



# Victoria Government Gazette

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## Domestic Animals Act 1994

### AMENDMENT OF THE CODE OF PRACTICE FOR THE MANAGEMENT OF DOGS AND CATS IN SHELTERS AND POUNDS

I, Mary-Anne Thomas, Minister for Agriculture, and Minister responsible for administration of the **Domestic Animals Act 1994**, under section 59 of that Act, amend the Code of Practice for the Management of Dogs and Cats in Shelters and Pounds (notice of the making of which was published in Government Gazette S 207 on 30 June 2011) as set out in this instrument –

#### 1. Objective

The objective of this instrument is to amend the Code of Practice for the Management of Dogs and Cats in Shelters and Pounds.

#### 2. Authorising provision

This instrument is made under section 59 of the **Domestic Animals Act 1994**.

#### 3. Commencement

This instrument comes into operation on 1 January 2023.

#### 4. Definitions

In this instrument –

‘**Code**’ means – the Code of Practice for the Management of Dogs and Cats in Shelters and Pounds, notice of the making of which was published in Government Gazette S 207 on 30 June 2011.

Note: In accordance with section 16F of the **Subordinate Legislation Act 1994**, a consolidated copy of the Code is available at the Department of Jobs, Precincts, & Regions, 1 Spring Street, Melbourne 3000, or <https://agriculture.vic.gov.au>

#### 5. Introduction

In the first paragraph of the Code commencing with ‘This Code of Practice’, for ‘under the provisions of section 59 of Division 4 of’ substitute ‘under section 59 of’.

#### 6. Definitions

In the definition of ‘**Proprietor**’, omit ‘For the purposes of this code’.

#### 7. Handling, treatment and care of animals

(1) In the table in section 2.2 of the Code, for ‘**the Domestic Animals Act 1994**’ substitute ‘the Act’.

(2) In section 2.6 of the Code for the first paragraph commencing with ‘At the conclusion of the statutory period’ substitute –

‘At the conclusion of the statutory period specified in the Act for seized or surrendered animals, animals must be:

- (a) made available for rehoming to a new owner; or
- (b) euthanased because of disease, injury, behaviour, age, unsuitability for sale; or
- (c) placed in appropriate foster care and returned at an appropriate date for rehoming; or
- (d) released under a written agreement to a person or body which operates in accordance with the Act to care for and dispose of the animal, at the discretion of the operations manager or veterinary practitioner.’

(3) In section 2.7.1 of the Code –

- (a) in the second paragraph commencing with ‘Dogs and cats’, for ‘at least’ substitute ‘a minimum of’;

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- (b) in the sixth paragraph commencing with the words ‘All animals must have access’, for ‘mililitres’ substitute ‘millilitres’.
- (4) In section 2.7.4 of the Code, in the fourth paragraph commencing with ‘The type of enrichment’, for ‘could’ substitute ‘may’.
- (5) In section 2.7.5 of the Code –
- (a) in the first paragraph commencing with ‘Exercise areas must’, for ‘animal and a person must’ substitute ‘animal. Staff must’;
- (b) in the second paragraph commencing with ‘The type of exercise’, for ‘could’ substitute ‘may’.
- (6) In section 2.9 of the Code, in the first bullet point commencing with ‘providing prospective buyers’ –
- (a) for ‘Prospective owners should be encouraged’ substitute ‘Encouraging prospective buyers’.
- (b) for ‘prior to acquiring an animal’ substitute ‘prior to acquiring an animal; and’.
- (7) In section 2.10 of the Code, in the fourth paragraph commencing with ‘New owners’, for ‘the pet/s’ substitute ‘the animal’.

## 8. Records

For Chapter 4 of the Code, substitute –

### ‘4.1 Collection and retention of information by proprietor

The proprietor must record the following information and retain these records for a period of not less than five years:

- (a) For animals physically presented at the establishment for admission but not admitted:
- date of presentation
  - reason for the animal’s non-admittance:
    - (a) no capacity;
    - (b) significant or unmanageable health concerns;
    - (c) significant or unmanageable behaviour concerns;
    - (d) animal from another jurisdiction; or
    - (e) other
- (b) For animals handed in by their owners or owner’s agent:
- species of animal
  - name of the animal
  - name of the owner of the animal
  - contact telephone number and address of the owner or owner’s agent
  - reason the animal was handed in.

A description of the animal including:

- sex and whether the animal is desexed
- breed type
- colour
- age
- details of medical, dietary, bathing and grooming requirements
- vaccination status
- heartworm treatment (dogs)

- any behaviour problems
  - any permanent identification.
- (c) For animals seized under the Act:
- species of animal
  - location where animal was seized
  - time and date animal was seized
  - name and address of person who seized the animal (business address of authorised officers or Council contractors)
  - reason why animal was seized.

A description of the animal including:

- sex and whether the animal is desexed
- breed type
- colour
- age
- any injuries noted when seized
- any behaviour problems noted when seized, e.g. aggression
- any permanent identification.

(d) For animals in foster care:

- species of animal
- address where animal is in foster care
- date animal was assessed as requiring foster care
- date animal was taken to foster care
- date animal was returned to establishment
- name, address and telephone number of foster carer
- reason why animal is in foster care.

A description of the animal including:

- sex and whether the animal is desexed
- breed type
- colour
- age
- details of medical, dietary, bathing and grooming requirements
- vaccination status
- heartworm treatment (dogs)
- any behaviour problems
- permanent identification.

(e) Fate of animal – including recovery by owner, rehoming or euthanasia

In the event that the animal is recovered by an owner:

- name and address of person who recovered the animal
- registration status of the animal at time of recovery
- Council registration and microchip number of the animal
- municipal area in which the animal is to be kept.

In the event that the animal is rehomed:

- microchip number and date of implantation
- date Animal Registry Service was notified
- date Council notified that new owner lives in that Council area
- date animal was wormed
- date animal was desexed
- date animal was vaccinated and by whom it was vaccinated.

In the event that the animal is permanently transferred to another establishment or organisation for rehoming:

- date of transfer
- name of establishment or organisation animal transferred to.

In the event that the animal is returned to the establishment after being rehomed:

- date of animal return to establishment
- reason for animal return:
  - (a) change of mind;
  - (b) owner circumstances changed;
  - (c) post-adoption health or behavioural issues; or
  - (d) other.

In the event that the animal is euthanased:

- date of the animal's euthanasia
- reason for animal's euthanasia:
  - (a) disease;
  - (b) injury;
  - (c) behaviour;
  - (d) age;
  - (e) unsuitability for sale;
  - (f) unidentified cat that is wild, uncontrollable, or diseased; or
  - (g) unweaned and orphaned animal
- method of the animal's euthanasia.

In the event an animal dies, but is not euthanased, in the establishment or while in foster care:

- date of death.

#### 4.2 Reporting by proprietor

The proprietor must collect and provide to the Victorian Government department responsible for administering the Act the information specified in this section, so that all animals managed by the establishment can be traced. There are two pilot reporting periods as outlined in the table below. Annual ongoing reporting will commence the calendar year following the conclusion of the second pilot reporting period. The information must be provided in the template provided by the Victorian Government department responsible for administering the Act, in accordance with the following tables:

Pilot reporting periods	Pilot reporting dates
1 January – 30 June 2023	On or before 31 August 2023
1 July – 31 December 2023	On or before 28 February 2024

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Ongoing reporting period	Ongoing reporting date
1 January – 31 December of the same calendar year	On or before 28 February, following the end of the reporting period

The information required to be reported is the number of dogs and cats:

- in care at the establishment, or in foster care, on the first day of the reporting period
- not accepted for admission, including the reason an animal was not accepted for admission
- accepted for admission
- admitted to foster care
- that waited more than 14 days to access foster care
- permanently transferred to other facilities or groups for rehoming
- reclaimed by their owner
- rehomed
- rehomed but returned, including the reason the animal was returned
- euthanased, including the reason why euthanasia was the appropriate or necessary outcome
- that died while in the establishment or while in foster care, but were not euthanased.’

Dated 17 May 2022

Responsible Minister:  
THE HON. MARY-ANNE THOMAS  
Minister for Agriculture

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