

**Submission
No 321**

COMPANION ANIMAL BREEDING PRACTICES IN NEW SOUTH WALES

Organisation: NSW Government

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NSW Government Submission

NSW Government Response to the Joint Select Committee on Companion Animal Breeding Practices in New South Wales.

June 2015

Executive Summary

The NSW Government recognises the importance of animal welfare and has established a strong legislative and regulatory framework aimed at preventing cruelty to animals and promoting the welfare of all animals, including companion animals.

It is recognised that many responsible companion animal breeders operate within NSW. However, there are concerns that some unethical breeders do not comply with their animal welfare obligations and contribute to the stock of unwanted companion animals in a variety of ways, including:

- over breeding;
- failure to comply with registration requirements, resulting in more 'lost' animals; and
- failure to desex animals not intended for breeding.

Mass producing "puppy factories", where profit is prioritised at the expense of animal welfare, is a business practice that the NSW Government and stakeholders want stopped. Whilst the extent of such practice is unclear, the identification and eradication of rogue operators within this industry will require cooperation between governments, industries and individuals.

The NSW Government does not tolerate those who mistreat animals and will continue working with industry and enforcement agencies to ensure these practices do not continue. We have a robust system to deal with the mistreatment of companion animals and we will work with the Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA NSW), Animal Welfare League NSW (AWL NSW) and the NSW Police which are effective enforcement agencies under the *Prevention Of Cruelty To Animals Act 1979* (POCTA).

In responding to a range of companion animal issues including those outlined in the present Inquiry's terms of reference, the NSW Government established the Companion Animals Taskforce (CAT) in 2011 to provide expert advice and recommendations to Government. The CAT explored and considered at that time issues within industry and more broadly in NSW, including intensive, large scale puppy breeding. The CAT provided a final report to the Government in late 2012, including 22 recommendations. In early 2014 Government committed to supporting a majority of the recommendations, either wholly or in principle. The NSW Government firmly believes that the implementation of the accepted recommendations will substantively meet and address Government objectives and community expectations and concerns. The Government has established a Responsible Pet Ownership Reference Group (comprising key stakeholder groups and enforcement agencies) to assist in the ongoing implementation of these recommendations.

The NSW Government recognises that there is still more to do. This Inquiry serves to emphasise the importance of realising flagged reforms as soon as possible. There are projects currently underway that, once implemented, will give agencies a clearer picture of who our breeders are and the extent to which they are breeding companion animals. This will assist in ensuring standards are being met and the proactive identification of those that flout them.

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Legislation affecting cats and dogs in NSW

Animal welfare is an issue the NSW Government takes seriously. The Government has been proactive and responsive in establishing a robust legislative and policy framework to support animal welfare and the care and management of companion animals.

The *Prevention of Cruelty to Animals Act 1979* (POCTA) provides for the prevention of animal cruelty and for welfare of animals and is administered by the Minister for Primary Industries and the Department of Primary Industries. Under the Act, fines of up to \$110,000 or two years imprisonment apply for the mistreatment of animals. The Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA NSW), Animal Welfare League NSW (AWL NSW) and NSW Police are responsible for enforcement activities.

POCTA is able to adopt and specify welfare standards. Relevant to this Inquiry the enforceable standards that apply to companion animals are:

- the Animal Welfare Code of Practice: Breeding dogs and cats; and
- the Animal Welfare Code of Practice: Animals in Pet Shops.

The codes provide for both mandated standards and best practice guidelines. Breach of a mandated standard carries with it a statutory penalty. Details of the two relevant codes are further outlined below.

The *Companion Animals Act 1998* (CAA) and the *Companion Animals Regulation 2008* provide for the identification and registration of dogs and cats, how they are managed and the duties and responsibilities of their owners in NSW. This Act is administered by the Minister for Local Government and Office of Local Government and enforced by Local Councils, and NSW Police. This includes the Register of Companion Animals for microchipping and registration of dogs and the Companion Animals Fund that supports companion animals related programs.

A summary of the current NSW legislative framework is provided at **Attachment A**.

The NSW Government supports the RSPCA NSW through annual funding of \$424,000 and has committed another \$2 million over four years for their education centre. This equates to \$3.7 million over 4 years. Additional funding of \$7.5 million for redevelopment of the Sydney shelter at Yagoona was provided in 2012/13.

The NSW Government provides AWL NSW with \$75,000 annually to assist with the operation of three animal welfare shelters and a veterinary hospital.

Requirements and standards in NSW

All dogs must be microchipped by 12 weeks of age or when sold or given away, whichever happens first. There is a maximum penalty of \$880 for failure to comply.

Dogs must be registered by 6 months of age and there is a maximum penalty of \$5,500 for failure to comply. A registration fee is payable and information and location details must be collected to allow reuniting animals with current owners and ongoing Companion Animals Act enforcement.

Animal Welfare Code of Practice: Breeding dogs and cats

Established under POCTA, the **Animal Welfare Code of Practice: Breeding dogs and cats** (Breeding Code) applies to anyone that is breeding dogs or cats for sale with mandated standards.

The Breeding Code (**Attachment B**) provides requirements for responsibility and competency of staff, quality management systems, animal housing, environment, security, animal management, food and water, cleaning and disinfection, transport, animal health, veterinary care, humane destruction, transfer of ownership, breeding and rearing.

The Breeding Code does not restrict the number of breeding females or the number of litters per lifetime per breeding female. It does require that breeding females not have more than two litters in any two year period, unless with written approval of a veterinary practitioner (standard 10.1.1.9).

The Breeding Code requires that puppies not be separated from their litter or lactating mother until they are seven weeks of age, except in the best interests of the puppy or mother (standard 10.1.1.13) and that they not be re-homed before they are 8 weeks of age (standard 9.1.1.1).

The Breeding Code requires that all dogs re-homed must be microchipped prior to release (standard 9.1.1.4), which is in line with *Companion Animals Act 1998*.

Animal Welfare Code of Practice: Animals in pet shops

The **Animal Welfare Code of Practice: Animals in pet shops** (Pet Shop Code) (**Attachment C**) applies to a shop or place used for the conduct of a business in the course of which an animal is kept for sale, which includes markets. It covers dogs, cats, rabbits, guinea pigs, rats, mice, birds, fish and other vertebrate species for sale.

Current NSW activity

Compliance and enforcement activities relating to concerns with companion animal breeders are generally triggered through community complaints. The current legislative and policy framework is reliant on individuals being aware of, and complying with the requirements. As with all regulatory frameworks, most of the community will work within accepted limits, however there will be those who are either not aware of the requirements, or those who actively work outside them.

Through the workings of the Companion Animals Taskforce (see below for further detail) the Government has identified significant and practical opportunities to improve the available compliance information base and this will be addressed through the improvements to the current data collection processes and the Register of Companion Animals (the Register).

Recent community concerns

In 2014 and 2015 the RSPCA NSW investigated three facilities in the North West of NSW. Complaints had been made about large dog breeding facilities which received media coverage generating public concern. In two of the cases it is understood that more than 100 dogs were involved. It is further understood that the complaints were based on alleged non-compliance with the Breeding Code, rather than specific offences under the principal act (POCTA). These particular matters are currently under investigation by RSPCA NSW.

Companion Animals Taskforce

The NSW Government has recognised there is a need to improve animal welfare compliance and to more generally address community concerns regarding companion animal welfare. The Companion Animals Taskforce (CAT) was established by the Minister for Local Government and the Minister for Primary Industries in 2011, to provide advice on key cat and dog issues and, in particular, strategies to reduce the current rate of cat and dog euthanasia. The CAT included representatives of major stakeholder bodies including:

- AWL NSW;
- Australian Companion Animal Council;
- Australian Institute of Local Government Rangers;
- Australian Veterinary Association;
- Cat Protection Society of NSW;
- Dogs NSW;
- Local Government and Shires Associations of NSW;
- Pet Industry Association Australia; and
- RSPCA NSW.

The CAT received 1,400 submissions in response to its discussion paper. The final report was issued in October 2012 and contained 22 recommendations that aimed to:

- reduce the number of cats and dogs that are impounded and euthanised;
- improve the current regulatory framework around the breeding, sale and management of cats and dogs; and
- promote socially responsible pet ownership to the whole community.

One of the key themes of the CAT report focussed on the importance of changing community attitudes to responsible animal management. It was also noted by the CAT that this was a long-term endeavour that required a long term commitment by the NSW Government. During the course of deliberations the CAT was also asked to look at the issue of the management of dangerous dogs. This report was finalised in February 2013.

Prior to finalising its response the NSW Government released both reports for public comment, which resulted in 5,300 individual submissions.

Further details on the Companion Animals Taskforce process and reports are available at:

<http://www.olg.nsw.gov.au/public/dogs-and-cats/companion-animal-taskforce>

Companion Animals Taskforce: Government response

In 2014 the NSW Government broadly supported the CAT recommendations to improve responsible pet ownership, including the issue of over-breeding. The NSW Government's response included:

- i. the provision of a \$900,000 local council grant program targeting microchipping, registration, and desexing to reduce pet overpopulation;
- ii. a significant \$750,000 expansion of the successful primary school-based Responsible Pet Ownership education program to pre-schools and pre natal programs, to increase awareness about pet safety;

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- iii. the development of a community-wide, socially responsible pet-ownership education campaign;
 - iv. a redesign of the system under which the Government manages cats and dogs in NSW to make sure more owners take the required responsibility for their pets;
 - v. an amendment to the animal welfare codes of practice to require the sellers of cats and dogs to display an animal's microchip number or licence number of the breeder in all advertisements both online and paper based and at point of sale in pet shops, markets, and fairs;
 - vi. removal of exemptions that allowed recognised breeders to sell unmicrochipped cats or dogs to pet shops;
 - vii. the appointment of a responsible Pet Ownership Reference Group to provide advice to the Government on strategic cat and dog management issues. This advice will include the operation of current responsible pet ownership policy, legislative development, and best practice for managing cats and dogs in NSW;
 - viii. annual indexation of cat and dog registration fees;
 - ix. revised framework for dangerous dog management, including increased penalties for dog attacks, and the creation a new category of a 'menacing' dog; and
 - x. a commitment to implement discounted registration for cats and dogs from pounds and shelters.

Progress in implementing the recommendations

The Government has been actively working towards implementing its response to the CAT recommendations:

- the Office of Local Government is currently examining options to improve community awareness of socially responsible pet ownership (iii above);
- the Responsible Pet Ownership Reference Group has been established (vii above, see below); and
- the exemption in the Companion Animals Regulation allowing recognised breeders to sell unmicrochipped dogs and cats to pet shops has been removed (vi above). This is an important step change as it now means that all breeders must microchip their dogs before sale or being given away, allowing the tracing of all dogs back to the breeder. This was implemented through the *Companion Animals (Amendment) Act 2013*.

However, there is still work to do. In particular the revision of the Register of Companion Animals is a major exercise including ensuring the redesign is fully scoped, appropriately authorised, assuring its operational effectiveness and facilitating implementation across all participants in the regulatory framework, including smooth transition from the existing paper-based system to electronic format. It is anticipated that delivery of the revised Register will occur in 2016. Improvements in tracking puppies from breeders and linkages with potential welfare alerts will require both changes to the information collected within the Register, and provision of access to the Register by enforcement agencies. Enforcement agencies currently have limited access to the Register and are

currently constrained in its use; it can only be used for the purpose of re-homing animals.

In the context of this Inquiry an important CAT recommendation supported by the NSW Government was to implement a requirement for all sellers to display an animal's microchip number in paper or online advertisements or at any point of sale. Whilst this measure remains in the scoping phase, once implemented it will greatly improve tracing capabilities and provide an additional compliance tool for investigating officers.

If advertisements are placed online or in papers without identification details, it would be immediately apparent that this was non-compliant with the required standard. This change will need to be implemented through revision of the Breeding Code and/or Pet Shop Code in conjunction with the proposed redevelopment of the Register of Companion Animals.

Responsible Pet Ownership Reference Group

The Government has established a Responsible Pet Ownership Reference Group as part of its response to the Taskforce recommendations. The Minister for Local Government has appointed members with suitable skills and experience from key stakeholder groups to provide advice on how councils manage cats and dogs and how the NSW Government promotes responsible pet ownership. The group will play an important and ongoing role in assuring the implementation of the Government's response to the CAT review.

Membership currently consists of representatives from:

- RSPCA NSW;
- Dogs NSW;
- Pet Industry Association of Australia;
- Sutherland Shire Council;
- Australian Veterinary Association;
- Cat Protection Society; and
- Australian Institute of Local Government Rangers.

Response to the Joint Select Committee Terms of Reference

Terms of reference

"A joint select committee be appointed to inquire into and report on companion animal breeding practices in New South Wales, and in particular:

- a) the current situation in New South Wales in comparison with other jurisdictions;
- b) proposals to limit the number of animals allowed to be kept by breeders;
- c) calls to implement a breeders' licensing system;
- d) the implications of banning the sale of dogs and cats in pet stores;
- e) any legislative changes that may be required; and
- f) any other related matter."

A) The current situation in New South Wales in comparison with other jurisdictions

The welfare of companion animals is recognised as a community priority in most states across Australia; there are a range of regulatory and policy responses to this issue. All States have legislation that governs animal welfare and protection of animals from cruelty. All jurisdictions, with the exception of the Northern Territory have legislation that governs the care and control of companion animals. In the Northern Territory, there are by-laws established by the City of Darwin that cover care and control of animals in residential areas. A summary of the legislative frameworks across jurisdictions is provided at **Attachment D**.

The NSW legislative framework, outlined at the beginning of this document, is the equal of any other jurisdiction, and has been in place longer than most other States.

Victoria

In Victoria, the *Prevention of Cruelty to Animals Act 1986* provides for prevention of cruelty and the *Domestic Animals Act 1994* provides for companion animals care and management, including microchipping and registration of dogs and cats, and registration and conduct of domestic animal businesses, which include pet shops and breeding.

The Code of Practice for the Operation of Breeding and Rearing Businesses 2014 and requirement to register as a Domestic Animal Business with the local council in the municipality that it resides, applies to domestic animal businesses as defined by the Act, which in the case of dog breeders are defined as those that carry out breeding of dogs to sell, where there are 3 or more fertile females, or if a member of an applicable organisation (Dogs Victoria), 10 or more fertile females. Domestic Animal Business registration is annual. There is a separate code for greyhounds.

Before a Council registers premises they may inspect to determine whether it complies with the Code, the Council may impose any terms, conditions, limitations or restrictions on the registration (Section 47 of the *Domestic Animals Act 1994*).

The Code was revised in 2014 with two new requirements, that all female breeding bitches must have a general health check by a veterinarian within 8 weeks of whelping and that a female dog must have no more than 5 litters in her lifetime, after which she must be retired from breeding.

Recent Victorian election commitments included requiring breeders to obtain a veterinary health check for all female dogs prior to each mating cycle (consultation on this measure is underway as part of their Code of Practice review), by 2020 limiting the number of breeding females that can be held to ten and restricting pet stores to selling dogs and cats from registered animal shelters. A regulatory impact analysis process in relation to the proposals for limiting breeding female numbers and restricting pet stores is underway.

The Victorian Government has allocated RSPCA Victoria \$6 million over four years to enable it to police the Code and provide health care, rehabilitation and rehoming services for seized animals.

It is important to distinguish the Victorian position from the NSW position in two important respects;

1. The NSW breeder code sets mandatory care and management requirements that apply to anyone breeding dogs and cats for sale, even if just one breeding female. The Victorian breeder code only applies to those businesses with 3 or

more fertile females, or 10 or more fertile females if a member of an applicable organisation such as Dogs Victoria.

2. There is no publicly ascertainable evidence base, impact analysis or associated compliance evaluation to suggest the efficacy and effectiveness of the 2014 measures. The NSW Government would want to establish a strong evidence base to support these costly interventions and requirements, especially when considered in the context of risk and the primary compliance target of rogue operators.

The Australian Capital Territory

There are two key pieces of legislation in the ACT regarding the care and management of companion animals (which the ACT legislative scheme refers to as domestic animals). These are the *Animal Welfare Act 1992* which identifies animal welfare offences and establishes provisions for codes of practice and the *Domestic Animals Act 2000*, which provides for registration, licencing of multiple dogs (more than 4 in residential areas) and the preparation of codes of practice. This legislation is supported by the Animal Welfare (Welfare of Dogs in the ACT) Code of Practice, the Animal Welfare (Welfare of Cats in the ACT) Code of Practice and the Code of Practice for the Sale of Animals in the ACT (Other than Stock and Commercial Scale Poultry), which is mandatory. It is an offence not to comply with the Sales Code. The Dog and Cat Codes are advisory only.

The Domestic Animals (Breeding) Legislation Amendment Act 2015 was enacted on 24 March 2015 and will provide for licensing the breeders of dogs and cats in the ACT. The Act also creates an offence of breeding a dog or cat in contravention of a breeding standard. The Act is yet to commence and the breeding standards are yet to be developed.

Other States

Queensland, South Australia, Tasmania and Western Australia all have legislation which governs animal welfare generally and the care and management of domestic animals. There are various codes of practice and guidelines for breeding companion animals, many of which are the responsibility of the relevant local government area.

B) Proposals to limit the number of animals allowed to be kept by breeders

As noted above, there are already welfare standards in place for anyone breeding dogs for sale in NSW, regardless of the numbers held, through the Animal Welfare Code of Practice: Breeding Dogs and Cats. Simply limiting the number of animals held will not necessarily ensure the welfare of the breeding animals or their young. The CAT recommended that the Animal Welfare Code of Practice – Breeding Dogs and Cats should be revised to ensure that the existing guidelines become enforceable standards. The Government provided in-principle support for this recommendation and advised that the Animal Welfare Advisory Council will consider this as part of its next review of the Code of Practice.

C) Calls to implement a breeders' licensing system

While the CAT recommended the establishment of a breeder licensing system and an update of the Register of Companion Animals to capture breeder licence information for each animal record, the NSW Government was concerned about unnecessary regulatory burden placed on responsible commercial and small non-commercial breeders. The Government believes that the most effective approach to meeting the

objectives is to significantly enhance the existing Register of Companion Animals in terms of its form, content, coverage and availability to enforcement agencies.

The Office of Local Government has already commenced development of a redesigned Register of Companion Animals, which is intended to include functionality to better enable the capturing of breeder details at point of microchipping. While the current paper based Register already captures basic information on the breeder and transfer of animal ownership, the redesigned Register will be web based and make collection and analysis of data easier, and allow for better tracking of where puppies are coming from.

Currently RSPCA NSW and AWL NSW are limited in their use of the Register's data to reuniting lost dogs and cats with their owners. The redevelopment of the system is intended to include better access to data for compliance purposes under the *Prevention of Cruelty to Animals Act 1986* (POCTA).

By using the Register of Companion Animals to better capture the owners of each animal throughout its life, including the breeder, enforcement agencies will have access to better information to identify irresponsible breeders, whilst minimising regulatory burden on compliant breeders. The new online Register will replace the current paper-based registration process and has the potential to allow better monitoring of breeder activities and more accurate records of owner/s of the cat or dog in real time. An improved information base will allow a more risk based approach to compliance activities, as it will allow agencies to identify whether there are breeders that have significant numbers of puppies registered, or where there are high numbers of animals surrendered that have come from a single breeder. In addition increasing the information captured in the Register will, over time, also provide a more comprehensive evidence base for future policy evaluation and discussion in this space.

D) The implications of banning the sale of dogs and cats in pet stores

It is considered that the mandatory display of a cat or dog's microchip number when advertised, the proposed guidelines on the advertising and sale of cats and dogs, and the mandatory distribution of standardised information at point of sale will significantly reduce concerns relating to the oversupply of companion animals to pet shops. The CAT discussion paper identified that around 15% of companion animal sales occur through pet shops, and determined that banning pet shops would have little real impact on improving the outcomes for companion animals. It identified improved community education as the key tool for improving understanding of animal welfare requirements and improving animal welfare outcomes for companion animals.

Community education regarding lifelong responsibilities of pet ownership will be key to ensuring that the issues relating to unwanted animals and overbreeding are addressed. It is anticipated that breeding associations and the Pet Industry Association of Australia will have a key role in the design and implementation of appropriate education campaigns. The Office of Local Government is currently exploring options to improve community awareness of responsible pet ownership messages, in conjunction with the redevelopment of the Register of Companion Animals.

E) Any legislative changes that may be required

The Office of Local Government is currently considering legislative amendments to the *Companion Animals Act 1998* to enable the redevelopment of the Register of Companion Animals. There are numerous amendments that will likely be required to implement the new register, including those to create an online process shifting from the

existing paper based process, and explicitly providing for access by enforcement agencies for both re-homing and welfare compliance purposes.

Interim Measures in NSW

The NSW government believes significant changes and enhancements to the Register of Companion Animals, removal of exemptions to requirements for microchipping of all animals, and requirements to advertise the microchip number when selling animals will improve tracing of breeders so that they can be checked and illegal breeding can be better targeted in the medium to long term.

However, it is acknowledged that the NSW Government's focus and efforts to date have been on foundational and systemic issues; these areas are complex and requiring of significant time and effort to address and resolve. In the interim between now and when the Register is finalised in 2016 it may be appropriate to identify reasonable stop-gap measures.

The NSW Government would consider any immediate and effective, cost neutral measures that are consistent with welfare objectives and responsive to identifiable areas of high risk. For instance it may be feasible to implement a change to POCTA to require any large scale, intensive commercial breeder who has in their care, custody or control 25 or more breeding females to notify enforcement agencies of their location and details of the extent and scale of their operation. Such a measure might enable improved prioritisation of compliance effort and closer monitoring of this class of breeder. A significant penalty for failing to notify enforcement agencies of their operations should both drive notification and assist in funding the efforts and monitoring of enforcement agencies.

F) Any other related matter

National approach

As identified in the comparison of jurisdictions above, companion animals are managed differently within each State, with a range of regulations and codes. Victoria, South Australia and the Australian Capital Territory are all in the process of updating their legislative and policy frameworks regarding companion animal breeding and sale.

Whilst NSW has some of the strictest management initiatives in the country, newspaper and internet sales mean that not all companion animals purchased in NSW are subject to the same stringent requirements. Addressing issues around remotely purchased animals will require a national approach. For example, there is currently no nationally co-ordinated microchip database to trace breeders across state borders. It may be appropriate to consider establishing a national framework for tracking, but this will require the cooperation of all jurisdictions.

Conclusion

NSW has stringent legislation concerning animal welfare and cruelty to animals. The NSW Government has and remains committed to implementing identified opportunities that promote companion animal welfare. Importantly, the NSW Government is committed to eliminating illegal breeding practises and operations.

We have removed the exemption that allowed certain breeders to sell cats and dogs un-microchipped, and we have commenced work on a new Register of Companion Animals.

While we have achieved a strong system for protecting animal welfare, there is more to be done.

The revised Register of Companion Animals will provide better data and allow more effective tracing of animals back to their owners. Together with mandating the use of microchip details on all online and paper advertisements and continuing education around responsible pet ownership the NSW Government is confident that it will both increase levels of animal welfare compliance and the detection of those insistent on compromising it.

The broader community also plays an important part in ensuring and demanding responsible companion animal breeding practices. People purchasing companion animals should exercise their purchasing powers and behaviours carefully. They should make clear inquiries about where an animal has come from and the care it has received. Oversupply of animals should be also be curtailed - people should be discouraged from impulse buying, as owning a pet is a significant responsibility and should be the result of careful planning and consideration.

Likewise breeders have a responsibility to meet a responsible buyer's expectations whilst also being responsive to the broader community's standards, as well as those required by the law.

Existing legislative framework in NSW relating to companion animals

No.	Name	Section/ Reference	What it does
1.	<i>Prevention of Cruelty to Animals Act 1979 (POCTA)</i>	Section 3 - objects	Provide for the prevention of animal cruelty and for the welfare of animals.
		Section 35 – Regulation making power	Enables the making of regulations for the control and regulation of animal trades. Regulations can be made for the licensing of animal trades (clause 35 (1)(d)). Enables the keeping of a register by persons carrying on animal trades (clause 35 (1)(g)).
		Enforcement and compliance	Sets up an enforcement and compliance framework for the protection of animals. Includes identifying approved officers for the purposes of compliance and enforcement works including police officers, public servants and members of approved charitable organisations. This includes the Royal Society for Prevention of Cruelty to Animals and any other organisation with operational objects including preventing cruelty to animals.
		Section 24G	Enables inspector to enter land used for the purpose of an animal trade to ensure that the provisions of the Act or regulations are being complied with.
2.	<i>Prevention of Cruelty to Animals Regulation 2012</i>	Clause 26	Regulates businesses that conduct animal trades and enables the making of codes of practice. It is an offence to fail to comply with clause 26 or any code of practice.
3.	Animal Welfare Code of Practice — Breeding Dogs and Cats 2009		This Code sets the standards for the care and management of breeding dogs and cats involved in animal breeding businesses. The Code includes enforceable standards and non-mandatory guidelines.
4.	Animal Welfare Code of Practice — Animals in Pet Shops 2008		This Code sets the standards for the care and management of animals kept for the purpose of sale, including cats and dogs.
5.	<i>Companion Animals Act 1998</i>		Establishes Registration Framework for cats and dogs Framework for managing dangerous dogs Identifies officers of RSPCA and AWL as official persons under the Act
6.	<i>Companion Animals Regulation 2008</i>		Operation requirements for the Registration (Tracing) System
7.	<i>NSW Local Government Act 1993</i>	Section 124	Order 18 allows council to give orders regarding the number of animals on premises, other than of such kinds, in such numbers or in such manner as specified in the order. Can be issued if there are an inappropriate number or they are being kept inappropriately.

Operational responsibilities

NSW Department of Primary Industries (NSW DPI)

The Minister for Primary Industries and NSW DPI has legislative responsibility for the *Prevention of Cruelty to Animals Act 1979*.

Office of Local Government

The Minister for Local Government and the Office of Local Government has legislative responsibility for the *Companion Animals Act 1998*.

The Chief Executive of the Office of Local Government is responsible for the maintenance of register of animals under the *Companion Animals Act*.

NSW Police

Officers of the NSW Police force are authorised officers under the *Prevention of Cruelty to Animals Act 1979*.

Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA NSW)

The RSPCA NSW is specifically identified as an approved charitable organisation under the *Prevention of Cruelty to Animals Act 1979* enforcing the Act. Officers are identified as official persons under the *Companion Animals Act 1988*. RSPCA NSW has 32 inspectors across NSW – 17 in the Sydney metropolitan area and 15 located in regional areas around the state.

Animal Welfare League NSW (AWL NSW)

AWL NSW is an approved charitable organisation under the *Prevention of Cruelty to Animals Act 1979* enforcing the Act. Officers are identified as official persons under the *Companion Animals Act 1988*. AWL NSW has a team of two full time *Prevention of Cruelty to Animals Act 1979* inspectors.

Animal Welfare Code of Practice

Breeding Cats and Dogs

Animal Welfare Code of Practice

Breeding dogs and cats

ANIMAL WELFARE BRANCH



ANIMAL WELFARE CODE OF PRACTICE

BREEDING DOGS AND CATS



Industry &
Investment

Title: Animal Welfare Code of Practice – Breeding Dogs and Cats

Author: Ross Burton, Director Animal Welfare, Animal Welfare Branch, Agriculture, Biosecurity and Mine Safety Division, Orange

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Disclaimer

The information contained in this publication is a Code of Practice prescribed under the Prevention of Cruelty to Animals (General) Regulation 2006 (the Regulation). People involved in the business of breeding dogs and cats are reminded that compliance with the standards specified in this Code is a requirement under that Regulation. New versions of this Code may be issued from time to time. It is the responsibility of users to ensure the version of the Code on which they rely is current by checking the Industry & Investment NSW website, or the Regulation.

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1 PREFACE

This Code is designed for everyone involved in the activity of breeding dogs and cats and has been developed to protect the welfare of the animals in their care. By adhering to this Code, people involved in animal breeding demonstrate to the general community their concern for the welfare of the animals in their care.

When humans manipulate or limit an animal's choices in relation to its physical or social environment, the welfare of that animal must be considered. Humans have a duty of care towards these animals and the greater the level of intervention or control of an animal or its environment, the greater those responsibilities become.

Animal welfare can be thought of as the way an animal's health, safety and well-being are affected by its physical and social environment. Health and behaviour indicators provide information about how an animal is responding to a situation, thus enabling us to make informed decisions relating to the animal's welfare.

Compliance with this Code does not remove the need to abide by the requirements of the *Prevention of Cruelty to Animals Act, 1979* and any other laws and regulations, for example; the *Local Government Act, 1993*; or the *Companion Animals Act, 1998*.

This Code contains both standards and guidelines for the care of dogs or cats for breeding. The standards have legal effect in three ways:

- Failure to meet a standard may result in a Penalty Infringement Notice or a prosecution under Clause 20 of the *Prevention of Cruelty to Animals (General) Regulation 2006*.
- In more serious cases, failure to meet a standard may support a prosecution for an offence under the *Prevention of Cruelty to Animals Act, 1979*.

Under the *Prevention of Cruelty to Animals Act 1979* the person in charge of an animal is responsible for meeting the legal obligations regarding an animal's welfare. The person in charge, who may be the owner of the animal or another person who has the care or control of the animal, for example the breeding manager or a member of staff, is legally responsible for the care of the animal, and therefore for meeting the standards of this Code.

This Code has been prepared in consultation with Dogs NSW, Waratah National Cat Alliance, the Australian Veterinary Association, RSPCA NSW, Animal Welfare League NSW, NSW Farmers, and other people and organisations involved in the industry. It is also endorsed by the NSW Animal Welfare Advisory Council.

The Code is neither a complete manual on animal husbandry, nor a static document. It will be revised from time to time to take into account new knowledge of animal physiology and behaviour, technological advances, developments in standards of animal welfare and changing community attitudes and expectations about the humane treatment of animals.

2 INTRODUCTION

- 2.1 This Code sets the standards for the care and management of breeding dogs and cats.
- 2.2 It applies to the welfare of dogs and cats which are involved in the business of breeding and raising puppies and kittens.
- 2.3 This Code comprises both enforceable provisions and guidelines. Enforceable provisions are identified by the word “Standards”, and are located within boxes.
- 2.4 The incidental breeding of animals by pet shops, pounds or shelters are activities for which the standards are set by other Codes recognised by the *Prevention of Cruelty to Animals Regulation 2006*.

3 INTERPRETATION AND DEFINITIONS

3.1 INTERPRETATIONS

Objectives

The intended outcome(s) for each section of this Code.

Standards

Standards describe the mandatory specific actions needed to achieve acceptable animal welfare levels. These are the minimum standards that must be met under law.

They are identified in the text by the heading “Standards” and use the word “must”. They are highlighted in boxes within the text.

Guidelines

Guidelines describe the best practice agreed at a particular time following consideration of scientific information and accumulated experience. It also reflects society’s values and expectations regarding the care of animals. A guideline is usually a higher standard of care than minimum standards, except where the standard is best practice.

Guidelines will be particularly appropriate where it is desirable to promote or encourage better care for animals than is provided by a minimum standard. Guidelines are also appropriate where it is difficult to determine an assessable standard.

Guidelines are identified by a heading “Guidelines”.

Notes

Notes describe practical procedures where appropriate to achieve the minimum standards and guidelines.

3.2 DEFINITIONS

In this Code:

Animal means a dog, cat, puppy or kitten.

Breeding means the business of breeding of litters of animals for sale.

Cat means an animal of the species *Felis catus*.

Cat housing includes a cattery, cage, module, colony pen or other enclosure used to contain cats within a facility; or garages, carports, sheds, commercially sold dog kennels of any material, and any room forming part of a house, flat, apartment or town house used for human habitation.

Dog means an animal of the species *Canis familiaris*.

Dog housing includes a kennel, cage, module, colony pen or other enclosure used to contain dogs within a facility; or garages, carports, sheds, commercially sold dog kennels of any material, and any room forming part of a house, flat, apartment or town house used for human habitation.

Environmental enrichment means the provision of stimuli that promote appropriate physical and mental activities, resulting in healthier and more active animals.

Euthanasia technician means a person who has acquired through training, qualifications and experience, competency in humanely destroying dogs and cats.

Facility means any place, premises or thing used for the accommodation or shelter of animals for the purpose of breeding or rearing dogs or cats, or where puppies or kittens are housed as a result of breeding; and includes a vehicle used for the transportation of animals.

Isolation facility means a secure area in which individual animals are kept separate from other animals.

Microchip means an subcutaneous full duplex electronic radio transponder that complies with the relevant ISO standard.

Owner means:

- the owner of the animal (in the sense of being the owner of the animal as personal property),
- the person by whom the animal is ordinarily kept,
- the registered owner of the animal.

A reference in this Code to the owner of a companion animal is a reference to each and all owners of the animal.

Parvovirus means a virus which causes intestinal inflammation in infected dogs, for which symptoms include vomiting, diarrhoea, high fever, and dehydration.

Person in charge of an animal means the person who has an animal/s in their possession or custody or under their care, control or supervision, and who is responsible for meeting the welfare needs of the animal/s, and may include the owner of an animal, a family member or friend of the owner, or in a facility; the manager or staff of a facility, or volunteers.

Person in charge of the facility includes the owner of the facility or the manager of the facility.

Re-home means the process of providing an animal with a new owner and a new place to live.

Sale means the transfer of ownership of an animal or animals, including causing, permitting or suffering an animal to be sold by auction, barter, exchange or other supply, and also includes the attempt to sell or offer to sell, expose, supply, possess or receive animals.

Significant infectious disease means a disease caused by a transmissible agent that is likely to cause illness or death in susceptible animals that become infected. Common examples include: canine cough; feline respiratory disease; parvovirus; feline enteritis; canine infectious hepatitis; heartworm and distemper.

Staff includes the person in charge, manager, employees and volunteers that work in the facility, whether working full or part time and whether or not working for fee or reward.

Operating procedures means procedures for the management and operation of a facility for the accommodation and shelter of animals required under this Code.

4 RESPONSIBILITIES AND COMPETENCY OF STAFF

Objectives

All people who care for and manage breeding dogs and cats should be competent and aware of their responsibilities. Where breeding facilities employ staff or volunteers, the person in charge of the facility should be aware of their extra responsibilities, and that all people employed to care for animals must comply with all enforceable provisions within this Code, the *Prevention of Cruelty to Animals Act 1979* and any other relevant legislation.

4.1 STANDARDS

4.1.1 The person in charge of the facility is responsible for the facility complying with all enforceable provisions within this Code.

4.1.2 The person in charge of the facility must be aware of their responsibilities towards dogs and cats. Each day, a person must be present to meet the requirements of this Code, and must be knowledgeable and competent to provide for:

- the care and welfare of dogs and cats;
- the feeding, and watering, of dogs and cats;
- the protection of dogs and cats from distress or injury caused by other animals or interference by people;
- cleaning and proper hygiene in the facility;
- identifying signs of common diseases of the species kept.

4.1.3 Where trainees and volunteers are employed by the facility, they must work under the supervision of trained and experienced staff.

4.2 GUIDELINES

4.2.1 Where staff are employed to care for animals; they should have formal qualifications and experience in animal care and management, which should be recorded in a register of staff training. Where appropriate, staff should be re-trained on a biennial basis. Training should include:

- current animal behaviour and social needs;
- the receipt and release of dogs and cats;
- housing of dogs and cats;
- animal husbandry;
- the handling and control of dogs and cats;
- moving, transporting and capture of dogs and cats;
- identifying signs of health and ill health in dogs and cats, including identifying symptoms of stress or when prompt veterinary care is required;
- procedures for the care of sick and injured dogs and cats;
- special requirements of old or young dogs and cats;
- disease and parasite control and prevention;
- emergency management and evacuation procedures;
- the keeping of records.

Note

For information on nationally recognised animal services qualifications, see: www.ntis.gov.au

People caring for animals should be aware of the risk of transfer of infectious disease and microbial contamination which could occur when handling dogs and cats or when cleaning enclosures, and the practices that will reduce or eliminate these risks.

For information on NSW Occupational Health and Safety legislation, see: www.workcover.nsw.gov.au

For information on emergency management response planning for animal holding facilities, see: www.dpi.nsw.gov.au/agriculture/emergency/management

5 QUALITY MANAGEMENT SYSTEMS

Objectives

Breeding establishments should operate in a transparent way so that standards of animal welfare are maintained.

5.1 STANDARDS

- 5.1.1** The following information must be recorded relating to each dog or cat housed at the breeding facility:
- a description of the dog or cat which includes: name, microchip number; sex (including whether desexed); breed; colour; distinguishing features; vaccination status; details of any special medical and dietary requirements; and
 - the date of birth; and the date of acquisition/arrival, and registration number (for purebred animals) of owned and leased dogs and cats; and
 - the name, address and telephone number of owner or lessee of the dog or cat; and
 - details of preventative and veterinary treatment of dogs and cats, including routine husbandry procedures such as worming or parasite control; and
 - for leased dogs or cats, the name and contact telephone number of the veterinary practitioner who normally attends the animal; and
 - the disposal of owned and leased dogs and cats including the date and details of the disposal.
- 5.1.2** Information which details each litter bred must be recorded and must include: the name and microchip number of both the dam and the sire; the date of mating(s); the date of whelping/queening; identification details of each animal within the litter, including any abnormalities or deaths.
- 5.1.3** Records must be retained for no less than three years, at the facility, and all staff must be able to produce the records.
- 5.1.4** The facility must have a documented program in place to control insects, ectoparasites and vertebrate pests. This document must be kept at the facility and all staff must be able to produce the document and must be familiar with its content.
- 5.1.5** Each facility must have a documented procedure for the swift removal of animals from the facility, in the case of emergency. This document must be kept at the facility and all staff must be able to produce the document and must be familiar with its content.

5.2 GUIDELINES

- 5.2.1 Procedural documents should be periodically reviewed and approved by the person in charge. The period from the last review and approval of procedures should not exceed 2 years.
- 5.2.2 Records kept should have space for notes or observations regarding individual animals made during time at the facility, including any significant alteration in the animal's condition or behaviour since arrival.

6 ANIMAL HOUSING

Objective

The accommodation, environment and security of animals should be of a standard which ensures their security, safety and wellbeing.

6.1 ACCOMMODATION

6.1.1 Standards

- 6.1.1.1** Vehicles, caravans, portable crates and the crawl space under any dwelling must not be used as permanent housing for dogs and cats.
- 6.1.1.2** Breeding facilities must have a continuous water supply, adequate to meet the daily requirements of the dog and cats held.
- 6.1.1.3** Breeding facilities must be designed, constructed, serviced and maintained in a way that provides for the good health and well being of the animals, which prevents the transmission of infectious disease agents, the escape of animals and does not cause injury to either animals or humans.
- 6.1.1.4** Animals must be provided with protection from rain and wind, direct sunlight or other adverse weather conditions and must be provided with a clean and dry dedicated sleeping area.
- 6.1.1.5** Where a facility houses both dogs and cats, cat housing must be a sufficient distance or otherwise isolated from dog housing to minimise the stress created by the sound, sight or smell of dogs.
- 6.1.1.6** Dog housing and cat housing must meet the minimum pen sizes shown in Tables 1 and 2 below. These limits do not apply to dogs and cats under veterinary care for a disease or injury.
- 6.1.1.7** Dogs and cats must not be in extended contact with wet floors.
- 6.1.1.8** Each cat must be provided with a suitable box in which to hide or sleep.
- 6.1.1.9** All sleeping areas for cats and dogs must have clean, hygienic, dry and soft bedding, appropriate to the species and breed, sufficient for the number of animals held, and sufficient to insulate them from the floor.
- 6.1.1.10** Each confined cat must be provided with a litter tray which is at least 1.2 times the length of the cat, and which contains a sufficient depth of material such as commercial cat litter, sawdust, shavings, sand or shredded paper.

Isolation Facilities

- 6.1.1.11** An isolation facility must be available either at the facility or at a veterinary hospital, and must have documented and demonstrable biosecurity measures in place.
- 6.1.1.12** Animals known or suspected to be suffering from a significant infectious disease or severe injury must be taken directly to the isolation facility unless written assurances from a registered veterinary practitioner regarding the appropriateness of housing with other animals is received.
- 6.1.1.13** A cat isolation facility must be a sufficient distance or otherwise isolated from dog enclosures to minimise the stress created by the sound, sight or smell of dogs.

TABLE 1: MINIMUM SIZES FOR DOG ENCLOSURES

Animal/s	Min floor area (m ²)*	Min Height (cm)	Min width (cm)
Puppy/ies (+/- bitch)	3.5	180	120
1 dog, < 40 cm height at shoulder	1.5	180	90
2 dogs, < 40 cm height at shoulder	2.5	180	90
Socially compatible group of dogs, < 40 cm height at shoulder, housed in back yard or house	1.5 per animal	–	–
1 dog, 40–60 cm height at shoulder	2.4	180	90
2 dogs, 40–60 cm height at shoulder	3.6	180	90
Socially compatible group of dogs, 40–60 cm height at shoulder, housed in back yard or house	2.4 per animal	–	–
1 dog, > 60 cm height at shoulder	3.5	180	120
2 dogs, > 60 cm height at shoulder	5.2	180	120
Socially compatible group of dogs, > 60 cm height at shoulder, housed in back yard or house	3.5 per animal	–	–

* Minimum floor area includes the area allocated to bedding.

TABLE 2: MINIMUM SIZES FOR CAT ENCLOSURES

Animal/s	Min floor area (m ²)	Min Height (cm)	Min width (cm)
Kitten/s* (+/- queen)	0.8	210*	60
Single Cat	0.8	210*	60
Cats (max 2)	0.8	210*	60
Socially compatible group housed in back yard or house	0.8 per animal, with provisions made for vertical space		–

* The module must contain at least 2 levels incorporating raised sleeping quarters. Access to all levels must be available through the provision of ramps, poles, steps or the like.

6.1.2. Guidelines

- 6.1.2.1 Measures should be in place to minimise the deterioration of exercise areas to bare earth.
- 6.1.2.2 All facilities should have an adequate water supply and should be sewerred or on a septic system, in accordance with the requirements of the local government authority, the relevant government department or other authorities; or have some other adequate and acceptable method for disposal of faeces and other liquid wastes.
- 6.1.2.3 Where groups of cats are housed together, consideration should be given for each cat to be able to be free from interference by other cats.

Note

The cage sizes provided in Tables 1 and 2 provide the minimum enforceable standard. Breeders of dogs and cats are strongly encouraged to ensure that the physical and mental needs of individual animals do not become constrained by their spatial environment.

Dog breeders should refer to the Companion Animals Act 1998 for the appropriate minimum sizes for dangerous or restricted dog enclosures.

6.2 ENVIRONMENT

6.2.1 Standards

- 6.2.1.1 Dog housing and cat housing must have a shaded area when exposed to sunlight.**
- 6.2.1.2 Dogs and cats must be protected from extremes of temperature.**
- 6.2.1.3 The duration and intensity of artificial lighting, where used, must be as close as possible to natural conditions, sufficient to allow thorough inspection and observation of animals, and which mimic the prevailing natural light cycles. Animals must be protected from excessive light which is generated from an external source.**
- 6.2.1.4 Animal housing areas must be provided with ventilation which is sufficient to maintain the health of the animals; while minimising undue draughts, odours and moisture condensation.**
- 6.2.1.5 Air ventilation devices, where used, must have an air change rate which is sufficient to distribute fresh air evenly to all of the areas holding animals; and must have a back-up system in the case that the ventilation device becomes inoperable.**

6.2.2 Guidelines

- 6.2.2.1 Environmental temperature should be controlled to minimise distress to dogs and cats including the provisions of heating or cooling particularly for old, young and pregnant animals if necessary. Particular attention should be given to protections for brachycephalic breeds, especially against heat.
- 6.2.2.2 Dog and cat breeding facilities should be located away from sources of excessive noise or pollution that could stress or injure dogs or cats.
- 6.2.2.3 Measures should be in place to protect dogs and cats from loud or sudden noise.
- 6.2.2.4 Noise from barking dogs should be managed to comply with noise regulations and occupational health and safety requirements and may be reduced by one or more of the following methods:
 - judicious use of sound proofing or suitable construction materials which reduce noise;
 - care with dog placement to avoid unnecessary arousal;

- limiting external stimulation, e.g. by partitioning dog housing, judicious use of blinds or dog housing design to prevent dogs from seeing into nearby pens;
- holding dogs in compatible pairs; or
- taking care to exercise dogs away from the sight of kennelled animals.

6.2.2.5 Noise from stud cats or calling queens should be managed to comply with noise regulations and occupational health and safety requirements and may be reduced by one or more of the following methods:

- providing lockable soundproof quarters in which the stud is held at night in compliance with noise regulations;
- locating the stud house inside another building, or by taking advantage of as much shielding by existing walls and buildings as possible;
- providing the stud with companion cats, a more interesting run, or more companionship, such as relocation to where people, other cats and other animals can be regularly seen;
- removing a calling queen from an outside pen and placing indoors in a pen, which can also be further covered over at night;
- taking the queen promptly to the stud (the stud being either entire or vasectomised).

Notes

Brachycephalic means short-faced.

6.3 SECURITY

6.3.1 Standards

- 6.3.1.1** The facility must be able to be reasonably secured to prevent access to the facility by unauthorised people.
- 6.3.1.2** Dog housing and cat housing must be fitted with a secure closing device that cannot be opened by the dogs and cats held.
- 6.3.1.3** An animal must not be able to escape except in circumstances that cannot reasonably be foreseen and guarded against.
- 6.3.1.4** Unauthorised people must not have access to dog and cat holding areas unless under the supervision of a staff member.
- 6.3.1.5** Functioning fire fighting equipment must be readily available and staff trained and practised in its use.
- 6.3.1.6** All potential poisons and harmful substances, whether in storage or in use, must be kept out of reach of dogs and cats.

6.3.2 Guidelines

- 6.3.2.1 Double barriers are recommended to assist in preventing the escape of dogs and cats.
- 6.3.2.2 Any security methods used should allow for ready access to dogs and cats and ready exit for staff and animals from the facility in the event of an emergency.

Notes

Some fire retardants may be toxic to dogs and cats.

7 ANIMAL MANAGEMENT

Objectives

The safety, wellbeing, and psychological health when of breeding dogs and cats when housed and transported is paramount. Animals should be protected from distress, injury, illness and disease, and provided with appropriate food and water.

7.1 ANIMAL CARE

7.1.1 Standards

- 7.1.1.1 Each animal must be individually identified.**
- 7.1.1.2 Measures must be implemented to protect dogs and cats from distress or injury caused by other animals.**
- 7.1.1.3 Dogs and cats must be protected from distress or injury caused by interference by people.**
- 7.1.1.4 Dogs and cats which must be housed singly in a quiet, warm and dry area isolated from other animals include:**
 - animals with dependent young; and
 - animals about to give birth; and
 - animals in season, where it is not the intention to breed; and
 - sick or injured animals.
- 7.1.1.5 Dogs and cats that may be distressed by the presence of other dogs and cats must be housed in a manner that prevents visual and minimises or reduces olfactory contact.**
- 7.1.1.6 The coats of long haired dogs and cats must be groomed by brushing or clipping at a frequency which ensures that the dogs and cats coats are not left dirty, matted, tangled or unkempt.**
- 7.1.1.7 Dogs must have the opportunity to exercise for at least 20 minutes daily, except under the written advice of a veterinary practitioner. This can be provided by allowing the animal access to an exercise area to run freely, or by walking them on a lead.**
- 7.1.1.8 Exercise areas must be supervised to ensure that dogs contained within it are compatible.**
- 7.1.1.9 Dogs must not be exercised in any way which may pose the risk of serious injury, for example attached to a motor vehicle, or unsupervised on a treadmill.**
- 7.1.1.10 Dogs and cats must receive environmental enrichment, recognising the physiological status and special needs of differing ages and species, to ensure good psychological health.**
- 7.1.1.11 Dogs and cats that are unable to feed themselves must only be kept where adequate facilities and expertise is available for artificial rearing.**

7.1.2 Guidelines

- 7.1.2.1 All equipment, which may affect the welfare of dogs and cats should be designed and maintained to minimise the risk of illness or injury.
- 7.1.2.2 Dogs and cats that may be distressed by the presence of other species of animals should be housed in a manner which prevents olfactory contact.
- 7.1.2.3 When grooming an animal, particular attention should be given to their eyes, nose, ears, breech, claws teeth and anal glands.
- 7.1.2.4 Animals which are excessively nervous, aggressive, or which cannot live in harmony with other animals should not be bred.

Note

Positive efforts should be made to socialise animals to humans and other animals. Animals that have been well-socialised when young may make better pets.

The person in charge of a dog during exercise are reminded of the provisions of the Companion Animals Act 1998 which specify minimum responsibilities when a dog is in a public place.

7.2 FOOD AND WATER

7.2.1 Standards

- 7.2.1.1 Clean water must be available at all times at a temperature, quantity and quality that meets the physiological needs of the dog and cat, and that the dog and cat will drink.**
- 7.2.1.2 Dogs and cats must receive a balanced and complete diet which allows them to maintain good health and growth, recognising the physiological status and special needs of differing ages and species.**
- 7.2.1.3 Puppies and kittens under four months of age must be offered a sufficient quantity of a balanced and complete diet at least three times daily, from three weeks of age.**
- 7.2.1.4 Dogs and cats which are co-housed with other animals must be monitored during feeding to ensure that all animals are eating their own share.**
- 7.2.1.5 Uneaten, spoiled or stale food must be removed and disposed of promptly.**
- 7.2.1.6 Food and water containers must be removed, cleaned and replaced immediately if noticed to be contaminated by urine, faeces, vomitus and the like.**
- 7.2.1.7 Food must be stored to prevent its deterioration or contamination.**

7.2.2 Guidelines

- 7.2.2.1 Food should be prepared hygienically and served in clean, non-spillable containers.
- 7.2.2.2 Food should be given to pups and kittens under four months of age with a maximum interval of 12 hours between feeds. (For example, a puppy that receives its third feed, and final feed, for the day at 5pm should receive its first feed for the next day no later than 5am the following morning.)
- 7.2.2.3 Food and water containers should be readily accessible to dogs and cats, and be positioned to avoid spillage or contamination by urine or faeces.
- 7.2.2.4 Food and water containers should be stable, non-toxic and easily cleaned/disinfected.
- 7.2.2.5 Puppies from four to six months of age and kittens from four to eight months of age should be offered a sufficient amount of a balanced and complete diet at least twice daily.

- 7.2.2.6 For dogs and weaned puppies, one feeding bowl should be provided per individual animal. For cats, there should be one feeding bowl per adult and one feeding bowl per three kittens.

7.3 CLEANING AND DISINFECTION

7.3.1 Standards

- 7.3.1.1 Areas housing animals within a facility must be cleaned at least once daily.**
- 7.3.1.2 Animal enclosures must be disinfected at least once weekly.**
- 7.3.1.3 Animal enclosures must be cleaned and disinfected before new animals are introduced or before whelping or kitting.**
- 7.3.1.4 Bedding must be cleaned or changed at least once daily and disinfected at least once a week.**
- 7.3.1.5 Exercise areas must be cleaned daily or before new dogs are introduced to the area.**
- 7.3.1.6 Food preparation and storage areas, food and water containers, and utensils and equipment used in the preparation and provision of food, must be maintained to a hygienic standard.**
- 7.3.1.7 Collection drains must be cleaned daily.**
- 7.3.1.8 Litter trays must be checked, scooped and replenished daily.**
- 7.3.1.9 Litter trays must be changed, washed and disinfected at least once every 3 days.**
- 7.3.1.10 Litter trays that are saturated with urine must be changed immediately.**

7.3.2 Guidelines

- 7.3.2.1 All dead animals or waste products such as faeces, bedding, and food wastes should be disposed of promptly and hygienically, and in accordance with the requirements of the local government authority, the relevant government department or other authorities.
- 7.3.2.2 Specialist advice should be sought before pest control operations are conducted, in order to protect the health and safety of the staff and the animals kept.

Notes

Some disinfectants are toxic to some species, for example some common disinfectants containing coal and wood tar products such as pine oil, phenol, cresol and chloroxynols, are toxic to cats. Tea tree oil is toxic to both cats and dogs. Staff should be familiar with these matters and avoid the use of inappropriate products.

Chemicals used for pest control should be registered by the Australian Pesticides and Veterinary Medicines Authority under the Agricultural and Veterinary Chemicals Code Act 1994 (Commonwealth) and only used in accordance with the manufacturers' instructions.

7.4 TRANSPORT

Transport may cause distress to dogs and cats and should be kept to a minimum. All dogs and cats should be contained or suitably restrained so that they are secure and protected from injury when transported.

7.4.1 Standards

- 7.4.1.1 All cats and dogs must be transported in such a manner which addresses their size and age. Cats and dogs, and incompatible animals of the same species, must be physically separated during transport to prevent injury, harm or distress.**
- 7.4.1.2 Dogs and cats must not be transported in the boot of a car.**
- 7.4.1.3 Vehicles must have adequate ventilation and shade, sufficient to maintain good health and to avoid distress.**
- 7.4.1.4 All vehicles used extensively for the purpose of transporting animals must be thoroughly cleaned and disinfected after use to minimise the possibility of transmission of infectious disease agents between consignments of animals.**
- 7.4.1.5 The minimum exercise requirement of this Code applies to transported dogs.**

7.4.2 Guidelines

- 7.4.2.1 All consignments of animals should comply with the recommendations and requirements for animal behaviour and containers of the current IATA Live Animals Regulations.
- 7.4.2.2 Containers used for dog and cat transport should provide adequate light and ventilation.
- 7.4.2.3 Any vehicle especially designed or regularly used for transporting dogs and cats should:
- protect animals from injury through being free from protrusions or sharp edges in the carrying area;
 - have non slip floors;
 - provide easy access and safe access for handlers;
 - be air conditioned to protect against extremes of temperature even when stationary;
 - protect against unauthorised release or escape of the animals;
 - be easy to clean and disinfect; and
 - be fitted with an operational air conditioning system to the section of the vehicle where the animals are held.
- 7.4.2.4 On road trips of more than two hours duration, adequate stops should be made to allow dogs and cats the opportunity to exercise, eat, drink, urinate and defecate where appropriate; and for the enclosures to be cleaned where necessary.

Notes

The driver of a transport vehicle is the person in charge, and therefore responsible for the welfare of animals in the vehicle during transportation.

For more information about the minimum standards for animal transport, refer to the publication in this series titled “The Care and Management of Animals by Companion Animal Transport Agencies”.

For more information about the IATA Live Animal Regulations, see: www.iata.org/whatwedo/cargo/live_animals

8 ANIMAL HEALTH

Objective

The health of animals should be monitored regularly to detect signs of disease, injury and distress with treatment provided where necessary. Where the destruction of animals is necessitated, it should be conducted in an efficacious and humane manner.

8.1 HEALTH CHECKS

8.1.1 Standards

- 8.1.1.1 All dogs and cats must be inspected at least once daily to monitor their health and well-being. The person checking the animals must note all adverse observations where an animal is not:**
- eating;
 - drinking (in the case of kittens/puppies drinking milk);
 - defecating;
 - urinating;
 - behaving normally;
 - showing any obvious signs of illness or distress;
 - able to move about freely;
 - displaying a normal coat.
- 8.1.1.2 Any changes in health status must be promptly reported to the person in charge of the facility for appropriate action.**
- 8.1.1.3 Where there is evidence that whelping or kitting has commenced (eg straining or contracting) and there is no progress within two hours, the bitch or queen must be examined by a veterinary practitioner and appropriate remedial action taken.**

8.1.2 Guidelines

8.1.2.1 Signs of illness or injury of for which veterinary treatment should be sought include but are not limited to:

- runny nose;
- runny, discharging or inflamed eyes;
- repeated sneezing;
- coughing;
- vomiting;
- severe diarrhoea, especially if bloodstained;
- lameness;
- bleeding or swelling of body parts (other than the vulva of a female on heat);
- inability to stand, walk, urinate or defecate;
- loss of appetite;
- weight loss, particularly if severe or sudden;
- apparent pain;
- fits, staggering or convulsions;
- patchy hair loss.
- bloating of the abdomen;
- difficulty or inability to urinate or defecate;
- red or brown coloured urine;
- patchy hair loss;
- depression;
- fever;
- presence of external parasites;
- any other serious physical or behavioural abnormality.

8.1.2.2 Bitches or queens in the last week of pregnancy should be inspected by animal care staff at regular intervals.

8.2 VETERINARY CARE

8.2.1 Standards

- 8.2.1.1 The person in charge of the facility must establish liaison with a veterinary practitioner who is able to attend to dogs and cats, and is able to advise on disease prevention measures.
- 8.2.1.2 The contact details for the veterinary practitioner must be posted in a location which enables staff and visitors to the facility to see them.
- 8.2.1.3 Appropriate veterinary treatment must be provided for sick or injured dogs and cats.
- 8.2.1.4 Veterinary advice must be obtained in the event of unexplained illness or deaths.
- 8.2.1.5 Permission in writing must be obtained from an dog or cat's owner or nominee if leased at the time of accepting the animal for breeding authorising the provision of necessary veterinary treatment.
- 8.2.1.6 Dogs must be vaccinated against distemper, hepatitis, parvovirus and canine cough in accordance with the manufacturer's recommendations, unless with the written approval of a veterinary practitioner.
- 8.2.1.7 Cats must be vaccinated against feline infectious enteritis and feline respiratory disease in accordance with the manufacturer's recommendations, unless with the written approval of a veterinary practitioner.
- 8.2.1.8 Kittens and puppies must be vaccinated against common infectious diseases in accordance with best practice clinical guidelines, in consultation with a veterinary practitioner.
- 8.2.1.9 Dogs and cats known or suspected to be suffering from an infectious disease must not be used for breeding or be accepted for breeding under lease unless under written approval from a veterinary practitioner.
- 8.2.1.10 A program for heartworm prevention for dogs must be in place and in accordance with veterinary advice.
- 8.2.1.11 Internal and external parasites must be controlled through routine and preventative treatments.

8.2.2 Guidelines

- 8.2.2.1 A program for maintaining a feline leukaemia free population is recommended. This should include a program of testing and vaccination of resident cats in accordance with veterinary advice, and a requirement for a current negative test prior to breeding (which applies to cats from the permanent population, new additions to the permanent population or visiting cats).
- 8.2.2.2 Newly acquired dogs or cats or dogs or cats visiting from another location should not be mixed with the permanent population for a minimum of 48 hours.

Notes

Parasites include fleas, lice, ticks and gastrointestinal or heart worms.

8.3 HUMANE DESTRUCTION

8.3.1 Standards

- 8.3.1.1 Where treatment to restore the physical and mental health of a dog or cat while in the facility is impractical or unsuccessful and where it is recommended by a veterinary practitioner, the dog or cat must be humanely destroyed.**
- 8.3.1.2 Euthanasia of dogs and cats must only be performed by a veterinary surgeon or a person who is a euthanasia technician.**
- 8.3.1.3 Euthanasia must be performed by the intravenous administration of an overdose of pentobarbitone sodium unless there are compelling reasons to use other methods to destroy a dog or cat.**
- 8.3.1.4 Euthanasia must be conducted in an area that is separated from animal accommodation at the facility and must not be carried out in view of any other animals.**

8.3.2 Guidelines

- 8.3.2.1 All efforts should be made to home physically healthy and behaviourally sound dogs and cats.

9 TRANSFER OF OWNERSHIP

Objective

The transfer of ownership of animals should be used to promote socially responsible pet ownership, and to reduce the destruction of companion animals.

9.1.1 Standards

- 9.1.1.1 Puppies and kittens must not be re-homed before they are 8 weeks of age.**
- 9.1.1.2 Dogs and cats must not be re-homed to people less than 18 years of age.**
- 9.1.1.3 No dog or puppy, cat or kitten may be sold unless vaccinated in compliance with the requirements of Section 8.2 of this Code.**
- 9.1.1.4 All dogs and cats re-homed must be microchipped, and treated to remove gastrointestinal parasites prior to release.**
- 9.1.1.5 No dog or cat suspected of being sick, injured or diseased may be sold under any circumstances.**
- 9.1.1.6 At the time of purchase, clients must be offered accurate written information at no charge which concerns the care of animals purchased.**
- 9.1.1.7 If within 3 days a dog or cat is not acceptable to the purchaser for any reason, the breeder is required to take the dog or cat back and refund 50% of the purchase price of the animal. This guarantee must be provided in writing to the purchaser at the point of sale.**

9.1.2 Guidelines

- 9.1.2.1 Information required by Clause 9.1.1.6 should include information about:
 - general care requirements of the species, including appropriate diet and feeding regimes;
 - usual life span of breed/species;
 - minimum requirements for humane shelter and accommodation;
 - minimum requirements for security of the dog or cat;
 - minimum requirements for social contact with humans and other animals of the same species;

- minimum requirements for disease and parasite control/prevention;
- how to identify and appropriately manage common diseases;
- procedures for seeking emergency treatment for the dog or cat, and the value of establishing a relationship with a veterinary practitioner, and/or animal behaviourist or other experienced persons;
- the estimated costs associated with providing food and shelter for the dog or cat;
- routine veterinary treatment which may be required for the animal(s), for example vaccination or parasite control;
- maximum time a dog or cat can be left unattended;
- the expected behaviours of the species or breed, for example digging or scratching;
- information about the legal requirements for pet ownership, and the penalties for non-compliance;
- the dog or cat's vaccination status, and the need for ongoing vaccinations;
- the desirability and advantages of desexing dogs and cats;
- minimum requirements for exercise;
- costs associated with registering the dog or cat;
- other information which is reasonable that the purchaser must be made aware of.

- 9.1.2.2 If within 7 days a dog or cat is not acceptable to the purchaser due to health reasons, excluding injury, and the complaint is supported by a veterinary practitioner, the breeder and the owner should negotiate in good faith to achieve an equitable outcome.
- 9.1.2.3 All advertisements for dogs and cats for sale should include the microchip number, and the vaccination status of the animal.
- 9.1.2.4 Desexing of dogs and cats not intended for breeding is strongly encouraged.
- 9.1.2.5 All facilities which re-home dogs and cats should assist in promoting socially responsible pet ownership in the community.

- 9.1.2.6 Policies, procedures and staff training should be implemented which ensure that prospective buyers are matched to suitable dogs and cats. Such matching should consider the characteristics and lifestyle of the buyer, the type and behavioural attributes of the animal including exercise requirements, and the environment of the new home, including yard size and presence of children.
- 9.1.2.7 Sick, aggressive, pregnant, unweaned, poorly socialised or deformed dogs and cats or animals with known vices such as excessive barking, fence jumping (dogs) should not be made available for rehoming.
- 9.1.2.8 Important information about the individual dog or cat, such as health care history, should be provided to the new owner of any animal sold.
- 9.1.2.9 New owners should be encouraged to seek advice about care, management and training issues from veterinary practitioners or other people with appropriate expertise.
- 9.1.2.10 Where possible, breeders should participate in breed placement programs to assist pounds and shelters in the rehoming of surrendered dogs and cats.
- 9.1.2.11 Dogs or cats should not be sold to inappropriate purchasers.

Notes

The person in charge of the facility is reminded of the provisions of the Companion Animals Act 1998 concerning dangerous dogs and restricted breeds and concerning notification of change in registration information.

10 BREEDING AND REARING

Objectives

The mating, breeding, birthing and rearing processes should be managed in a way that assures good animal welfare outcomes.

10.1.1 Standards

- 10.1.1.1 Bitches and queens must not be intentionally mated during their first oestrous cycle.**
- 10.1.1.2 A dog or cat must be physically and mentally fit, healthy and free of disease at the time of being mated.**
- 10.1.1.3 During mating, breeding pairs must be isolated from the remaining breeding population, and monitored by the person in charge.**
- 10.1.1.4 Mothers in the latter stages of pregnancy must be provided with additional access to food and water, provided at frequent intervals.**
- 10.1.1.5 During birthing bitches and queens must be isolated from the remaining breeding population, and monitored by the person in charge on a regular basis to ensure that the birth proceeds in a normal manner.**
- 10.1.1.6 Whelping bitches must be provided with a suitable whelping box, lined with clean bedding, changed daily.**
- 10.1.1.7 Kitting queens must be provided with a covered kitting box, lined with clean bedding, changed daily.**
- 10.1.1.8 Animals that are isolated from the remaining breeding population must be provided with additional attention and socialisation to animal carers.**
- 10.1.1.9 Bitches must not have more than two litters in any two year period, unless with the written approval of a veterinary practitioner.**
- 10.1.1.10 Queens must not have more than three litters in any two year period, unless with the written approval of a veterinary practitioner.**
- 10.1.1.11 Lactating mothers must be provided with additional food and water.**
- 10.1.1.12 Lactating mothers must be housed in such a manner that they are able to escape their young.**
- 10.1.1.13 Kittens or puppies must not be separated from their litter or their lactating mother until they are seven weeks of age to facilitate socialisation, except in the best interests of the puppy or kitten, or their mother.**

10.1.1.14 Solid food must be offered to puppies and kittens from three weeks of age. Puppies and kittens must be monitored when first offered solid food to ensure that the food is acceptable and palatable. If necessary, solid food may require moistening or softening to increase palatability.

10.1.1.15 Puppies and kittens must be observed to ensure that they achieve a steady weight gain every week.

10.1.2 Guidelines

- 10.1.2.1 Breeding practices should ensure that both breeding animals and the offspring they produce are as physically and behaviourally sound and healthy as possible. Dog and cat breeders have a responsibility to ensure that their breeding animals maintain the best quality of life possible, and litters should only be produced with a reasonable expectation of finding homes where they are both wanted and appreciated, and are offered a similarly good quality of life.
- 10.1.2.2 Where a heritable disease is recognised in a breed and where there is screening procedures or a test for that disease the person in charge in the case of a stud cat or dog or bitch or queen should:
- have a current official evaluation or test result for the dog or cat for such hereditary disease;
 - provide the official evaluation or test result to the owners where the dog or cat is to be mated to an animal not owned by the breeding facility;
 - provide the official evaluation or test result of both the sire and the dam to the new owners of any puppy of kitten;
 - endeavour to ensure that the genetic make-up of both sire and dam will not result in an increase in the frequency or severity of known inherited disorders.
- 10.1.2.3 Breeding dogs and cats should be selected to eliminate negative behavioural traits, for example poor mothering ability or aggressiveness.
- 10.1.2.4 It is desirable to encourage puppies and kittens to urinate and defecate away from the nesting area. It is easier for dogs and cats to learn this behaviour at a young age, and animals with good toileting practices may make better pets.

- 10.1.2.5 Dogs and cats which are well socialised to human adults and children and with other animals will become well-adjusted companions. The best opportunity to socialise puppies to humans and other animals is before twelve weeks of age. For kittens, socialisation to humans and other animals is best achieved before seven weeks of age.
- 10.1.2.6 Before any dog or pup, cat or kitten is sold the prospective owner should be advised that the breeder has taken all reasonable steps to ensure that the animal is physically and behaviourally healthy.
- 10.1.2.7 Breeders should consider the welfare of their breeding sires and dams when deciding on the best time to re-breed or to cease breeding their animals.
- 10.1.2.8 When dogs or cats reach the end of their useful breeding life, or when mature potential breeding stock is found to be in some way unsuitable for breeding purposes, it is the responsibility of the owner to:
- have such dogs or cats spayed or castrated;
 - settle the dogs or cats into their new condition (ex stud cats require considerable patience and care, but can become excellent candidates for pet homes);
 - either provide a pet home for the desexed dogs or cats themselves, or to canvass for and carefully select a new pet home for the animals;
 - exercise patience and retain responsibility for the dog or cat until such time as a satisfactory new home is established.
- 10.1.2.9 When cats are housed together for the purposes of mating, the animal care personnel should endeavour to ensure that:
- the queen and stud are both eating and using their litter tray;
 - the animals have separate beds and are able to get some rest;
 - the animals have actually mated; and
 - the stud has an easily accessible shelf on which to jump after mating the queen, to enable him to escape her claws.
- 10.1.2.10 After delivery of a litter, the mother and young should be health checked by a veterinary practitioner, and the birthing area should be cleaned and disinfected.

- 10.1.2.11 Any puppy or kitten which does not achieve a regular weight gain should be referred for veterinary consultation.
- 10.1.2.12 The correct paper work, including mating dates, sire's pedigree and any service agreements or litter registration forms should be supplied to the owner/lessee of the bitch or queen when she is collected after the mating, or on payment of an agreed fee.

Notes

The person in charge of the facility is reminded of the provisions of the Companion Animals Act 1998 concerning dangerous dogs and restricted breeds.



Industry &
Investment

Animal Welfare Code of Practice

Animals in Pet Shops

ANIMAL WELFARE CODE OF PRACTICE

ANIMALS IN PET SHOPS



NSW DEPARTMENT OF
PRIMARY INDUSTRIES

Title

Animal Welfare Code of Practice: Animals in Pet Shops

Author

Ross Burton, Director Animal Welfare, Animal Welfare Branch,
Agriculture, Biosecurity and Mine Safety Division, Orange

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Disclaimer

The information contained in this publication is a Code of
Practice defined under the Prevention of Cruelty to Animals
(General) Regulation 2006. Users are reminded that compliance
with this Code is a requirement under the Regulation. New
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the responsibility of users to ensure the version of the Code on
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available on the New South Wales Department of Primary
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(1) PREFACE

This Code outlines the principles that everyone involved in the keeping and selling of animals through pet shops must use to protect the welfare of the animals in their care. By adhering to this Code, people involved in this industry are demonstrating to the general community their concern for the welfare of the animals in their care.

When humans manipulate or limit an animal's choices in relation to its physical or social environment, the welfare of that animal must be considered. Humans have a duty of care towards these animals, and the greater the level of control of an animal or intervention with its environment, the greater the responsibilities become.

Animal welfare can be thought of as the way an animal's health, safety and wellbeing are affected by its physical and social environment. Health and behaviour indicators provide information about how an animal is responding to a situation, thus enabling us to make informed decisions relating to the animal's welfare.

Compliance with the Code does not remove the need to abide by the requirements of the *Prevention of Cruelty to Animals Act 1979* and any other laws, such as the *Local Government Act 1993* or the *National Parks and Wildlife Act 1974* and their associated Regulations.

This Code contains both standards and guidelines for the humane keeping and selling of animals in pet shops. The standards have legal effect in three ways:

- Failure to meet a standard may result in the issue of a Penalty Infringement Notice under Clause 20 of the Prevention of Cruelty to Animals (General) Regulation 2006.
- Evidence of failure to meet a standard may be used in proceedings under Clause 20 of the Prevention of Cruelty to Animals (General) Regulation 2006.
- In more serious cases, failure to meet a standard may support a prosecution for an offence under the Prevention of Cruelty to Animals Act 1979.

Animal retailers in NSW will be expected to conduct themselves in accordance with this Code of Practice and thus demonstrate their commitment and concern for the welfare of the animals in their care. Compliance with this Code will ensure that no offence is committed in relation to Clause 20 of the Prevention of Cruelty to Animals Regulation 2006. A breach of this provision of the Regulation may lead to a maximum court-imposed fine of 25 penalty units (currently \$2,750).

Under the *Prevention of Cruelty to Animals Act 1979*, the person in charge of an animal, which includes the owner, is responsible for meeting the legal obligations regarding an animal's welfare. The person in charge may wish to place the animal in the care of others (e.g. the pet shop's business manager or a member of staff), in which case the others also become legally responsible for the care of the animal.

This Code has been prepared in consultation with the Pet Industry Association of Australia, RSPCA NSW, the NSW Animal Welfare League, and other people and organisations involved in the industry. It is also endorsed by the NSW Animal Welfare Advisory Council.

The Code is neither a complete manual on animal husbandry, nor a static document. It will be revised from time to time to take into account new knowledge of animal physiology and behaviour, technological advances, developments in standards of animal welfare, and changing community attitudes and expectations about the humane treatment of animals.

(2) INTRODUCTION

- 2.1 This Code sets the standards for the care and management of animals kept for the purpose of sale, as defined by this Code.
- 2.2 It applies to the welfare of dogs, cats, rabbits, guinea pigs, rats, mice, birds, fish and other vertebrate species.
- 2.3 The business of breeding and selling, auctioning or giving away of reptiles through a pet shop is regulated in NSW under the *National Parks and Wildlife Act 1974*.
- 2.4 This Code comprises both enforceable provisions (Standards) and recommended practice (Guidelines).
- 2.5 The sale, or keeping for sale, of an animal or animals in the following circumstances are exempted from the requirements of this Code:
 - Where the animal is part of a competitive display of household pets.
 - Where the animal is part of a competitive display of domestic farm animals.
 - Where the animal is sold or offered for sale 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*.
 - Where the animal is at an agricultural show or show parade conducted by the Royal Agricultural Society or a society that is a member of the Agricultural Societies Council.
 - Where the animal is a fish that is kept at: a fish hatchery, or a fish farm, for the purpose of commercial food production, or re-stocking of lakes, dams or waterways.
 - Where the animal is a lawful captive and is at a meeting of an association dedicated to the keeping of that type of animal.
 - Where the animal is kept by a dog or cat breeder, or by an animal shelter or council pound, activities for which the standards are set by other Codes in this series.

(3) INTERPRETATION AND DEFINITIONS

(3.1) INTERPRETATIONS

Objectives

The intended outcome(s) for each section of this Code.

Standards

Standards describe the specific actions needed to achieve acceptable animal welfare levels. These are the minimum standards that must be met under the law. They are identified in the text by the heading 'Standards' and use the word 'must'.

Guidelines

Guidelines describe the best practice agreed on at a particular time following consideration of scientific information and accumulated experience. They also reflect society's values and expectations regarding the care of animals. A guideline usually advocates a higher standard of care than do minimum standards, except where the standard is best practice.

Guidelines will be particularly appropriate where it is desirable to promote or encourage better care for animals than is provided by a minimum standard. Guidelines are also appropriate where it is difficult to determine an assessable standard.

Guidelines are identified by a heading 'Guidelines' and always use the term 'should'.

Notes

Notes describe practical procedures, where appropriate, to achieve the minimum standards and guidelines.

(3.2) DEFINITIONS

3.2.1 Animal

For the purposes of this Code an animal is a dog, cat, rabbit, guinea pig, rat, mouse, bird, fish or other vertebrate species.

3.2.2 Authorised euthanasia technician

A person who has acquired competency (through training, qualifications and experience) in humanely destroying dogs and cats.

3.2.3 Behavioural enrichment

The provision of stimuli that promote appropriate behavioural and mental activities, resulting in improved animal health and activity.

3.2.4 Emergency management plan

A document that details the response to an actual or imminent event or situation that endangers, or threatens to endanger, the safety or health of persons and animals and that may destroy or damage, or threaten to destroy or damage, property.

3.2.5 Manager

A person, including an owner, who directly or indirectly controls a pet shop. If the control is indirect, this is likely to be through entering into a contract with another person, corporation or organisation for the operation of the facility.

3.2.6 Market

A meeting of people for the purpose of selling and buying goods, including animals, which is constructed of temporary fixtures and facilities, at which animals are kept for short periods of residence.

3.2.7 Owner

The owner of an animal may be: the person to whom the animal belongs (in the sense of property belonging to a person), or the person by whom the animals is ordinarily kept, or the registered owner of the animal.

3.2.8 Person in charge

The person who has any animal/s in their possession or custody or under their care, control or supervision, and who is responsible for meeting the welfare needs of the animal/s (*from the Prevention of Cruelty to Animals Act 1979*). The person in charge may refer to the owner of an animal or the manager, staff, or volunteers of a retailer, depending on the situation.

The person in charge, in relation to a facility, includes the owner of the facility or the person expressly appointed by the owner as the Manager of the facility.

3.2.9 Pet shop

A shop or place used for the conduct of a business, in the course of which an animal is kept for the purposes of sale; includes markets, as defined by this Code.

3.2.10 Sale

The transfer of ownership of an animal or animals. This concept includes causing, permitting or suffering an animal to be sold by auction, barter, exchange or other supply; it also includes attempts to sell or offer to sell, expose, supply, possess or receive animals.

3.2.11 Staff

Employees and volunteers that work in the pet shop.

3.2.12 Volunteer

A member of the public who is not paid, but works in a voluntary capacity under the supervision of the person in charge.

3.2.13 Zoonosis

Any disease that is communicable to humans from an animal species.

(4) STAFF RESPONSIBILITIES

Objectives

All persons involved in the care and management of animals in pet shops should be competent and aware of their responsibilities.

(4.1) PERSON IN CHARGE

4.1.1 Standards

- 4.1.1.1 The person in charge of the pet shop is responsible for compliance with all enforceable provisions within this Code, the *Prevention of Cruelty to Animals Act 1979* and any other relevant legislation. This includes the provision of appropriate housing and equipment and the supervision of all staff associated with the facility, whether working full or part time and whether or not working for fee or reward.
- 4.1.1.2 The person in charge of the facility must ensure a copy of this Code and any operating procedures are kept at the facility and are accessible to all staff.
- 4.1.1.3 The person in charge of the facility must ensure that all staff are aware of their responsibilities towards animals and that each species of animal is kept in the care of knowledgeable and experienced staff.
- 4.1.1.4 Each person who has duties in relation to the care or treatment of animals must be appropriately supervised at all times.
- 4.1.1.5 Staff and volunteers must be made aware of the public and occupational health risks associated with the care and management of animals and of the appropriate steps that must be taken to reduce or eliminate them.

4.1.1.6 A person in charge must ensure that staff are trained, experienced and competent in:

- The care and welfare of animals.
- The feeding, and watering, of animals.
- The protection of animals from distress or injury caused by other animals or interference by people.
- Cleaning and proper hygiene in the facility.

4.1.2 Guidelines

4.1.2.1 A person in charge should implement management practices to ensure that, where appropriate, employees are trained and experienced in:

- animal behaviour and social needs
- the receipt and release of animals
- housing of animals
- animal husbandry
- the handling and control of animals
- moving, transporting and capture of animals
- identifying signs of health and ill health in animals, including identifying symptoms of stress or when prompt veterinary care is required
- procedures for the care of sick and injured animals
- special requirements of old or young animals
- disease and parasite control and prevention
- emergency management procedures
- the keeping of records.

4.1.2.2 Trainees and volunteers should work under the direct supervision of experienced staff.

4.1.2.3 The person in charge is encouraged to employ staff who have formal training and qualifications in animal care and management, or who are in the process of completing such training.

4.1.2.4 The person in charge is encouraged to employ staff who have First Aid training, or to provide First Aid training to staff members who do not have such qualifications.

4.1.2.5 The person in charge should ensure the implementation of policies, procedures and staff training that eliminate the sale of animals to inappropriate purchasers.

4.1.2.6 The person in charge should maintain a staff training register and ensure that all training is provided on a biennial basis.

Note

For information on nationally recognised animal services qualifications, see: www.ntis.gov.au.

(4.2) STAFF

4.2.1 Standards

4.2.1.1 All staff must be aware of their responsibilities as defined within the provisions of this Code, the Prevention of Cruelty to Animals Act 1979 and any other relevant legislation.

4.2.2 Guidelines

4.2.2.1 Members of staff should be knowledgeable and experienced in the care of each species of animals kept.

(4.3) STAFF HEALTH AND SAFETY

4.3.1 Guidelines

4.3.1.1 In order to provide for the health protection of the animal handlers in pet shops, the following safeguards are required by the OHS legislation:

- adequate hand washing facilities should be available
- staff should be immunised against tetanus
- all personnel should be aware of the risk of zoonosis.

(5) ANIMAL HOUSING

Objective

The accommodation, environment and security of animals must be of a standard that ensures their safety and wellbeing.

(5.1) ACCOMMODATION

5.1.1 Standards

- 5.1.1.1 Animal enclosures must prevent access to animals by unauthorised people, unless under supervision by a staff member.
- 5.1.1.2 All solid surfaces of animal enclosures must be impervious or painted, to facilitate cleaning and disinfection.
- 5.1.1.3 All animal enclosures must meet the minimum requirements for size, as provided in Appendix 1 of this document. The minimum requirements set out in Appendix 1 do not remove the need for animals to have sufficient space to rest, stand, stretch, swim, fly or move freely, as appropriate to the species.
- 5.1.1.4 All animals when displayed must be within the confines of the pet shop, where they are supervised.
- 5.1.1.5 Animals must be able to withdraw, where appropriate, to a quiet, dark and well ventilated area within their enclosure to allow them to take sleep breaks.
- 5.1.1.6 Animal enclosures must be maintained to minimise the risk of injury to animals.

5.1.2 Guidelines

- 5.1.2.1 Pet shops should be located away from sources of excessive noise or pollution that could stress or injure animals.
- 5.1.2.2 Animal enclosures should be designed for ease of cleaning, feeding, watering and the regular inspection of animals kept.
- 5.1.2.3 Pet shops should take all reasonable measures to prevent animal theft from enclosures.
- 5.1.2.4 Pet shops should take all reasonable measures to prevent animal escape from enclosures.

(5.2) ENVIRONMENT

5.2.1 Standards

- 5.2.1.1 Premises in which caged animals are kept must be maintained at temperatures and humidity levels that minimise distress. The room temperature must not exceed 30 degrees Celsius and must not fall below 15 degrees Celsius.
- 5.2.1.2 Animal enclosures must be placed out of draughts and have adequate shade when exposed to direct sunlight.
- 5.2.1.3 Animals must be protected from extremes of temperature.
- 5.2.1.4 The duration and intensity of artificial lighting must be as close as possible to natural conditions and must allow for diurnal light cycles.
- 5.2.1.5 Animal enclosures must be protected from excessive light at night, even if it is generated from outside the premises. The light must be turned off or subdued, or other light protection measures used.
- 5.2.1.6 Cages constructed of solid material that do not allow natural air movement must be artificially ventilated.

5.2.2 Guidelines

- 5.2.2.1 If artificial heating devices are used, they should be positioned so that parts of the enclosure are not heated, thereby providing a range of temperatures.
- 5.2.2.2 Loud or sudden noise, which may distress animals, should be avoided.
- 5.2.2.3 Animals should be screened from excessive noise and vibration and buffered from the public by barriers or signage, for example: 'Quiet Please', or 'Do not Tap on Glass.'
- 5.2.2.4 Lighting should be sufficient to enable thorough inspection of animals.
- 5.2.2.5 Lighting should not generate excessive heat.
- 5.2.2.6 In enclosed rooms, ventilation should be adequate to avoid dampness and draughts and minimise noxious odours.
- 5.2.2.7 In enclosed rooms, ventilation should be adequate to keep animal housing areas free of dampness and draughts and minimise noxious odours. Cage or pen areas should have an ample supply of fresh air. Room ventilation rates of about six to 12 air changes per hour may be needed.

(5.3) SECURITY

5.3.1 Standards

- 5.3.1.1 The pet shop premises must be able to be secured to prevent access to the premises outside trading hours.
- 5.3.1.2 All animal enclosures (except fish tanks containing fish) must be securely fastened outside trading hours.
- 5.3.1.3 Functioning fire-fighting equipment must be readily available and staff trained and practised in its use. (Note: some fire retardants may be toxic to animals.)
- 5.3.1.4 Each pet shop must have a documented procedure for the swift removal of animals from the premises in the case of emergency. This document must be kept in a prominent place on the premises. All staff must be able to produce the document and must be familiar with its content. Any methods detailed in the emergency plan must allow for ready access to animals and ready exit for staff and animals from the premises in the event of an emergency.

5.3.2 Guidelines

- 5.3.2.1 Every effort should be made to recover escaped animals.
- 5.3.2.2 Design and construction of enclosures should incorporate features that enable the enclosure to be easily moved outside the pet shop premises in the event of an emergency.

(6) HYGIENE

Objective

The Pet Shop environment should be maintained in a hygienic condition.

(6.1) CLEANING AND DISINFECTION

6.1.1 Standards

- 6.1.1.1 Dog and cat enclosures must be cleaned and disinfected daily with hospital-grade disinfectant.
- 6.1.1.2 All other animal enclosures (except aquariums) must be cleaned and disinfected with hospital-grade disinfectant at least once a week.

- 6.1.1.3 At the completion of cleaning, animal enclosures (except fish tanks containing fish) must not be allowed to remain wet.
- 6.1.1.4 Food preparation and storage areas must be cleaned daily.
- 6.1.1.5 Before new animals are introduced, vacant enclosures (except aquariums) must be thoroughly cleaned and disinfected.
- 6.1.1.6 The Material Safety Data Sheets (MSDS) for all chemicals held must be available to staff.

6.1.2 Guidelines

- 6.1.2.1 Cleaning and disinfection chemicals and materials should be chosen on the basis of their suitability, safety and effectiveness. They should be used only in accordance with the manufacturers' instructions. Some common disinfectants, particularly those derived from or containing coal or wood tar products (such as pine oil, phenol, cresol and chloroxylenols) are toxic to cats.
- 6.1.2.2 All waste products, including faeces, bedding, food wastes and dead animals, should be disposed of promptly and hygienically, and in accordance with the requirements of the local government authority, the relevant government department or other authorities.
- 6.1.2.3 Staff should be aware of the risks of transfer of infectious diseases and microbial contamination when handling animals or cleaning enclosures, as well as of the practices that will reduce these risks.
- 6.1.2.4 Provision of hand-washing facilities or personal protective equipment, such as disposable gloves, is recommended.

(6.2) PEST CONTROL

6.2.1 Standards

- 6.2.1.1 The pet shop must have a documented program in place to control pests such as fleas, flies, lice, mosquitoes and wild rodents. This document must be kept on the premises. All staff must be able to produce the document and must be familiar with its content.

6.2.2 Guidelines

- 6.2.2.1 Specialist advice should be sought before pest control operations are conducted, in order to protect the health and safety of the staff and the animals kept.
- 6.2.2.2 Chemicals used for pest control should be registered by the Australian Pesticides and Veterinary Medicines Authority under the *Agricultural and Veterinary Chemicals Code Act 1994 (Commonwealth)* and used only in accordance with the manufacturers' instructions.

(7) MANAGEMENT

Objective

Animals must be protected from distress and injury, ensuring their safety, wellbeing, and psychological health.

(7.1) CARE OF ANIMALS

7.1.1 Standards

- 7.1.1.1 Animals must be protected from distress or injury caused by other animals.
- 7.1.1.2 Animals must be protected from distress or injury caused by interference by people.
- 7.1.1.3 Different species must not be housed in the same animal enclosure, except for compatible species of birds; compatible species of fish, or compatible rabbits and guinea pigs where the minimum cage size conforms to the minimum requirements for rabbits.
- 7.1.1.4 Animals that may be distressed by the presence of other animals must be housed in a manner that prevents visual contact.
- 7.1.1.5 Any animal that is exhibiting symptoms of stress, for example due to excessive viewing or handling, must be removed from public view/access and monitored.
- 7.1.1.6 Procedures must be in place to ensure that all animals receive the appropriate level of daily attention/inspection, feed and exercise over non-trading days.
- 7.1.1.7 Animals must receive behavioural enrichment, recognising the physiological status and special needs of differing ages and species, to ensure good psychological health.
- 7.1.1.8 Animals that are unable to feed themselves must be kept only where adequate facilities and expertise are available for artificial rearing.

7.1.2 Guidelines

- 7.1.2.1 All equipment that may affect the welfare of animals should be designed and maintained to minimise the risk of illness or injury.
- 7.1.2.2 Animals that may be distressed by the presence of other species of animals should be housed in a manner that prevents olfactory contact.

Note

Positive efforts should be made to socialise animals to humans and other animals. Animals that have been well-socialised when young may make better pets.

(7.2) RECORD-KEEPING

7.2.1 Standards

7.2.1.1 Appropriate records must be kept for:

- The acquisition/breeding of animals, including the date of birth, date of acquisition and the name and address of the supplier/breeder of the animals.
- The sale of animals (except fish), including: the date of sale, and the name and contact details of the new owner.
- The death or euthanasia of animals at the premises, including the date of death and, where known, the circumstances surrounding the death or euthanasia.
- Veterinary treatment of animals, including routine husbandry procedures such as worming or parasite control.
- Trading in animals subject to regulatory control, for example birds traded under the *National Parks and Wildlife Act 1974*.
- The date of cleaning and disinfection for all enclosures.

7.2.1.2 Records must be kept for a minimum of 5 years, on the premises, and all staff must be able to produce the records.

7.2.2 Guidelines

7.2.2.1 The use of stock books, enclosure labels and daily cleaning record sheets is encouraged.

(8) HEALTH CARE

Objective

The health of animals must be monitored regularly to detect signs of disease, injury and distress, with treatment provided where necessary.

(8.1) HEALTH CHECKS

8.1.1 Standards

8.1.1.1 All animals must be inspected at least once daily to monitor their health and well-being. The person checking the animals must record all adverse observations (except in the case of cryptic and nocturnal animals) where an animal is not:

- eating
- drinking
- defecating
- urinating
- behaving normally
- showing any obvious signs of illness or distress
- able to move about freely

8.1.1.2 All fish tanks and bird enclosures must be inspected at least once daily to monitor the health and wellbeing of the animals contained. New, sick or young birds must be inspected more frequently.

8.1.1.3 Any changes in health status must be promptly reported to the person in charge for appropriate action.

8.1.1.4 Newly acquired animals must not be mixed with existing stock for a minimum of 48 hours.

8.1.1.5 The person in charge and staff must be familiar with the signs of common diseases in the species kept.

8.1.2 Guidelines

8.1.2.1 Where possible, newly introduced animals should not be mixed with existing stock until they have been health-checked by a veterinarian

Note

‘Cryptic’ means hidden or camouflaged.

(8.2) VETERINARY CARE

8.2.1 Standards

- 8.2.1.1 The person in charge of the pet shop must establish a liaison with a veterinary surgeon who is able to attend to animals and is able to advise on disease-prevention measures.
- 8.2.1.2 For the benefit of staff, the contact details for the veterinarian must be displayed in a prominent position within the pet shop.
- 8.2.1.3 First aid and/or veterinary treatment must be promptly provided for animals that have minor or routine conditions. Where a severe illness or a death occurs, veterinary advice and treatment must be sought as necessary.
- 8.2.1.4 Sick or injured animals must be kept isolated and away from public view.
- 8.2.1.5 A program to control parasites must be in place.

(8.3) EUTHANASIA

8.3.1 Standards

- 8.3.1.1 Where treatment to restore the health of an animal while in the facility is impractical or unsuccessful, and where euthanasia is recommended by a veterinarian or an Inspector (appointed under the *Prevention of Cruelty to Animals Act 1979*), the animal must be humanely destroyed.
- 8.3.1.2 Euthanasia of dogs and cats must be performed only by a veterinary surgeon or a person who is an authorised euthanasia technician.
- 8.3.1.3 Euthanasia must be conducted in an area that is separated from animal accommodation at the facility and must not be carried out in view of any other animals, or members of the public.

(9) FOOD AND WATER

Objective

Animals should be provided with food and water appropriate to allow good animal welfare.

9.1 Standards

- 9.1.1 Animals must receive a balanced and complete diet that allows them to maintain good health and growth, recognising the physiological status and special needs of differing ages and species.
- 9.1.2 Clean water must be available at all times at a temperature and quality that meet the animal's physiological needs and that the animal will drink.
- 9.1.3 Food and water containers must be cleaned daily and must be cleaned and disinfected before transfer to another enclosure.
- 9.1.4 Food and water containers must be removed and cleaned immediately if noticed to be contaminated.
- 9.1.5 Animals that are co-housed must be monitored during feeding to ensure that all animals are eating.
- 9.1.6 Food and water containers must be readily accessible to animals and positioned to avoid spillage or contamination by urine or faeces.
- 9.1.7 Food must be stored in a way that prevents its deterioration or contamination.

9.2 Guidelines

- 9.2.1 Healthy immature animals should be fed twice a day or more frequently.
- 9.2.2 Sick animals should be fed in accordance with veterinary advice.
- 9.2.3 Food and water containers should be stable, non-toxic and easily cleaned/ disinfected.
- 9.2.4 Spoiled food or contaminated water should be removed and replaced promptly.

(10) SALE OF ANIMALS

Objective

The transfer of ownership of animals should be used to promote responsible pet ownership.

10.1 Standards

- 10.1.1 Dogs and cats must not be sold to people less than 18 years of age.
- 10.1.2 Where no regulatory control exists (for example, birds traded under authorities issued by the NSW National Parks and Wildlife Service), animals except dogs and cats may be sold to people aged 16 or older.
- 10.1.3 Animals may be sold only to people aged less than 16 years with the written consent or in the physical presence of their parent or guardian.
- 10.1.4 At the time of purchase of an animal, clients must be offered, at no charge, accurate written information on the care of animal purchased.
- 10.1.5 If within 3 days an animal (except a fish) is not acceptable to the purchaser for any reason, the pet shop proprietor is required to take the animal back and refund 50% of the purchase price of the animal.
- 10.1.6 The guarantee required by Clause 10.1.5 must be displayed in a prominent position on the wall of the shop.
- 10.1.7 If an animal dies or is euthanased as a result of a disease that is traceable to the point of sale and is verified by an appropriate authority such as a veterinarian, the person in charge will refund the purchase price or offer a replacement animal with the same guarantee.
- 10.1.8 No animal suspected of being sick, injured or diseased may be sold under any circumstances.
- 10.1.9 All animals sold must be able to independently sustain themselves if suitable food and water are provided at the appropriate times. The minimum age of animals offered for sale or advertised must be:
 - dogs: 8 weeks
 - cats: 8 weeks
 - rabbits: 6 weeks
 - guinea pigs: 4 weeks
 - mice and rats: 4 weeks
 - birds must not be sold until they are self-sufficient.

10.2 Guidelines

- 10.2.1 The active promotion of desexing for cats and dogs at the point of sale is strongly encouraged.
- 10.2.2 The person in charge of the pet shop is encouraged to develop relationships with pounds and shelters to broker the sale of these animals through pet shops. This could be through the provision of noticeboards, posters or interactive displays, or the hosting of events at which shelter animals visit the business.
- 10.2.3 Information required by Clause 10.1.4 should include information about:
- general care requirements of the species, including appropriate diet and feeding regimes
 - usual life span of breed/species
 - minimum requirements for humane shelter and accommodation
 - minimum requirements for security of the animal
 - minimum requirements for social contact with humans and with other animals of the same species
 - minimum requirements for disease and parasite control/prevention
 - how to identify and appropriately manage common diseases
 - procedures for seeking emergency treatment for the animal, and the value of establishing a relationship with a veterinary practitioner and/or animal behaviourist or other experienced persons
 - the estimated costs associated with providing food and shelter
 - routine veterinary treatment that may be required for the animal(s), for example vaccination or parasite control
 - maximum time an animal can be left unattended
 - the expected behaviours of the species or breed, for example digging or scratching
 - information about the legal requirements for pet ownership, and the penalties for non-compliance
 - other information that the purchaser must reasonably be made aware of.
 - Where applicable, information provided must also include:
 - the animal's vaccination status, and the need for ongoing vaccinations
 - the desirability and advantages of desexing animals
 - minimum requirements for exercise
 - costs associated with registering the animal.

10.2.4 If within 7 days an animal is not acceptable to the purchaser for health reasons, excluding injury, and the complaint is supported by a veterinarian, the pet shop proprietor and the owner should negotiate in good faith to achieve an equitable outcome.

10.2.5 All advertisements for dogs and cats for sale should include the microchip number and the vaccination status of the animal.

Note:

Contracts for sale are covered by the *Fair Trading Act 1987*.

(11) TRANSPORT

Objective

Animals should be transported in a manner that ensures their safety and wellbeing.

11.1 Standards

11.1.1 All animals sold must be boxed or suitably restrained to ensure their security and protection at the point of sale.

11.1.2 The box or animal restraint must protect the animal from injury, other animals, extreme temperatures and excessive stress.

11.2 Guidelines

11.2.1 Transport may cause distress to some animals and should be kept to a minimum.

11.2.2 Animal containers should provide appropriate light and ventilation.

11.2.3 For more information about the standards for animal transport, refer to the publication in this series titled 'The Care and Management of Animals by Companion Animal Transport Agencies'.

(12) SPECIAL REQUIREMENTS FOR DOGS AND CATS

12.1 Standards

- 12.1.1 Dogs and cats must not be put on display, physically offered for sale or sold until they are 8 weeks of age.
- 12.1.2 Dogs must not be sold unless microchipped, vaccinated against distemper, hepatitis and parvovirus, and accompanied by a current vaccination certificate.
- 12.1.3 Cats must not be sold unless microchipped, vaccinated against feline viral respiratory disease(s), and accompanied by a current vaccination certificate.
- 12.1.4 Floors of animal enclosures must be lined with absorbent disposable material that can readily be removed and replaced.
- 12.1.5 Cats must be provided with litter trays containing a sufficient depth of suitable clean litter material, such as commercial cat litter, sawdust, shavings, sand or shredded paper.
- 12.1.6 Litter trays must be changed, washed and disinfected at least once every 3 days.
- 12.1.7 Dogs must have the opportunity to exercise for at least 20 minutes daily. This can be provided by allowing them access to an exercise area to run freely, or by walking them on a lead.
- 12.1.7a Dogs must not be walked in unsecured areas unless:
 - they are on a lead at all times, and
 - they are under the supervision of a competent person, and
 - no more than four compatible, suitably aged dogs are being walked by the one person.
- 12.1.7b Any yard for group exercise must be supervised, and care must be taken to avoid mixing of incompatible dogs, fighting and the transmission of infectious disease.
- 12.1.8 Dogs and cats must be fed a balanced and complete diet that allows them to maintain good health and growth, recognising the physiological status and special needs of differing ages and species.
- 12.1.9 Bedding must be provided. It must be clean and changed frequently.

12.2 Guidelines

- 12.2.1 One feeding container should be provided for each dog, cat or puppy. Kittens under 12 weeks of age may be fed three to a bowl.
- 12.2.2 Dogs and cats should be monitored for health in accordance with Section 8 of this Code. Signs of illness for which attention is required include, but are not limited to, the following:
- runny nose
 - runny or inflamed eyes
 - repeated sneezing
 - coughing
 - vomiting
 - diarrhoea
 - lameness
 - bleeding or swelling of body parts
 - inability to stand, walk, urinate or defecate
 - loss of appetite
 - weight loss
 - apparent pain
 - staggering or convulsions
 - patchy hair loss
- 12.2.3 For more information about the standards for dog or cat breeding, see the publication in this series titled 'The Care and Management of Breeding Dogs and The Care and Management of Breeding Cats'.

(13) SPECIAL REQUIREMENTS FOR RABBITS, RATS, MICE AND GUINEA PIGS

13.1 Standards

- 13.1.1 Nest boxes must be provided for breeding females.
- 13.1.2 Wooden gnawing blocks must be provided.
- 13.1.3 Suitable non-toxic bedding must be provided and discarded daily.
- 13.1.4 Rabbits, rats, mice and guinea pigs must be fed a balanced and complete diet that allows them to maintain good health and growth, recognising the physiological status and special needs of differing ages and species.
- 13.1.5 A secluded, darkened sleeping area must be provided.

(13.2) GUIDELINES

- 13.2.1 Litters under 1 week of age should be disturbed as little as possible and be kept in special maternity cages.
- 13.2.2 When using bottles with a nipple drinker for drinking water, the tip should not come into contact with bedding or food.

(14) SPECIAL REQUIREMENTS FOR FISH

14.1 Standards

- 14.1.1 Water changes must be adequate to maintain good water quality in relation to population density.
- 14.1.2 Fish showing signs of illness must be attended to immediately and, where necessary, separated from other fish to prevent the spread of disease or molestation by healthy fish.
- 14.1.3 Measures must be in place to prevent the escape of fish.
- 14.1.4 Filtration equipment must be adequate for the species and population densities and be effective at all times.
- 14.1.5 Heaters must be adequate for the species and population densities and effective at all times.
- 14.1.6 Fish must be fed a balanced and complete diet that allows them to maintain good health and growth, recognising the physiological status and special needs of differing ages and species.
- 14.1.7 Water chemistry must meet the minimum requirements provided in Appendix 2 of this document.
- 14.1.8 Fish must be protected from environmental extremes.

14.2 Guidelines

- 14.2.1 All fish nets should be stored in disinfectant that is changed weekly.
- 14.2.2 All electrical equipment such as lights and thermostats should be regularly checked for correct performance.
- 14.2.3 It is recommended that retailers encourage their customers to advise them of any unwanted aquatic animals with a view to 're-homing' them, preventing those same aquatic animals from being dumped into natural waterways and therefore adversely affecting our natural biodiversity. There is no obligation to purchase or refund or take unquarantined animals into the shop/aquarium. This same policy should be applied to aquatic plants in order protect our waterways from weed incursions.

- 14.2.4 The most effective and humane method of euthanasia for fish is to add an anaesthetic or euthanasia agent to the water that the fish is held in. Once the animal is insensible, a secondary method such as decapitation or a blow to the back of the head should be performed to ensure death. Eugenol or clove oil is recommended as an anaesthetic/euthanasia agent.
- 14.2.5 Fish tanks should be cleaned to remove excessive algal build-up from the tank walls.

(15) SPECIAL REQUIREMENTS FOR BIRDS

15.1 Standards

- 15.1.1 Birds showing signs of illness must be attended to immediately and separated from other birds to prevent spread of disease or molestation by other birds.
- 15.1.2 Birds must be caught by the least stressful method and subjected to minimal handling.
- 15.1.3 Only staff that have a specialised knowledge must handle birds.
- 15.1.4 Pinioning of wings is an unacceptable practice and is defined as an act of cruelty. The clipping of wing feathers is acceptable when undertaken under the guidance of a veterinarian or an experienced bird-keeper.
- 15.1.5 Hand-reared birds must be fully feathered and self-sufficient before sale.
- 15.1.6 Sufficient perches, roosting areas and feed/water stations must be provided to meet the needs of all birds in a cage or aviary.
- 15.1.7 Perches must be of a diameter, construction and material appropriate to the species held, and must be placed to prevent contamination of food and water containers. Perches must also be positioned to ensure that birds' tails are not in contact with the cage substrate, and to provide easy access to food and water.
- 15.1.8 Except where it is a species requirement, birds must be fed out of suitable containers and not directly off the floor.
- 15.1.9 In addition to dry feed, fresh fruit, greens, nectar or seeding grasses must be supplied as appropriate to the species to provide variety and nutrient supplementation.
- 15.1.10 Environmental enrichment must be provided. This may include the provision of cuttlefish, toys, or other enrichment devices.
- 15.1.11 Bird enclosures must be protected from environmental extremes.
- 15.1.12 Birds must be fed a balanced and complete diet that allows them to maintain good health and growth, recognising the physiological status and special needs of differing ages and species.

15.2 Guidelines

- 15.2.1 Birds show ill health or stress in a great variety of ways, but careful observation may be needed, as sick birds are able to suppress some signs of illness. Signs requiring urgent attention include, but are not limited to, the following:
- changes in appearance or droppings
 - changes in food or water consumption
 - changes in attitude or behaviour e.g. inability to fly or to see
 - changes in appearance or posture, ruffled feathers, tail pumping, etc
 - changes in weight
 - enlargements or swelling
 - vomiting, injury or bleeding
 - discharge from nostrils, eyes or beak
 - excessive loss of feathers
 - lameness or sores on feet
 - overgrown beak or nails
 - stains or scabs around feet, eyes or nostrils.
- 15.2.2 Care should be taken with new equipment. New galvanised wire may be toxic, especially for parrots. The risk of ‘new wire disease’ can be reduced by allowing the wire to be weathered for 4 to 8 weeks or by washing with a mild acidic solution, e.g. vinegar, and rinsing with water.
- 15.2.3 Retailers and/or their staff should be aware of their responsibilities under the wildlife licensing system that operates within NSW.
- 15.2.4 To maintain hygiene standards where cages and aviaries have solid floors, the floor should be covered with a suitable non-toxic disposable material.
- 15.2.5 Grit and other vitamin/mineral supplements should be available to reduce the potential for nutrient deficiencies.
- 15.2.6 Other than in exceptional circumstances, pools and ponds should be avoided in sales cages/aviaries.
- 15.2.7 A heated hospital cage should be provided for the isolation and treatment of sick or injured birds away from view to minimise stress.
- 15.2.8 Enclosures should provide freedom of movement and capacity for exercise or flight, as appropriate to the species.
- 15.2.9 Any abnormal behaviour should be rapidly identified and competently managed and treated.

- 15.2.10 Adequate food suitable for the needs of the particular species of birds should be readily available. Most species of birds should have access to food at all times.
- 15.2.11 Food should be placed where it is least likely to be spoiled or contaminated. Open containers should not be located below perches.
- 15.2.12 Each species should be accommodated according to its need; this includes the provision of nesting sites and materials appropriate to the species for breeding purposes where intended.
- 15.2.13 Outdoor cages and aviaries should be designed and constructed so as to minimise the threat posed to birds by predators. Many species of birds, animals and reptiles are predators of, or cause distress to, aviary birds by day or by night. These include cats, dogs, foxes, birds of prey including owls, butcherbirds and currawongs, snakes and even children.
- 15.2.14 Birds traded should not be misrepresented as to sex, age, origin, species or breeding history and soundness.
- 15.2.15 The application of rings for identification purposes requires care for selection of the appropriate ring and its application. Some species, especially as adults, should not be ringed because of the risk of self-mutilation. Special care is needed should a ring require removal, for example, to attend to a leg injury.
- 15.2.16 Overgrown beaks should be carefully trimmed. Unless the overgrowth is due to a curable disease or nutritional problem, birds with overgrown beaks should not be used for breeding.
- 15.2.17 Excessively long nails should be trimmed without drawing blood, but toes should not be cut with the intent of preventing nail growth. Nail overgrowth may be indicative of inadequate conditions, particularly in small cages.
- 15.2.18 Birds should be housed in a bird room that is in a separate part of the shop with an extraction fan system. This is to remove as much feather dander and dust as possible from the premises and thus reduce the potential for the zoonotic diseases, including avian chlamydiosis.

APPENDIX 1: MINIMUM CAGE SIZES

Dogs, cats, rabbits, guinea pigs, mice

SPECIES	MINIMUM FLOOR AREA (cm ²)	MINIMUM WIDTH (cm)	MINIMUM HEIGHT (cm)	MAX. NUMBER OF ANIMALS	INCREASED AREA FOR EACH ADDITIONAL ANIMAL (cm ²)
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DOGS

Puppies (8 – 16 weeks)					
Less than 3 kg	6000	60	50	4	1500
Over 3kg	6000	60	50	2	3000
Adults (height)					
Less than 40 cm	15 000	90	180	1	
40 – 70 cm	24 000	90	180	1	
Over 70 cm	35 000	90	180	1	

CATS

Kittens (8 – 12 weeks)	6000	60	50	4	1500
Adults	6000	60	50	1	

RABBITS

Young (6 – 12 weeks)	6000	60	50	6	300
Adults	6000	60	50	2	600

GUINEA PIGS

	2500	50	40	4	600
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MICE *

Young	600	20	20	10	300
Adults	600	20	20	5	300

RATS*

Young	2000	50	22	12	200
Adults	1500	50	22	5	300

*These minimum cage sizes are currently under review.

Birds

Note: The species provided for each size cage are examples only.

DISPLAY CAGE DIMENSIONS	INDOOR	OUTDOOR	INDOOR	OUTDOOR	INDOOR	OUTDOOR	INDOOR	OUTDOOR
APPROX. LENGTH OF BIRD	MINIMUM FLOOR AREA (cm ²)		NUMBER OF BIRDS		MINIMUM HEIGHT (cm)		INCREASED AREA FOR EACH ADDITIONAL BIRD (cm ²)	
100 mm (10 cm)	900	15 000	6	100	30	180	150	150

Zebra finches, Cubans, Double bars, Orang-breasted waxbills, Fife canaries

200 mm (20 cm)	1600	15 000	10	75	40	180	200	200
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Neophemas, Budgerigars, Yorkshire canaries, Varied lorikeets, Musk lorikeets

300 mm (30 cm)	6000	60 000	10	100	100	180	6900	600
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Rosellas, Cockatiels, Rainbow lorikeets, Bronzewing pigeons

400 mm (40 cm)	6000	60 000	4	40	100	180	1500	1000
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King Parrots, Princess and Superb, Ringneck parakeets, Galahs and Corellas

500 mm (50 cm)	6000	60 000	3	30	100	160	2000	2000
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Sulphur-crested cockatoos

APPENDIX 2: WATER QUALITY CRITERIA

COLD WATER FISH	TROPICAL FISH	TROPICAL MARINE SPECIES
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MINIMUM DISSOLVED OXYGEN mg/L

6	6	5.5
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MAXIMUM FREE AMMONIA mg/L

0.02	0.02	0.01
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MAXIMUM NITRITE mg/L

0.2	0.2	0.125
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MAXIMUM NITRATE mg/L (above ambient tap water)

50	50	40
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MINIMUM pH

		8.1
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Comparison of companion animal breeding regulation across Australian jurisdictions

	NSW	ACT	NT	QLD	SA	TAS	VIC	WA
Primary regulatory framework (Management and Control)	<i>Companion Animals Act 1998</i>	<i>Domestic Animals Act 2000</i> <i>Domestic Animals (Breeding) Legislation Amendment Act 2015 (DRAFT)</i>		<i>Animal Management (Dogs and Cats) Act 2008</i> <i>Animal Management (Dogs and Cats) Regulation 2009</i>	<i>Dog and Cat Management Act 1993</i>	<i>Dog Control Act 2000</i> <i>Cat Management Act 2009</i>	<i>Domestic Animals Act 1994</i> <i>Domestic Animals Regulation 2005</i>	<i>The Dog Act 1976</i> <i>The Cat Act 2011</i>
(Welfare)	<i>Prevention of Cruelty to Animals Act 1979</i>	<i>Animal Welfare Act 1992</i>	<i>Animal Welfare Act</i>	<i>Animal Care and Protection Act 2001</i> <i>Animal Care and Protection Regulation 2012</i>	<i>Animal Welfare Act 1985</i> <i>Animal Welfare Regulations 2012</i>	<i>Animal Welfare Act 1993</i>	<i>Prevention of Cruelty to Animals Act 1986</i> <i>Prevention of Cruelty to Animals Regulations 2008</i>	<i>Animal Welfare Act (2002)</i>
Codes of Practice / Standards	<i>Animal Welfare Code of Practice – Animals in Pet Shops</i> <i>Animal Welfare Code of Practice – Breeding Cats and Dogs</i>	<i>Code of Practice for the Sale of Animals in the ACT.</i> <i>Drafting Dog and Cat breeding standards</i>	<i>Local By-Laws</i> <i>City of Darwin Animal Management General policy – limits number of dogs to be owned in residential areas</i>	<i>Voluntary Code of Practice for pet shops</i> <i>Local Government have introduced some requirements for breeders under local laws.</i> <i>Gold Coast Breeder Permit system</i>	<i>Care and Management of Animals in the Pet Trade</i>	<i>Guidelines for breeding dogs</i>	<i>Code of Practice Breeding and Rearing 2015 (proposed amendments)</i> <i>Code of Practice for pet shops Act provides for local councils to make local laws</i>	<i>Acts provide for Local Government to make local laws</i>