

14th July 2021
Kim Filmer
Chief Animal Welfare Officer
NSW Department of Primary Industries.

Dear Kim,

RE: Feedback for Code of Practice of Breeding Dogs and Cats - 2021

Animal Care Australia would like to thank you for the opportunity to provide feedback on issues and concerns raised by the recent dog audits and the inconsistencies within the current NSW Code of Practice for Breeding Dogs & Cats.

We also wish to thank you for the meeting with yourself and Liz Fenwick held on 30th June 2021.

During that meeting we highlighted a number of points relating to our understanding of the primary cause of the many complaints and issues resulting from the audits, with the acknowledgement that mis-interpretation of the intent of the Code has led to this current scenario.

It should be noted there is a difference between INTENT and INTERPRETATION.

While we acknowledge some of that misinterpretation has derived from breeders, it is our contention the primary issue is with the Inspectorate carrying out the audits.

As discussed, many of the instructions issued by the Inspectorate were verbal with little to no explanation included in the written directives. This led to multiple cases of one person's word against that of the other. This was highlighted by many scenarios where Breeders Associations' requests to sight film or copies of written directives were not forthcoming, and written notices only stated the Standard that had been breached with no detailed instructions, with film of the inspection withheld or unavailable. This failure to provide satisfactory written directives must be changed immediately otherwise this revision of the COP will be to no avail.

During Budget Estimates the Minister was challenged about the 'intent' of the audits and within his response noted that the Inspectorate (or certain individuals) had indeed gone 'rogue' thereby ignoring the INTENT of both the audits and the Code.

It is with this in mind that ACA strongly recommends:

1. The general guiding principle (INTENT) for inspectors should be – if animals are observed to be in good condition and good spirit then there is no problem. It is only when a welfare concern is observed that Standards (and laws) are required. These Standards (and laws) then support the inspector to resolve/improve the welfare issue of concern.
2. Those enforcing the Code must use professional judgement (and common sense) when deciding whether to progress breaches of any Standard (or law). They must not simply tick boxes blindly without considering the big welfare picture.
3. The system of recording breaches MUST include a full description of the breach (not just quoting the reference to the Standard) along with full documentation of the instructions issued to remedy said breach and this MUST be accompanied with either film or photographic proof of the breach. The failure by an inspector to provide stated written instructions and imagery of the breach would instantly provide grounds for dismissal of the Notice and Breach – thereby avoiding MISINTERPRETATION.

The Chief Inspector and the CEO of RSPCA NSW have both stated in testimony to Inquiries that they support the call to be held accountable and transparent – this now provides them with the opportunity to stand true to that testimony.

During our recent meeting with you it was mentioned that another stakeholder believed the COP was suitable to their organisation if a few alterations were made to clarify some ambiguities. It should be noted that not all dog breeders are members of breeding associations, in fact statistics show many dog owners generally own a couple of dogs who may breed on an irregular basis. This highlights the need to ensure a COP is suited and structured to cater for ALL dog owners and not just those of major breeding associations.

At your suggestion, ACA has revised the Standards & Guidelines document – please see the attached amended version that incorporates our suggestions from the Feedback Table.

ACA acknowledges the current revision is intended to act in an interim basis until a full review can be completed later during the Animal Welfare Action Plan (2023-2024). It is our intention to recommend this COP be completely replaced during that process with a COP that is suited to all dog owners, and is centred around protecting the welfare of the animals – particularly identifying the specific needs of different breeds – while moving away from providing Standards that have no direct impact on animal welfare and appear to be ‘compliance-focussed’.

ACA highlights this Revision of the COP does not address other concerns relating to the RSPCA Inspectorate viewing all breeders as ‘commercial-entities’ and hence, under POCTAA s.24G, their homes are open to inspections without owner permission or notification. We look forward to resolving this significant issue as the new Act and Regulations is developed.

We thank you again for the opportunity to provide feedback and look forward to further consultation. Should you have any questions please do not hesitate to contact us.

Kind regards,

A handwritten signature in black ink that reads "M Donnelly". The signature is written in a cursive style with a long, sweeping underline.

Michael Donnelly
President, Animal Care Australia.
0400 323 843

Animal Welfare Code of Practice – Breeding dogs and cats

In June 2021, the NSW Parliament passed the [Prevention of Cruelty to Animals Amendment Act 2021](#) which made several important changes to the *Prevention of Cruelty to Animals Act 1979* (POCTAA).

It also called for a revision of the [Animal Welfare Code of Practice – Breeding dogs and cats](#) to be published by 31 August 2021.

Over the last few months, the Department has heard from stakeholders that some Standards within the Breeding Code have caused confusion.

The Department is focusing the revision of the Code on these **key areas** of concern as raised by **the majority** of stakeholders.

Stakeholder input is an important part of the revision process and the Department has designed the following submission to help capture stakeholder views.

SUBMISSION INSTRUCTIONS

1. Please read the attached PDF *Animal Welfare Code of Practice – Breeding dogs and cats*, then use the table below to provide your feedback.
2. The Department is seeking one consolidated feedback table from each stakeholder group.
3. Submit your feedback by **Wednesday July 14th** by emailing this form to animal.welfare@dpi.nsw.gov.au

Thank you for your interest in the welfare of breeding dogs and cats in NSW.

FEEDBACK TABLE

Stakeholder group name: ANIMAL CARE AUSTRALIA

Stakeholder group primary contact: MICHAEL DONNELLY – PRESIDENT – 0400 323 843 president@animalcareaustralia.org.au

Submission date: 14th July 2021

Issue area	Stakeholder group feedback
<p>6.1.1.6 Fence height Feedback that 180cm fence height for dogs in pens is not appropriate for all breed sizes, and that there was no definition for enclosure.</p>	<p>ACA strongly recommends the removal of this Standard and replaced with: “Enclosures must meet the minimum 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.” Tables 1 and 2 must have height columns removed.</p> <p>The welfare concern of protecting a dog or cat from escape or from invading dogs and cats is satisfactorily met by the definition and requirements of an ‘enclosure’ (see Appendix A for our recommended definition and outline for an ‘Enclosure’)</p>
<p>8.2.1.6 Vaccination requirements Feedback that these no longer reflect best practice.</p>	<p>This Standard along with 8.2.1.10 and 8.2.1.11 should be merged to read as follows: “Breeding dogs/cats require suitable vaccination including heartworm as per veterinary standards and other preventative measures including parasitic prevention through preventative treatments.”</p>
<p>5.1.1 Record keeping Feedback that requirements indicate record keeping has to be paper based.</p>	<p>This Standard to be read as follows: “For the purpose of these standards, records may be either paper-based or in electronic form or both. The following information must be recorded relating to each dog or cat housed:”</p>
<p>5.1.1 Record keeping Feedback that responsibilities in guardianship situations are not captured.</p>	<p>This section to be added to the Standard to cover ‘guardianship’ “Records must be kept by the person who is responsible for the animal during the period it is in guardianship. Records must include:</p> <ul style="list-style-type: none"> • the name, address and telephone number of the person from whom the animal is leased or consigned • the name and telephone number of the veterinarian who normally attends the animal (if requested by the person from whom the animal is being leased or consigned).“

	See Appendix A for definition of guardianship.
5.1.5 Emergency evacuation procedures Feedback that these need to be on display.	This Standard to be re-worded as follows: “Person in charge must be familiar with and able to vocalise the procedure of the swift removal of the animals in the case of an emergency.”
6.1.1.11 Biosecurity measures Feedback that isolation area requirements were causing confusion.	This Standard to be re-worded as: “An isolation area must be available either at the premises or at a veterinary hospital, and the person in charge must be able to explain the procedure for mitigating spread of disease.”
6.3.1.5 Fire extinguishers Feedback that chemical fire extinguishers are required at all facilities.	This Standard to be re-worded as: “Person in charge must be able to vocalise the procedure for dealing with a fire”
7.3.1 Cleaning and disinfection Feedback that cleaning and disinfection requirements were causing confusion.	This Section of Standards to be replaced with: 7.3.1.1 Animal enclosures must be cleaned and maintained to a level that ensures the health and welfare of the animals 7.3.1.2 Animal enclosures must be cleaned and disinfected before new animals are introduced or before whelping or kitting 7.3.1.3 Bedding and environmental enrichment items must be cleaned, changed or discarded if soiled with faeces or other organic matter. 7.3.1.4 Preparation and storage areas, containers, utensils and other equipment used in the preparation and provision of food must be maintained in a hygienic state. 7.3.1.5 If an animal is known or suspected to be suffering a disease or infection which is likely to harm other animals, its housing, including bedding must be discarded and replaced; and its enclosure/exercise yards must be disinfected and decontaminated 7.3.1.6 Litter trays must be checked, scooped and replenished daily 7.3.1.7 Litter trays that are saturated with urine must be changed immediately
8.2.1.10 Heartworm protection Feedback that heartworm requirements were not risk based.	This Standard removed and merged into 8.2.1.6 as outlined above.

<p>8.2.1.2 Veterinarian's phone number Feedback that display requirements were causing confusion.</p>	<p>This Standard to be re-worded as: "Veterinary details of relevant practitioner must be able to be accessed/provided upon request – whether electronically or as a paper record"</p>
<p>Use of 'staff' Feedback that use of 'staff' as a descriptor throughout the code has caused confusion.</p>	<p>ACA strongly recommends the removal of the word 'staff' and all Standards replaced with 'person in charge' ACA strongly suggests the removal of 'facility' and all Standards replaced with 'premise/premises'</p> <p>See Appendix A for further information.</p>
<p>Anything else your stakeholder group would like to raise?</p>	<p>In relation to cats. Standard 6.1.1.10 to be re-worded as: "Each confined cat must be provided with a litter tray appropriate to the breed of cat, and which contains a sufficient depth of material such as commercial cat litter, sawdust, shavings, sand or shredded paper."</p>

Appendix A:

Definitions:

Enclosure means a cage, pen, cattery or similar used to confine an animal – excludes transport/carrier cage and vehicles.

Facility means a property, premises or part thereof which can include a shop, an animal shelter, a boarding establishment, or a breeding establishment and does not include a temporary public venue and private residences.

Lessee means the person in the possession of an animal that is held under breeders terms, guardianship, contract, lease or on consignment.

Leased means an animal that is held under breeders terms, guardianship, contract, lease or on consignment.

Person in charge means the owner, the person(s) 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 a family member or friend of the owner, or in a facility; the manager or staff of a facility, or volunteers.

Premises means any place 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 house or building, together with its land and outbuildings, or a vehicle used for the transportation of animals

Records means data recorded either by electronic methods or on paper

ENCLOSURE

Further outline for an enclosure:

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 Premises must have a continuous water supply, adequate to meet the daily requirements of the dog and cats held.

6.1.1.3 Enclosures must be designed and maintained to meet the health, physical and behavioural requirements of the breed held. 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.

6.1.1.4 Animals kept either in groups or individually must have space to feed, sleep, sit, stand, lie with limbs extended, stretch and move around.

6.1.1.5 Enclosures must be designed to prevent escape and provide safety from other dogs and cats.

6.1.1.6 Dog enclosure heights must be appropriate to accommodate the size and needs of the breed being housed.

6.1.1.7 Cat enclosures should be fully enclosed with the size being appropriate/comparable to accommodate the needs of the breed being housed.

6.1.1.8 Enclosures must meet the minimum 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

6.1.1.9 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.

6.1.1.10 Dogs and cats must not be in extended contact with wet floors.

6.1.1.11 Each cat must be provided with a suitable box in which to hide or sleep.

6.1.1.12 All sleeping areas 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.

6.1.1.13 Each confined cat must be provided with a litter tray appropriate to the breed of cat, and which contains a sufficient depth of material such as commercial cat litter, sawdust, shavings, sand or shredded paper.

PROPOSED NSW BREEDING OF DOGS & CATS CODE OF PRACTICE.

Animal Care Australia proposes the following revisions as an **interim** Code of Practice until a full review can be completed as part of the NSW Animal Welfare Action Plan, acknowledged to occur at some point of time within 2023/2024.

Revision submitted to NSW Department of Primary Industries on 14th July 2021.

2.1 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.

Enclosure means a cage, pen, cattery or similar used to confine an animal – excludes transport/carrier cage and vehicles.

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 a property, premises or part thereof which can include a shop, an animal shelter, a boarding establishment, or a breeding establishment and does not include a temporary public venue and private residences.

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

Lessee means the person in the possession of an animal that is held under breeders terms, guardianship, contract, lease or on consignment.

Leased means an animal that is held under breeders terms, guardianship, contract, lease or on consignment.

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, diarrhea, high fever, and dehydration.

Person in charge means the owner, the person(s) 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 a family member or friend of the owner, or in a facility; the manager or staff of the facility, or volunteers.

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

Premises means any place 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 house or building, together with its land and outbuildings, or a vehicle used for the transportation of animals.

Records means data recorded either by electronic methods or on paper.

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 a 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 PERSON/S IN CHARGE

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 is responsible for complying with all enforceable provisions within this Code.

4.1.2 The person in charge 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;
- identifying signs of common diseases of the species kept.

4.1.3 Where trainees and volunteers are employed by a 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 of animals 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:

- **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, and all persons in charge must be able to produce the records.

5.1.4 The person in charge of the premises must be able to provide evidence of the preventative measures in place to control insects, ectoparasites and vertebrate pests. For facilities: this must be documented and 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 The person in charge must be familiar with and able to vocalise the procedure of the swift removal of the animals in the case of an emergency. Facilities must have a documented procedure which 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 ENCLOSURES

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 Premises must have a continuous water supply, adequate to meet the daily requirements of the dog and cats held.

6.1.1.3 Enclosures must be designed and maintained to meet the health, physical and behavioural requirements of the breed held. 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.

6.1.1.4 Animals kept either in groups or individually must have space to feed, sleep, sit, stand, lie with limbs extended, stretch and move around.

6.1.1.5 Enclosures must be designed to prevent escape and provide safety from other dogs and cats.

6.1.1.6 Dog enclosure heights must be appropriate to accommodate the size and needs of the breed being housed.

6.1.1.7 Cat enclosures should be fully enclosed with the size being appropriate/ comparable to accommodate the needs of the breed being housed.

6.1.1.8 Enclosures must meet the minimum 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

6.1.1.9 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.

6.1.1.10 Dogs and cats must not be in extended contact with wet floors.

6.1.1.11 Each cat must be provided with a suitable box in which to hide or sleep.

6.1.1.12 All sleeping areas 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.

6.1.1.13 Each confined cat must be provided with a litter tray appropriate to the breed of cat, and which contains a sufficient depth of material such as commercial cat litter, sawdust, shavings, sand or shredded paper.

Isolation Facilities

6.1.1.14 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.

6.1.1.15 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.

6.1.1.16 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

ANIMALS	Min Floor area (m2)*	Min width (cm)
Puppy/ies (+/- bitch)	3.5	120
1 dog, < 40cm height at shoulder	1.5	90
2 dogs, < 40m height at shoulder	2.5	90
Socially compatible group of dogs, <40cm shoulder, housed in back yard or house	1.5 per animal	-
1 dog, 40-60cm height at shoulder	2.4	90
2 dogs, 40-60cm height at shoulder	3.6	90
Socially compatible group of dogs 40-60cm shoulder height housed in backyard or house	2.4 per animal	-
1 dog, > 60cm height at shoulder	3.5	120
2 dogs, > 60cm height at shoulder	5.2	120
Socially compatible group of dogs, > 60cm shoulder, housed in backyard or house	3.5 per animal	-

* minimum floor area includes the area allocated to bedding.

Table 2: MINIMUM SIZES FOR CAT ENCLOSURES

ANIMALS	Min Floor area (m2)*	Min width (cm)
Kitten/s (+/- queen)	0.8	60
Single cat	0.8	60
Cats (max 2)	0.8	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 sewered 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 enclosure 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).

Note:

Brachycephalic means short-faced.

6.3 SECURITY

6.3.1 Standards

6.3.1.1 Premises must be able to be reasonably secured to prevent access 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 person in charge.

6.3.1.5 Person in charge must be able to vocalise the procedure for dealing with a fire.

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.

7.1.1 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 Enclosures must be cleaned and maintained to a level that ensures the health and welfare of the animals

7.3.1.2 Enclosures must be cleaned and disinfected before new animals are introduced or before whelping or kitting

7.3.1.3 Bedding and environmental enrichment items must be cleaned, changed or discarded if soiled with faeces or other organic matter.

7.3.1.4 Preparation and storage areas, containers, utensils and other equipment used in the preparation and provision of food must be maintained in a hygienic state.

7.3.1.5 If an animal is known or suspected to be suffering a disease or infection which is likely to harm other animals, its housing, including bedding must be discarded and replaced; and its enclosure/exercise yards must be disinfected and decontaminated

7.3.1.6 Litter trays must be checked, scooped and replenished daily

7.3.1.7 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 chloroxyleneols, 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;
- 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 premises 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 Veterinary details of relevant practitioner must be able to be accessed/ provided upon request – whether electronically or as a paper record.

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 a 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 Breeding dogs/cats require suitable vaccination including heartworm as per veterinary standards and other preventative measures including parasitic prevention through preventative treatments.

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.

8.2.2 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 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.

10.1.2 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 or 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.

Note

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