



Victoria Government Gazette

No. S 528 Friday 13 December 2019
By Authority of Victorian Government Printer

Subordinate Legislation Act 1994

NOTICE OF DECISION

Prevention of Cruelty to Animals Regulations 2019

I, the Hon. Martin Pakula MP, Acting Minister for Agriculture, responsible for administering the **Prevention of Cruelty to Animals Act 1986**, give notice under section 12 of the **Subordinate Legislation Act 1994** ('SL Act') of my decision to recommend to the Governor in Council that the proposed Prevention of Cruelty to Animals Regulations 2019 ('proposed Regulations') be made to replace the Prevention of Cruelty to Animals Regulations 2008, which expire on 15 December 2019.

The objectives of the proposed Regulations are to protect the welfare of animals and avoid animal welfare harms that might occur if some practices were to be unregulated.

A Regulatory Impact Statement was open to public consultation from 29 August 2019 to 26 September 2019, and 2,468 submissions were received. After consideration of these submissions in accordance with section 11 of the SL Act, I have further considered the proposed Regulations and I give notice of my intention to proceed with the making of the Regulations.

The proposed Regulations have been amended to reflect public feedback, key changes from the consultation draft of the Regulations are:

- Exemption added for authorised officers to keep animals in a holding compartment of an animal transport vehicle when temperatures can be maintained at or below 28°C on hot days, and the animal has access to water.
- Amendment of the requirement for insulating material on metal trays of motor vehicles, when temperature is at or above 28°C to apply only to dogs secured on the metal tray.
- Inclusion of a definition of 'livestock' as defined under the Australian Animal Welfare Standards and Guidelines for Land Transport of Livestock (Transport S&G).
- Removal of the requirement for the issuing of a veterinary certificate before transporting an animal that is not able to walk on its own by bearing weight on all legs (excluding poultry). Replaced with a need to present written veterinary advice.
- Revision of the distance an animal can be transported for veterinary, or other appropriate treatment, from 20 km to 50 km.
- Addition of exemptions from some tethering requirements (access to water and grazing) for animals at agricultural shows or involved in AEC approved research.
- Revision of the definition of mulesing to mirror the Australian Animal Welfare Standards and Guidelines for Sheep. Delayed implementation of 6 months of requirement to use pain relief for surgical mulesing.
- Refinement of the fruit netting provisions to remove colour and strand diameter requirements, and delay commencement until 1 September 2021.
- Return to requirements in the POCTA Regulations 2008 to allow the use of electronic collars, to enable the ongoing use of remote training and anti-bark collars.
- Introduction of a Ministerial approval to allow limited use of leghold traps for feral cats (where declared).
- Addition of an offence for failure to comply with the new regulatory requirement for mandatory training of new members appointed to an Animal Ethics Committee made infringeable.

Further information regarding the public consultation process and response to feedback received through submissions can be found at <https://engage.vic.gov.au/prevention-cruelty-animals-draft-regulations-2019>

Dated 3 December 2019

THE HON. MARTIN PAKULA MP
Acting Minister for Agriculture

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