

Prevention of Cruelty to Animals (POCTA) Regulations 2019

Statement of Reasons

POCTA Regulation title	Part/ Division/ Regulation number	Issues raised in submissions	Submission feedback / suggested change	Departmental response / resulting change	Approx Number of comments
Animal in sedan boot	Part 2, Division 1, Regulation 6(1)	Acceptable to transport dogs in a sedan boot, especially if 'climate control' connection to main cabin of vehicle This will negatively impact on bird owners who transport caged birds in sedan boots	Allow for fish, rodents, small birds and wildlife if temp controlled with access to cabin	No change: The longstanding prohibition on transport of animals in sedan boots has been retained	11
Animal(s) in a motor vehicle on hot days	Part 2, Division 1, Regulation 6(2), 6(3)	Concerns around technical specification of provisions relating to: <ul style="list-style-type: none"> different breeds internal temperature/ temperature cut-off value/ shade/cooling system 	Better define specifications and temperature measurements	No change: The Regulation is evidence-based and provides an approach that minimises animal welfare risks from animals left in cars on hot days	17
		Should not leave animal in vehicle any time	Prohibit leaving an animal in a vehicle at any time	No change: The Regulation is evidence-based and provides an approach that addresses animal welfare risks on hot days	4
		Owners should be able to make their own judgement / education rather than regulation		No change: The Regulation is evidence-based and provides an approach that addresses animal welfare risks on hot days	3
		Extend temperature stipulation for metal trays to apply to particularly cold days too		No change: The Regulation addresses a risk of physical injury (burns) from hot metal surfaces on hot days. The risk is reduced on cold days	1
		Regulation 6(2) will negatively impact therapy dogs in transit		No change: The Regulation applies when animals are left unattended in stationary vehicles, rather than when in transit	1
		Remove 10 minutes limit – provides defence for under 10 minutes, where cruelty could occur	Remove 6(2) to avoid a defence where 10 minutes is unsuitable to prevent cruelty. Or remove reference to 10 minutes in this section	No change: The Regulation does not prevent a prosecution for cruelty under section 9 of the POCTA Act if an animal was to suffer unreasonable pain or suffering as a result of being left unsupervised	1
		Prevents the option to hold stray animals in animal transport vehicles while owner is being located to collect the animal – will result in more animals being taken directly to a pound	Enable authorised officers to keep animals in animal transport vehicles to facilitate the return of stray animals to owners	Change: Provide exemption for authorised officers provided the compartment is maintained at or below 28 degrees and the animal has access to water	1
Animals on metal tray of motor vehicle or trailer on hot days	Part 2, Division 1, Regulation 6(4)	Concerns regarding scope of provision: <ul style="list-style-type: none"> shade/direct sun the issue not temperature, application to livestock in stock crates 	Amend scope	Change: The Regulation has been amended to apply to dogs only when secured on the metal tray. Unlike livestock hooves, the soft paws of dogs do not provide protection from a hot metal surface	13
Farm animal transport – time off water, weight bearing, passenger vehicles Part 2, Division 1, Regulation 6(5),6(6), 6(7)		Concerns regarding duration of maximum time off-water and whether access to water should be unlimited	Provide unlimited water or reduce the maximum time intervals off-water	No change: The Regulation aligns with the standards for maximum time off water in the Australian Animal Welfare Standards and Guidelines for Land Transport of Animals	9
		Temperature/time limit for animals in cars should apply to livestock also	Remove exemption for livestock in Reg 6(3)	No change: The Australian Animal Welfare Standards and Guidelines for Land Transport of Animals sets conditions which apply to the transportation of livestock in hot weather	7
		Concerns that specifying a 20km limit is too limiting for transport of livestock that are non-weight bearing on all legs to vet treatment / provision of a veterinary certificate, particularly rural areas		Change: The Regulation has been amended to increase distance to 50km and require written veterinary advice instead of a veterinary certificate	7

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		Concerns regarding: <ul style="list-style-type: none"> definition of weight-bearing exemption for poultry 	Remove exemption 6(6) for poultry	Change: The Regulation has been amended to clarify reference to weight-bearing when walking No change: The exclusion of poultry has been retained, as poultry transport systems are different to other livestock	5
		Concern regarding general animal welfare provisions for livestock transported in passenger vehicles and livestock transporters	Include standards for transport of livestock in passenger vehicles, and livestock transporters, e.g. closed tops, restricted speed limits	No change: The Australian Animal Welfare Standards and Guidelines for Land Transport of Animals sets conditions that apply to the transportation of livestock	2
		Regulation 6(6) should apply to poultry too		No change: The exclusion of poultry has been retained, as poultry transport systems differ to that for other livestock	2
		Maximum time off water offence provides alternate offence to cruelty under POCTA Act s9(1)(f) but lower penalty		No change: The Regulation aligns with the Australian Animal Welfare Standards and Guidelines for Land Transport of Animals and provides for an infringement. An offence from the <i>Prevention of Cruelty to Animals Act 1986</i> can still be applied where appropriate	1
		Transport of livestock in car should be acceptable as last resort		No change: Other than as prescribed in the Regulations, the transport of farm animals in cars poses risks to both animals and humans	1
		Transportation of large wild animals (wildlife rescue) should be exempted from transportation requirements and would need 20km restriction exempted		No change: The Regulations mostly describe the class of species to which they apply. Wildlife, as applies to other animals, should not be transported in the boot of a sedan car, or left unattended in motor vehicles on hot days	1
		Transport regulations for livestock do not include 'live export'		No change: The transportation of animals for export are outside the scope of the Regulations	1
Tethering	Part 2, Division 1, Regulation 7	Concerns regarding the physical and technical requirements of the tethering including: <ul style="list-style-type: none"> need for physical shelter specifying exercise requirements frequency of checking overly stringent regulation species specific needs access to water types of collars or harnesses 		No change: The Regulations align with the requirements of the Victorian Code of Practice for Tethering. Where applicable, the Victorian Code of Practice for Tethering aligns with the Australian Animal Welfare Standards and Guidelines for Cattle, Sheep, Goats	14
		Concerns regarding: <ul style="list-style-type: none"> temporary /short-term tying-up tethering at shows tethering as part of an approved research project 		Change: Exceptions have been included to allow for tethering of animals at shows without access to water or grazing provided food and water is provided at least twice daily. Exception from water and grazing provisions provided for animals tethered as part of an approved research project as such projects may require water or food management	4
		Ban all tethering of animals		No change: Tethering is at times necessary as a husbandry practice. The Regulations align with the requirements of the Victorian Code of Practice for Tethering. Where applicable, the Victorian Code of Practice for Tethering aligns with the Australian Animal Welfare Standards and Guidelines for Cattle, Sheep, Goats	3
		7(1)(f) and 7(2) are in contradiction with tethering code and s9(1)(f) of the Act		No change: The Regulation aligns with the requirements of the Victorian Code of Practice for Tethering, being an advisory code	1
		Need definition of tethering	<i>Suggested Definition: Tethering</i> means securing of an animal to an anchor point to confine it to a desired area for an extended period of time	No change: Advice will be provided to assist the community to better understand their obligations under the Regulations	1
Sheep overgrown wool	Part 2, Division 1,	Change wording to remove following text: 'or more than 250mm (whichever is shorter)' to align with national sheep standards	Remove reference to 250mm to align with national sheep standards	No change: The inclusions of a defined measurement has been retained. It provides clarity to sheep owners regarding the Regulation and enables the use of infringement notices for this offence	1

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	Regulation 8(1)	Need provision around winter-shearing of sheep without adequate shelter		No change: The <i>Prevention of Cruelty to Animals Act 1986</i> already requires that a person provide proper and sufficient shelter	1
Mulesing	Part 2, Division 1, Regulation 8(2)	Greater regulation or a ban is required for mulesing. Alternative methods to prevent fly-strike and avoid breech modification and the need for pain relief should be investigated		No change: The Regulation is evidence-based and improves animal welfare. The Regulations do not impact on research into alternative methods to prevent flystrike of sheep	386
		Concerns over timing and duration of pain relief, including before and after mulesing procedure		No change: The Regulation is evidence-based and improves animal welfare	341
		Disagreement with proposed regulation, including that pain relief is unnecessary or overly costly		No change: The Regulation is evidence-based and improves animal welfare. Research has demonstrated that pain from the procedure is reduced with the administration of pain relief	39
		Mulesing is necessary / effective / not painful / better alternative to flystrike		No change: Mulesing is still permitted. The Regulation is evidence-based and improves animal welfare	19
		Change mulesing definition	Just apply to 'surgical mulesing' / to match national Standards and Guidelines definition for mulesing	Change: The Regulation has been amended to exactly match the Australian Animal Welfare Standards and Guidelines for Sheep	16
		Disagree with the delay in start of the Regulation	Immediate commencing of the Regulation	Change: A transition period of 6 months has been included in the Regulations to allow sufficient time for community to understand the new requirements and prepare for implementation	14
		Need minimum 5 months delay for farmer adjustment	Delay start for at least 5 months	Change: A transition period of 6 months has been included in the Regulations to allow sufficient time for community to understand the new requirements and prepare for implementation	1
Animal fighting implements	Part 2, Division 1, Regulation 9	Ban implements for training to fight/ Ban breeding and sale of animals for fighting	Amend 9(3) to expand to include breeding and sale of animals for fighting	No change: It would be more appropriate for these activities to be considered by future amendments to existing provisions under the <i>Prevention of Cruelty to Animals Act 1986</i>	2
		Need provision to prevent animals being used as bait		No change: This activity is covered by provisions under the <i>Prevention of Cruelty to Animals Act 1986</i>	1
Twisted horse bits	Part 2, Division 1, Regulation 10	Mouthpiece should be moulded to suit each individual horse		No change: The longstanding prohibition of twisted mouthpieces was retained	1
Pronged collars	Part 2, Division 1, Regulation 11	Useful training tool when used correctly		No change: The longstanding prohibition of prong collars was retained	20
		Disagree with ban, should be allowed. Pronged collars are less aversive than chain/choke collars		No change: The longstanding prohibition of prong collars was retained	14
		Should allow use by police / professional or suitably qualified person / with education		No change: The longstanding prohibition of prong collars was retained	10
		Ban check/choke collars, citronella collars, high-pitched sound collars/martingale collars/flexi, or retractable, leads		No change: The banning of this equipment is outside the scope of the review of the Regulations.	1
Oxy-LPG devices	Part 2, Division 1, Regulation 12	No need to empty or check warrens first – limits operational scope		No change: The proposed provision is evidence-based and addresses animal welfare concerns	8
		Ban Oxy-LPG devices: including, find an alternative due to potential for devices to be inhumane for larger burrows		No change: The proposed provision is evidence-based and addresses animal welfare concerns	8
		'All reasonable efforts' needs definition		No change: The interpretation of 'all reasonable effort's' will vary due to circumstance. It will be the operator's responsibility to use methods that can withstand independent scrutiny and assessment under each specific situation	3
		OK to use if by trained personnel / as integrated approach		No change: The Regulation, to restrict use to warrens where every effort has been made to empty it of live rabbits first, reduces animal welfare risks	2
		Include definition of 'burrow' with the term 'warren'	Include definition of 'burrow' with the term 'warren'	Change: The Regulation has been amended to include the term burrow	1

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Higher penalties - general offences	Part 2, Division 1	Different animal groups need separate regulations (e.g. domestic animals v livestock)/Livestock need better protection		No change: The complexity of the animal welfare space requires the Regulations to cover a wide range of species and activities	3
		Regulations are inconsistent. Banning some activities, but condoning others that may be cruel.		No change: The complexity of the animal welfare space requires the Regulations to cover a wide range of activities	3
		Penalties should be higher	Increase penalties	No change: The <i>Prevention of Cruelty to Animals Act 1986</i> sets a maximum penalty of 20 penalty units for offences in the Regulations	1
		Over-regulation for farmers		No change: The complexity of the animal welfare space requires the Regulations to cover a wide range of species and activities	1
		Provisions are too wide-ranging		No change: The complexity of the animal welfare space requires the Regulations to cover a wide range of species and activities	1
Fruit tree netting	Part 2, Division 2, Regulation 13	Disagree – unnecessary regulation / reason not specified/phase-in regulation		Change: Commencement of netting requirements will be September 2021. This will allow time for gardeners to plan for a changeover of netting and to utilise existing netting. Education campaigns have been trialled and have not reduced the number of entanglement incidents	110
		Small netting size (5mm) will stop pollinators and environmental pest-control (lady-bugs etc) accessing plants	Increase max hole diameter to 10 mm Increase max hole diameter to 8mm when stretched	No change: Queen excluders used in hives are smaller in diameter than 5mm. There are options that household fruit growers can implement to allow access to bees if netting is restricting access	67
		Concerns over proposal for white netting – colour makes no difference/ is unsightly / will deteriorate more quickly (lower UV stability)/affects plant micro-climate		Change: The Regulations have been amended to remove the restriction to white coloured netting	58
		A taut netting structure is more important than netting type	Education/regulation for taut enclosures instead of regulation of net type	No change: Advice will be provided around time of implementation of this Regulation on how to best manage responsible use of netting	54
		Prefer another RIS option – option not specified		Change: The Regulations have been amended to reflect feedback received. This includes the removal of Regulations regarding net colour and strand size	47
		Costly to replace existing nets		Change: Commencement of netting requirements will be September 2021. This will allow time for gardeners to plan for a changeover of netting and to utilise existing netting	28
		No issues with netting so far/should have freedom to use netting of choice	Include exemptions for small pieces of netting when less than 400 sq cm and used to cover ground, not shrouding plants	No change: Requirement for 5mm aperture reduces risk of wildlife entanglement. Education campaigns have been trialled and have not reduced the number of entanglement incidents.	26
		Restrictions should also apply to commercial producers also		No change: Wildlife rescuers advise that the majority of entanglements and rescues occur in backyard situations	17
		Concerns over practicality of 5mm x 5mm mesh-size	Increase max hole size to 10-15 mm	No change: A larger netting aperture increases the risk of bats and other wildlife becoming entangled	16
		Disposal of nets will be environmentally unfriendly		Change: Commencement of netting requirements will be September 2021. This will allow time for gardeners to plan for a changeover of netting and to utilise existing netting	10
		Ban use of fruit tree netting – cruel to animals		No change: The Regulation of netting minimises the welfare impacts to animals while enabling gardeners to protect fruit from wildlife	10
		Strand diameter is more important than colour/diameter. Cheap plastic or superfine netting should be banned as it is deadly to reptiles Oppose 500 microns netting requirement - not commercially available / excludes insect netting	100 micron preferred – allows inclusion of insect netting Remove strand width specification	Change: The Regulation for strand size has been removed. Requirement for 5mm aperture reduces risk of entanglement of wildlife	7
Risk to biosecurity. Prevents protection from/risks current efforts to prevent QLD fruit fly		Change: The Regulations have been amended to reflect feedback. This includes the removal of Regulations regarding net colour and strand size. The provision will not prevent the setting of traps to monitor for Queensland Fruit Fly	6		

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		More regulation required around sale instructions for netting products and the monitoring of use.		No change: Advice will be provided around time of implementation of this Regulation on how to best manage responsible sale and use of netting	5
		Require definition of 'fruit tree' and 'household' needed		No change: The Regulations apply to a number of fruiting plants. Advice will be provided regarding the interpretation of household as part of the implementation of the provisions	2
		Ag Vic advised use of existing nets in Greater Sunraysia Pest Free area	Exempt Greater Sunraysia Pest Free area	Change: Commencement of netting requirements will be September 2021. This will allow time for gardeners to plan for a changeover of netting and to utilise existing netting	1
		No assessment provided of Charter of Human Rights on affected people		No change: A human rights assessment was undertaken and did not identify any impact from the proposal to regulate netting	1
Electronic devices (other than collars)	Part 2, Division 3, Regulations 14-23	Electronic devices – including, electro-ejaculators, electronic prodders, electrocution traps, electronic stunning devices – increase distress, are cruel, and should be banned	Ban these devices	No change: The Regulations minimise animal welfare impacts regarding use of electronic devices	388
		Electronic prodders and other electronic devices are over-used	Regulate against over-use and excessive use	No change: The Regulations minimise animal welfare impacts for use of electronic devices, including an offence for using an electronic prodder excessively	58
		Ban or increase regulation of all electronic prodders	Make all electronic prodders illegal, increase regulation of use for specific species, and rodeos	No change: Regulations align with the standards for prodder use in endorsed Australian Animal Welfare Standards and Guidelines for Land Transport of Livestock	44
		Ban or increase regulation of electronic prodders, specifically for pigs	Rethink introduction of regulation allowing use of electronic prodders on pigs	No change: This was introduced to align the Regulations with the Australian Animal Welfare Standards and Guidelines for the Transport of Livestock	24
		Opposed to any aversive/ pain/ shock – based methods to change animal behaviour. Other effective methods are available	Ban all electronic devices	No change: The Regulations minimise animal welfare impacts regarding use of electronic devices	21
		Electronic prodders are necessary and should be allowed	Allow continued use of electronic prodders	No change: The use of prodders are allowed under specific conditions to minimise animal welfare impacts. The Regulations align with the Australian Animal Welfare Standards and Guidelines for Land Transport of Livestock	5
		Electrocution traps are cruel and should be banned	Ban availability of electrocution traps	No change: The Regulations require that these traps humanely destroy animals captured	3
		Definition of 'therapeutic use' needed, or remove reg 15	Remove regulation 15 to prohibit electronic devices for therapeutic use	Change: The Regulations have been amended to clarify intention for the use of electronic devices that are designed to provide a therapeutic effect	1
		16(b)(ii) Reword to refer to animal being contained	Reword to: '...harm or kill an animal of the kind being contained'	No change: The Regulation considers other animals, such as wildlife, that may come in contact with an electric fence	1
		Restrict use of electronic ejaculators	20 Allow use only under general anaesthesia and only by a vet for breeding purposes	No change: The Regulations minimise animal welfare impacts for use of electronic devices	1
Electronic collars	Part 2, Division 3, Regulation 24 -30	Containment collars keep dogs and cats safe	Allow continued use containment electronic collars	No Change: The Regulation allowing the use of containment collars under prescribed conditions is retained	342
		Electronic collars have a role to play in dog training including for difficult or aggressive dogs. Allowing the use of electronic collars give dogs greater freedom and a better quality of life Electronic collars protect other species and prevent chasing of wildlife and livestock Electronic collars are a good tool for communicating with dogs, especially with deaf dogs	Allow continued use of electronic collars	Change: The use of electronic collars will be allowed under existing prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	341

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		<p>Electronic collars can be a useful communication tool for owners/handlers who are themselves deaf/mute</p> <p>Electronic collars do not shock dogs, they only deliver a mild stimulus/sensation/tickle</p> <p>A ban on electronic collars will impact businesses</p> <p>There is a lack of evidence for a ban/ please do not ban/ electronic collars are not cruel</p> <p>The proposals in the draft are 'over-regulation'/ just 'revenue-raising'/inconsistent regulation/too costly</p>			
		Remote training and anti-bark collars are useful training tool to stop barking and improve management of dogs, relationships with neighbours and rest of society	Allow continued use of remote-training and anti-bark electronic collars	Change: The use of remote training collars and anti-bark collars will continue to be allowed under prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	205
		A ban will increase the risks of harm to dogs, including an increase in poor behaviour, risk of snake bite etc	Allow continued use of remote-training collars	Change: The use of remote training collars will continue to be allowed under prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the Prevention of Cruelty to Animals Regulations 2008	147
		Prefer RIS Option 1	Retain regulatory <i>status quo</i> , as per the POCTA Regulations 2008	Change: The use of electronic collars will be allowed under existing prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	139
		Electronic collars are a safe training method, especially if training is done under supervision of a professional	Allow training of dogs with remote-training and anti-bark collars under the supervision of a qualified dog trainer or a veterinary practitioner	Change: The use of remote training collars and anti-bark collars will continue to be allowed under prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	124
		<p>Electronic collars are cruel</p> <p>Electronic collars work through 'fear'</p> <p>Electronic collars have led to more behaviour problems that have resulted in euthanasia</p> <p>Electronic collars are easy to mis-use. Seen as a quick-fix, but can cause more behavioural and associated welfare problems</p> <p>Do not allow any exemptions for electronic collars – not even Victoria Police/Australian Defence Force/therapeutic use</p>	Ban electronic collars	Change: Significant feedback was received supporting the continued use of electronic collars under a range of circumstances. Use of remote-training and anti-bark electronic collars will be retained, under existing prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	81
		Allow use of electronic collars with greater regulation and monitoring, or a permit system	Allow continued use of electronic collars, but with more regulation, including checks-and-balances	Change: The use of remote training collars and anti-bark collars will continue to be allowed under prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	35
		Allow use of electronic collars for hunting dogs and farm working dogs	Allow continued use of electronic collars for hunting dogs and farm working dogs	Change: The use of remote training collars and anti-bark collars will be allowed under existing prescribed that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	25
		If electronic collars can be used by Victoria Police, The Australian Police Force and the Australian Defence Force, they should also be available for use by the public.	Allow continued use of remote-training and anti-bark electronic collars	Change: The use of remote training collars and anti-bark collars will continue to be allowed under prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	24
		A ban on electronic collars addresses the tool not the behaviour – need more education and less regulation	Create opportunities to educate the Victorian community on how to use electronic collars more responsibly, and	Change: The use of remote training collars and anti-bark collars will continue to be allowed under prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	22

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			also the benefits from the use of electronic collars		
		Increase education, monitoring, and enforcement around use of electronic collars – cannot rely on people doing the ‘right thing’ Electronic collars are only appropriate for non-harmful use. Any exceptions or permitted use must be made clear.	Allow use of electronic collars under stricter control	Change: The use of electronic collars will continue to be allowed under prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	22
		There is a lack of formal training opportunities in Australia for the dog-trainers to be suitably trained in the use of electronic collars, so that there is an accredited qualification	Enable more formal training opportunities/courses to allow more trainers to become an ‘accredited trainer’	No change: The definition of a qualified dog trainer as having completed a qualification approved by the Minister has been retained. This definition will also apply to remote training and anti-bark collar use	11
		Prefer RIS Option 2	Allow use of electronic collars under stricter control	Change: The use of electronic collars will be allowed under existing prescribed conditions that are designed to minimise animal welfare impacts. These conditions reflect the requirements in the current Prevention of Cruelty to Animals Regulations 2008	3
		Electronic collar definition needs to clearly identify that it only refers to electronic collars that shock		No change: The definition of electronic collars is retained. It defines an electronic collar as one which is capable of imparting an electric shock to an animal	3
		Ban the sale of ‘cheap’ versions of electronic collars	Apply quality-control on permitted types of electronic collars that can be used	No Change: The Regulations will require the design and technical specification of electronic collars to comply with standards approved by the Minister have been retained. These standards will also apply to remote training and anti-bark collars	2
		Containment collars - remove ‘competent trainer’ – limit to vet and qualified dog trainers	27(2) Remove ‘competent trainer’	No change: The Regulation to allow use of containment collars under existing prescribed conditions is retained and requires use under supervision of vet or qualified dog trainer	2
		Containment systems, using electronic collars, do not allow dogs to escape any threat within the contained area	Ban electronic containment collars	No change: The Regulation allowing the use of containment collars under prescribed conditions is retained	1
		Allow e-collars for windsucking horses		No change: The longstanding prohibition of electronic collars for horses was retained	1
Traps	Part 3, Divisions 1-11, Regulations 31-69	Object to permitted check time, including 72 hours - inhumane		No change: With the support of the Department of Environment, Land, Water and Planning the Regulation that allows the Victorian Wild Dog Program to employ a trap-check interval of up to 72 hours will be phased out by December 2024	409
		Trapping is cruel, stressful, inhumane		No change: The use of traps under prescribed conditions to manage animal welfare risks has been retained	405
		Allow use of leghold traps for cats under permit only, with conditions enabling exemptions for specifics to cats	Leghold traps for cats under permit with conditions for exemptions eg modern rubber padding, check time frequency, placement locations, where control is feasible and effective	Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	71
		Need soft leg hold traps for feral cats		Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	56
		Need traps for cats to protect native wildlife/ threatened species		Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	49
		Oppose proposal to require cage-caught cats to be transported to a shelter for euthanasia, for unincorporated localities (eg French Island)	Retain existing provision in 2008 Regulations enabling cat to be returned to owner	No change: A Ministerial process required for unincorporated areas as there is no council in these areas to manage owned and stray dogs and cats that may be trapped	34
		Minister could approve the use of soft leg hold traps for cats, on case by case basis		Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	32
		Traps needed to eradicate cats for French Island		Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	31
		Need traps to manage feral cats as well as other pests		Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	27

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		Ban all traps (trap unspecified), inhumane		No change: The use of traps under prescribed conditions to manage animal welfare risks has been retained	26
		Ban leghold traps (for rabbits/foxes/all animals)		No change: The use of traps under prescribed conditions to manage animal welfare risks has been retained	26
		Traps are needed – research/ control pests/ food source/ insects/ prevent damage to livestock		No change: The use of traps under prescribed conditions to manage animal welfare risks has been retained	18
		Check time should be less than 24 hours (2 hours/8hours/by camera)		No change: The use of traps under prescribed conditions to manage animal welfare risks has been retained. Check times are based on best practice for each type of trap	17
		Ban other traps (includes net/ electrocution/ lethal/ non-lethal/ humane only/ all other than confinement)		No change: The use of traps under prescribed conditions to manage animal welfare risks has been retained	17
		Ban glue traps		No change: The ban on sale, setting or use of glue traps except for the purposes of capturing insects has been retained	15
		Don't ban glue traps – no viable alternative/ health and cost implications		No change: The ban on sale, setting or use of glue traps except for the purposes of capturing insects has been retained	3
		Glue traps must be specifically designed for insects so that they cannot trap mammals		No change: The ban on sale, setting or use of glue traps except for the purposes of capturing insects has been retained. The glue trap design for insects must prevent any animal contacting the adhesive surface or being captured by the trap	5
		Object to traps - capture non-target species/ dangerous		No change: The use of traps under prescribed conditions to manage animal welfare risks has been retained	7
		Allow leghold trap setting on Crown Land for feral cats by land manager/delegate	Amend Reg 32 to allow small leghold traps to be set on Crown Land by land manager or delegate	Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced. This will allow trapping on crown land under an approval	4
		Should not prohibit drowning for rodent traps (during plague)		No change: As drowning is not a humane death, the prohibition on use of drowning has been retained	3
		Allow leghold trapping of cats as integrated best practice management, as defined (add definition)		Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	2
		More criteria/justification needed for non-kill snare traps	Include in 53(1)(b) and (2) additional details to determine criteria and justification for non-kill snare trap use	No change: An approval process is in place to manage risks such as animal welfare, public safety and management of off target species	2
		Draft additional regulation so as to allow use of new technology as it becomes available		No change: Consideration of the use of new trapping technology can be managed as it arises	2
		Allow leghold trapping of cats as integrated best practice management, as defined (add definition)		Change: A Regulation for Ministerial approval for use of leghold traps for feral cats, where declared, has been introduced	2
		Remove Regulations 66-68 (Minister approval for unincorporated area – managing dogs and cats)		No change: A Ministerial process is required for unincorporated areas as there is no council in these areas to manage owned and stray dogs and cats that may be trapped	1
		Don't allow leg hold traps for cats		Change: A ministerial approval for use of leghold traps for feral cats, where declared, has been introduced for use in limited circumstances, such as where eradication is achievable	1
Rodeos	Part 4, Regulations 70-105	Ban/disagree with rodeos – cruel/inhumane/ stressful to animals/ cause injury and death to animals		No change: Banning rodeos is outside the scope of these Regulations. It requires an amendment to the <i>Prevention of Cruelty to Animals Act 1986</i>	455
		Support Animal Welfare Plan – with proper compliance enforcement		No change: The <i>Prevention of Cruelty to Animals Act 1986</i> allows for compliance action to be undertaken where required	37
		Regulation of rodeo's is not necessary. There is enough regulation already / it is unnecessary regulation / rodeos are not cruel to animals / contractors already protect their animals		No change: The longstanding Regulations for rodeos have been retained. This allows for rodeos to be conducted under strict conditions to minimise animal welfare risks	20
		Prefer another RIS option - unspecified		No change: The regulatory option presented in the RIS as 'Option 2' has been retained. Submitters did not provide advice on which other option they preferred or evidence to support a change to another option	18

POCTA Regulation title	Part/ Division/ Regulation number	Issues raised in submissions	Submission feedback / suggested change	Departmental response / resulting change	Approx Number of comments
		Object to brumby catch event / exemption		No change: The Regulation to allow the operation of a brumby catch event under prescribed conditions has been retained. This change limits the conduct of brumby catch to one annual event	14
		Objection to use of specific types of equipment in rodeos - use of/tightening flank straps / use of spurs / electric prodders		No change: The Regulations relating to equipment used in rodeos have been designed to minimise animal welfare impacts	12
		Stronger regulation of rodeos required including roping		No change: The longstanding Regulations for rodeos have been retained, including the prohibition on roping of young animals. This ensures rodeos are conducted under strict conditions to minimise animal welfare risks	6
		Regulation of rodeos has a significant regulatory burden, especially the administration required before, during and after an event		No change: The longstanding Regulations for rodeos have been retained. This allows for rodeos to be conducted under strict conditions to minimise animal welfare risks	5
		Remove fees for licences and permits		No change: It is government policy to recover costs associated with licences and permits based on an assessment of work involved. An assessment of the number of fee units to be applied to a given activity was undertaken as part of the making of the Regulations	4
		Animal Welfare Plans should include detail on care of each species on the rodeo day before and after the rodeo, and contingency for adverse incidents and events		No change: The Regulations relating to rodeo conditions have been retained. These have been developed with the intent to minimise animal welfare risks	3
		Increase fees for licences and permits		No change: It is government policy to recover costs associated with licences and permits based on an assessment of work involved. An assessment of the number of fee units to be applied to a given activity was undertaken as part of the making of the Regulations	2
		Add regulation to enable restriction of rodeo events in extreme weather events		No change: The Regulations allowing flexibility for operators to alter times for rodeos have been retained, allowing for start and finish times to be moved to avoid extremes of weather	1
		Repeat use of animals – limit to max 2 events per animal per day, with 3 hour break between uses	84(1) Limit animal use to max 2 events per day, with 3 hours in between	No change: The Regulation relating to number of times an animal can be used in a rodeo has been retained. This will be monitored through veterinary reports	1
		Transport of injured rodeo animals should be consistent with reg 6(6) transport provisions	88(2) reword to include the same requirements as reg 6(6) for farm animals i.e. not have rodeos exempted	No change: Regulation 6(6) also applies to transport of rodeo animals	1
		Prefer another RIS option – Option 2		No change: The regulatory option presented in the RIS as 'Option 2' has been retained	1
Scientific Procedures	Part 5, Divisions 1 – 4, Regulations 106-147	Opposed to scientific procedures		No change: It is outside the scope of the Regulations to ban scientific procedures, as this activity is permitted under the <i>Prevention of Cruelty to Animals Act 1986</i>	60
		Supports AEC training with reservations		No change: Under the Australian Code for the Care and Use of Animals for Scientific Procedures organisations are required to provide AEC members with access to appropriate education programs that allow them to fulfil their functions. The provisions for mandatory training for new AEC members will enable this obligation	27
		Scientific procedure okay only if necessary / under certain conditions		No change: The Regulations prescribing the manner in which scientific procedures are conducted have been retained	22
		Less regulation		No change: The longstanding Regulations prescribing the manner in which scientific procedures are conducted in Victoria have been retained. They are designed to ensure animal welfare is appropriately considered while still enabling essential research to occur	17
		Regulation need to be stronger		No change: The longstanding Regulations prescribing the manner in which scientific procedures are conducted in Victoria have been retained. They are designed to ensure animal welfare is appropriately considered while still enabling essential research to occur	6
		Pound animal use is okay since they are going to be euthanised anyway		No change: The Regulations prevent a person from procuring an animal from, or using an animal obtained from, an animal pound or shelter for scientific procedures unless specific conditions are met.	5
		Commercial/ wild bred animals should be permitted for use in scientific procedures		No change: The Regulations relating to specified animal breeding licences apply to the commercial production of mice, rats, guinea pigs, rabbits and non-human primates for use in research projects. The use of wild bred animals is permitted	4

POCTA Regulation title	Part/ Division/ Regulation number	Issues raised in submissions	Submission feedback / suggested change	Departmental response / resulting change	Approx Number of comments
		Concern about penalty system for code breach/ unintentional/singular events		No change: Penalty system is fit-for-purpose in current format. The prescribed penalties are not mandatory, rather they are maximum applicable penalties, appropriate for serious offences	3
		Notification of AEC membership change is administratively burdensome		No change: This Regulation is acceptable to the majority of stakeholder and ensures the integrity of the AEC system	2
		Definition of animal not specified in Regs		No change: The term 'animal' is defined in the <i>Prevention of Cruelty to Animals Act 1986</i> , so it is unnecessary to include in the regulations	2
		Concern that people with a male and a female bird need to register as breeding establishment		No change: The Regulations relating to specified animal breeding licences apply to the commercial production of mice, rats, guinea pigs, rabbits and non-human primates for use in research projects. Breeding of pet and hobby birds is not subject to this Part of the regulations	1
		Concern about Animal Ethics Committee (AEC) training cost, service provision, required refreshers		No change: Under the Australian Code for the Care and Use of Animals for Scientific Procedures organisations are required to provide AEC members with access to appropriate education programs that allow them to fulfil their functions. The provisions for mandatory training for new AEC members will enable this obligation	1