

ANIMAL WELFARE LEGISLATIVE AMENDMENTS



WHAT ARE THE AMENDMENTS GOING TO DO?

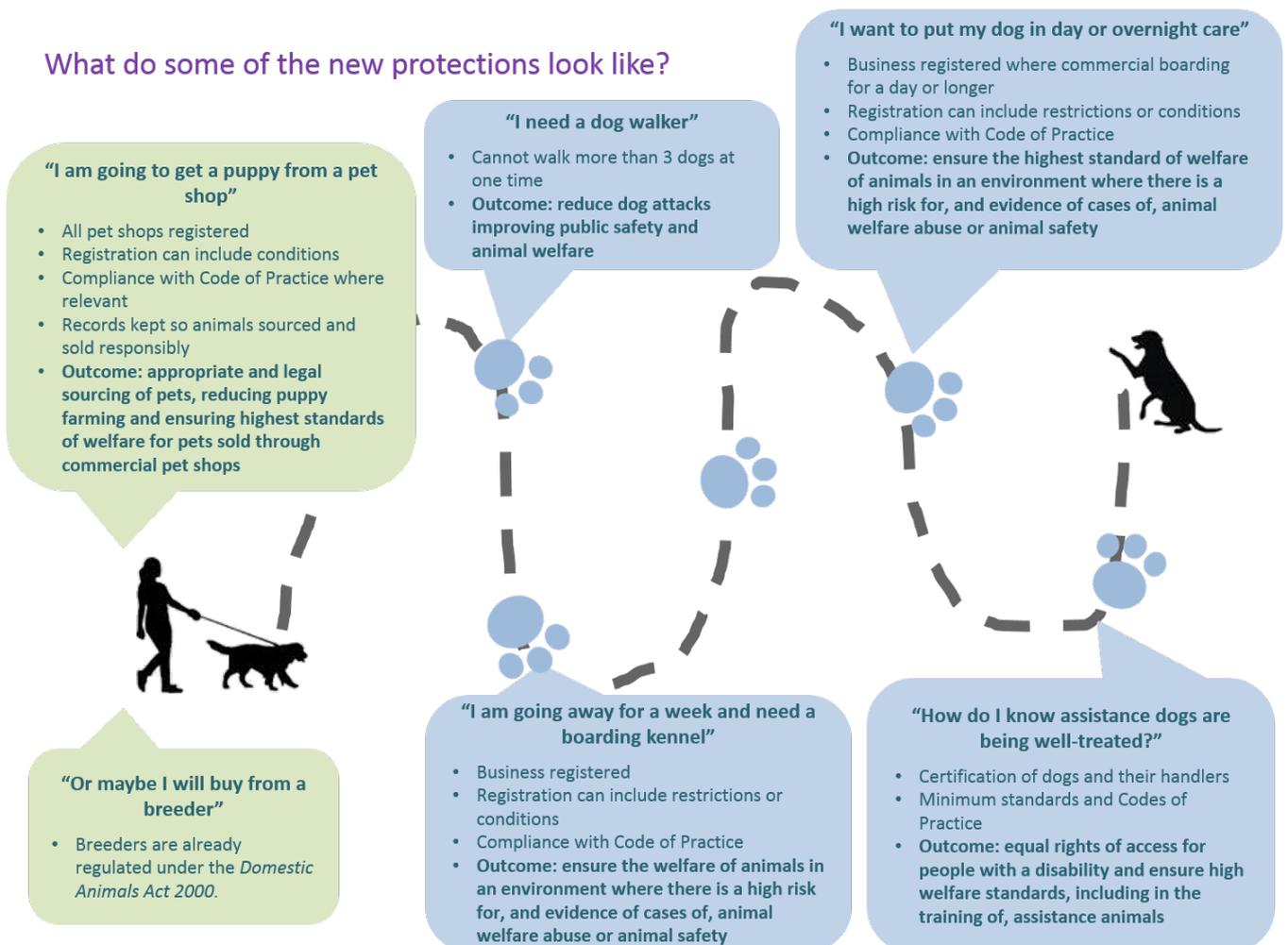
DECEMBER 2018

The amendments are proposed to ensure that the ACT has a best-practice, contemporary and effective regulatory system that protects and promotes the welfare of animals, prevents and deters cruelty to animals and responds appropriately to animal welfare abuses.

The draft Bill will:

- Update the objects of the Act to reflect contemporary views on animal welfare, including recognition of animals as sentient beings;
- Amend the governance framework for the Animal Welfare Advisory Committee (AWAC) so that the AWAC can provide advice to the Animal Welfare Authority in addition to the Minister;
- Set out a high level framework for regulating pet businesses, and specifically pet shops and boarding kennels, to assure animal welfare outcomes;

What do some of the new protections look like?



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- d) Restrict a person to walking no more than 3 dogs at a time;

Currently in the ACT no more than three dogs can reside at one premises without a multiple dog licence. There have been cases of loss of control and injuries to people and animals where a person has tried to walk more than three dogs, even small dogs. In New South Wales, no more than four dogs can be walked at a time.

- e) Set out a high level regulatory framework for assistance animals in the ACT that provides for the recognition, regulation and rights of access of assistance or service animals working in the Territory, and particularly assistance dogs;



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- f) Improve the regulatory framework for the Animal Welfare Authority so that it can:
 - 1. impose an interim ownership ban on a person where the authority reasonably believes that an animal's welfare or another animal's welfare is at serious risk and a proceeding in court has not yet commenced. This will be an appealable decision;
 - 2. seize, retain and/or sell or rehome an animal where appropriate; and
 - 3. impound an animal at a premises other than a Government pound (for example, keeping seized puppies with an animal rescue organisation).
- g) Introduce a new offence category for minor duty-of-care or cruelty offences where warnings and fines can be issued where appropriate (for example, where a person does not leave out water for their dog or kicks a dog in anger). The existing serious offences that attract significant financial and court penalties will remain and still be available, and the jail terms for the most serious offences have increased.
- h) Make a number of amendments to introduce new or amend current offences in the Act. These include:
 - 1. requiring a person to report the injury of a mammal within 2 hours, rather than the current 24 hours in the Act (for example, where a driver collides with kangaroo or a dog with their car and the animal needs urgent veterinary treatment). Access Canberra is available to answer calls 24 hours a day;
 - 2. introducing provisions that expressly address dog fighting and allow for effective enforcement of dog fighting offences, similar to changes in other jurisdictions;
 - 3. increase maximum court imposed penalties for cruelty and aggravated cruelty offences ;
 - 4. expressly making it an offence for a person to leave an animal in a hot car, and providing appropriate provision for an authorised officer or person to break into a car to rescue an animal where required;
 - 5. update penalty amounts and infringement notices where appropriate.
- i) Make other minor changes to support the practical implementation and enforcement of the Act.