**COMMUNITY FOSTER CARE NETWORKS AND**

**RESCUE GROUPS**

**ACTION PLAN FOR SUCCESSFUL REHOMING OF CATS AND DOGS IN VICTORIA**

**March 2019**

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# Introduction

Community foster care networks (CFCNs) and animal rescue groups provide an important and valued service rehoming dogs and cats in Victoria.

Animal rescue groups greatly assist in reducing the number of animals located in pounds and shelters. The rehoming of dogs and cats is a growing industry in Victoria. CFCNs, rescue groups, foster carers and adopters are essential in assisting to reduce the number of animals located in pounds and shelters.

The process of rehabilitating and rehoming dogs and cats can be greatly assisted by these groups and helps reduce the number of animals euthanized due to not being able to find new homes.

Many CFCNs and rescue groups also take dogs and cats that are directly surrendered by their owners, when they are no longer willing or able to care for that animal. These networks will then work to find a suitable home for the animal, which means that each animal is given the best opportunity for a low stress transition to a new home.

The work undertaken by these groups requires an effective partnership between all stakeholders to ensure effective delivery of services – now and into the future.

## The Review

As part of the Victorian Government’s commitment to ensuring effective delivery of services by CFCNs and rescue groups, it announced a review of their operating environment in August 2018. This review aims to ensure CFCNs and rescue groups operate within an effective framework so that dogs and cats are provided with the best possible care and protection across the State.

The review considered:

* The current situation.
* Best practice approaches for registration and identification of dogs and cats in care.
* Models for recognising the important role of community foster care networks and rescue groups.
* Opportunities to maximise the welfare and survival rates of cats and dogs.
* Best practice models for the minimisation of shelter and pound euthanasia rates.

The work of the review is to build on the *Guide for Victorian dog and cat community foster care networks and rescue groups* (the Guide) launched by the Victorian Government in 2016.

This Guide provides advice and information about how these groups can meet minimum legislative requirements to maximise the welfare of domestic animals being cared for and rehomed. This report should be read in concert with the Guide and you can find a copy here - <http://agriculture.vic.gov.au/__data/assets/pdf_file/0019/313912/Domestic_animal_guidelines.pdf>

Action 1.19 of the Animal Action Plan released by the Government in February 2018 commits the Government to working with foster care and rescue groups to identify opportunities for collaboration. This review is an element of this commitment.

This review is also consistent with the Animal Welfare Action Plan and its core components. In fact, all the issues that arose as part of this review can be placed within this framework from the Animal Welfare Action Plan.



Animal Welfare Action Plan, page 6.

## Report Methodology

In announcing the review, the Victorian Government committed to extensive consultation with CFCNs and rescue groups, adopters, peak groups, pounds and shelters, local councils, and the Victorian community.

To ensure the review was robust, engaged on all the relevant issues and was undertaken without any preconceived ideas, the Government employed The Bond & Associates as independent consultants. The review process undertaken by the consultants included:

* **Desktop research into best practice across Australia and internationally**. This research concluded that other jurisdictions are experiencing the same issues as in Victoria. The growth and function of CFCNs and rescue groups has occurred organically and according to need over time and has had little government support or oversight. As such, most jurisdictions are either in the process of reviewing the existing operating environment or will do so over coming years. It concluded there is no one best practice model from which to draw. Appendix A is a table summarising existing arrangements in other States and Territories.
* **Roundtable conversations with the experts**. 19 roundtables were held around Victoria and in locations and times to maximise participation and noting there are specific rural and regional issues. Roundtable locations included the city, Attwood, Pakenham, and Ballarat. Consultations were held during the day, at night and on a weekend.
* **Survey to canvass key issues**. A survey was distributed to stakeholders including local councils and promoted through social media platforms. It generated over 400 individual responses.
* **Review communications**. The Bond & Associates developed a communications strategy and as a result the review was promoted through a variety of channels to maximise stakeholder awareness and engagement.
* **One**-**on-one phone calls**. At times, The Bond & Associates had conversations with stakeholders on the phone to clarify and follow-up on input received during the roundtables. The time taken by stakeholders as part of this process has contributed to the overall understanding of the current operating environment and to the recommendations of this report.
* **Formal submissions**. Whilst the review did not formally seek written submissions from stakeholders, it is acknowledged and appreciated that some took the time to provide detailed submissions that included recommendations for reform.
* **Final report** –A final report was prepared by The Bond & Associates and submitted to Animal Welfare Victoria on 19 March 2019

Through each step of this methodology, the results were clear that the Government and all stakeholders in the rehoming partnership want to work together to deliver better outcomes for cats and dogs in Victoria. All stakeholders worked cooperatively and constructively to contribute to this report.

At the same time, it should be recognised that given the extent of stakeholder engagement and input, a plethora of issues and recommendations have arisen in recognition of the complex environment in which CFCNs and rescue groups operate. It is an industry that has grown and evolved over time and any recommendations and potential response by the Government to this Action Plan is likely to evolve over time too.

Animal welfare is a complex and evolving area. There are diverse views about how to achieve it. Community expectations about how animals are treated are increasing.

This review provides an opportunity to deal with some of the key issues that will make a real difference to rehoming cats and dogs in Victoria in the short to medium term – it does not and cannot deal with all the issues raised during the consultation process. Some of these issues were outside the remit of the review.

Reform takes time and The Bond & Associates believes the Government to be committed to making change for the longer term in the interests of animal welfare. The information put forward directly by stakeholders contributes to a knowledge base that will be invaluable as the Government considers this report and any reforms.

# Acronyms & Definitions

The following are explanations or definitions of acronyms and words used in this report. They are consistent with the *Domestic Animals Act 1994*, *the Guide for Victorian dog and cat community foster care networks and rescue groups* and other Victorian animal welfare reports.

Codes of practice

Codes of practice are practical guides that set out recommended minimum standards and practices. Codes can have a different status under law and might be voluntary, or mandatory.

Council Pound

A Council pound is operated by the Council or a contractor on behalf of a Council. It is an establishment that impounds and cares for lost, injured, stray and unowned dogs and cats. It must be registered as a Domestic Animal Business and comply with the mandatory Code of Practice for the Management of Dogs and Cats in Shelters and Pounds (Revision 1).

Community Foster Care Network

A Community Foster Care Network (CFCN) coordinates and may provide temporary care for dogs and cats from shelters, pounds or surrenders in people’s homes (private residential premises). A CFCN seeks permanent housing for the dogs or cats in care. Most CFCNs work with a network of foster carers to enable the CFCN to rehabilitate and rehome more animals.

A CFCN could be any size from small through to very large and may be operating with a single person or as a complex organisation involving many people.

A CFCN is not considered a Domestic Animal Business – Animal Shelter as the number of animals kept on one property is limited to housing animals within the council and planning requirements. Most councils in Victoria limit the number of cats and dogs that can be help on any one property.

CFCN or Rescue Group

For the purpose of this report, a rescue group and CFCN are the same thing.

Domestic Animal Business – Animal Shelter

An animal shelter is an establishment that takes in and cares for large numbers of lost, stray or unowned dogs and cats for the purpose of rehabilitation and rehoming. A shelter is likely to be located on a single site with room to house multiple animals and must have all relevant Council permits, including registration with local council as a domestic animal business. An animal shelter must also comply with the Code of Practice for the Management of Dogs and Cats in Shelters and Pounds (Revision 1).

Foster Carer

A foster carer is person who provides temporary care of an individual or special group of animals for the purpose of giving the animals care until they can be rehomed. Most foster care takes place in a person’s home which enables specific care and treatment.

Foster carers have a very important role in providing rehabilitation and care for animals in an environment outside a pound or shelter, ensuring that the animals have the best chance at being rehomed.

# Current Arrangements

The Guide provides details about the current arrangements in place in Victoria for the rehoming of cats and dogs and this background information supports and amplifies that information.

The extensive consultation with stakeholders highlighted that CFCNs and rescue groups operate in a complex environment.



This chart demonstrates the complexity of the industry and from this comes opportunities and challenges.

Stakeholders through the variety of mechanisms for input identified these opportunities and challenges.

## Opportunities

* **Partnership for animal welfare outcomes**. All stakeholders recognise that within the operating environment they must form a rehoming partnership to achieve better outcomes for cats and dogs in Victoria. Importantly it is clear they want to work together. There is a recognition that no one part of the industry can do it alone and that no one part of the industry is the answer.
* **Commitment to reform**. Stakeholders approached the review with an understanding of the need for there to be reforms to enhance their operating environment, provide better support for their important role, and to achieve an effective partnership in the interests of animal welfare. Constructive reform recommendations were proposed.
* **Understanding of the issues**. Conversations, submissions, and survey responses have contributed to a greater understanding of all the issues and provide a path for reform. The openness of the contributions by stakeholders has contributed to a body of knowledge across this complex environment whereby all parties have a greater depth of understanding of all roles and issues.

## Challenges

* **Many, varied and complex challenges**. All stakeholders were open about the challenges being faced every day in working to rehome cats and dogs and understand that reforms are not going to be immediate or all encompassing. These challenges can be grouped as follows and this table is provided as an indication of the main issues rather than an extensive audit.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Recognition | Support | Costs | Rehoming | Partnership |
| * Importance of CFCN and rescue groups role in rehoming
 | * **Understanding existing laws and obligations**
 | * **Veterinarian bills (de-sexing & vaccinations) & illness**
 | * **Microchipping industry issues**
 | * **Responsibility for rehoming**
 |
| * Importance of local councils
 | * **Complexity of different arrangements across different local council areas**
 | * **Animal training and rehabilitation costs**
 | * **Adopter expectations**
 | * **Responsibility for sale**
 |
| * Needs of adopters
 | * **Volunteer run organisation pressures**
 | * **Administration / management costs – particularly for not for profits**
 | * **Animal history knowledge**
 | * **Responsibility for registration**
 |
| * Role of veterinarians, trainers, rehabilitation providers
 | * **Responsible pet ownership**
 | * **Transporting of animals**
 | * **Larger dogs and older animals**
 | * **Pet ownership while awaiting rehoming**
 |
| * Owners who have lost their pet
 | * **Support for foster carers**
 | * **Food and other necessities**
 | * **Increasing number of animals to rehome**
 | * **Responsibility for costs**
 |
| * Different operating environment in rural and regional Victoria
 | * **Advertising animals for rehoming**
 | * **Registration**
 |  | * **Linkages across the industry – knowledge of all parties and their role**
 |
|  | * **Inconsistent services and arrangements for adoptees**
 |  |  |  |

*“Large breed dogs are difficult to home as are older dogs unless they can be offered at a significantly reduced adoption fee”*

*“As far as I can tell, the rescue groups I have been involved with don’t get much support from the system. They struggle with pounds and bureaucracy, especially in more rural areas”*

*“Vet bills are expensive”*

*“Not enough carers for the number of animals needing homes”*

*“Not enough grants, financial support given to these groups. Not enough legal and administrative support”.*

*“Meeting the criteria of pet adoption agencies which varies and seems to be set by people who have little experience with dogs. Agencies are turning down adoption offers while the dog remains in Foster Care because someone thinks another dog, or a family environment might be more suitable. The criteria whilst well intended is very strict and puts people off. This does not help the animals”*

*“Increasingly difficult to attract and retain foster carers”*

*“Too many animals to rehomes and the costs of de-sexing, vaccinations and microchipping makes its expensive”.*

*“Working with a pound and actually securing a rescue, getting kill lists, and costs of nursing sick cats as pounds has no quarantine facilities”.*

*“Not knowing the history of the dog / cat you have adopted, behavioural issues and hand on with their little quirks”*

*“Lack of communication between groups and pounds so many animals are put down unnecessarily”*

*“Council collaboration – registration methods and fees”*

*“Individual 84Y’s with each Council. NSW has a section 16d covering statewide”*

*“Lack of government intervention into poorly run facilities”*

*“Hidden fees such as having to purchase an adoption pack which can be upwards of $200, along with the adoption fee of an animal. This is unfair to those who already have animals with the necessities at home”*

*“Local council place little to no value on the service that rescue groups provide to them and continue to battle against progressive change rather than embracing it and developing innovative local programs”.*

*“Changes of microchips can and are a messy process”.*

*“People’s lack of pet education”*

*“CFCN carers often do not comply to local law requirements of number of animals kept to a property, they also do not tend to register dogs and cats in foster care. Unregistered rescues will pop up from time to time”.*

# Vision and Purpose

**Vision**: A Victoria where the rehoming of cats and dogs is a priority and in the interests of the animals.

**Purpose**: To ensure Victoria continues to improve its rehoming rates of cats and dogs and is well respected for its improvements to euthanasia rates.

# Approach

This Action Plan identifies three key areas for action to improve the rehoming rates of cats and dogs in Victoria.

1. **A new partnership for rehoming**
2. **Strengthening existing arrangements to better support rehoming**
3. **Better support for CFCNs and rescue groups**

Each action area sets out actions to improve the rehoming of animals and to continue the good work already being undertaken by CFCNs and rescue groups – and other important partners in the rehoming of animals such as local councils, pounds and shelters, veterinarians, adopters and the community. Collaboration and partnerships across each action area will be required.

# Action Area 1: A new partnership for rehoming

**Outcome: Stronger collaboration across the industry to improve rehoming rates**

From the stakeholder input received, The Bond & Associates notes all stakeholders recognise that within the operating environment they must work together to achieve better outcomes for cats and dogs in Victoria. Importantly it is clear everyone wants to work together. There is a recognition that no one part of the industry can do it alone and that no one part of the industry is the answer.

An effective rehoming partnership between all parties is integral to rehoming cats and dogs in Victoria. This requires transparency about roles and responsibilities, consistency of application of the laws, and enhanced arrangements that encourage collaboration. While this review is primarily about CFCNs and rescue groups and their role, the actions that follow impact on all stakeholders reflecting the interconnected rehoming partnership and the issues that arose through the consultations.

It was clear from the consultation process that there is a need to provide support to CFCNs and rescue groups. One concrete action that should be taken to increase recognition, collaboration and awareness of the important role of CFCNs and rescue groups is for the State Government to establish a central repository of all such groups and services in Victoria. This recognises the centrality of CFCNs and rescue groups in the rehoming partnership, the volunteer nature of these organisations and their not-for-profit, resource-poor status.

A central repository would:

* Provide adopters with a central source of information about CFCNs and rescue groups in their local area to approach to adopt a new pet.
* Provide searchable information for councils, pounds and shelters to access information about CFCNs and rescue groups in their local area.
* Provide CFCNs and rescue groups with information about similar groups they may be able to collaborate with to increase the rates of rehoming.
* Provide potential volunteers with information about their local CFCNs and rescue groups to potentially increase the number of volunteers fostering cats and dogs while they await rehoming.
* Provide Government with information about the number, location and capacity of CFCNs and rescue groups to inform decision making.

*“Information available to general public about rescue organisations and services”
 (Stakeholder survey response)*

*“Allow the CFCNs or groups to register directly through DEDJTR and have a database like the VDDR which shows all the registered rescues. These will allow for transparency for all Councils
and make a easier to monitor” (Stakeholder survey response).*

In recognition of the important role local government plays in the rehoming partnership both through referral of animals to CFCNs and rescue groups, in decision making about rehoming, in finding the owner of a lost pet and in tracking animals via registration, The Bond & Associates recommends some actions to improve the rehoming partnership and thereby rehoming outcomes.

It is recognised some Councils include information on their website about cats and dogs in their care to maximise reuniting the animal with their owner; this isn’t, however, standard practice across all local Councils. An action has therefore been included to encourage Councils to include this information on their website as a community service and to maximise reunification of pets with their owners.

*“Would be good if there was a website that covered available pets for adoption from government agencies (eg councils) across states and nationally. Pet Rescue is great but not all council pounds are listed there” (Stakeholder survey response)*

The State Government also has a clear role to play in protecting the welfare of animals regardless of where they are located. This may include providing funding where it is most needed and supporting all parties to the rehoming partnership to work together. As such, The Bond & Associates has included actions below for the Government to consider.

Critically, it is proposed that the Government play a more active role in regional and rural Victoria given the issues being experienced in those communities and the lack of services, volunteers and Council resources and facilities. Support for de-sexing in these communities was commonly raised by stakeholders involved in the consultation process.

*“Our Shire has no CFCN’s or domestic animal rescue organisations” (stakeholder survey response)*

*“The cost of vet treatment. Being a growing rural shire, we have differing views of residents in regards to the importance of reducing euthanasia rates” (stakeholder survey response).*

One of the most consistent issues raised by all stakeholders is veterinarian expenses and where responsibility lies. CFCNs, foster carers and rescue groups face significant costs that are mostly covered through fundraising and adopter fees. Veterinarian input during the review process echoed the concerns raised. There is a genuine need for funding support.

*“Subsidies with vaccination when adopting” (Stakeholder survey response)”*

*“Help with some of the costs associated with vet care. The large costs for operations, not the visits / medication / food etc. Happy to go without to cover the smaller issues” (stakeholder survey response)*

The following actions are recommended.

|  |  |  |  |
| --- | --- | --- | --- |
| Action | What will be done | Who will be involved | Timeframes |
| Action 1.1Form a CFCN working group to oversee development of a central repository of CFCNs and rescue groups | * Agreed resourcing
* Terms of Reference
* Representative membership
* Agreement on timeframe
* Agreement on volunteer commitment
 | State Government to establish the working group | Short |
| Action 1.2Establish a central repository of CFCNs and rescue groups | * A dedicated hub of information about CFCNs
* Form, content, location, information sourcing to be determined by working group (Action 1.1)
 | State Government and working group | Medium - Long |
| Action 1.3Annual local government and CFCNs and rescue group showcase | * Information and training provided to Councils about best practice rehoming with CFCNs and rescue groups included
 | State Government, Municipal Association of Victoria, CFCNs and rescue groups | Medium |
| Action 1.4Review of animal registration practices and fees across Council areas | * A representative working group of Council officers to review existing arrangements and make recommendations to improve consistency across council boundaries
* CFCNs and rescue groups to provide input about their experience
 | State Government, Municipal Association of Victoria and a representative group of Councils | Medium |
| Action 1.5Council websites to include animals found section to maximise opportunity to reunite cats and dogs with their owner | * The State Government with Municipal Association of Victoria, to work with Councils that currently don’t include information about cats and dogs found and, in their care, to develop an online presence
 | State Government, Municipal Association of Victoria and local Councils | Short - Medium |

| Action 1.6Targeted consultation with regional and rural Councils, CFCNs and rescue groups on a defined set of issues | * Consultation terms of reference
* Short consultation period to achieve input on defined set of issues such as holding and transport of cats and dogs, 84Y arrangements directly with CFCNs and rescue groups
 | State Government, rural and regional Councils and pounds | Short |
| --- | --- | --- | --- |
| Action 1.7Develop a targeted de-sexing scheme for regional and rural Councils to increase de-sexing and animal registration rates in these local areas | * Consultation with regional and rural communities and local Councils to scope barriers to de-sexing and determine level of support required
* Identify a rural and regional area for a de-sexing pilot
 | State Government, regional and rural communities and relevant Councils | Medium |
| Action 1.8Provide de-sexing scheme pilot in a regional and rural area to determine the commensurate increase in de-sexing and animal registration rates | * Roll out Scheme
 | State Government, regional and rural pilot community and Council | Long |
| Action 1.9Establishment of a community fund to provide financial assistance to cover urgent and necessary vet costs | * Consultation with Veterinarians
* Establishment of the Fund with clear guidelines about what is covered and the circumstances
 | State Government | Medium |

# Action Area 2: Strengthening existing arrangements to better support rehoming

**Outcome: Stronger understanding and enforcement of existing arrangements, and strengthening some existing arrangements to improve outcomes**

The Animal Welfare Action plan identified education as an important tool to shape positive attitudes and behaviours towards animals. Better animal welfare outcomes occur when people have the appropriate knowledge and skills. Being ready for the responsibility, understanding the commitment and things like choosing the right breed for one’s circumstances are a critical component. Pet owners being ready and choosing wisely has the potential to decrease the number of cats and dogs in Victoria requiring rehoming and thereby reduce euthanasia rates.

This Action Plan proposes a recommitment by government, industry, training authorities, quality assurance bodies, and Councils to continue efforts on pet education. The recommended Central Repository of CFCNs and rescue groups can also play a role.

The Guide provides information about the existing laws as they relate to CFCNs and rescue groups. Every person that works with animals has an obligation to know what laws they must abide by – for both the welfare of the animal and the person caring for that animal. The legislation in Victoria is a tiered system that consists of Acts, Regulations, Codes of Practice and Council local laws. From the consultations, it is unclear as to whether all CFCNs and volunteers are fully abreast of these obligations and it is acknowledged that sometimes they can appear overly complex. Feedback from stakeholders’ questions compliance with the law as a matter of course.

Equally, it is important the Government works to ensure resources and education tools are available and where possible, takes opportunities to educate to ensure compliance – and importantly the welfare of dogs and cats.

*Non-compliance with laws – “registration – although it is not clear or easy to register foster animals” (stakeholder survey response)*

*“These groups often keep a low profile as we find they want to reduce their costs and one of the excuses we have heard is that having to comply with legislation can be a costly exercise. These groups can sometimes fail to provide adequate care or housing. We often become aware of rescue groups of CFCNs as a neighbour or someone who has attended the property has complained about the number of animals or conditions” (stakeholder survey response)*

*“Monitor current guidelines, audit rescue groups more often to ensure they are compliant with regulations” (stakeholder survey response).*

Microchipping of cats and dogs is essential for reuniting pets with their families. This permanent method of electronic identification has a unique number that is detected using a microchip scanner. The number is recorded on a database registry with details about the animal and owner. Vets, animal shelters and local councils can scan the pet for these details. During the consultations numerous issues were raised about the adequacy of the registries and the industry and it is clear, given the importance of microchipping to the welfare of cats and dogs, that the system requires review and potentially greater oversight or regulation. Further, it is important pet owners are reminded to keep their contact details up to date with the registry and this should be included as part of the renewed responsible pet ownership education program.

*“Improve the microchipping database” (Stakeholder survey response)*

*“Provide a single database to track microchip details and use the database to collect real information about animals from birth to death” (Stakeholder survey response)*

*“One issue is the failure of new owners / breeders to ensure that microchip details are current upon the purchase of a dog” (Stakeholder survey response)*

As part of this review, many stakeholders expressed the view that the *Domestic Animals Act 1994* is outdated, has been amended so many times to take account of the changing industry and complex environment and, as such, requires an overhaul to properly reflect contemporary practices.

*“The [Domestic Animals Act]…had has so many amendments, additions and deletions, it is close to rivalling the Tax Act in complexity” (stakeholder submission)*

While preserving aspects of the Act that work well, any new legislation must consider the important and valued role that CFCNs play in the rehoming of animals. This review would also provide an opportunity to assess the 84Y provisions. It could provide for a standard 84Y agreement and an accompanying plain English guide to these agreements.

Under the *Domestic Animals Act 1994*, section 84Y agreements allow for Councils to enter into a written agreement for the seizure, holding and disposal of cats and dogs. These agreements may be made between the Council and a pound, shelter, vet clinic, CFCN or foster carer depending on the needs of the animal. Each Council has different terms in its agreement and this adds to unnecessary complexity and sometimes confusion for their rehoming partners.

The following actions are recommended.

| Action | What will be done | Who will be involved | Timeframes |
| --- | --- | --- | --- |
| Action 2.1Central repository of CFCNs and rescue groups to include links to pet education resources | * To be completed with the establishment of the repository
 | State Government | Medium - long |
| Action 2.2CFCNs and rescue group education about existing laws and arrangements to increase awareness and compliance | * Review of the existing materials to ensure accessibility
* Establishment, with CFCNs and rescue groups, best communication channel
* Distribution of materials to all CFCNs and rescue groups
 | State Government and CFCNs and rescue groups | Short |
| Action 2.3Yearly forum for CFCNs, rescue groups, volunteers and adopters to refresh knowledge on existing laws and arrangements (following establishment of CFCN central repository) | * Clear Agenda established (with CFCNs and rescue groups)
* Held in different locations to maximise participation
 | State Government | Medium – then ongoing |
| Action 2.4Increase in resources to enforce and apply sanctions for non-compliance with existing laws | * Increase existing resources overtime to enforce existing laws noting the review of existing laws proposed
 | State Government | Medium – then ongoing |
| Action 2.5Review of the microchipping industry to ensure it effectively tracks pet ownership | * Terms of reference
* Establishment of a review process
* Roundtable with service providers
* Consultation with all affected parties including pet owners to canvass the issues and potential solutions
 | State Government, microchip service providers, Councils with input from CFCNs, rescue groups and the community | Medium |
| Action 2.6Community education about the importance of keeping their contact details up to date | * Canvass innovative communication channels to remind pet owners to keep their contact details up to date with registries.
* Channels include, for example, moving house check lists provided by real estate agents.
* Councils to renew efforts to remind the community.
 | State Government, local councils | Short |
| Action 2.7Review of the *Domestic Animals Act 1994* | * Terms of reference
* Identify provisions to be kept (puppy farms), provisions to be reviewed and / or overhauled
* Draft Act
* Consultations with all interested parties
 | State Government | Long |
| Action 2.8New Domestic Animals Act | * Introduce new Act
* Update communications resources
* Industry and community education
 | State Government | Long |
| Action 2.9Standard 84Y agreement | * Establish a representative working group across the industry to guide development of a standard 84Y agreement
* Review previous versions of standard 84Y agreement produced by CFCNs
* Draft standard 84Y agreement
* Draft Plain English Guide to the 84Y agreement
* Consult broadly on contents of standard 84Y agreement
 | State Government | Medium |

# Action Area 3: Better support for CFCNs and rescue groups

**Outcome: CFCNs recognised for their important role in the rehoming of cats and dogs and are supported to provide an effective, transparent and professional service**

CFCNs and rescue groups play an important and valued role in the rehoming of cats and dogs in Victoria. As such, The Bond & Associates believes they should receive more formal recognition in the rehoming partnership. An overhaul of the *Domestic Animals Act 1994* is one very important mechanism whereby this could be achieved. The second is a commitment to support CFCNs and rescue groups in their day to day operations.

As CFCNs are not-for-profit and incorporated bodies, often charities, run by governing body who coordinate foster carers, it is recognised they are unique players in the rehoming partnership. They are resource stretched and quite rightly focus on the needs of the animals requiring rehoming. The central repository for CFCNs that should be developed will in part assist in supporting CFCNs. In addition, it is recommended that the Government support CFCNs and rescue groups through a dedicated Code of Practice that is practical, easy to implement and will build on the Guide. This Code will need to be consistent with other relevant codes of practice such as the code of practice for the private keeping of cats.

*“Better governance for rescue organisations. Accreditation? (Stakeholder survey response)”*

*“They should be regulating these autocratic little rescue groups being run like absolute monarchies where they make up their own laws, discriminate on the basis of disability, marital status, part-time or full-time employment, parental status – pretty much every way that would be illegal in any other circumstance” (Stakeholder survey response)*

This Code should include template agreements for CFCNs to use for their foster carers to standardise practices across the State and make it easier for CFCNs and their volunteer carers. Additionally, it should include standardised processes and agreements for adopters to ensure they are informed, empowered and provided with the information necessary to make the right choices for their circumstances.

*“The rescue groups application forms ask very personal and invasive questions without any guarantee of how they store, handle, possibly share and destroy my personal info once they have it. Why should I trust them with more info than my doctor has? Their correspondence is often pushy, entitled and judgemental” (stakeholder survey response)*

The Government established the Animal Welfare Fund Grants Program to support organisations such as CFCNs and rescue groups. To date, there has been 6 rounds of funding provided and round 7 is underway. It is recommended this program continue and be promoted to CFCNs.

| Action | What will be done | Who will be involved | Timeframes |
| --- | --- | --- | --- |
| Action 3.1Develop CFCN and rescue group Code of Practice (in concert with the review of the *Domestic Animals Act 1994* and standard 84Y agreement work) | * Representative expert advisory group established and lead by Government and to include CFCN and rescue group representatives and foster carers
* Draft Code of Practice including template agreements with foster carers
* Code of Practice to include, for example, notification to government (central repository) that engaging in activity, mandatory de-sexing, microchipping and vaccinations, assessment procedures and time limits, sale licences, registration responsibilities
* Draft template agreement between CFCNS and foster carers that would formalise the arrangement. It would include provisions on, for example, ownership, no adoption or sale, damage, indemnity, law compliance, care, inspections, animal health, return procedures, compliance and breach consequences
* Broad consultations with CFCNs, rescue groups and foster carers
 | State Government, CFCNs, rescue groups and foster carers | Medium |
| Action 3.2Foster Carer Manual | * Representative expert advisory group established and lead by Government and to include CFCN and rescue group representatives and foster carers
* Draft cat and dog foster care manual that fully explains the relationships and responsibilities and provides a plain English guide to the template agreement
* Broad consultations with CFCNs, rescue groups and foster carers
 | State Government, CFCNs, rescue groups and foster carers | Medium |
| Action 3.3Implement Code of Practice and Foster Care Manual | * Voluntary until new Domestic Animal Act
* Enforced through new Domestic Animal Act
 | State Government | Long |
| Action 3.4Adopter Manual and template agreement | * State Government to consult with a targeted and representative group of CFCNs and adopters to draft a Manual and template agreement
* Broader consultation with CFCNs and rescue groups and adopters to refine the resources
* Included as part of second wave of reforms following revised Act, CFCN and rescue group code of practice
 | State Government, CFCNs, adopters | Long |
| Action 3.5Reward and recognition program for gold standard CFCNs  | * Develop a certification or rating scheme for CFCNs and rescue groups to reward those in compliance with the law, implementing the Code and template agreements and achieving rehoming outcomes
* Consult with all parties involved in the rehoming of cats and dogs as to the key components of the Scheme and how it could be implemented
 | State Government | Long |
| Action 3.6Continue the Animal Welfare Fund Grants and promote to CFCNs | * Government to continue to provide grants to CFCNs to support the rehoming of cats and dogs
* The fund and the process to be promoted through all available communications channels to CFCNs and rescue groups to maximise the number of applications
 | State Government | Ongoing |

# Appendix A: Summary Findings by State and Territory

**Summary Findings by State and Territory**

The following is a snap shot of current operating arrangements for CFCNs around Australia. More detailed information follows.

|  |  |  |  |
| --- | --- | --- | --- |
| Jurisdiction | Legislative base? | Current State of Play | Issues to Note |
| NSW | Yes* Companion Animals Act
 | A draft regulation was released on 13 March 2018 to introduce changes to the operating environment for CFCNs in NSW. This change includes, for example:* 12-month exemption from registration fees.
* Organisations eligible for exemption to provide details about their governing framework and commitment to rehoming.
* CFCNs must keep records and report annually to the regulator.
 | * Animals in care of some organisations are exempt from the lifetime registration fee.
* Rescue and foster groups are governed by the Guidelines for approval to be an organisation exempt from companion animal registration.
 |
| SA | Yes* Dog and Cat Management Act
 | New regulations affecting CFCNs came into effect from 1 July 2018. CFCNs have new obligations and these changes are set out in the accompanying ‘Give me shelter’ guide (good table on obligations). Key new rules stem from an updated definition of ‘owner’. | * Definition of ‘owner’ – if a dog or cat is “habitually in the apparent ownership of a person”, that person will be taken to be the owner.
* New ‘owner’ obligations re desexing and microchipping.
 |
| WA | No* Reforms underway
 | WA currently reviewing legislation as applies to puppy farming. Proposals include centralised dog registration system, compulsory desexing, and pet shops transitioning to adoption centre. | * Places rescue groups at centre of solution to puppy farming.
* Looking to “properly accredit” rescue organisations or shelters.
 |
| QLD | No | The Management (Cats and Dogs) Act and the Animal Welfare Act do not cover CFCNS. They primarily provide for the welfare of animals and measures to address euthanasia rates. It was recently amended to deal with puppy farms. | * Animal Welfare League QLD has been working with stakeholders to implement G2Z – a community change model to achieve zero euthanasia of healthy / treatable cats and dogs.
 |
| ACT | Yes (in part)* Via Code of Practice
 | Community Foster Care Networks are not specifically provided for in legislation and are partially covered via the Code of Practice for the Sale of Animals in the ACT as there are provisions relating to “temporary accommodation” and requirements for animals. | * The Code of Practice for the Sale of Animals in the ACT covers sales through rehoming organisations. The Code’s requirements are more demanding for those who sell animals for financial gain.[[1]](#footnote-2)
* The ACT Government released the Animal Welfare and Management Strategy 2017 – 2022. As a result, the Territory is current undertaking a review of all laws, regulations and codes of practice in relation to animal welfare. This Strategy does not go into detail about foster care networks.
 |
| Tasmania | Yes (in part) | The Animal Welfare (Dogs) Regulations make provision for the “rehoming of dogs” and specify some conditions such as health / microchipping.  | * Uses a definition of “facility” rather than “owner”.
 |
| NT | No | The current legislative arrangements do not provide for CFCNs.  | * There does not appear to be any plans for a review of existing laws.
 |

|  |  |
| --- | --- |
| **Community Foster Care Networks & State and Territory Arrangements** |  |
| **NSW** |  |
| CFCNs and LegislationThe *Companion Animals Act 1998* and the *Companion Animals Regulation 2008* cover the operation of rescue groups and CFCN. In NSW, all cats and dogs, except exempt cats and dogs, must be registered with the local council, in whose area they are ordinarily kept by 6 months of age. However, under clause 16(d) of the *Companion Animals Regulation 2008*, certain animals, including animals in the care of some animal rescue organisations, are exempt from the lifetime-registration fee.[[2]](#footnote-3) Rescue and Foster groups are governed by the Guidelines for approval to be an organisation exempt from companion animal registration under clause 16(d) of the *Companion Animals Regulation 2008 Guideline 2008/01*.[[3]](#footnote-4)2018 Draft RegulationAfter public and stakeholder feedback, the NSW regulations have been reviewed with draft regulations released on 13 March 2018. This review considered the need for changes in relation to rescue groups and foster networks. The regulation notes:*A large number of animal rescue/foster organisations in NSW re-home thousands of animals from pounds and shelters at no cost to ratepayers. This has driven significantly lower euthanasia rates. Organisations that care for animals prior to rehoming can apply for a 12-month exemption from paying registration fees under Section 16(d) of the Regulation. Many, but not all, rescue groups councils deal with have obtained this exemption. Organisations eligible for Section 16(d) exemptions must document their governing framework and commitment to rehoming. If fostering animals from a pound, they must also provide written council endorsement. Exemptions last for 5 years. OLG also issues guidelines for approval of these organisations. These guidelines set out conditions for these organisations, including keeping records of the animals that come into their care (which may be requested by relevant local councils they work with and/or OLG) and submitting an annual report to OLG and, if requested, each council.[[4]](#footnote-5)**In effect, the proposed change in the Regulation would extend the subsidised registration fees of pounds and shelters to animals adopted from other rehoming bodies/rescue groups (approved by the Departmental Chief Executive). In essence, rescue groups take animals from council pounds and animal shelter operators for the purpose of rehoming such animals. Currently there is a disincentive for people to acquire animals from such organisations as opposed to acquiring animals from pounds or shelters as the 50 per cent registration fee discount does not apply. The change proposed under Option 2 aims to remove this disincentive and encourage people to acquire animals from such organisations.*Allowing animals adopted from rescue groups to access subsidised registration (by extending the definition eligible pound or shelter operator) incentivises more people to acquire animals from such organisations, then the proposed change could result in an increase in the number of animals rehomed. This change would also level the playing field for organisations with similar objectives in terms of animal rehoming and would provide more choice for people looking to adopt a rescued animal who are seeking to pay discounted fees. A significant proportion of the suggestions contained in the stakeholder feedback would require amendments to the Act, and so could not be undertaken as part of this statutory regulation review. The value, however, of these suggestions has been recognised and have been noted for inclusion in the next Companion Animals Bill. [[5]](#footnote-6) The regulation is expected to come into effect in late 2018.  |  |
| **South Australia** |  |
| CFCNs and LegislationThe *Dog and Cat Management Act 1995*, and new *Dog and Cat Management Regulations 2017* regulate pet ownership including the operations of rescue and foster groups. The SA Dog and Cat Management Board is the body tasked with implementing the SA framework, with an objective to maximise the benefits from new and existing partnerships that foster and facilitate leadership and initiative in dog and cat management.[[6]](#footnote-7)Following public consultation, changes to *Dog and Cat Management Act 1995*, and new *Dog and Cat Management Regulations 2017* came into effect on in July 2018. This was the biggest change to the state's dog and cat laws in more than 20 years. Animal shelters and rescue organisations may have new obligations under the changes to the Act from 1 July 2018 if:* Dogs and/or cats are sold (regardless of whether a profit or loss is made).
* Dogs and/or cats are advertised for sale.
* Dogs and/or cats have a litter whilst in the care of the organisation.
* Dogs (and cats if applicable) in care for more than 14 days[[7]](#footnote-8).

The changes to the regulations that impact rescue and foster groups are set out in the ‘Give me shelter’ guide.[[8]](#footnote-9) Key new rules stem from an updated definition of owner, if a dog or cat is “habitually in the apparent ownership of a person”, that person will be taken to be the owner. [[9]](#footnote-10) On that test, it is likely that the operator of a shelter will be deemed by the Act to be the owners of many of the dogs and the following will apply:* Owners will have an obligation to desex dogs and cats by six months of age. This obligation will apply to dog and cats born after 1 July 2018.
* Owners will have an obligation to microchip dogs and cats by three months of age. Owners must also microchip dogs and cats before it is sold.
* From 1 July 2018, all breeders of dogs or cats who sell an animal they have bred will be required to register with the Dog and Cat Management Board. An annual administration fee will apply. If a Shelter is also a breeder, this new requirement will apply.
* All advertisements for dogs and cats must contain minimum information.

The Dog and Cat Management Board has provided suggestions for shelters around a more integrated solution to Euthanasia rates:*Many councils are interested in exploring options for impounded dogs and cats, other than euthanasia. The DCM Board encourages shelters to make contact with their council(s) and discuss how you can work together. Councils may be prepared to transfer some animals to your shelter, if the original owner cannot be found. This would increase the number of animals they rehome (and decrease the number of pets they euthanise.)[[10]](#footnote-11)* |  |
| **Western Australia** |  |
| CFCNs and LegislationThe Department of Local Government, Sport and Cultural Industries (DLGSC), through the *Dog Act 1976*, *Dog Regulations 2013* and local government local laws oversee pet registration including application to rescue and foster groups. The legislation and laws covering CFCNs are currently under review.Legislative Review and Proposed New FrameworkThe DLGSC is progressing the State's key election commitment to stop puppy farming and the number of unwanted dogs in Western Australia through a centralised dog registration system, compulsory dog sterilisation and pet shops being transitioned to adoption centres. A consultation paper has been released and is now open for public comment.[[11]](#footnote-12) The proposed framework places rescue groups at the centre of a solution for puppy farming, overbreeding and health and welfare of dogs. The reform will transition of pet shops into adoption centres that will only sell puppies and dogs from approved rescue organisations and animal shelters:*It is intended to amend the Dog Act so that pet shops will only be able to source puppies and dogs from ‘properly accredited’ rescue organisations or shelters. Dogs sourced in this manner will be properly assessed for health and behaviour. This is expected to help break the puppy farm supply chain and to address the unwanted dog problem. Dog rescue organisations and shelters will be accredited by the State Government. Pet shops will be transitioned into adoption centres to allow time for pet shops to make arrangements with dog rescue organisations and shelters, including whether the dog will be housed at the pet store or dog rescue organisation or shelter.*Key benefits of this reform, identified in the consultation paper include:* It is anticipated that a greater number of surrendered or abandoned dogs will be rehomed, meaning less dogs needing to be euthanised or kept permanently/long term at dog rescue organisations and shelters.
* This will assist dog rescue organisations and shelters rehome abandoned and surrendered dogs in Western Australia, lessening the burden on these organisations.
* Puppy farmers will not be able to supply and sell puppies to pet shops.

Possible issues include:* Pet shops will be reliant on the health and behavioural assessment certificate provided by the rescue or shelter for the dogs and puppies that they sell.
* The demand for older dogs may be lower and pet shops may not be able to sell as many older dogs as they did puppies.
* Some pet shops may cease to sell dogs entirely.
* Dog rescue organisations and shelters may not want to become accredited.
* Dog purchases online may increase due to consumers being unable to purchase dogs from pet shops. There are risks associated with purchasing a dog online.

Costs associated with the reform include:* Potentially there will be a cost to pet shops in fitting out their shop to house bigger dogs and ensuring that the dog’s health and welfare is not compromised.
* There will be a cost involved in negotiating and drafting agreements between pet shops and dog rescue organisations and shelters
* Pet shops will likely experience a loss in revenue as they will be unable to meet demand for pups and particular kinds of breeds.
 |  |
| **Queensland** |  |
| CFCNs and LegislationThe *Animal* *Management (Cats and Dogs) Act 2008* was originally introduced to address high number of euthanasia rates after a *Review of Strategies for Effectively Managing Unwanted Dogs and Cats in Queensland* (the Report) to the Minister for Primary Industries and Fisheries. The Bill followed a coordinated public education campaign on responsible pet ownership; a voluntary Code of Practice for pet shops setting standards for the care and management of animals at point of sale; and a two-year pilot study by four local governments of methods to increase the desexing rate of cats and dogs in these areas, with a view to establishing a State-wide approach.Amendments to the *Animal Management (Cats and Dogs) Act 2008* were made through the *Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016*, promote the responsible breeding of dogs.[[12]](#footnote-13) The impact on shelters was considered in the committee report:[[13]](#footnote-14)*‘Pound’ and ‘shelter’ are both defined terms in the current Animal Management (Cats and Dogs) Act 2008: ‘pound’ means a premises maintained for the purpose of impounding animals; while ‘shelter’ means a premises maintained for the purpose of providing shelter to, or finding a home for, stray, abandoned or unwanted animals. In many provisions relevant to this Bill, the meaning of ‘shelter’ is extended to include a veterinary surgery to the extent it provides shelter to a dog that is homeless, lost or stray. Existing Section 40 of that Act requires the operator of a pound or shelter to ensure a cat or dog entering the pound or shelter is scanned, within 3 days after its entry, in a way that is likely to detect a PPID (microchip) implanted in the cat or dog. Other requirements may apply to a pound or shelter under both State and local government laws.*As a result of these reforms, pounds and shelters need to register as a breeder and use their supply number if/when they advertise, sell or give away dogs that do not already have a supply number in their microchip information. Returning an impounded dog to a person claiming to be its owner or responsible person would not be considered as suppling the dog to that person and is not covered by the new laws.[[14]](#footnote-15)The *Animal Care and Protection Act 2001[[15]](#footnote-16)* provides for the welfare of animals in QLD. This Act does not specifically provide for community foster care networks. It provides for “person in charge” of an animal. A person is a *person in charge* of an animal if the person—(a) owns or has a lease, licence or other proprietary interest in the animal; or(b) has the custody of the animal; or(c) is employing or has engaged someone else who has the custody of the animal and the custody is within the scope of the employment or engagement.(2) Despite subsection (1) (a), a person who holds a mortgage or other security interest in an animal only becomes a person in charge of the animal if the person takes a step to enforce the mortgage or other security.Getting to Zero PilotGetting to Zero (G2Z) G2Z is a community change model developed by Animal Welfare League Queensland with the goal of achieving zero euthanasia of all healthy and treatable cats and dogs. The model is based on successful cooperative strategies in the City of Gold Coast between local government, veterinarians, breeders, pet shops, wildlife organisations, other welfare and rescue groups, and the general community. These strategies have contributed to the reduction of the cat euthanasia rate in the City of Gold Coast (the sixth largest city in Australia with a population of 560,000) from 50% in 2001-2 to 8% in 2016-17. The 8% of cats’ euthanased were untreatable due to irremediable suffering or irremediable aggression.[[16]](#footnote-17) The model suggests legislation should support reclaim of stray animals and rehoming of abandoned animals: [[17]](#footnote-18)*Local government pounds should be required to undertake to rehome all healthy and treatable abandoned animals. If killing of healthy and treatable animals was no longer allowed (unless the animal was irremediably suffering or declared dangerous), local and state governments would need to follow the elements of the G2Z Model. f local government apply pet limits, they should permit excess animals for community members who rehome desexed and identified cats and dogs in well-cared for and contained conditions, without nuisance to neighbours. Policies should enable people in high density and retirement living areas to have pets.**Government policy should support the return of animals to their owners unless the owner is shown to be incapable of providing appropriate care and management. Lost and found websites, returning the animal home if the owner is known and contactable, offering payment plans for impound fees and advice and support being offered e.g. helplines, training programs to assist owners, should all be included as government policy and programs. Government policy should allow for the desexing and care of community cats.**In the interim, while the legislation and education and support programs above are put in place, killing should not be an option unless all avenues for effective reclaim and rehoming have been explored.* [[18]](#footnote-19) |  |
| **ACT** |  |
| CFCNs and LegislationThe current legislation does not specifically deal with CFCNs and provides generally for the welfare of animals in the ACT. CFCNs are however covered by a Code of Practice. Transport Canberra and City Services Directorate (TCCS) TCCS is responsible for administering the Domestic Animals Act, the Animal Welfare Act and some licensing (e.g. use of circus animals) under the Animal Welfare Act. TCCS provides domestic animal management services to the ACT community, including; registration, nuisance and attack investigations, collection of stray and roaming dogs, cat containment, community engagement and education, and management of the domestic animals shelter. Of note, provisions in the act apply to a “person in charge of an animal” rather than an “owner”. The Animal Welfare Advisory Committee (AWAC) is a statutory body established under the Animal Welfare Act as a Ministerial advisory committee representing community views on animal welfare in the ACT. AWAC is representative of the general community and includes members from peak animal welfare groups, animal industries, business and the community. CFCNs are represented on this Committee.New animal breeding legislation was introduced to outlaw puppy and kitten farms in the ACT on Tuesday 15 September 2015.[[19]](#footnote-20) Code of PracticeSitting under the legislation, is *The Code of Practice for the Sale of Animals in the Australian Capital Territory* (ACT). This Code covers sales occurring in or through, pet shops, commercial breeders and rehoming organisations such as the ACT’s Domestic Animal Shelter and the RSPCA. The Code’s requirements are more demanding for those who sell animals for financial gain.[[20]](#footnote-21)The ACT Government released the *Animal Welfare and Management Strategy 2017 – 2022*. As a result, the Territory is current undertaking a review of all laws, regulations and codes of practice in relation to animal welfare. This Strategy does not go into detail about CFCNs and their role, there are no specific recommendations relating to them and it does not appear to be on the radar as an issue in the ACT.RSPCA ACT appears to maintain the main foster care service in the ACT and relevant information is on their website including the agreement signed between the foster carer and RSPCA - <https://www.rspca-act.org.au/dog-foster>  |  |
| **Tasmania** |  |
| CFCNs and LegislationThe *Dog Control Act 2000* (the Act) provides for the control and management of dogs; gives councils certain powers in relation to the management of dogs within their local government area. Division 5 of the [*Local Government Act 1993*](https://www.legislation.tas.gov.au/view/html/inforce/2017-12-20/act-1993-095) *p*rovides for the establishment and operation of pounds, ensuring that:(a) a pound is kept clean; and(b) all necessary action is taken to prevent the spread of disease within and from a pound; and(c) all animals kept in a pound are given sufficient food and water for their needs.The Act states that:(1) A person may apply to a council for a permit to operate a pound, on his or her own behalf or on behalf of the council, for the detention of stray animals.(2) The provisions of this Division apply to a person who operates a pound as if the person were a council.Cat Management Act 2009The *Cat Management Act 2009* and the Cat Management Regulations 2012 are administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE). The Act makes specific reference to the management of domestic, unowned and feral cats that is not evident in other state legislation. Under the Act only registered breeders are permitted to breed cats. Cats sold or given away must be more than eight weeks old, desexed and microchipped. The Act also introduces powers to trap, seize or destroy stray and feral cats in certain circumstances and gives land owners and managers the statutory power to control cats found on their land.Cat management plan and [Tasmanian Cat Management Reference Group](https://dpipwe.tas.gov.au/invasive-species/cat-management-in-tasmania/tasmanian-cat-management-reference-group)Over many years, a feral cat population has become established in Tasmania. DPIPWE is responsible for coordinating efforts to better understand and reduce these impacts. A state-wide plan is currently being developed and as part of this, the Invasive Species Branch is consulting with key industry and community groups.The Reference Group has the task of providing advice to the Minister on ways to achieve better cat management in Tasmania. This includes issues related to domestic and feral cats, roles and responsibilities and identifying the necessary resources (public and private) to achieve effective outcomes. Pet cat owners have a higher level of awareness of the potential negative impacts of roaming owned cats and stray cats and, act responsibly to prevent their cats contributing to those impacts.Key performance indicators for the Reference Group and the Department are:1. Measurable decline in the annual number of domestic and stray cats entering shelters and the number of complaints regarding domestic and stray cats.
2. Measurable increase in the number of cats desexed and microchipped annually.
3. State and Local Governments develop and implement cat management plans; actively using their regulatory powers under the legislative framework for cats and Local Government Act 1993 to respond to community concerns

Animal Welfare Act 1993[[21]](#footnote-22)This Act provides for the welfare of animals. Like in other jurisdictions it doesn’t seek to define an “owner” and applies to “If you have animals, own animals or look after animals, you are responsible for their welfare”. This applies whether your animals are pets or livestock. You may be deemed to have the care or charge of an animal if you are:* The animal's owner.
* A person with control, possession or custody of the animal.
* An operator or manager of commercial premises involving the animal.
* A share farmer.
* A chief executive officer or a director of a company that owns the animal.

This Act does not specifically reference CFCNs.MicrochippingMicrochipping Amendments to the Act were made in 2009 with the aim of increasing public safety and highlighting the responsibilities of dog owners. The major amendment for dog owners is the inclusion of a requirement that all dogs be microchipped. This requirement took effect from 1 July 2011, and from that date all dogs over six months of age are microchipped. These amendments include a new provision requiring the owner of a dog over the age of six months to notify the relevant council of the dog’s microchip number. All dogs still have to be registered with the council in the area in which they live, even when they are microchipped. This allows councils to enforce requirements related to the maximum number of animals allowed on a property. Failure to microchip a dog incurs a fine.Animal Welfare (Dogs) Regulations (January 2017) and CFCNs.These regulations[[22]](#footnote-23) apply a broad definition of “facility” and it includes “premises operated by, or on behalf of, any other form of organisation that is primarily used for the accommodation, shelter, holding or breeding of dogs”. Hence, these regulations would apply to CFCNs. The regulations cover issues such as housing, health and administrative arrangements expected of “facilities”. Of note, the regulations include a section on the “rehoming of dogs” that sets certain conditions that would apply to CFCNs. Here they are:*Rehoming of dogs*(1)  A person with care or charge of a dog must not rehome the dog unless, at the time the dog is rehomed, the person provides to the new owner of the dog a vaccination certificate for the dog that –(a) is issued, and signed, by a veterinary surgeon; and(b) specifies the following:(i) the date that the last vaccination was administered to the dog;(ii) the diseases against which the dog has been vaccinated by that veterinary surgeon;(iii) the date when the dog is due for the next vaccination in respect of each disease;(iv) if more than one veterinary surgeon has administered a vaccination to the dog, the name of each of those veterinary surgeons.Penalty:  Fine not exceeding 5 penalty units.(2)  A person with care or charge of a dog must not rehome the dog unless, at the time the dog is rehomed, the person discloses to the new owner of the dog the date on which the general health of the dog was last checked by a veterinary surgeon.Penalty:  Fine not exceeding 5 penalty units.(3)  Subject to subsection (4), a person with care or charge of a dog must not rehome the dog if the person knows, or suspects, that the dog –(a) is injured; or(b) is sick; or(c) is diseased; or(d) is physically impaired; or(e) is pregnant; or(f) is aggressive; or(g) has behavioural problems.Penalty:  Fine not exceeding 5 penalty units.(4)  [Subregulation (3)](https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2016-121%22%20%5Cl%20%22GS5%40Gs3%40EN) does not apply in respect of a dog that is rehomed if, before the dog is rehomed, the person –(a) discloses to the new owner of the dog –(i) each issue specified in [subregulation (3)](https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2016-121%22%20%5Cl%20%22GS5%40Gs3%40EN) that the person knows, or suspects, applies to the dog; and(ii) the basis for that knowledge or suspicion; and(b) has made all reasonable enquiries to ensure that the new owner is able to care for that dog in accordance with the Act or these regulations.(5)  A person with care or charge of a puppy must not advertise the puppy for rehoming unless the advertisement specifies –(a) the microchip number of the dam of the puppy; or(b) the microchip number of the puppy; or(c) if the dam and puppy are not microchipped –(i) the registration number of the dam; and(ii) the name of the council at which the dam is registered.Penalty:  Fine not exceeding 5 penalty units.(6)  A person with care or charge of a puppy must not rehome the puppy unless, before the puppy is rehomed, the person provides the new owner of the puppy with –(a) the microchip number of the dam of the puppy; or(b) the microchip number of the puppy; or(c) if the dam and puppy are not microchipped –(i) the registration number of the dam; and(ii) the name of the council at which the dam is registered.Penalty:  Fine not exceeding 5 penalty units. |  |
| **NT**  |  |
| CFCNs and LegislationThe principal legislation providing for the welfare of animals in the Northern Territory is the Animal Welfare Act (the Act) and Animal Welfare Regulations (the Regulations). The objectives of the Act are:* Ensure animals are treated humanely.
* Prevent cruelty to animals.
* Promote community awareness regarding the welfare of animals.

The Act does not provide for CFCNs. The Act establishes:* The Animal Welfare Authority and sets out its roles, functions and powers.
* The Animal Welfare Advisory Committee.
* A minimum level of care that must be provided for an animal.
* The licensing regime for premises used for teaching or research.

The Act also creates offences in relation to the treatment of animals. The associated Regulations cover a number of administrative matters including:The constitution, maintenance, powers and functions of the Animal Welfare Advisory Committee.* The content of annual reports that are to be provided by a licensee of premises used for teaching or research under the Act.
* Provisions for infringement notices and the penalty unit amounts that attach to infringement notices for a number of offences.
* Prescription of electrical devices that can be sold, possessed or used without breaching the Act.

All councils in the NT have by-laws that regulate dogs. A by-law made by a local council only applies to that council area. |  |

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1. file:///C:/Users/nlackner/Downloads/2013-223.pdf [↑](#footnote-ref-2)
2. https://www.olg.nsw.gov.au/public/dogs-and-cats/information-for-professionals/information-for-animal-rescue-organisation [↑](#footnote-ref-3)
3. https://www.olg.nsw.gov.au/sites/default/files/Clause-16d-guidelines.pdf [↑](#footnote-ref-4)
4. <https://www.olg.nsw.gov.au/sites/default/files/Draft%20Companion%20Animals%20Regulation%202018%20-%20Regulatory%20Impact%20Statement_1.pdf> at A2.2 [↑](#footnote-ref-5)
5. https://www.olg.nsw.gov.au/sites/default/files/CA%20Reg%20RIS%20review%20-%20OLG%20-%20Introduction%20to%20the%20Papers%20-%20Tab%20G.pdf [↑](#footnote-ref-6)
6. <http://www.dogandcatboard.com.au/media/W1siZiIsIjIwMTYvMTEvMjkvMDFfMTdfNTNfMjkzX0RDMjczX0ZBX0NvbG91cl9fd2ViLnBkZiJdXQ/DC273_FA%5BColour%5D_web.pdf> [↑](#footnote-ref-7)
7. http://www.dogandcatboard.com.au/for-rescue-organisations [↑](#footnote-ref-8)
8. http://www.dogandcatboard.com.au/media/W1siZiIsIjIwMTgvMDYvMTIvMDBfMzBfMjRfNTU2X1NoZWx0ZXJfYW5kX1Jlc2N1ZV9oYW5kb3V0LnBkZiJdXQ/Shelter%20and%20Rescue%20handout.pdf [↑](#footnote-ref-9)
9. (New section 5(2). [↑](#footnote-ref-10)
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