

Biosecurity & Food Safety Compliance

Exhibited animals investigations

The Biosecurity & Food Safety Compliance team is responsible for enforcing and maintaining high levels of animal welfare and compliance with the Exhibited Animals Protection Act 1986 in NSW. This is achieved through targeted investigations and enforcement of non-compliant authority or licence holders, poor performing businesses and unlicensed exhibitors.

In 2020-2021, one investigation led to a successful RSPCA prosecution of a mobile exhibitor. The offender was convicted of two offences, nine months community service, and imposed \$2,528 in fines.

Background

The *Exhibited Animals Protection Act 1986* (the Act) governs exhibitors so that they provide the required standards of care, presentation and safety. Under this legislation, NSW DPI must issue an authority (permit, licence or approval) before animals can be exhibited. The licensing scheme details steps exhibitors must take to house and care for their animals. NSW DPI is the enforcement agency for the Act.

What we do

We respond to reports of non-compliance from external complaints, which are often severe in nature or about unlicensed activities, and the internal escalation of identified non-compliances from audit and inspection activities (see *photos A and B*).

We frequently take action against individuals and companies as a result of offences under the Act, these include warning letters, penalty notices, statutory declarations, licence sanctions and prosecutions.



Photo A: Damaged enclosure, improperly secured and maintained



Photo B: Non-compliant enclosure holding a crocodile



Photo C: Compliant aviary at a licensed display establishment (in contrast to photos A and B)

to a nine months community corrections order, and imposed fines of \$2,528.

Acknowledgements

We would like to acknowledge external stakeholder and enforcement agencies, such as the RSCPA and NSW Police. We work closely with these stakeholders to lead complex and targeted investigations to ensure that high levels of animal welfare and compliance is maintained by industry.

The Department receives advice from the Exhibited Animals Advisory Committee, which is comprised of representatives from industry, animal welfare groups and government.

RDOC21/54901

© State of New South Wales through Regional NSW 2021. The information contained in this publication is based on knowledge and understanding at the time of writing (September 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Regional NSW or the user's independent adviser.

Outcomes

In the 2020-2021 financial year, one key investigation led to a mobile exhibitor being issued 12 penalty notices and having their authority cancelled.

The investigation of this matter contributed to a successful RSPCA prosecution under the *Prevention of Cruelty to Animals Act 1979*. The offender was convicted of two offences, sentenced