



New South Wales

Exhibited Animals Protection Amendment (Prohibitions on Exhibition) Bill 2018

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Exhibited Animals Protection Act 1986* (the *principal Act*) to prohibit the exhibition of exotic animals at a circus by:

- (a) making it an offence for a person to exhibit an exotic animal at a circus, and
- (b) making it an offence to breed, keep, train or transport an exotic animal for the purpose of exhibiting the animal at a circus, whether or not the circus is located in New South Wales, and
- (c) providing that animals that are not exotic animals may continue to be exhibited at a circus if authorised under the principal Act, and
- (d) requiring exotic animals currently exhibited at circuses to be rehomed in an animal display establishment or wildlife sanctuary approved by the Secretary within 12 months.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 **Amendment of Exhibited Animals Protection Act 1986 No 123**

Schedule 1 [5] makes it an offence for a person to exhibit an exotic animal at a circus. It will also be an offence to breed, keep, train or transport an exotic animal for the purposes of exhibiting the

exotic animal at a circus, whether or not the circus is located in New South Wales. The proposed offences have a maximum penalty of \$2,200 or imprisonment for 6 months, or both. **Schedule 1 [4]** makes it clear that permits may not be issued under the principal Act authorising a person to exhibit or supervise the exhibition of an exotic animal at a circus. **Schedule 1 [2]** makes a consequential amendment.

Schedule 1 [3] provides that it continues to be an offence to exhibit an animal other than an exotic animal at a circus without an approval under the principal Act.

Schedule 1 [1] inserts definitions, including *exotic animal*, which means any animal other than a stock animal or a companion animal.

Schedule 1 [7] requires the owner of an exotic animal that is currently being exhibited at a circus to place the exotic animal at an animal display establishment or wildlife sanctuary approved by the Secretary within 12 months. If such a placement is not reasonably practicable, the owner must keep the exotic animal in accordance with standards currently prescribed under the principal Act.

Schedule 1 [6] allows savings and transitional regulations to be made consequent on the enactment of the proposed Act or any other Act that amends the principal Act.