

Sunshine Coast Regional Council

Amendment Local Law No. 1 (Animal Management) 2014

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1 Short title

This local law may be cited as *Amendment Local Law No. 1 (Animal Management) 2014*.

2 Commencement

This local law commences on the date it is published in the gazette.

3 Local law amended

This local law amends *Local Law No.2 (Animal Management) 2011*.

4 Insertion of new pt 1A

After section 4—
insert—

Part 1A Cat registration

Division 1 Interpretation

4A Definitions

In this part—

cat register see section 4P.

desexed, for a cat, means to surgically remove its gonads for the purpose of making it permanently incapable of reproducing.

registration device means a device to assist in identifying a cat decided by resolution of the local government.

Example of a registration device—
a tag for the collar of a cat.

registration fee, for a cat, means the fee fixed by the local government for its registration.

registration form, for the registration of a cat, means the form approved by the local government for registering cats.

registration notice, for a cat, means a notice stating the information in section 4G(3)(b) for the cat.

Division 2 Particular person's obligations

4B Registration obligation

- (1) This section does not apply to—
 - (a) the operator of a pound or shelter; or
 - (b) the owner of a cat less than 12 weeks old.
- (2) An owner of a cat must comply with section 4D to register the cat in the local government's area within 14 days after starting to keep the cat in the area unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (3) A person who becomes an owner of a cat must comply with section 4D to register the cat in the local government's area within 14 days unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (4) In this section—

pound means a premises maintained for the purpose of impounding animals.

shelter means a premises maintained for the purpose of providing shelter to, or finding a home for, stray, abandoned or unwanted animals.

4C Cat must bear identification in particular circumstances

- (1) This section applies if a cat is at a place other than the address stated in the registration notice for the cat.
- (2) The person who keeps the cat must ensure it bears the identification prescribed under section 10 unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

Division 3 How cat is registered

4D What owner must do

To register a cat with the local government, the owner of the cat must—

- (a) give the local government a registration form for it that complies with section 4E; and
- (b) ensure the registration form is accompanied by—
 - (i) the registration fee for the cat; and
 - (ii) if it is desexed—a signed veterinary surgeon's certificate stating, or other evidence that, it has been desexed; and
- (c) if a notice is given to the owner under section 4F(2)—give the chief executive officer of the local government any other information or documents required to be given in the notice.

4E What registration form must state

- (1) A registration form for the registration of a cat in the local government's area must—
 - (a) be in the form approved by the local government; and
 - (b) state all of the following information about its owner—
 - (i) name;
 - (ii) residential address;
 - (iii) contact telephone number;
 - (iv) email address, if any; and
 - (c) state all of the following information about the cat—
 - (i) age;
 - (ii) breed;
 - (iii) colour;
 - (iv) sex;
 - (v) any other noticeable distinguishing features or marks;
 - (vi) address;
 - (vii) if it is implanted with a PID, the PID number;
 - (viii) if it is desexed—that it has been desexed.

- (2) In this section—

address, for a cat, means the address of the place where the cat is usually kept or proposed to be kept.

PID has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

PID number has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

4F Chief executive officer may ask for further information

- (1) This section applies if the owner of a cat gives the local government—
- (a) a registration form under section 4D; or
 - (b) a notice mentioned in section 4K(2) or 4N(2).
- (2) The chief executive officer of the local government may, by notice, require the owner to give other information or documents reasonably required to register the cat.
- (3) The notice must state a reasonable period of at least 14 days to comply with the notice.

4G Local government must give registration notice

- (1) This section applies if an owner of a cat complies with section 4D for the cat.
- (2) The local government must give its owner notice (the *registration notice*) that the cat has been registered by the local government.
- (3) The registration notice must—
- (a) be given to the owner within 14 days after the cat is registered in the local government's area; and
 - (b) state—
 - (i) the information, for the owner and the cat, required to be given under sections 4E and 4F(2); and
 - (ii) the period of the registration; and
 - (c) be accompanied by any registration device for the cat.

4H Duration of registration

- (1) Registration of a cat is for the period of years fixed by resolution of the local government.
- (2) However, the period must not be more than 3 years.

4I Local government must keep registration form and information

After giving a registration notice to the owner of a cat, the local government must—

- (a) keep the registration form and other information about the cat given to it by the owner; and
- (b) if the information must be recorded in a register kept by the chief executive officer of the local government— within 7 days, record the information in the register.

4J Registration fee must be fixed to give desexing incentive

- (1) This section applies to the local government in fixing the registration fee for a cat usually kept or proposed to be kept in the local government's area.
- (2) The local government must fix the fee to give the owner of the cat an incentive to desex it.

*Example of an incentive to desex a cat—
fixing a lower registration fee for a cat that is desexed*

Division 4 Amendment of registration

4K Amendment of registration

- (1) This section applies if any information stated on the registration notice for a cat changes (the *changed information*).
- (2) The owner of the cat must, within 7 days, give the local government notice of the changed information.
Maximum penalty—5 penalty units.
- (3) The notice must be—
 - (a) in the form approved by the local government; and
 - (b) accompanied by other information or documents to enable the local government to record the changed information in the cat register.

4L Local government must give notice of change

- (1) This section applies if the chief executive officer of the local government is given a notice under section 4K(2).
- (2) The chief executive officer may ask the owner of the cat for other information or documents in the way mentioned in section 4F.
- (3) The owner must give the chief executive officer the information or documents required to be given in the notice mentioned in section 4F(2).

Maximum penalty—5 penalty units.

- (4) If the owner complies with subsection (3), the chief executive officer must—
 - (a) within 7 days after receiving a notice mentioned in section 4K(2) or other information or document given under section 4F, ensure the information is updated in the cat register in a way that reflects the change; and
 - (b) within 14 days after receiving the notice, ensure the owner is given a notice for the cat that includes the changed information mentioned in section 4K.

Division 5 Renewal of registration

4M Local government must give renewal notice

- (1) The chief executive officer of the local government must give the owner of a cat notice (the *renewal notice*) to renew the registration for the cat.
- (2) The renewal notice must—
 - (a) be given at least 14 days before the period of registration for the cat expires; and
 - (b) state—
 - (i) the information, for the owner and the cat, stated in the cat register; and
 - (ii) the period of renewal of registration; and
 - (iii) that the owner must, within 7 days, give the chief executive officer notice of any change to the information.

4N What owner must do

- (1) This section applies to the owner of a cat whether or not the owner has been given a renewal notice.
- (2) The owner of the cat must, before the period of registration for the cat expires—
 - (a) if any information on the renewal notice has changed—give the local government notice of the change (the *changed information*); and
 - (b) pay the registration fee for the cat; and
 - (c) if it is desexed—ensure the fee is accompanied by a signed veterinary surgeon's certificate stating, or other evidence that, it has been desexed.

Maximum penalty—20 penalty units.

- (3) However, if a registration form for a cat has already been accompanied by the certificate or evidence mentioned in subsection (2) for the cat, the certificate or evidence need not accompany the fee.

4O Local government's obligations if owner complies

- (1) This section applies if the owner of a cat given a renewal notice under section 4M complies with section 4N for the cat.
- (2) The chief executive officer of the local government may ask the owner for other information or documents in the way mentioned in section 4F.
- (3) The owner must give the chief executive officer the information or documents required to be given in the notice mentioned in section 4F(2).

Maximum penalty—5 penalty units.

- (4) If the owner complies with subsection (3), the chief executive officer must—
 - (a) within 7 days after receiving the notice mentioned in section 4N(2), ensure the information is updated in the cat register in a way that reflects the change; and
 - (b) within 14 days after receiving the fee, any information or documents mentioned in section 4N(2) or other information or documents given under section 4F, give the owner any registration device for the cat.

Division 6 Cat register

4P Cat register

The chief executive officer of the local government must keep a register about cats usually kept or proposed to be kept in the local government's area (the *cat register*).

4Q Contents of the cat register

The cat register must include all of the following information for each cat mentioned in section 4P—

- (a) the information about the cat and its owner stated in a registration notice for the cat, given under section 4G;
- (b) other information the local government considers appropriate.

4R Public access to cat register

- (1) The local government must keep its cat register open to inspection at the public office of the local government.
- (2) However, subsection (1) does not apply for information about an owner of a cat required to be stated in a registration notice for the cat.

5 Transitional provision

A cat registered under the *Animal Management (Cats and Dogs) Act 2008* at the commencement of this local law is taken to be registered under Part 1A of *Local Law No.2 (Animal Management) 2011*.

6 Amendment of s 10 (Identification for cats and dogs in certain circumstances)

Section 10, after 'identification'—

omit, insert—

required by—

- (a) the *Animal Management (Cats and Dogs) Act 2008* for a dog that is at a place other than the address stated in the registration notice for the dog; or
- (b) section 4C for a cat that is at a place other than the address stated in the registration notice for the cat.