

YOUR RESPONSIBILITIES IN KEEPING A DOG AS A COMPANION ANIMAL

The State Government has set down a number of laws in relation to the keeping of dogs as companion animals, including the *Companion Animals Act 1998*, *Companion Animals Regulation 2018* and the *Prevention of Cruelty to Animals Act 1979*. RSPCA guidelines also spell out your duty of care to companion animals. Local Councils have the duty of ensuring compliance with these laws. All animal owners must comply with these laws and Council policies. The following information is provided to help you be a responsible dog owner.

Working Dogs

All working dogs, both on farm and in town, should be microchipped and registered, however, a fee does not apply if the Council Ranger is satisfied it is a legitimate working dog. All working dogs kennelled within Coonamble, Gulargambone and Quambone must be microchipped and lifetime registered. A 'working dog' is defined as a dog used primarily for the purpose of droving, tending, working or protecting stock, and includes a dog being trained as a working dog. An appointment must be made with Council's Ranger to show the dog working for the fee to be waived.

Dangerous, menacing and restricted dog breeds

Restricted dog breeds are identified in the *Companion Animals Act 1998*. A dangerous or menacing dog is any deemed such by the local Ranger. A yearly permit is required to keep a dangerous dog or one of a restricted breed.

Once-off, Lifetime Registration is Required

A once-off, lifetime Registration Fee applies for all companion dogs (and working dogs within town). Fees are to be paid at Council's Administration Office, 80 Castlereagh Street, Coonamble.

Fees set by the State Government, payable as of 1 July 2021 are:

Not De-sexed	\$ 224
De-sexed	\$ 66
Pensioner De-sexed Animal	\$ 27
Registered Breeder	\$ 66
Working Dog (evidence required)	NIL
Assistance Dog	NIL

Secure enclosure with water and shade

Coonamble Shire Council's Domestic Animal Policy sets out requirements for providing a secure living environment for your dog:

"Domestic animal owners have a responsibility to manage their animals appropriately. All persons and animals are entitled to a safe living environment. By providing an adequate enclosure you will ensure that your dog/animal remains on your premises and does not cause any potential threats or risk to the community. You must provide an escape-proof enclosure constructed of strong and firm materials and designed so as to reasonably prevent the dog/animal from escaping over, through or under the barrier. If you live in the residential area the height of the enclosure must be:

- 1 metre for a small dog; or
- 1.8 metres for a medium or large dog.

"Proper enclosure is an area of land on which the dog/animal is kept, appropriately sized so as to effectively and comfortably house the animal. The area must also be appropriate to the breed of the dog/animal to effectively enclose the dog/animal on the property. Council enforces enclosure height requirements and may impose greater height criteria if a dog/animal has proven to be able to escape the enclosure."

Dogs must be microchipped

Under the *Companion Animals Act 1998* and *Companion Animals Regulation 2018*, the following applies:

Identification/microchipping is required from 12 weeks of age and before sale

1. A companion animal must be identified/microchipped as required by the regulations from the time the animal is 12 weeks old.
2. A companion animal must not be sold unless it has been identified/microchipped as required by the regulations (even if it is less than 12 weeks old when it is sold).
3. The owner is guilty of an offence if the dog is not identified/microchipped.

Maximum penalty:

- a) 8 penalty units (and/or \$180) except in the case of a dangerous, menacing or restricted dog, or
 - b) 50 penalty units (and/or \$1,320) in the case of a dangerous, menacing or restricted dog.
4. A person, who sells an animal in contravention of the above subsection (2), this is, failing to identify/microchip the dog, is guilty of an offence.

Maximum penalty:

- a) 8 penalty units (and/or \$180) except in the case of a dangerous, menacing or restricted dog, or
 - b) 50 penalty units (and/or \$1,320) in the case of a dangerous, menacing or restricted dog.
5. The regulations may change the age from which a companion animal is required to be identified under subsection (1) from 12 weeks to any other age (either generally for all companion animals or for a particular kind or class of companion animal).

Note: The term "sell" extends to the transfer of ownership by any means, including by gift. This section requires an animal to be identified before it is sold no matter what the age of the animal when it is sold.

Dogs must be registered from six months of age (in addition to being microchipped)

1. A companion animal must be registered under this Act from the time the animal is six months old. The owner of the animal is guilty of an offence if it is not registered.

Maximum penalty:

- a) 60 penalty units (and/or \$1,320) in the case of a dangerous, menacing or restricted dog, or
- b) 50 penalty units in other cases, for a first offence, or 60 penalty units for a second and each subsequent offence (and/or \$330).

Note: The regulations may require a particular class or description of dog to be registered. An owner does not have to wait until an animal is six months old to register it. An animal of any age can be registered.

2. The regulations may change the age from which a companion animal is required to be registered under this section from 6 months to any other age, either generally for all companion animals or for a particular kind or class of companion animal.
3. A person is taken to commit a separate offence under this section on every day the companion animal remains unregistered. However, a person:
 - a) May not be convicted for the commission of more than one offence in relation to the failure to register a companion animal during any single calendar month, and
 - b) May be convicted only once in relation to any failure to register a companion animal that occurred before that failure came to the notice of the council of the area in which the animal is ordinarily kept.

Note: This subsection does not limit the number of times a person may be prosecuted under section 10B of the *Companion Animals Act 1998* (Notice requiring companion animal to be registered).

Useful Contacts:

Council's Ranger: 0427 255 881
Council: 6827 1900 during business hours
Email: environmental@coonambleshire.nsw.gov.au