

Exhibited Animals Protection Regulation 2005

See also:

Animals (Regulation of Sale) Bill 2007 [Non-government Bill: Ms Clover Moore, MP]

Miscellaneous Acts (Local Court) Amendment Bill 2007

Part 1 – Preliminary

1 Name of Regulation

This Regulation is the *Exhibited Animals Protection Regulation 2005*.

2 Commencement

This Regulation commences on 1 September 2005.

This Regulation replaces the *Exhibited Animals Protection Regulation 1995*, which is repealed on 1 September 2005 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation: "**authorised premises**" means premises to which an authority relates, including any land occupied by the holder of the authority for, or in connection with, the exhibition of animals in accordance with the authority. "**authority**" means a licence, an approval under section 22 of the Act or a permit. "**drive-through area**" means any part of an animal display establishment in which there is exhibited an animal and through which the public may be permitted to drive motor vehicles without being separated from the animal by a fence, moat or cage forming part of the establishment. "**enclosure**" includes a cage or other structure in which an exhibited animal is kept or is treated for illness or injury. "**farm**" means a place at which one or more animals of a species set out in Schedule 1 are kept for the primary purpose of primary production. "**fence**" includes a wall or other barrier. "**fixed establishment**" means premises that are an animal display establishment not being a mobile establishment. "**licensed premises**" means premises to which a licence relates. "**minor establishment**" means a fixed establishment at which no more than 30 animals are exhibited. "**mobile establishment**" means an animal display establishment comprising premises that are of a type referred to in section 22 (2) of the Act. "**permit animal**" means an animal of a species set out in Schedule 2. "**pet shop**" means premises in which animals are kept primarily for sale as pets in the course of a trade, business or profession. "**the Act**" means the *Exhibited Animals Protection Act 1986*.

(2) Notes included in this Regulation do not form part of this Regulation.

Part 2 – Animal display establishments

4 Exemptions from licensing requirements

(1) For the purposes of section 4 (1) of the Act, an animal display establishment is exempt from the requirement to be licensed if the only animals exhibited at the establishment are freshwater fish that are kept:

- (a) in a decorative or landscaped pond or ponds of any size, or
- (b) in an aquarium that has a capacity of less than 2,000 litres or aquaria that have a total capacity of less than 2,000 litres.

(2) For the purposes of section 4 (1) of the Act, an animal display establishment is exempt from the requirement to be licensed in respect of an animal if the animal is in an enclosed area and the Director-General is satisfied that:

- (a) the animal is in a wild state, and
- (b) given the nature and circumstances of the animal and establishment concerned, it would be unreasonable to require the use of the establishment to be licensed (and comply with the licensing requirements) under the Act.

Certain wildlife sanctuaries require and maintain very limited human interaction with the animals kept on those premises. In such cases the Director-General may form the view that it is unreasonable to require the operator of the sanctuary to comply with the strict requirements of a licence under the Act.

5 Exhibitions exempted from the operation of the Act

(1) For the purposes of paragraph (c) of the definition of "**exhibit**" in section 5 (1) of the Act, it is declared that the display, or keeping for display, of an animal in the following circumstances does not constitute an exhibition of the animal for the purposes of the Act:

- (a) that the animal is a free-living animal in its natural habitat,
- (b) that the animal is a lawful captive and is part of a competitive display of household pets,
- (c) that the animal is part of a competitive display of domestic farm animals,
- (d) that the animal is a domestic farm animal being used to demonstrate the acquisition of wool, milk or other produce of a living animal,
- (e) that the animal is of domestic hoof-stock and is performing, or is to perform, in an event at a rodeo,
- (f) that the animal is a lawful captive that is not displayed or kept for display, to the public,
- (g) that the animal is displayed, or kept for display, in accordance with the authority conferred by a scientific licence in force under section 132C of the *National Parks and Wildlife Act 1974*,
- (h) that the animal is displayed, or kept for display, in the course of carrying on the business of animal research, or in the course of carrying out animal research, without contravening the *Animal Research Act 1985*,
- (i) that the animal, being an animal of a species listed in Schedule 3 and not being an animal kept pursuant to an approval or permit or at a licensed animal display establishment, is an animal used only for riding or racing,
- (j) that the animal is kept in a pet shop for display and not for sale,
- (k) that the animal, being an animal of a species listed in Schedule 1 and not being an animal kept pursuant to an approval or permit or at a licensed animal display establishment, is displayed:
 - (i) at an agricultural show or show parade conducted by the Royal Agricultural Society or a society that is a member of the Agricultural Societies Council, or
 - (ii) at an agricultural field day conducted on a farm or showground, or
 - (iii) on the farm on which the animal is kept,
- (l) that the animal, being an animal of a species listed in Schedule 1, and not being an animal kept pursuant to an approval or permit or at a licensed animal display establishment, is displayed, or kept for display, for the purposes of promoting an agricultural product derived from that species of animal and:
 - (i) the animal is one of no more than 10 animals displayed, or kept for display, for this purpose at any one time, and
 - (ii) any display lasts for no more than 2 days at a time and is conducted at least 5 days after any previous display of the animal, and
 - (iii) the animal is displayed near a display of the relevant agricultural product or shortly before or after such a display, and

- (iv) the person who normally cares for the animal attends the animal for the duration of any display,
- (m) that the animal is a fish that is kept (otherwise than in a habitat display) at:
 - (i) a fish hatchery, or
 - (ii) a fish farm,for the purpose of:
 - (iii) commercial food production, or
 - (iv) re-stocking of lakes, dams or waterways,
- (n) that the animal is a lawful captive and is being displayed, or kept for display, at a meeting of an association dedicated to the keeping of that type of animal,
- (o) that the animal is being displayed, or kept for display, by a school student at a school for a single "show-and-tell" activity.

(2) If the display of any animal that constitutes exhibition for the purposes of the Act and the display of any animal that does not constitute exhibition for the purposes of the Act (by virtue of subclause (1)) takes place at the same time on the same premises, any authority issued in relation to the premises applies to all animals at the premises. For example, if a pony ride (which is not exhibition for the purposes of the Act by virtue of clause 5 (1) (i)) takes place at an exhibition or display farm to which an approval relates, the approval, and any terms, conditions or standards that have effect under the approval, also apply to the pony ride.

6 Zoological parks

For the purposes of the definition of "**zoological park**" in section 5 (1) of the Act, an educational, cultural, scientific or recreational purpose is a prescribed purpose.

7 Classes of animal display establishments

- (1) For the purposes of section 12 of the Act, fixed establishments are a prescribed class of animal display establishments.
- (2) For the purposes of section 13 of the Act, the classes of animal display establishments are:
 - (a) fixed establishments, and
 - (b) mobile establishments.

8 Standards for animal display establishments

- (1) The following standards (as published by the Director-General from time to time) are prescribed for the purposes of sections 14 and 25 of the Act:
 - General Standards for Exhibiting Animals in New South Wales
 - Standards for Exhibiting Bottle-nosed Dolphins (*Tursiops truncatus*) in New South Wales
 - Standards for Exhibiting Captive Raptors in New South Wales
 - Standards for Exhibiting Carnivores in New South Wales
 - Policy on Exhibiting Primates in New South Wales
 - Standards for Exhibiting Circus Animals in New South Wales
 - Standards for Exhibiting Australian Mammals in New South Wales.
- (2) It is a condition of an authority that the exhibition of animals to which it relates must be in accordance with such of the standards referred to in this clause as are applicable in relation to the authority.
- (3) The Director-General may, at the request of a person who is the applicant for or holder of an authority that relates to:
 - (a) an animal display establishment that was in existence before 9 June 1989, or
 - (b) the exhibition of an animal that was exhibited by the person before that time,vary any standard otherwise applicable under this clause to the establishment or the exhibition of the animal by the person.
- (4) If a standard is varied under this clause, the standard applicable to the establishment or exhibition of the animal concerned is the standard as so varied.

9 Exhibitions of species of animals that require permits

The species of animals prescribed for the purposes of sections 24 and 25 of the Act are those set out in Schedule 2.

Part 3 – Authorities

Division 1 – General

10 Application for issue, renewal or variation of authority

- (1) An application for the issue, renewal or variation of an authority (other than a licence to be issued under section 18 of the Act following an approval under that section) or for the transfer of a licence:
- (a) must be made in writing in the form approved by the Director-General for the purposes of the application, and
 - (b) must be accompanied by any supporting documents referred to in the approved form and by the relevant fee or fees, and
 - (c) in the case of an application for renewal--must be lodged with the Director-General during the month of May that last precedes expiration of the authority.
- (2) An application for a renewal of an authority that complies with subclause (1) operates to renew the authority unless:
- (a) the Director-General notifies the holder of the authority that renewal of the authority has been refused, or
 - (b) the application has been deemed to be refused by operation of section 27 (4) of the Act.
- (3) An application for renewal of an authority is not required and subclause (2) has effect as if such an application had been made in compliance with subclause (1) if:
- (a) the authority first takes effect during May or June, and
 - (b) the fee or fees for renewal of the authority is or are paid before the next succeeding 1 July.
- (4) The Director-General must not issue a licence unless:
- (a) the applicant has, to the satisfaction of the Director-General, completed a course of study of a kind approved by the Director-General concerning the requirements of the Act and this Regulation, and
 - (b) the applicant understands, to the satisfaction of the Director-General, the requirements of the Act and this Regulation.
- (5) An application is not required for a licence to be issued under section 18 (4) of the Act.

11 Fees

- (1) The fee for the lodgment of an application of a class specified in the Table to this clause is the lodgment fee specified opposite that class of application.
- (2) The fee for the issue of an authority following an application of a class specified in the Table to this clause is the issue fee specified opposite that class of application.
- (3) Despite subclause (2), if an authority issued by the Director-General is to take effect during a month other than July, the applicant is to pay:
- (a) the applicable lodgment fee (if any), and
 - (b) the applicable issue fee adjusted on a pro-rata basis.
- (4) In this clause: "**minor exhibitor**" means a person who exhibits or is to exhibit no more than 30 animals.

Table

Application for	Lodgment fee	Issue fee
Approval under section 18 of the	\$200	nil

Act		
Licence under section 18 of the Act	nil	\$250 for minor establishments, otherwise \$900
Renewal of licence under section 18 of the Act	\$100	\$250 for minor establishments, otherwise \$900
Approval under section 19 of the Act	\$40	nil
Approval under section 22 of the Act	\$200	\$250 for minor exhibitors, otherwise \$900
Renewal of approval under section 22 of the Act	\$100	\$250 for minor exhibitors, otherwise \$900
Permit under section 24 of the Act	\$20 per species	nil if applicant holds current licence or approval, \$250 if the applicant is a minor exhibitor, otherwise \$900
Renewal of permit under section 24 of the Act	nil if applicant holds current licence or approval, otherwise \$20 per species	nil if applicant holds current licence or approval, \$250 if the applicant is a minor exhibitor, otherwise \$900
Transfer of licence under section 27 of the Act	\$200	\$250 for minor establishments, otherwise \$900
Variation of authority under section 27 of the Act	\$20	nil

12 Duration of authority

For the purposes of section 29 of the Act, an authority remains in force (unless it is earlier cancelled or except during any period of suspension) until:

- (a) in the case of an authority other than a renewed authority--1 July following the date on which the authority commences, or
- (b) in the case of a renewed authority--1 July following the date on which the renewed authority commences.

13 Appeals

- (1) An aggrieved person may appeal to the Minister under section 32 of the Act by lodging with the Minister, within 28 days after service on the person of written notice of the decision appealed against, a notice of appeal that complies with subclause (2).
- (2) To comply with this subclause, a notice of appeal must:
 - (a) be signed by or on behalf of the appellant, and
 - (b) identify the decision appealed against, and
 - (c) state the grounds of the appeal, and
 - (d) state any directions the appellant desires the Minister to give if the appeal is upheld.
- (3) The Minister must do the following before making a decision on an appeal:
 - (a) give the Director-General an opportunity to make submissions in relation to

- the appeal,
(b) take any such submissions into account.
- (4) The time within which an aggrieved person may appeal under section 33 of the Act to a Local Court is 28 days after service on the person of written notice of the decision appealed against.

Division 2 – Conditions

14 Conservation education

It is a condition of every authority that the authority holder is to provide education to the public concerning the conservation of animals to a standard approved by the Director-General.

15 Australasian Species Management Program

An authority may include a condition requiring the holder to participate in the Australasian Species Management Program of the Australasian Regional Association of Zoological Parks and Aquaria.

16 Breeding from stock

An authority is subject to a condition that the holder must not engage in the breeding of the animals to which the authority relates if the breeding:

- (a) would adversely affect the welfare of the progeny because of budgetary or space constraints, or
- (b) would, in the opinion of the Director-General, add to an existing surplus of the species, or
- (c) would not be in accordance with the Australasian Species Management Program referred to in clause 15, or
- (d) in the opinion of the Director-General, would not, for any other reason, be in the best interests of the species or an individual animal.

17 Insurance

An authority is subject to a condition requiring the holder to maintain a policy of insurance, providing cover of an amount approved by the Director-General, against any liability of the holder, or of a servant or agent of the holder, for death, injury or damage that arises out of or in connection with an activity authorised by the authority.

18 Exhibition of animals at circuses

It is a condition of every approval under Division 2 of Part 3 of the Act authorising the exhibition of an animal at a circus that the animal will be kept and exhibited in accordance with the Standards for Exhibiting Circus Animals in New South Wales approved and published by the Director-General.

19 Imposition of terms and conditions by the Director-General

- (1) Terms or conditions of an authority may be imposed by the Director-General under section 28 (1) (c) of the Act after the issue of the authority:
 - (a) at the request of the holder of the authority, or
 - (b) otherwise than at the request of the holder of the authority if subclause (3) has been complied with by the Director-General before imposition of the term or condition.
- (2) A term or condition of an authority that is specified under section 28 (1) (b) of the Act in the authority when it is issued, or that is imposed by the Director-General under section 28 (1) (c) of the Act after it is issued, may be varied by the Director-General if the decision to make the variation is made after subclause (3) has been complied with.
- (3) This subclause is complied with if:
 - (a) the Director-General gives the holder of the authority written notice that the

Director-General is considering the imposition or variation of terms or conditions specified in the notice, and

(b) the notice states that the holder of the authority may, within a specified time, make written representations to the Director-General or arrange with the Director-General for the making of oral representations, and

(c) before making any decision in relation to a term, condition or variation under consideration, the Director-General takes into account any such representations.

Part 4 – Offences

20 Display of authority

The holder of an authority must cause the authority to be at all times publicly displayed in a prominent position:

(a) if the authority is a permit or approval--at the premises at which the animals concerned are being displayed, or

(b) in any other case--on the authorised premises.

Maximum penalty: 10 penalty units.

21 Veterinary drugs

(1) The holder of an authority must ensure that veterinary drugs, vaccines and like products kept on the authorised premises are so kept in a manner that allows access to them only by a registered veterinarian or a person authorised by a registered veterinarian.

Maximum penalty: 10 penalty units.

(2) The holder of an authority must not cause or permit a person, other than a registered veterinarian, to administer a drug or vaccine to an animal that is exhibited on authorised premises except as directed by a registered veterinarian. Maximum penalty: 10 penalty units.

(3) A person other than a registered veterinarian must not, except as directed by a registered veterinarian, administer a drug or vaccine to an animal that is exhibited on authorised premises. Maximum penalty: 10 penalty units.

22 Notification of outbreak of disease

The holder of an authority must notify the Director-General of any widespread outbreak of a debilitating or fatal disease among the animals on the authorised premises and must do so not later than 24 hours after discovery of the outbreak.

Maximum penalty: 10 penalty units.

23 Disposal of unwanted veterinary equipment

(1) The holder of an authority must not cause or permit a person to dispose of unwanted or contaminated veterinary equipment from authorised premises in such a way so that the equipment becomes a danger to any person. Maximum penalty: 10 penalty units.

(2) A person disposing of unwanted or contaminated veterinary equipment from authorised premises must do so in such a way that the equipment does not become a danger to any person. Maximum penalty: 10 penalty units.

24 Tethering of animals

(1) A person must not chain or tether an exhibited animal, or cause or permit such an animal to be chained or tethered, to an anchorage except for the purposes of veterinary treatment or grooming. Maximum penalty: 10 penalty units.

(2) Subclause (1) does not apply:

(a) to elephants or domesticated hoof-stock if the Standards for Exhibiting Circus Animals in New South Wales are observed, or

(b) to elephants on licensed premises that are not on display:

(i) at night, or

- (ii) during an emergency situation, or
- (c) to raptors if the Standards for Exhibiting Captive Raptors in New South Wales are observed.

25 Dangerous or unsuitable housing

- (1) If the Director-General (or an inspector) considers that an exhibited animal is caged or otherwise housed in conditions that threaten human safety or are unsuitable for the animal, the Director-General (or the inspector) may direct the exhibitor of the animal:
- (a) to remove the animal to a cage or other housing approved by the Director-General (or the inspector), or
 - (b) to modify the cage or housing in a specified way within a specified time, or
 - (c) to demolish the cage or housing within a specified time.
- (2) An exhibitor of an animal who is given a direction under subclause (1) must comply with the direction. Maximum penalty: 10 penalty units.

26 Exhibition of unconfined animal

The exhibitor of an animal in contact with the public must so supervise and control it as to prevent injury to the public or to the animal.

Maximum penalty: 10 penalty units.

27 Safety in drive-through area

- (1) The exhibitor of a dangerous animal kept in a drive-through area must cause admission of a motor vehicle to the area to be refused unless the persons in the vehicle are enclosed within a solid structure forming part of the vehicle. Maximum penalty: 10 penalty units.
- (2) While a person is inside a drive-through area, the exhibitor of a dangerous animal in the area must cause:
- (a) a suitable vehicle to be immediately available to rescue an endangered person, whether or not by towing or lifting a vehicle containing the endangered person, and
 - (b) continuous observation to be maintained over the entire area, and
 - (c) a suitably trained and armed member of the staff of the animal display establishment that includes the area, to be immediately available to kill or sedate an animal in order to save human life or prevent injury.

Maximum penalty: 10 penalty units.

- (3) In this clause: "**dangerous animal**" means:

- (a) an animal of a species (such as tigers, lions and bears) whose members ordinarily pose a significant risk of death or injury to the public, or
- (b) an animal that, because of its particular disposition, health or other condition, poses a significant risk of death or injury to the public.

28 Escape of animal

- (1) An exhibitor of a permit animal must, if the animal escapes from the authorised premises, notify the Director-General:
- (a) of the escape within 2 hours, and
 - (b) immediately on recapture of the animal.
- (2) If a permit animal escapes from an enclosure within authorised premises but not from the premises, the permit holder must notify the Director-General:
- (a) of the escape within 2 hours, and
 - (b) immediately on recapture of the animal.
- (3) If an animal other than a permit animal escapes from authorised premises, or from an enclosure within authorised premises but not from the premises, the holder of the authority must notify the Director-General of the escape within 48 hours of the escape and immediately on recapture of the animal.

(4) The holder of an authority must make all reasonable efforts to recover, alive or dead, an exhibited animal that escapes.

Maximum penalty: 10 penalty units.

29 Venomous animals

An exhibitor of an animal that is venomous to human beings must:

(a) if a suitable antivenom exists, at all times have an appropriate supply of the antivenom available at the place of exhibition of the animal or at the nearest hospital, and

(b) maintain an emergency plan for the treatment of a person envenomed by the animal.

Maximum penalty: 10 penalty units.

30 Reporting of injuries to people

The holder of an authority must immediately report to the Director-General any incident involving:

(a) the death of a person, or

(b) injury to a person that requires medical treatment, caused by an animal to which the authority relates.

Maximum penalty: 10 penalty units.

31 Noisy construction and maintenance work

An exhibitor of animals must take such steps as are necessary to alleviate any undue distress or disturbance of the animals resulting from the noise of construction or maintenance work being carried on by or on behalf of the exhibitor.

Maximum penalty: 10 penalty units.

32 Acquisition and disposal of animals

The holder of an authority must not:

(a) acquire an animal for exhibition if the holder knows, or ought reasonably to know, that the transaction is with a person who, by acquiring, possessing or disposing of the animal, committed an offence under this Act or any of the following Acts:

(i) the *Animal Research Act 1985*,

(ii) the *National Parks and Wildlife Act 1974*,

(iii) the *Non-Indigenous Animals Act 1987*,

(iv) the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth, or

(b) dispose of an exhibited animal to a person who the holder knows, or ought reasonably to know, by acquiring, possessing or disposing of the animal would commit an offence under any of those Acts, or

(c) except in the case of an animal listed in Schedule 4--without the consent of the Director-General, acquire an animal for exhibition or dispose of an exhibited animal.

Maximum penalty: 10 penalty units.

33 Removal of exhibited animal

(1) The holder of a licence for an animal display establishment must not, without the written consent of the Director-General, keep an exhibited animal, or permit such an animal to be kept, outside the animal display establishment in which it is ordinarily exhibited. Maximum penalty: 10 penalty units.

(2) The holder of an authority must not remove an animal from the authorised premises

unless an application in the approved form for the consent of the Director-General to the removal of the animal was made:

- (a) at least 7 days before the proposed removal, or
- (b) by agreement with the Director-General, at a later time,

and the Director-General has given his or her written consent to the removal of the animal. Maximum penalty: 10 penalty units.

(3) Subclauses (1) and (2) do not apply in relation to an animal if:

- (a) it is being taken to, or returned from, the premises of a registered veterinarian, or
- (b) it is being kept on the premises of a registered veterinarian for treatment or observation, or
- (c) it is being transported from one authorised premises under an authority to another authorised premises under that authority, or
- (d) it is being transported to give effect to its lawful disposition or acquisition.

(4) In this clause, "**approved form**" means a form approved by the Director-General.

34 Exemption from requirements concerning acquisition, disposal and removal of animals

(1) The Director-General may exempt a holder of an authority, or a class of holder of an authority, from the requirements of clauses 32 (c) and 33 (2).

(2) The exemption may be given either unconditionally or subject to conditions.

(3) Where an exemption is given subject to conditions, the exemption does not have effect while any of the conditions is not being complied with.

35 Animal records

(1) In this clause: "**relevant period**", in relation to an authority, means:

- (a) the period that begins when the authority first takes effect and ends on the next succeeding 30 April, and
- (b) each period of 12 months that commences on 1 May and succeeds the period referred to in paragraph (a).

(2) The holder of an authority must, at all times during each relevant period while the authority is in force, keep on the authorised premises (or at such other place as is approved by the Director-General) animal records in a form approved by the Director-General. Maximum penalty: 10 penalty units.

(3) For the purposes of subclause (2), if an authority relates to more than one premises the animal records need only be kept at the premises at which the animal concerned is most often kept.

(4) As soon as practicable after information required to keep the animal records up-to-date becomes available to the holder of an authority, the holder must cause the information to be entered in the animal records. Maximum penalty: 10 penalty units.

(5) The holder of an authority is guilty of an offence if the holder fails to:

- (a) notify the Director-General within 7 days after the loss of, or after any damage to, the animal records, or
- (b) enter, or allow an entry to be made, in the animal records:
 - (i) if the records are in a written or printed form--only in ink, or
 - (ii) if the records are stored in electronic form--only in a manner approved by the Director-General, or
- (c) delete an erroneous entry in the animal records, or allow such an erroneous entry to be deleted:
 - (i) if the records are in a written or printed form--only by drawing a single line through the entry, or
 - (ii) if the records are stored in electronic form--only in a manner approved by the Director-General.

Maximum penalty: 10 penalty units.

(6) A person must not enter, or allow an entry to be made, in the animal records that the

person knows to be false or misleading in a material particular. Maximum penalty: 10 penalty units.

(7) The holder of an authority making an application for its renewal must lodge with the application the animal records required to be kept during the relevant period for the authority that last preceded the application. Maximum penalty: 10 penalty units.

(8) The former holder of the authority must, not later than 14 days after expiration of an authority, lodge with the Director-General the animal records the former holder was required to keep:

- (a) during the relevant period for the authority that expired on the last preceding 30 April, and
- (b) during the relevant period for the authority that commenced on the last preceding 1 May.

Maximum penalty: 10 penalty units.

(9) If an authority is surrendered, suspended or cancelled, the holder, or former holder, of the authority must:

- (a) within 14 days after the surrender, or
- (b) within 14 days after being notified of the suspension or cancellation,

lodge with the Director-General the animal records the holder, or former holder, was required to keep during the relevant period for the authority that commenced on 1 May last preceding the surrender, suspension or cancellation. Maximum penalty: 10 penalty units.

36 Other records

(1) An exhibitor of animals must maintain, in a manner approved by the Director-General, an up-to-date record of:

- (a) any illness, disease, injury or other poor health of animals, and
- (b) the day-to-day progress or regress of the animals, and
- (c) the treatment, medicinal and otherwise, administered to the animals.

(2) An exhibitor of animals must maintain, in a manner approved by the Director-General, an up-to-date record of routine checks made on the health of the animals.

(3) An exhibitor of animals must maintain, in a manner approved by the Director-General, an up-to-date record of each veterinary inspection of the animals and of any veterinary care given to the animals.

(4) An exhibitor of animals must retain, for at least 2 years after it is made, a record made under this clause.

Maximum penalty: 10 penalty units.

37 Species identification

(1) An exhibitor of animals must make, and retain for at least 2 years after it is made, a record of the name and qualifications of a person who identifies a species of animals for the exhibitor.

(2) If the Director-General so directs, an exhibitor of animals must have the species of the animals identified by a person nominated by the Director-General.

Maximum penalty: 10 penalty units.

38 Variation of record keeping obligations

The Director-General may, at the request of the holder of an authority or an exhibitor, exempt the holder or exhibitor from any obligation to keep records otherwise applicable to that holder or exhibitor under clause 35, 36 or 37.

39 Attendants and other staff

(1) An exhibitor of animals must employ such number of adequately trained and competent staff as is necessary to maintain daily the level of animal husbandry required by this Regulation.

(2) An exhibitor of animals must employ such number of qualified or experienced animal

attendants as is necessary to maintain the level of care of the animals required by this Regulation.

(3) An exhibitor of animals must make such arrangements as are necessary to ensure that there will at all times be a person authorised to call for veterinary advice in relation to the animals.

Maximum penalty: 10 penalty units.

40 Compliance with conditions

The holder of an authority must comply with any conditions to which the authority or an exemption given to the holder under clause 34 is subject.

Maximum penalty: 10 penalty units.

Part 5 – Miscellaneous

41 Organisations that may nominate persons to be members of advisory committee

(1) For the purposes of section 6 (4) (e) of the Act, the following are prescribed animal welfare organisations:

Animal Welfare League NSW
Humane Society International
Primates for Primates
Royal Society for the Prevention of Cruelty to Animals
World Wide Fund for Nature Australia.

(2) For the purposes of section 6 (4) (f) of the Act, the following are prescribed organisations representing exhibitors of animals:

Australasian Regional Association of Zoological Parks and Aquaria
Circus Federation of Australia
Mobile Wildlife Educators Association
New South Wales Fauna and Marine Parks Association.

42 Bonds paid as condition of cetacea display licence

(1) For the purposes of section 37 of the Act:

(a) the prescribed amount is \$60,000, and
(b) an arrangement for a financial institution to guarantee the payment of an amount to the Director-General (not exceeding \$60,000) is a prescribed arrangement.

(2) The Director-General must invest any money:

(a) deposited with the Director-General under section 37 of the Act by a licensee and that has not, for the time being, been spent in accordance with that section, and
(b) paid to the Director-General under an arrangement referred to in subclause (1)
(b) and that has not, for the time being, been spent in accordance with that section.

(3) The money must be invested:

(a) in a manner authorised by the *Trustee Act 1925* for the investment of trust funds, and
(b) so that not more than one month's notice is required for its repayment, and the Director-General must arrange for the income to be paid directly to, or as authorised by, the licensee.

(4) In subclause (1): "**financial institution**" means:

(a) a bank within the meaning of the *Banking Act 1959* of the Commonwealth, or
(b) a financial institution approved by the Director-General.

43 Period of time for return of seized animal

For the purposes of section 41 of the Act, a period of 6 months after seizure of an animal under

section 40 of the Act is the prescribed period after which the animal must be returned unless earlier dealt with under the Act.

44 Registered particulars relating to licences

The prescribed fee for a certificate containing a copy of the registered particulars relating to an animal display establishment given under section 21 of the Act is \$50.

45 Savings

Any act, matter or thing that, immediately before the repeal of the *Exhibited Animals Protection Regulation 1995*, had effect under that Regulation is taken to have effect under this Regulation.

46 Penalty notice offences

For the purposes of section 46A of the Act:

- (a) an offence under a provision of the Act or this Regulation specified in Column 1 of Schedule 5 is prescribed as a penalty notice offence, and
- (b) the amount specified in Column 2 of Schedule 5 in respect of such an offence is the prescribed amount of penalty for the offence.

Schedule 1 Exemptions--animals displayed at certain agricultural shows and rural areas

(Clauses 3 and 5 (1) (k) and (l))

Birds (Class Aves)

Alectoris chukar	Chukar Partridge
Anas platyrhynchos	Domestic Duck
Anser species	Domestic Goose
Columba livia	Domestic Pigeon
Coturnix coturnix	Japanese Quail
Dromaius novaehollandiae	Emu
Gallus gallus	Domestic Chicken
Meleagris gallopavo	Domestic Turkey
Numida meleagris	Helmeted Guineafowl
Phasianus colchicus	Ring-necked Pheasant
Struthio camelus	Ostrich

Mammals (Class Mammalia)

Bos taurus and Bos indicus	Domestic Cattle
Canis lupus familiaris	Domestic Dog, but limited to Working Breeds (Farm (Working) Dog)
Capra hircus	Domestic Goat
Cervus dama	Fallow Deer
Cervus elaphus	Red Deer (Wapiti)
Cervus timorensis	Rusa Deer
Cervus unicolor	Sambar Deer
Equus asinus	Domestic Donkey

Equus caballus	Domestic Horse
Lama glama	Llama
Lama pacos	Alpaca
Oryctolagus cuniculus	Domestic Rabbit
Ovis aries	Domestic Sheep
Sus scrofa	Domestic Pig

Schedule 2 Animals for which a section 24 permit is required

(Clauses 3 and 9)

Part 1 – Sharks and rays (Class Chondrichthyes)

Order Lamniformes	Mackerel Sharks
Family Lamnidae	Mackerel Sharks
Subfamily Lamninae	White Sharks and Mako (Blue Pointer) Sharks
All species	
Family Odontaspidae	Sand Tigers
Carcharias taurus	Grey Nurse Shark
Order Carcharhiniformes	Ground Sharks
Family Carcharhinidae	Requiem Sharks
Subfamily Carcharhininae	Tiger Sharks, Whaler Shark and Reef Sharks
All species	
Family Sphyrnidae	Hammerhead Sharks
All species	
Order Rajiformes	Sawfish, Skates and Rays
Family Dasyatidae	Rays, Rat-tailed Rays and Stingarees
Subfamily Dasyatinae	Stingrays
All species	

Part 2 – Fish (Class Osteichthyes)

Order Scorpaeniformes	Waspfish, Firefish, Scorpion Cods, Stonefishes, Velvetfishes, Gurnards and Flatheads
Family Scorpaenidae	Scorpion Cods
All species	
Family Tetraogidae	Bullrouts
All species	
Family Synanceiidae	Stonefish
All species	
Order Ceratodontiformes	Lungfish
All species	

Part 3 – Amphibians (Class Amphibia)

Order Anura	Frogs and toads
-------------	-----------------

Family Bufonidae	Toads
Bufo marinus	Cane Toad
Family Dendrobatidae	Poison Arrow Frogs
All species	
Family Hylidae	Tree Frogs
Litoria aurea	Green and Gold Bell Frog
Family Myobatrachidae	Southern Frogs
Pseudophryne corroboree	Corroboree Frog

Part 4 – Reptiles (Class Reptilia)

Order Crocodylia	Crocodiles, alligators and allies
All species	
Order Rhynchocephalia	Tuataras
Family Sphenodidae	Tuataras
All species	
Order Chelonia	Tortoises and Turtles
Family Carettochelyidae	Pitted-shelled Turtles
All species	
Family Cheloniidae	Sea Turtles
All species	
Family Dermochelyidae	Leathery Turtles
All species	
Family Chelidae	Freshwater Tortoises
Pseudemys umbrina	Western Swamp Tortoise
Family Testudinidae	Land Tortoises
Geochelone elephantopus	Galapagos Tortoise
Geochelone nigra	Galapagos Tortoise
Geochelone gigantea	Aldabra Giant Tortoise
Order Squamata	Lizards and Snakes
Sub-Order Sauria	Lizards
Family Helodermatidae	Gila Monster and Beaded Lizard
All species	
Family Iguanidae	Iguanas
Brachylophus fasciatus	Fijian Banded Iguana
Brachylophus vitiensis	Fijian Crested Iguana
Family Pygopodidae	Legless Lizards
Delma impar	Striped Legless Lizard
Family Varanidae	Monitors
Varanus giganteus	Perentie
Varanus komodoensis	Komodo Dragon
Varanus varius	Lace Monitor
Sub-Order Serpentes	Snakes
Family Boidae	Pythons and Boas

Boa constrictor	Boa Constrictor
Eunectes notaeus	Yellow Anaconda
Eunectes murinus	Green Anaconda
Liasis amethystina	Scrub Python
Python molurus	Burmese Python
Python reticulatus	Reticulated Python
Python sebae	African Rock Python
Family Elapidae	Front-fanged Venomous Snakes
All species of the genera:	
Acanthophis	Death Adders
Austrelaps	Copperhead Snakes
Cryptophis	Small-eyed Snakes
Haemachatus	Spitting Cobras
Hoplocephalus	Broad-headed Snakes
Naja	Cobras
Notechis	Tiger Snakes
Ophiophagus	King Cobras
Oxyuranus	Taipans and Fierce Snakes
Pseudechis	Black Snakes
Pseudonaja	Brown Snakes
Tropidechis	Rough-scaled Snakes
Vermicella	Bandy-Bandy
Family Crotalidae	Rattlesnakes
All species	
Family Hydrophiidae	Sea Snakes
All species	
Family Laticaudidae	Sea Kraits
All species	
Family Viperidae	Vipers
All species	

Part 5 – Birds (Class Aves)

Order Struthioniformes	Ostriches
Family Struthionidae	
Struthio camelus	Ostrich
Order Rheiformes	Rheas
All species	
Order Casuariiformes	Cassowaries
Family Casuariidae	Cassowaries
All species	
Order Apterygiformes	Kiwis
All species	
Order Sphenisciformes	Penguins
All species	
Order Procellariiformes	Albatrosses, Shearwaters and Petrels
All species	
Order Ciconiiformes	Herons, Bitterns, Storks, Ibises, Spoonbills, Hammerheads and Flamingos

Family Threskiornithidae	Ibises and Spoonbills
<i>Platalea regia</i>	Royal Spoonbill
Family Ciconiidae	Storks
<i>Xenorhynchus asiaticus</i>	Black-necked Stork
Family Cathartidae	New World Vultures
All species	
Family Phoenicopteridae	Flamingos
All species	
Order Anseriformes	Swans, Ducks and Geese
Family Anatidae	Swans, Ducks and Geese
<i>Stictonetta naevosa</i>	Freckled Duck
Order Falconiformes	Vultures, Ospreys, Falcons, Kites, Eagles, Harriers, Hawks, Secretary Birds and Buzzards
All species	
Order Galliformes	Pheasants, Quails, Grouse, Turkeys, Guineafowl, Megapodes (mound-nesters) Curassows and Guans
Family Megapodiidae	Megapodes or Mound-builders
<i>Leipoa ocellata</i>	Malleefowl
Order Gruiformes	Cranes, Trumpeters, Rails, Bustards, Button-quails, Seriemas, Mesites and Finfoots
Family Turnicidae	Button-quail
<i>Turnix melanogaster</i>	Black-breasted Button-quail
Family Gruidae	Cranes
All species	
Family Rallidae	Rails, Crakes, Moorhens and Coots
<i>Gallirallus sylvestris</i>	Lord Howe Island Woodhen
Family Otidae	Bustards
<i>Ardeotis australis</i>	Australian Bustard
Order Charadriiformes	Plovers, Sandpipers, Stilts, Snipes, Oystercatchers, Curlews and Sheathbills
All species except <i>Larus novaehollandiae</i>	Silver Gull
Order Columbiformes	Pigeons and Doves
Family Columbidae	Pigeons and Doves
<i>Ptilinopus regina</i>	Rose-Crowned Fruit Dove
Order Psittaciformes	Cockatoos and Parrots
Family Cacatuidae	Cockatoos
<i>Cacatua pastinator</i>	Western Long-billed Corella
<i>Callocephalon fimbriatum</i>	Gang Gang Cockatoo
<i>Calyptorhynchus</i> species	Black Cockatoos
<i>Probosciger aterrimus</i>	Palm Cockatoo
Family Psittacidae	Parrots
<i>Ara ararauna</i>	Blue and Yellow Macaw
<i>Ara chloroptera</i>	Green-winged Macaw
<i>Ara macao</i>	Scarlet Macaw
<i>Anodorhynchus hyacinthinus</i>	Hyacinth Macaw
<i>Cyanoramphus unicolor</i>	Antipodes Island Green Kakariki
<i>Cyclopsitta diophthalma</i>	Double-eyed Fig-parrot
<i>Eclectus roratus macgilivrayi</i>	Eclectus Parrot (Australian subspecies)

Lathamus discolor	Swift Parrot
Neophema chrysogaster	Orange-bellied Parrot
Neophema petrophila	Rock Parrot
Nestor meridionalis meridionalis	South Island Kaka
Nestor meridionalis septentrionalis	North Island Kaka
Nestor notabilis	Kea
Psephotus chrysopterygius	Golden-shouldered Parrot
Strigops habrotilus	Kakapo
Order Cuculiformes	Cuckoos, Touracos and Hoatzins
All species	
Order Strigiformes	Owls
All species	
Order Caprimulgiformes	Nightjars, Frogmouths, Potoos and Oilbirds
All species except Podargus strigoides	Tawny Frogmouth
Order Coraciiformes	Kingfishers, Rollers, Hornbills and Allies
Family Alcedinidae	Kingfishers and Kookaburras
Todiramphus sanctus	Sacred Kingfisher
Order Passeriformes	Perching Birds
Family Pittidae	Pittas
All species	
Family Menuridae	Lyrebirds
All species	
Family Maluridae	Fairy-wrens
Malurus lamberti lamberti	Variegated Fairy-wren
Family Meliphagidae	Honeyeaters
Lichenostomus melanops cassidix	Helmeted Honeyeater
Manorina melanotis	Black-eared Miner
Xanthomyza phrygia	Regent Honeyeater
Family Passeridae	Finches and Mannikins
Emblema bella	Beautiful Firetail
Stagonopleura oculata	Red-eared Firetail
Family Paradisaeidae	Birds-of-Paradise
All species	

Part 6 – Mammals (Class Mammalia)

Monotremes (Subclass Prototheria)--egg-laying mammals

Order Monotremata	Platypus and Echidnas
Family Tachyglossidae	Echidnas
Zaglossus bruijnii	Long-beaked Echidna
Family Ornithorhynchidae	Platypus
Ornithorhynchus anatinus	Platypus

Marsupials (Subclass Metatheria)--pouched mammals

Order Dasyuromorphia	Quolls, Tasmanian Devils, Phascogales, Antechinus, Dunnarts and Numbats
Family Dasyuridae	Carnivorous and insectivorous marsupials
<i>Dasyurus cristicauda</i>	Mulgara
<i>Dasyurus</i> species	Quolls
<i>Parantechinus apicalis</i>	Dibbler
<i>Phascogale</i> species	Phascogales
<i>Sarcophilus harrisii</i>	Tasmanian Devil
Family Myrmecobiidae	Numbat
<i>Myrmecobius fasciatus</i>	Numbat
Order Peramelemorphia	Bandicoots and Bilby
<i>Isoodon auratus</i>	Golden Bandicoot
<i>Macrotis lagotis</i>	Greater Bilby
<i>Perameles bougainville</i>	Western Barred Bandicoot
<i>Perameles gunnii</i>	Eastern Barred Bandicoot
Family Peroryctidae	Spiny Bandicoots
All species	
Order Diprotodontia	Koalas, Wombats, Possums, Gliders, Kangaroos, Wallabies and Rat-kangaroos
Family Phascolarctidae	Koala
<i>Phascolarctos cinereus</i>	Koala
Family Vombatidae	Wombats
<i>Lasiornhinus krefftii</i>	Northern Hairy-nosed Wombat
Family Burramyidae	Pygmy-possums
<i>Burramys parvus</i>	Mountain Pygmy-possum
Family Petauridae	Gliders, Striped Possum and Leadbeater's Possum
<i>Dactylopsila</i> species	Striped Possums
<i>Gymnobelideus leadbeateri</i>	Leadbeater's Possum
<i>Petaurus australis</i>	Yellow-bellied Glider
<i>Petaurus gracilis</i>	Mahogany Glider
<i>Petaurus norfolcensis</i>	Squirrel Glider
Family Pseudocheiridae	Ringtail Possums and Greater Glider
All species except <i>Pseudocheirus peregrinus</i>	
Family Phalangeridae	Brushtail Possums, Cuscuses and Scaly-tailed Possums
<i>Phalanger</i> species	Cuscus
<i>Spilocuscus</i> species	Cuscus
<i>Wyulda squamicaudata</i>	Scaly-tailed possum
Family Potoroidae	Bettongs, Potoroos and Rat-kangaroos
<i>Bettongia lesueur</i>	Burrowing Bettong
<i>Bettongia tropica</i>	Northern Bettong
<i>Hypsiprymnodon moschatus</i>	Musky Rat-kangaroo
<i>Potorous gilberti</i>	Gilbert's Potoroo
<i>Potorous longipes</i>	Long-footed Potoroo
Family Macropodidae	Kangaroos and Wallabies
<i>Dendrolagus</i> species	Tree Kangaroos
<i>Lagorchestes hirsutus</i>	Mala
<i>Lagostrophus fasciatus</i>	Banded Hare-wallaby
<i>Macropus irma</i>	Western Brush Wallaby
<i>Onychogalea fraenata</i>	Bridled Nailtail Wallaby

Petrogale species	Rock-wallabies
Order Notoryctemorphia	Marsupial Moles
All species	

Eutherian mammals (Subclass Eutheria)--placental mammals

Order Edentata	Sloths, Anteaters and Armadillos
All species	
Order Chiroptera	Flying-foxes and Insectivorous Bats
All species	
Order Primates	Lorises, Bush-babies, Lemurs, Tarsiers, Marmosets, Tamarins, Monkeys and Apes
All species	
Order Carnivora	Dogs, Bears, Raccoons, Weasels, Mongooses, Hyenas and Cats
All species except those listed in Schedule 4 and <i>Mustela putorius</i> (Domestic Ferret)	
Order Pinnipedia	Seals, Sea-lions and Walruses
All species	
Order Proboscidea	Elephants
All species	
Order Perissodactyla	Asses, Horses, Zebras, Tapirs and Rhinoceroses
All species except those listed in Schedule 4	
Order Artiodactyla	Camels, Llamas, Pigs, Hippopotamuses, Deer, Giraffes, Cattle, Sheep, Antelopes and Peccaries
All species except those listed in Schedule 4	
Order Rodentia	Squirrels, Beavers, Gophers, Mice, Rats, Porcupines and South American Cavy-like Rodents
All species except those listed in Schedule 4 and <i>Notomys alexis</i> and <i>Pseudomys australis</i>	

Part 7 – Hybrids

A hybrid of which one parent is, or both parents are, of a species listed in Parts 1 to 6.

Schedule 3 Exemptions--animals used for riding or racing

(Clause 5 (1) (i))

<i>Bos taurus</i> and <i>Bos indicus</i>	Domestic Cattle
<i>Camelus dromedarius</i>	Arabian Camel
<i>Canis lupus familiaris</i>	Domestic Dog
<i>Capra hircus</i>	Domestic Goat
<i>Equus caballus</i>	Domestic Horse
<i>Equus asinus</i>	Domestic Donkey
<i>Equus caballus</i> x <i>asinus</i>	Domestic Mule

Schedule 4 Unrestricted transfers

(Clause 32 (c))

Part 1 – Reptiles (Class Reptilia)

Order Chelonia	Tortoises and Turtles
Chelodina longicollis	Common Long-necked Tortoise
Order Squamata	Lizards and Snakes
Sub-Order Sauria	Lizards
Physignathus lesueurii	Eastern Water Dragon
Tiliqua scincoides	Blue-tongued Lizard
Sub-Order Serpentes	Snakes
Morelia spilota	Carpet or Diamond Python

Part 2 – Birds (Class Aves)

Division 1 – Native birds

Order Casuariiformes	Emus and Cassowaries
Family Dromaiidae	Emus
Dromaius novaehollandiae	Emu
Order Ciconiiformes	Hérons, Bitterns, Storks, Ibises, Spoonbills, Hammerheads and Flamingos
Family Ardeidae	Egrets and Herons
Ardea ibis	Cattle Egret
Family Threskiornithidae	Ibises and Spoonbills
Threskiornis aethiopica	Sacred Ibis
Order Anseriformes	Swans, Ducks and Geese
Family Anatidae	Swans, Ducks and Geese
Dendrocygna eytoni	Plumed Whistling-duck
Chenonetta jubata	Maned Duck
Anas castanea	Chestnut Teal
Anas gibberifrons	Grey Teal
Anas superciliosa	Black Duck
Order Galliformes	Pheasants, Quails, Grouse, Turkeys, Guineafowl, Megapodes (mound-nesters), Curassows and Guans
Family Phasianidae	Pheasants, Quail, Junglefowl and Turkeys
Coturnix australis	Brown Quail
Coturnix chinensis	King Quail
Coturnix noturnix	Stubble Quail
Order Gruiformes	Cranes, Trumpeters, Rails, Bustards, Button-quails, Seriemas, Mesites and Finfoots
Family Rallidae	Rails, Crakes, Moorhens and Coots
Fulica atra	Eurasian Coot
Gallinula tenebrosa	Dusky Moorhen
Porphyrio porphyrio	Purple Swamphen
Order Columbiformes	Pigeons and doves
Family Colombidae	Pigeons and doves

<i>Geopelia cuneata</i>	Diamond Dove
<i>Geopelia placida</i>	Peaceful Dove
Order Psittaciformes	Parrots and cockatoos
Family Cacatuidae	Cockatoos
<i>Cacatua galerita</i>	Sulphur-crested Cockatoo
<i>Cacatua roseicapilla</i>	Galah
<i>Cacatua sanguinea</i>	Little Corella
<i>Cacatua tenuirostris</i>	Long-billed Corella
<i>Nymphicus hollandicus</i>	Cockatiel
Family Psittacidae	Parrots
<i>Melopsittacus undulatus</i>	Budgerigar
<i>Platycercus elegans</i>	Crimson Rosella
<i>Platycercus eximius</i>	Eastern Rosella
<i>Trichoglossus chlorolepidotus</i>	Scaly-breasted Lorikeet
Order Caprimulgiformes	Nightjars, Frogmouths, Potoos and Oilbirds
Family Podargidae	Frogmouths
<i>Podargus strigoides</i>	Tawny Frogmouth
Order Coraciiformes	Kingfishers, Rollers, Hornbills and Allies
Family Alcedinidae	Kingfishers and Kookaburras
<i>Dacelo novaeguineae</i>	Kookaburra
Order Passeriformes	Perching birds
Family Artamidae	Woodswallows, Butcherbirds and Magpies
<i>Gymnorhina tibicen</i>	Australian Magpie
Family Passeridae	Finches and Mannikins
<i>Taeniopygia guttata</i>	Zebra Finch

Division 2 – Non-indigenous birds

Order Anseriformes	Swans, Ducks and Geese
Family Anatidae	Swans, Ducks and Geese
<i>Anas platyrhynchos</i>	Domestic Duck other than Mallard
Anser species	Domestic Goose
Order Galliformes	Pheasants, Quails, Grouse, Turkeys, Guineafowl, Megapodes (mound-nesters) Curassows and Guans
Family Phasianidae	Pheasants, Quail, Junglefowl and Turkeys
<i>Alectoris chukar</i>	Chukar Partridge
<i>Coturnix coturnix</i>	Japanese Quail
<i>Gallus gallus</i>	Domestic Chicken
<i>Meleagris gallopavo</i>	Domestic Turkey
<i>Numida meleagris</i>	Helmeted Guineafowl
<i>Pavo cristatus</i>	Blue (Indian) Peafowl
<i>Phasianus colchicus</i>	Ring-necked Pheasant

Order Columbiformes	Pigeons and doves
Family Colombidae	Pigeons and doves
<i>Columba livia</i>	Domestic Pigeon
<i>Streptopelia decaocto</i>	Ring-necked Turtle Dove
<i>Streptopelia "risoria"</i>	Barbary Dove
Order Passeriformes	Perching birds
Family Fringillidae	Canaries
<i>Serinus canaria</i>	Domestic Canary

Part 3 – Mammals (Class Mammalia)

Division 1 – Native mammals

Order Diprotodontia	Koalas, Wombats, Possums, Gliders, Kangaroos, Wallabies and Rat-kangaroos
Family Phalangeridae	Brushtail Possums, Cuscuses and Scaly-tailed Possums
<i>Trichosurus vulpecula</i>	Common Brushtail Possum
Family Pseudocheiridae	Ringtail Possums and Greater Glider
<i>Pseudocheirus peregrinus</i>	Common Ringtail Possum
Family Macropodidae	Kangaroos and Wallabies
<i>Macropus eugenii</i>	Tammar Wallaby
<i>Macropus fuliginosis</i>	Western Grey Kangaroo
<i>Macropus giganteus</i>	Eastern Grey Kangaroo
<i>Macropus robustus</i>	Common Wallaroo
<i>Macropus rufogriseus</i>	Red-necked Wallaby
<i>Macropus rufus</i>	Red Kangaroo
<i>Thylogale billardierii</i>	Tasmanian Pademelon
<i>Thylogale stigmatica</i>	Red-legged Pademelon
<i>Thylogale thetis</i>	Red-necked Pademelon
<i>Wallabia bicolor</i>	Swamp Wallaby

Division 2 – Non-indigenous mammals

Eutherian mammals (Subclass Eutheria)--placental mammals

Order Carnivora	Dogs, Bears, Raccoons, Weasels, Mongooses, Hyenas and Cats
Family Canidae	Dogs
<i>Canis lupus familiaris</i>	Domestic Dog
Family Felidae	Cats
<i>Felis catus</i>	Domestic Cat
Order Perissodactyla	Asses, Horses, Zebras, Tapirs and Rhinoceroses
Family Equidae	Asses and Horses
<i>Equus asinus</i>	Domestic Donkey
<i>Equus caballus</i>	Domestic Horse
Order Artiodactyla	Camels, Llamas, Pigs, Hippopotamuses, Deer, Giraffes, Cattle, Sheep,

	Antelopes and Peccaries
Family Bovidae	Antelopes, Cattle and Sheep
Bos taurus	Domestic Cattle
Bos indicus	Domestic Cattle
Capra hircus	Domestic Goat
Ovis aries	Domestic Sheep
Family Suidae	Pigs and Peccaries
Sus scrofa	Domestic Pig
Order Lagomorpha	Rabbits
Oryctolagus cuniculus	Domestic Rabbit
Order Rodentia	Squirrels, Beavers, Gophers, Mice, Rats, Porcupines and South American Cavy-like Rodents
Family Muridae	Rats and Mice
Cavia porcellus	Guinea Pig
Mus musculus	House Mouse
Rattus norvegicus	Norwegian Rat
Rattus rattus	Black Rat

Schedule 5 Penalty notices

(Clause 46)

Column 1	Column 2
Provision	Penalty
	Exhibited Animals Protection Act 1986
Section 12 (1)	\$500
Section 18 (1)	\$500
Section 19	\$500
Section 22 (2)	\$500
Section 24	\$500
Section 31 (1) (a)	\$200
Section 31 (1) (b)	\$200
Section 31 (2) (a)	\$500
Section 31 (2) (b)	\$500
Section 31 (2) (c)	\$500
Section 31 (2) (d)	\$500
Section 44	\$500
Section 45	\$500
	Exhibited Animals Protection Regulation 2005
Clause 20 (a)	\$200
Clause 20 (b)	\$200
Clause 21 (1)	\$200
Clause 21 (2)	\$200
Clause 21 (3)	\$200
Clause 22	\$200

Clause 23 (1)	\$200
Clause 23 (2)	\$200
Clause 24 (1)	\$200
Clause 25 (2)	\$200
Clause 26	\$200
Clause 27 (1)	\$200
Clause 27 (2)	\$200
Clause 28 (1)	\$200
Clause 28 (2)	\$200
Clause 28 (3)	\$200
Clause 28 (4)	\$200
Clause 29	\$200
Clause 30 (a)	\$200
Clause 30 (b)	\$200
Clause 32 (c)	\$200
Clause 33 (1)	\$200
Clause 33 (2)	\$200
Clause 35 (2)	\$200
Clause 35 (4)	\$200
Clause 35 (5) (a)	\$200
Clause 35 (5) (b)	\$200
Clause 35 (5) (c)	\$200
Clause 35 (7)	\$200
Clause 35 (8)	\$200
Clause 35 (9)	\$200
Clause 36 (1)	\$200
Clause 36 (2)	\$200
Clause 36 (3)	\$200
Clause 36 (4)	\$200
Clause 37 (1)	\$200
Clause 37 (2)	\$200
Clause 39 (3)	\$200
Clause 40	\$200

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	No	number	Schs	Schedules
Cl	clause	p	page	Sec	section
ClI	clauses	pp	pages	Secs	sections
Div	Division	Reg	Regulation	Subdiv	Subdivision
Divs	Divisions	Regs	Regulations	Subdivs	Subdivisions
GG	Government Gazette	Rep	repealed	Subst	substituted
Ins	inserted	Sch	Schedule		

Table of amending instruments *Exhibited Animals Protection Regulation 2005 (480)*. GG No 107 of 26.8.2005, p 5120. Date of commencement, 1.9.2005, cl 2. This Regulation has been amended as follows:

2005	No 98	<i>Statute Law (Miscellaneous Provisions) Act (No 2) 2005</i> . Assented to 24.11.2005. Date of commencement of Sch 2.23, assent, sec 2 (2).
2006	(588)	<i>Exhibited Animals Protection Amendment Regulation 2006</i> . GG No 118 of 22.9.2006, p 8083. Date of commencement, 22.9.2006, cl 2.

Table of amendments

Cl 3	Am 2005 No 98, Sch 2.23 [1].
Cl 8	Am 2006 (588), Sch 1 [1]-[3].
Cl 35	Am 2006 (588), Sch 1 [4].
Cl 39	Subst 2006 (588), Sch 1 [5].
Cl 46	Ins 2006 (588), Sch 1 [6].
Sch 2	Am 2005 No 98, Sch 2.23 [2].
Sch 5	Ins 2006 (588), Sch 1 [7].