

Passed by both Houses



New South Wales

# Companion Animals Amendment (Rehoming Animals) Bill 2022

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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Legislative Council*  
2022

*Clerk of the Parliaments*



New South Wales

## **Companion Animals Amendment (Rehoming Animals) Bill 2022**

Act No \_\_\_\_\_, 2022

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An Act to amend the *Companion Animals Act 1998* to set out actions a council must take towards rehoming a seized or surrendered animal; and for related purposes.

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Companion Animals Amendment (Rehoming Animals) Act 2022*.

**2 Commencement**

This Act commences on the date of assent to this Act.

## **Schedule 1      Amendment of Companion Animals Act 1998 No 87**

### **Section 64B**

Insert after section 64A—

#### **64B Rehoming seized or surrendered animals**

- (1) A council must, before taking action under section 64 or 64A to destroy a seized or surrendered animal—
  - (a) give written notice to at least 2 rehoming organisations that the animal is available for rehoming, and
  - (b) take reasonable steps to advertise on a webpage or through a social media platform that the animal is available for rehoming.
- (2) The notice given under subsection (1)(a) must specify the period of time, not less than 7 days from the date the notice is given, during which the animal is available for rehoming.
- (3) If a rehoming organisation, whether or not the organisation was given written notice under subsection (1)(a), gives the council written notice that it is able to rehome an animal, the council must—
  - (a) not destroy the animal, and
  - (b) make arrangements for the collection of the animal.
- (4) Subsection (3) does not apply if the rehoming organisation fails to take custody of the animal within—
  - (a) 7 days of giving the written notice, or
  - (b) a longer period agreed in writing between the council and the organisation.
- (5) A council must keep the following records—
  - (a) for an animal rehomed under this section—a record identifying the animal,
  - (b) for an animal destroyed under section 64 or 64A—
    - (i) a record identifying the animal, and
    - (ii) the actions the council took under this section to rehome the animal.
- (6) The Departmental Chief Executive may issue guidelines about the giving of information regarding animals rehomed under this section or destroyed under section 64 or 64A to the Departmental Chief Executive or the public, or both.
- (7) A council must comply with the Departmental Chief Executive's guidelines.
- (8) This section does not apply to an animal that, in the opinion of a veterinary practitioner, is so severely injured, so diseased or in such a physical condition that it is cruel to keep the animal alive.

- (9) In this section—  
*rehoming organisation* does not include a council or another operator of a council pound.