

## Possessing Wildlife

The Wildlife Regulations provide for the protection and management of wildlife in Tasmania. These Wildlife Regulations are now due for review and remaking, before 30 November 2020:

- ▶ [Wildlife \(General\) Regulations 2010](#)
- ▶ [Wildlife \(Deer Farming\) Regulations 2010](#)
- ▶ [Wildlife \(Exhibited Animals\) Regulations 2010](#)

Please note that laws relating to importing animals are not within the scope of this review as they are managed under section 32 of the *Nature Conservation Act 2002* and the *Animal Health Act 1995*.

### PURPOSE OF THIS INFORMATION SHEET

The purpose of this Infosheet is to help frame the discussion/comments with targeted stakeholders during the first stage of consultation.

This Infosheet describes the Wildlife Regulations that relate to the possession of native and exotic wildlife, including for exhibition and display; pets; and imported wildlife.

This Infosheet includes matters that have been identified by various stakeholders, external to the Department, since the Wildlife Regulations were last reviewed in 2009. They do not represent the views of the Department.

The Department is, in this stage of the consultation, seeking the views of identified stakeholders about the efficiency, effectiveness and adequacy of the regulations.

### EXHIBITION OF WILDLIFE

People wanting to exhibit or publicly display animals need a permit or licence under the *Wildlife (Exhibited Animals) Regulations 2010*. These terms have an acquired legal meaning in this context. “Display” refers to event based presentation of animals held by the person displaying them. On the other hand, “exhibit” refers to animals being kept at an approved place of exhibition, such as wildlife parks and zoos.

There are currently 16 Wildlife Exhibition Licence holders within the State, including zoos, wildlife parks and several smaller or more species specific places of exhibition. These wildlife exhibitions perform educational roles within the Tasmanian community, promoting understanding of local and international efforts in faunal conservation and threatened and vulnerable species protection.

Applicants for Wildlife Exhibition Licences must demonstrate that the place and structures where wildlife will be kept are suitable and have satisfactory facilities, from which the animal is unlikely to escape, and that they are a “fit and proper” person to hold the licence. If successful, licences are issued for periods of 12 months. There are special provisions that ensure a smooth renewal process. Records are required in standardised formats, currently requested every four months.

### PUBLIC DISPLAY OF WILDLIFE

For displays that are not under the auspices of a Wildlife Exhibition Licence, a Wildlife Display Permit is required to display wildlife to the public. The Wildlife Display Permit, unlike a Wildlife Exhibition Licence, is not a permit to possess wildlife. A person in possession of wildlife, such as reptile keepers who are members of herpetology clubs and permitted wildlife rehabilitators, must apply for another permit to be allowed to display that wildlife. The Wildlife Regulations do not contain any special provisions regarding the applicant or facilities, such as are provided for Wildlife Exhibition Licences. However, Wildlife Display Permits have the same smoother renewal process under the Wildlife Regulations.

### PET WILDLIFE

Generally, permits to possess wildlife for the purpose of keeping as a pet are sought by, and only granted to, people with pet birds or reptiles. Pet deer are managed under the *Wildlife (Deer Farming) Regulations 2010*.

#### Birds

Under a Permit to Possess, a person is authorised to possess, and usually sell, aviary bred birds. The Department requires applicants to demonstrate that any birds being sold have been acquired from captivity, to ensure that the birds are not being taken from the wild. Permits are only valid for 12 months and must be reapplied for each year.

There are several native species of birds that do not require a permit for possession. Schedule 3 sets out 11 species of bird that may be bought, sold or held without a permit, although they must not be taken from the wild without a permit.

#### Reptiles and amphibians

There are no requirements for the taking or having possession of amphibian eggs or tadpoles of protected wildlife (schedule 2). There are also no permitting requirements for the taking or having possession of up to 6 adult specimens each of metallic skink, spotted skink, common froglet and brown tree frog.

Under a Permit to Possess any other Tasmanian species of reptiles and amphibians, a person is authorised to possess, at any one point in time, up to six adult specimens of each of those species of reptiles and amphibians listed as protected wildlife (schedule 2). This permit is to “catch and collect” Tasmanian reptiles and amphibians, it allows take from the wild but not trading.

### POSSESSION OF IMPORTED WILDLIFE

This review only addresses the role of the Wildlife Regulations in the wildlife importation process, which is around the possession of the imported wildlife once it is in Tasmania. The regulation of different species imported into the State, depends on the circumstances and reasons for import.

#### Wildlife Parks

Tasmanian wildlife parks make ad hoc applications to acquire and import animals, as they become available from interstate or overseas zoos. These applications are assessed in accordance with the *Policy on Importing (and Keeping) Vertebrate Wildlife in Tasmania*.

## ISSUES IDENTIFIED PREVIOUSLY BY STAKEHOLDERS

The following points represent some issues that have been identified by various stakeholders since the regulations were last reviewed. They do not represent the Department's position on any particular matter:

1. The need to be a "fit and proper" person to keep a wildlife exhibition facility is not defined. This makes it difficult for applicants to clearly and transparently know what criteria they are being assessed against.
2. Tasmania is the only Australian jurisdiction to allow unrestricted collection of certain species of reptiles and amphibians from the wild. The Wildlife Regulations do not specify annual limits on taking these reptiles and amphibians from the wild; limits on the number of juveniles that may be possessed; and no definition of what differentiates an adult and juvenile.
3. Under the Wildlife Regulations, there are no special obligations on catchers or holders of venomous snakes that might reflect broader community expectations of such activities, including training or obligations to ensure public safety.
4. It has been suggested that regulations regarding importing and possessing caged birds could benefit from the review and improving specificity to this sector in balance with maintaining Tasmania's biosecurity.

## REVIEW PROCESS – WHEN CAN YOU HAVE YOUR SAY?

This Infosheet has been developed to assist the first phase of consultation with key stakeholders. The Department has engaged with around 90 groups and individuals. The Department is also reviewing existing regulatory practices for regulatory consistency to identify potential improvements.

Draft Regulations will be released in mid-2020 for public comment.

If you have an interest in receiving information on the review process, please contact the Natural Heritage Policy Section on (03) 6165 4422 to register your interest.

**Department of Primary Industries, Parks, Water & Environment**

For further information about the review email [NaturalHeritage.Policy@dipwwe.tas.gov.au](mailto:NaturalHeritage.Policy@dipwwe.tas.gov.au) or visit [www.dipwwe.tas.gov.au/wildlife-regulations-review](http://www.dipwwe.tas.gov.au/wildlife-regulations-review)