



CEO GUIDELINE
TO SUPPORT THE BIODIVERSITY CONSERVATION REGULATIONS

FAUNA POSSESSING (OTHER PURPOSES) LICENCE
FOR THE PURPOSE OF REHABILITATING FAUNA FOR
RELEASE INTO THE WILD

1. Legislative basis for this Guideline

- 1.1. Regulation 10 of the *Biodiversity Conservation Regulations 2018* provides that the Chief Executive Officer (CEO) of the Department of Biodiversity, Conservation and Attractions may issue licensing guidelines in relation to the licensing scheme in Part 4 of the regulations, and that these may be made as necessary or convenient.
- 1.2. A *Fauna possessing (other purposes) licence* may be issued under regulation 35 to authorise the possession of fauna for the purpose of (a) education, study or conservation; or (b) rehabilitating fauna for release into the wild; or (c) any other purpose specified in the licence.
- 1.3. Regulation 124 requires that a person who takes possession of injured or abandoned fauna that is threatened, specially protected or listed in Schedule 6 (penguins) must notify the CEO in writing within 24 hours of taking possession of the fauna.
- 1.4. Regulation 126 provides that a person in possession of injured or abandoned fauna, unless that person already holds a relevant licence, must within 72 hours either: release the fauna; give it to a wildlife officer or a person specified by a wildlife officer; give it to a person who is authorised to rehabilitate it; give it to a veterinary surgeon; or apply for a licence to retain it.

2. Purpose of this Guideline

- 2.1. The purpose of this guideline is to specify the:
 - 2.1.1. matters that will be considered during the assessment of an application for a *Fauna possessing (other purposes) licence* issued for the purpose of rehabilitating fauna for release into the wild, i.e. a licence issued for the purpose of regulation 35(1)(b);



- 2.1.2. the circumstances under which the CEO may or may not issue a licence;
and
- 2.1.3. other matters relevant to the assessment criteria or assessment process.

3. Classification of species

3.1. Fauna held under the authority of *Fauna possessing (other purposes) licence* for rehabilitation is classified as either standard or advanced. Advanced species are listed in Appendix 1. All other species are classified as standard.

3.2. Fauna species classified as standard:

- are not listed as threatened fauna or specially protected fauna;
- are resilient to handling and to being kept in captivity;
- do not have special feeding or housing requirements;
- are not dangerous to human health or wellbeing; and
- do not represent a biosecurity risk.

3.3. Fauna species classified as advanced include:

- threatened and specially protected fauna;
- marine fauna (e.g. marine turtles, cetaceans, pinnipeds);
- dangerous reptiles (e.g. venomous snakes, crocodiles, sea snakes);
- seabirds (e.g. petrel, penguin, shearwater, albatross); and
- birds of prey (e.g. kestrel, hobby, osprey, kite, buzzard, owl, eagle, goshawk, sparrowhawk, harrier, falcon).

4. Application process

- 4.1. A new application should be submitted at least 20 business days prior to the date on which the *Fauna possessing (other purposes) licence* is required.
- 4.2. Where a person who does not hold a *Fauna possessing (other purposes) licence* comes into possession of injured or abandoned fauna and intends to hold it for rehabilitation for release to the wild, an application must be made within 72 hours of coming into possession of the fauna.



- 4.3. An application to renew a licence should be submitted at least 20 business days prior to the date of expiry of a current *Fauna possessing (other purposes) licence*.
- 4.4. Applications can be made by an individual or an organisation that is incorporated.
- 4.5. Applications can be made to possess fauna classified as either standard and/or advanced.
- 4.6. Organisations may apply for a licence that authorises fauna to be held at multiple locations, and each of these locations will be listed on the licence. Organisations who hold this licence must keep records of people possessing the fauna, species held, and locations where the fauna is held.
- 4.7. A non-refundable administration fee applies to applications for a new licence or to renew an existing licence. A licence fee also applies but will be refunded if a licence is not issued. These fees have been waived until 30 June 2021.
- 4.8. An inspection fee may also be applied if an inspection is required during assessment of a licence application, to assess the suitability of the facilities. This fee is charged based on the time taken for the inspection, not including travel time, and is not refundable.
- 4.9. New applications will generally be determined within 20 business days of the receipt of a complete application form and the required fee.
- 4.10. Should an application require consideration that would result it in taking longer than 20 business days to determine, the applicant will be kept informed regarding the progress of their application.
- 4.11. Where an application is for an advanced species that is not commonly held for the purpose of rehabilitation, or the applicant's skills or expertise require further assessment, a longer processing time may apply.
- 4.12. If an application is unsuccessful, the applicant will be informed and reasons for the decision will be provided.

5. Assessment Criteria

The following criteria must be met and demonstrated in the application.

- 5.1. The applicant must:
 - 5.1.1. provide proof of identity;



- 5.1.2. be a permanent resident of Australia;
 - 5.1.3. be over 18 years of age;
 - 5.1.4. have no relevant wildlife related convictions in the last five years;
 - 5.1.5. be able to demonstrate appropriate skills and experience in handling and husbandry skills, including knowledge of the species ecology, behaviour and resource needs;
 - 5.1.6. be able to demonstrate a minimal level of experience¹ in fauna rehabilitation (including references to support claims), or as otherwise approved by a wildlife officer; and
 - 5.1.7. for advanced fauna species applications, be able to demonstrate species specific knowledge, experience and provide specialist facilities.
- 5.2. While display can be authorised via a *Fauna possessing (other purposes) licence*, it is not the primary purpose of this licence; a *Fauna possessing (display) licence* is generally required for this purpose. An applicant must provide adequate reasons where display is identified as an intended activity under this licence. A condition to display may be considered where the:
- 5.2.1. design of and/or location where fauna being rehabilitated is possessed cannot exclude that fauna from being on public view; or
 - 5.2.2. fauna being rehabilitated is suitable for display (does not have any physical deformities, will not be detrimentally affected by being on public view) and is to be used for essential demonstration of husbandry and rehabilitation related techniques and education programs.
- 5.3. The following criteria in relation to facilities and practices must be demonstrated in the application:
- 5.3.1. facilities and practices must meet the *Code of Practice for Wildlife Rehabilitation in Western Australian (February 2020)*, *Western Australian Wildlife Rehabilitation Standards and Guidelines – Euthanasia* and *Western Australian Wildlife Rehabilitation Standards*

¹ The minimum level of experience required is 12 months for a standard licence, which could include experience gained under the guidance of a more experienced wildlife rehabilitator, and 3 years for an advanced licence.



and Guidelines – Management of rehabilitated wildlife that cannot be released into the wild;

- 5.3.2. how access to veterinary advice and care will be provided;
 - 5.3.3. how risk of escape of fauna will be minimised; and
 - 5.3.4. how risk to human safety will be minimised.
- 5.4. The following criteria must be demonstrated in an application for a licence to be held by an organisation:
- 5.4.1. evidence of incorporation;
 - 5.4.2. written procedures and training for members; and
 - 5.4.3. method of maintaining member lists and species held at each member location(s).
- 5.5. Conditions may be applied to this licence as appropriate, based on the activities proposed and information provided in the application. These may include:
- 5.5.1. the species of fauna to which the licence relates;
 - 5.5.2. the maximum number of fauna that may be kept;
 - 5.5.3. the site or sites where the fauna can be kept by the licensee;
 - 5.5.4. the feeding of fauna and restrictions on diet (including prohibitions on using live vertebrate animals as food), and handling;
 - 5.5.5. (for a licence issued to an organisation) a minimum or maximum number of people who may hold fauna at another location, and the qualifications or experience of those people;
 - 5.5.6. the circumstances under which the fauna may be possessed by other people on a temporary basis;
 - 5.5.7. a requirement that the fauna must be released (whether after a certain period, on the occurrence of a specified event, or on some other basis specified in the licence);
 - 5.5.8. the place where and manner in which the fauna may be released;
 - 5.5.9. a requirement for genetic, health or other testing of the fauna or any fauna products; and



5.5.10.a requirement that the holder of the licence must ensure that the licence (or a copy of the licence) is kept on public display at any premises used for the purpose of the licence.

6. Code of Practice, standards and guidelines

6.1. Licensees must comply with the *Code of Practice for Wildlife Rehabilitation in Western Australian (February 2020)* and related guidelines (including *Western Australian Wildlife Rehabilitation Standards and Guidelines – Euthanasia* and *Western Australian Wildlife Rehabilitation Standards and Guidelines – Management of rehabilitated wildlife that cannot be released into the wild*).

7. Records and returns

- 7.1. The licensee must maintain records detailing acquisition and disposal (including births, deaths and escapes) of all fauna held under the licence, using the record forms provided.
- 7.2. All records must be entered as they occur and must be made available to a DBCA wildlife officer on request.
- 7.3. Records must be submitted as returns annually within 15 days of the date of issue of the licence and a final return must be submitted within 15 days of the expiry of this licence.
- 7.4. Returns must be submitted to DBCA's Wildlife Licencing Section via wildlifelicensing@dbca.wa.gov.au.

8. Custodian

8.1. The custodian of this Guideline is the Manager, Wildlife Protection Branch, who has primary responsibility for the implementation and timely review of the Guideline.

DIRECTOR GENERAL APPROVAL

Approved



Appendix 1 – species that may only be held under an advanced fauna possessing (other purposes) licence for rehabilitation for release to the wild

AMPHIBIANS
Threatened and specially protected species
REPTILES
Threatened and specially protected species
Venomous snakes
Sea snakes
Estuarine crocodile
Freshwater crocodile
Marine turtles
BIRDS
Penguins listed in Schedule 6
Raptors
Seabirds
MAMMALS
Threatened and specially protected species
Cetaceans
Pinnipeds
Dugong