

1990 - No. 501

EXHIBITED ANIMALS PROTECTION ACT 1986 - REGULATION

(Relating to the cases in which an authority to
exhibit an animal is not required)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Exhibited Animals Protection Act 1986, has been pleased to make the Regulation set forth hereunder.

TIM MOORE
Minister for the Environment.

The Exhibited Animal Protection Regulation 1989 is amended by inserting after clause 4 the following clause:

Exemptions

4A. (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 circumstances referred to in subclause (2) does not constitute an exhibition of the animal for the purposes of the Act.

(2) The circumstances referred to in this subclause are:

- (a) that the animal is a free-living animal in its natural habitat; or
- (b) if the animal is in an enclosed area - that it is in a wild state and does not depend on human interaction for its welfare or upkeep; or
- (c) that the animal is a lawful captive and is part of a competitive display of household pets; or

- (d) that the animal is part of a competitive display of domestic farm animals; or
- (e) that the animal is a domestic farm animal being used to demonstrate the acquisition of wool, milk or other produce of a living animal; or
- (f) that the animal is of domestic hoof-stock and is performing, or is to perform, in an event at a rodeo; or
- (g) that the animal is a lawful captive neither displayed, nor kept for display, to the public; or
- (h) that the animal is displayed, or kept for display, in accordance with the authority conferred by a licence in force under the National Parks and Wildlife Act 1974; or
- (i) 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.

EXPLANATORY NOTE

The object of this Regulation is to make it clear that, in the cases to which it relates, the display of an animal, or the keeping of an animal for display, does not require an authority under the Exhibited Animals Protection Act 1986.
