associated off-display establishment during a transaction process. The filming of animals while in the transport container during the transport process (such as being loaded or unloaded onto or off a vehicle or aeroplane) is acceptable.

**Clause 14 – Return of animals to the fixed or associated off-display establishment

1. A temporarily removed animal must be returned at the end of each day to its enclosure at the fixed exhibitor's fixed or associated off-display establishment from which it was temporarily removed, except in circumstances described in subclause 2.
2. An animal is not required to be returned at the end of the day to its enclosure at the fixed or associated off-display establishment from which it has been temporarily removed if the Secretary has been given prior notification that the temporary removal will be for longer than one day and prior notification of the location where the animal will be held overnight.
Note. Diurnal species should not be returned to their exhibit less than one hour prior to sunset. They would be safer to be held in their transport container until one hour after sunrise.
3. Where an animal that has been temporarily removed stays away from the fixed or associated off-display establishment overnight, the animal must be placed in an enclosure that provides the animal with:
 - a) adequate space to move in all directions;
 - b) shelter from rain, wind and extremes of temperature;
 - c) a supply of adequate amounts of fresh food and water;
 - d) an environment that prevents escape, injury to, and theft of, the animal;
 - e) a suitable substrate that allows the animal to comfortably sit or lie down. An animal must be provided with suitable bedding to allow it to stay warm;
 - f) a refuge or hide area depending on the species;
 - g) an appropriate temperature gradient in the case of a reptile; and
 - h) an area away from lights and loud noises.

Note. Specific requirements for the overnight housing of some specific groups can be found in the Standards for Exhibiting Circus Animals in New South Wales.

Part 6 – Film and Television

Clause 15 – Code of practice for film and television

A temporary exhibition for film and theatrical performances must comply with the “Code of Practice for the Welfare of Animals in Films and Theatrical Performances”, under the *Prevention of Cruelty to Animals Regulation 2012*.

Note. The Code sets out a standard of practice that establishes clear guidelines for the use of animals in the film and television industry, corporate and educational functions, stage performances, and commercial photography for advertising or promotion. A copy of the Code and application forms can be obtained from the Department.

Appendix 1

Proforma for Standard Operating Procedure for Temporary Removal of an Animal from a Fixed or Associated Off-Display Establishment

** Fixed exhibitors may alter the format of this proforma as long as the criteria listed below are adequately discussed.

1. Species of animal:

2. Animal suitability – indicate how the assessment of animal suitability for display will be carried out and recorded prior to each temporary removal (include factors such as the animal's normal weight range, risks to the animal's welfare associated with the temporary removal, the animal's condition and behaviour):

3. Method of transport:
 - a) The type of crush resistant transport container used and its size.

 - b) Facilities to fasten the transport container to the vehicle.

 - c) Maximum number of animals to be placed within each transport container:

 - d) Type of vehicle to be used. The use of non-air conditioned vehicles is not permitted due to the potential detrimental effects of temperature, wind and noise. Exceptions to this include large carnivores, large primates and adult ungulates where specifically designed trailers or utility vehicles have been constructed.

 - e) Contingency plan for accident, breakdown or escape.

4. Arrangements for public safety during the temporary removal of this species (includes procedures for allowing contact with animals of this species, if this is to be permitted).

5. Standard exhibit facilities (Describe enclosure and shelter, and maximum number of animals to be housed)

6. Number of staff accompanying the animals during each temporary removal of this species.

7. Experience/qualifications of staff to be present during each temporary removal of this species (list staff and assessment of competency against each criteria in clause 3(1) of the Standards for Exhibiting During Temporary Removals in New South Wales).
8. Educational value (signs to be displayed, presentation content and naturalistic setting).
9. Night time facilities for overnight removals.
10. Person responsible for providing an itinerary of all temporary removals for this species (as required under clause 5(6) of the Standards for Exhibiting During Temporary Removals in New South Wales).