

Information on the *Biosecurity Act 2014* for Veterinary Surgeons.

Legislation relating to the keeping of mammals, reptiles and amphibians

Under the *Biosecurity Act 2014* (the Act), the keeping of most exotic animals as pets is prohibited in Queensland. Zoos and circuses can keep certain exotic species for exhibition purposes, but only under permit and under strict conditions of keeping.

In other countries numerous species that are derived from the pet trade have become serious pests. Examples include various lizards, snakes, frogs, salamanders, toads, turtles, chipmunks, hedgehogs and caimans.

For this reason, keeping many species of exotic animals as pets is prohibited by legislation.

Animals that are allowed:

Domestic animals that can be legally kept in Queensland without a permit are: Dogs, Cats, Horses, Goats, Donkeys, Guinea pigs, Rats, Mice, Domestic Pigs, Domestic Deer, Cattle, Alpacas, Llamas, common cage birds such as cockatiels, lovebirds and budgerigars

Animals that are *Restricted Matter*:

Restricted animals are generally those that are established in the wild but restrictions apply, for example, these animals cannot be kept, fed or released. This includes rabbits, dingoes and foxes which cannot be kept, fed or released and feral cats, feral deer, feral goats and feral pigs which cannot be fed or released.

Animals that are *Prohibited Matter*:

This applies to all other mammals, reptiles and amphibians that are not domestic animals or restricted matter and includes zoo species, chameleons, boa constrictors, corn snakes and ferrets.

Native animals as pets:

Some native animals can be kept under the *Nature Conservation Act 1992* and the *Nature Conservation Regulation 1994*. Marsupials and monotremes cannot be kept except for rehabilitation purposes. Permits are required to keep most species of reptiles and amphibians and some birds. Contact the Department of Environment and Heritage Protection (DEHP) if unsure of permit requirements.

Veterinarian's Obligation:

Animals that are Prohibited Matter:

If you become aware of prohibited matter (such as an illegally kept boa constrictor, corn snake etc) or you believe, or ought reasonably believe, that something is prohibited matter you need to report it immediately to Biosecurity Queensland unless you are aware that it has already been reported.

You must also take all reasonable steps to minimise the risks of the prohibited matter and not make the situation worse.

This means that although you could provide emergency treatment to an illegally kept animal that is prohibited matter, you must report the presence of the animal.

If you were to board or rehome an illegally kept pet that is prohibited matter, this would be *dealing* with the animal and you would be in breach of the Act, which provides for fines and custodial sentences for *dealing* with prohibited species.

Animals that are Restricted Matter:

It is not a direct offence for a veterinarian to treat an illegally kept pet that is restricted matter such as a rabbit, as the owner of the pet has legal responsibility for the animal. The veterinarian may choose to advise the owner of the possible repercussions of illegally keeping a declared pest animal. Animals can be seized and destroyed under the Act and the owner may be prosecuted.

However the legislation prohibits keeping, feeding, releasing or supplying certain animals that are restricted matter. This means that the following examples are all offences under the legislation:

1. Boarding an illegally kept pet rabbit. This would be defined as keeping under the Act. Rehoming an illegally kept pet rabbit is defined as supplying under the Act.
2. Releasing a declared pest animal such as a wild rabbit, fox or feral pig is an offence
3. . This means that when a member of the public hands in an animal that is restricted matter, the veterinarian may not treat and release the animal. The animal may be humanely euthanased or may be passed to the Local Government or DAF. It is not legal to send the animals interstate as the period of transport is defined as keeping under the Act.
4. The practice of Trap, Neuter, Release (TNR) for feral cats is not legal as this is the release of an animal that is restricted matter.
5. Dingoes cannot be kept by individuals in Queensland.

Some species may be legally kept interstate but are not permitted in Queensland. Even if the owner holds a permit in another State, if the owner brings the animal into Queensland without reasonable excuse, the animal may be legally seized. However, it is recognised that in some cases a veterinarian may need to see an animal such as a ferret that is legally kept interstate but not allowed in Queensland (eg an animal kept near the border that needs emergency care). In these cases, please contact Biosecurity Queensland (Invasive Plants and Animals) for advice.

For all enquiries related to the treatment of animals under the Biosecurity Act, please phone 13 25 23.