



Queensland

# Animal Management (Cats and Dogs) Regulation 2019

## Subordinate Legislation 2019 No. 177

made under the

*Animal Management (Cats and Dogs) Act 2008*

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Animal Management (Cats and Dogs) Regulation 2019*.

### 2 Commencement

This regulation commences on 2 September 2019.

### 3 Definitions

The dictionary in schedule 2 defines particular words used in this regulation.

### 4 Identification devices—Act, s 12, definition *prescribed permanent identification device or PPID*

- (1) For section 12(1)(c) of the Act, this section prescribes the requirements for a PPID.
- (2) A PPID must—
  - (a) be designed to transmit the PPID number for the PPID when scanned by an electronic reader; and
  - (b) have stored on it a PPID number that—
    - (i) includes a manufacturer’s code; and
    - (ii) complies with the requirements of AS 5018 relating to unique identification codes transmitted by transponders; and
  - (c) comply with the requirements of AS 5019 relating to transponders.

- (3) In this section—

*AS 5018* means the Australian Standard as in force from time to time under that designation (regardless of the edition or year of publication of the standard).

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**AS 5019** means the Australian Standard as in force from time to time under that designation (regardless of the edition or year of publication of the standard).

**manufacturer's code** means a unique number the International Committee for Animal Recording allocates to a manufacturer of PPIDs—

- (a) the first 3 digits of which start with a number between 901 to 998, both numbers inclusive; or
- (b) the first 3 digits of which start with '900' followed immediately by 3 other digits.

## Part 2 Identification of cats and dogs

### 5 PPID information—Act, sch 2, definition *PPID information*

- (1) For schedule 2 of the Act, definition *PPID information*, paragraphs (a)(iii) and (b)(iv), the following information about a cat or dog is prescribed—
  - (a) the residential address and contact telephone number of the owner of the cat or dog;
  - (b) the name and contact telephone number of a person other than the owner, if any, who may be contacted about the cat or dog;
  - (c) the name, business address and contact telephone number of the authorised implanter who implanted a PPID in the cat or dog;
  - (d) the breed;
  - (e) the colour;
  - (f) the sex;
  - (g) either—
    - (i) if the date of birth of the cat or dog is known—the date of birth; or

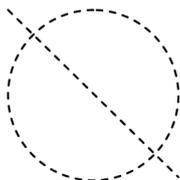
- (ii) otherwise—the approximate age of the cat or dog when the PPID is implanted;
  - (h) the day the cat or dog is implanted with a PPID;
  - (i) if the cat or dog is already implanted with a PPID and the PPID number for the PPID is known—the PPID number;
  - (j) whether the cat or dog is desexed, or if information about whether the cat or dog is desexed is unknown, that it is unknown;
  - (k) the relevant address for the cat or dog;
  - (l) the name of the relevant local government for the cat or dog;
  - (m) if the dog is a regulated dog—whether the dog is a declared dangerous dog, declared menacing dog or restricted dog;
  - (n) if the dog is a decommissioned greyhound within the meaning of section 197(3) of the Act—
    - (i) that the dog is a decommissioned greyhound; and
    - (ii) details of the program prescribed under section 17 that the dog has successfully completed, including the day the program was completed.
- (2) In this section—
- relevant address*** means—
- (a) for a restricted dog—the address of the place for which a restricted dog permit has been issued for the dog; or
  - (b) for another dog—the address of the place stated in the registration notice for the dog as the address for it; or
  - (c) for a cat—the address of the place where the cat is usually kept or proposed to be kept.

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**6 Way to tattoo cat or dog—Act, sch 2, definition *tattoo***

For schedule 2 of the Act, definition *tattoo*, the way prescribed is to permanently mark inside the left ear of the cat or dog with the symbol as shown in figure 1.



*Figure 1—Symbol for permanently marking inside the left ear of a cat or dog*

**Part 3 Registration of dog breeders and related matters**

**7 Approved entities—Act, s 43W**

For section 43W(1) of the Act, each of the following entities is prescribed as an approved entity—

- (a) Canine Control Council (Queensland) Ltd ACN 160 285 192;
- (b) the Gold Coast City Council;
- (c) the Logan City Council;
- (d) the Queensland Racing Integrity Commission.

**Part 4 Dog registration**

**8 Class of dog—Act, s 44**

For section 44(4)(c) of the Act, the class of dog prescribed is a dog kept—



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- (b) the area enclosed must not include any area that is—
    - (i) a swimming pool or area surrounding a swimming pool; or
    - (ii) all or part of a building usually used for residential purposes;
  - (c) the walls of the enclosure must be—
    - (i) if the dog is 8kg or less—at least 1m high above ground level; or
    - (ii) otherwise—at least 1.8m high above ground level;
  - (d) the enclosure must consist of firm and strong materials;
  - (e) the exterior of the walls of the enclosure must be designed to prevent a child from climbing over, under or through the walls into the enclosure;
  - (f) the walls of the enclosure must be designed to prevent the dog, or part of the dog, from protruding over, under or through the enclosure;
  - (g) if the walls of the enclosure include a perimeter fence for the relevant place or an exterior wall of a structure—the perimeter fence or exterior wall must comply with the requirements for the enclosure under schedule 1, section 4 of the Act and this section;
  - (h) the enclosure must include a gate that—
    - (i) is childproof, self-closing and self-latching; and
    - (ii) complies with the requirements for the enclosure under schedule 1, section 4 of the Act and this section;
  - (i) the enclosure must not include a driveway gate or other vehicle entry gate;
  - (j) the enclosure must include a weatherproof area appropriate for the dog.
- (2) The enclosure may include another gate that is not self-closing and self-latching if the gate—

- (a) is not a driveway gate or other vehicle entry gate; and
- (b) otherwise complies with the requirements for the enclosure under schedule 1, section 4 of the Act and this section; and
- (c) is kept securely locked whenever it is not in immediate use.

**11 Public notice (dimensions, quality and type of sign)—Act, sch 1, s 5**

- (1) For schedule 1, section 5(2) of the Act, this section prescribes the dimensions, quality and type of sign notifying the public that a relevant dog is kept at a relevant place.
- (2) The sign must—
  - (a) consist of firm and strong materials; and
  - (b) have a yellow background and black border; and
  - (c) be at least 360mm high and at least 260mm wide.
- (3) In this section—

**AS 1319** means the Australian Standard as in force from time to time under that designation (regardless of the edition or year of publication of the standard).

**yellow** means the colour yellow complying with AS 1319, paragraph 3.5.

**12 Public notice (information contained on sign)—Act, sch 1, s 5**

- (1) For schedule 1, section 5(2) of the Act, the following information is prescribed for a sign notifying the public that a relevant dog is kept at a relevant place—
  - (a) if the dog is a declared dangerous dog—
    - (i) the words ‘BEWARE—DANGEROUS DOG’; and
    - (ii) the words ‘declared under the *Animal Management (Cats and Dogs) Act 2008*, chapter 4’;

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- (b) if the dog is a declared menacing dog—
    - (i) the words ‘BEWARE—MENACING DOG’; and
    - (ii) the words ‘declared under the *Animal Management (Cats and Dogs) Act 2008*, chapter 4’;
  - (c) if the dog is a restricted dog—
    - (i) the words ‘BEWARE—RESTRICTED DOG’; and
    - (ii) the words ‘declared under the *Animal Management (Cats and Dogs) Act 2008*, chapter 4’.
- (2) The words must be—
- (a) indelible, legible and black; and
  - (b) for the words mentioned in subsection (1)(a)(i), (b)(i) or (c)(i)—at least 50mm high; and
  - (c) for the words mentioned in subsection (1)(a)(ii), (b)(ii) or (c)(ii)—at least 15mm high.

## Part 6 Investigation, monitoring and enforcement

### 13 Approved inspection program—Act, s 113

For section 113(5)(e) of the Act, the period prescribed is a period of not more than 1 year.

## Part 7 Registers

### 14 Definition for part

In this part—

*incident*, in relation to a dog, means an incident in which the dog—

- (a) has attacked, seriously or otherwise, or acted in a way that caused fear to, a person or another animal; or

- 
- (b) may, in the opinion of an authorised person having regard to the way the dog has behaved towards a person or another animal, attack, seriously or otherwise, or act in a way that causes fear to, the person or animal.

**15 Chief executive officer must give information about dog—Act, s 174**

- (1) For section 174(2)(b)(iii) of the Act, this section prescribes other information to be stated in a notice given for a dog mentioned in section 174(1)(a) or (b) of the Act.
- (2) The following information about the dog, at the time the notice is given, is prescribed—
  - (a) the name of the dog;
  - (b) the weight of the dog, expressed in kilograms;
  - (c) the height of the dog, expressed in centimetres;
  - (d) whether the enclosure at the address stated in the registration notice is adequate;
  - (e) whether the dog is alive, dead or missing;
  - (f) a photo of the dog;
  - (g) any previous history of an incident in relation to the dog.

**16 Chief executive officer must give information about incident in relation to dog—Act, s 174**

- (1) For section 174(2)(b)(iii) of the Act, this section also prescribes other information to be stated in a notice given for a dog mentioned in section 174(1)(a) or (b) of the Act.
- (2) The following information about any incident in relation to the dog is prescribed—
  - (a) the day and time of the incident;
  - (b) the address or location and the place of the incident;

*Example of a place—*

a footpath

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- (c) the local government area;
  - (d) the name of the authorised person attending the incident;
  - (e) the nature and seriousness of the incident;
  - (f) whether, at the time of the incident, the dog is desexed or, if information about whether the dog is desexed is unknown, that it is unknown;
  - (g) the owner, permit holder or any responsible person (each the *relevant person*) at the time of the incident;
  - (h) whether the relevant person was present at the time of the incident;
  - (i) the address for the dog stated in the registration notice at the time of the incident;
  - (j) whether the dog was under the effective control of someone at the time of the incident;
  - (k) the following information about any person who was a victim of the incident—
    - (i) the age of the person;
    - (ii) the sex of the person;
    - (iii) if the person is a child—whether another person, responsible for the child, was present at the time;
    - (iv) whether the person knew the relevant person;
    - (v) the person’s activity at the time of the incident;
    - (vi) if the person was injured—any photo of the primary injury, the location of the primary injury on the person’s body and the type of medical treatment, if any, required;
  - (l) the species of any animal that was a victim of the incident.
- (3) In this section—

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*effective control* has the meaning given under section 64 of the Act as if the reference in the section to a regulated dog were a reference to any dog.

## Part 8 Miscellaneous provisions

### 17 Program for decommissioning greyhounds—Act, s 197

For section 197(3) of the Act, definition *decommissioned greyhound*, paragraph (b), the Greyhound Adoption Program of Queensland offered by the Queensland Racing Integrity Commission is prescribed.

### 18 Fees

The fees payable under the Act are stated in schedule 1.

## Part 9 Transitional provisions

### 19 Definitions for part

In this part—

*expired regulation* means the expired *Animal Management (Cats and Dogs) Regulation 2009*.

*relevant dog* has the meaning given under schedule 1, section 1 of the Act.

### 20 Identifying tags

- (1) An identifying tag for a relevant dog that, immediately before the commencement, complied with the requirements prescribed by the expired regulation, section 6 is taken, during the transitional provision, to comply with the requirements prescribed by section 9.

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- (2) An identifying tag for a restricted dog that, immediately before the commencement, was taken, under the expired regulation, section 35 to comply with the requirements prescribed by section 6 of that regulation is also taken, during the transitional period, to comply with the requirements prescribed by section 9.
- (3) In this section—  
*transitional period* means the period—
  - (a) starting on the commencement; and
  - (b) ending on 30 June 2020.

## 21 Enclosures

- (1) An enclosure for a relevant dog that, immediately before the commencement, complied with the expired requirements is taken to comply with the requirements prescribed by section 10 until the earlier of the following—
  - (a) the enclosure no longer complies with the expired requirements;
  - (b) the relevant dog dies.
- (2) An enclosure that, immediately before the commencement, was taken, under the expired transitional provisions, to comply with the expired requirements is also taken to comply with the requirements prescribed by section 10 until the day the enclosure would no longer be taken to comply with the expired requirements if the expired regulation were still in force.
- (3) In this section—  
*expired requirements* means the requirements for an enclosure prescribed by the expired regulation, part 2, division 3.  
*expired transitional provisions* means provisions of the expired regulation, part 7, division 2.

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## 22 Public notices

- (1) A sign for a relevant dog that, immediately before the commencement, complied with the requirements prescribed by the expired regulation, part 2, division 4 is taken to comply with the requirements prescribed by sections 11 and 12 until the earlier of the following—
  - (a) the sign no longer complies with the requirements prescribed by the expired regulation, part 2, division 4;
  - (b) the relevant dog dies.
- (2) A sign for a dog mentioned in the expired regulation, section 38(1) or 46(1) that, immediately before the commencement, was taken, under section 38 or 46 of that regulation to comply with the requirements prescribed by part 2, division 4 of that regulation is also taken to comply with the requirements prescribed by sections 11 and 12 until the earlier of the following—
  - (a) the sign no longer complies with the requirements mentioned in the expired regulation, section 38(1) or 46(1);
  - (b) the dog dies.

## 23 Prescribed courses and qualifications

- (1) Despite the expiry of the expired regulation, a course prescribed by the expired regulation, section 20 continues, during the transitional period, to be a course prescribed for schedule 2 of the Act, definition *authorised implanter*, paragraph (a)(i) as if the expired regulation were still in force.
- (2) Despite the expiry of the expired regulation, a qualification prescribed by the expired regulation, section 21 continues, during the transitional period, to be a qualification prescribed for schedule 2 of the Act, definition *authorised implanter*, paragraph (b)(i) as if the expired regulation were still in force.
- (3) Despite the expiry of the expired regulation, a course prescribed by the expired regulation, section 22 continues, during the transitional period, to be a course prescribed for

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schedule 2 of the Act, definition *authorised implanter*, paragraph (b)(ii) as if the expired regulation were still in force.

(4) In this section—

*transitional period* means the period—

- (a) starting on the commencement; and
- (b) ending on 1 March 2020.

## **24 Approval of courses and qualifications**

Despite the expiry of the expired regulation, the expired regulation, part 4, division 2 (other than section 30A) continues to apply in relation to an application made, before the commencement, for approval of a course or qualification as if the expired regulation were still in force.

## Schedule 1 Fees

section 18

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1 Application for, or for renewal of, a licence (Act, s 143(2)(b) or 155(2)(c))	1,040.75
2 Application for amendment of a licence (Act, s 158(2)(b))	nil
3 Application for replacement of a licence (Act, s 170(2)(c))	nil

## Schedule 2      Dictionary

### section 3

*incident*, in relation to a dog, for part 7, see section 14.

*Queensland Racing Integrity Commission* means the Queensland Racing Integrity Commission established under the *Racing Integrity Act 2016*.

ENDNOTES

- 1 Made by the Governor in Council on 29 August 2019.
- 2 Notified on the Queensland legislation website on 30 August 2019.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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