



*Animal Management (Cats and Dogs) Act 2008*

# **Animal Management (Cats and Dogs) Regulation 2009**

**Reprinted as in force on 1 July 2010**

**Reprint No. 1D**

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

# Information about this reprint

This regulation is reprinted as at 1 July 2010. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# Animal Management (Cats and Dogs) Regulation 2009

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
<b>Division 1</b>	<b>Introduction</b>	
1	Short title . . . . .	5
2	Commencement . . . . .	5
3	Definitions . . . . .	5
<b>Division 2</b>	<b>Interpretation—key definitions</b>	
4	Requirements for PPIDs—Act, s 12 . . . . .	5
<b>Part 2</b>	<b>Regulated dogs—permit conditions</b>	
<b>Division 1</b>	<b>Operation of pt 2</b>	
5	Prescribed requirements for particular permit conditions . . . . .	7
<b>Division 2</b>	<b>Identification</b>	
6	Identifying tag . . . . .	7
<b>Division 3</b>	<b>Enclosure</b>	
7	Operation of div 3 . . . . .	8
8	Public access to front entrance of house . . . . .	8
9	Minimum enclosed area . . . . .	8
10	Minimum height . . . . .	8
11	Standard for enclosure materials . . . . .	9
12	Enclosure walls . . . . .	9
13	Gate requirements . . . . .	9
14	Weatherproof area required . . . . .	9
<b>Division 4</b>	<b>Public notice</b>	
15	Operation of div 4 . . . . .	10
16	Dimensions of sign . . . . .	10
17	Quality and type of sign . . . . .	10
18	Information sign must contain . . . . .	10

Contents

---

<b>Part 3</b>	<b>Registers</b>	
19	Chief executive officer must give information . . . . .	11
<b>Part 4</b>	<b>Courses and qualifications for authorised implanters</b>	
<b>Division 1</b>	<b>Prescribed courses and qualifications</b>	
20	Courses for authorised implanters . . . . .	12
21	Qualifications for authorised implanters . . . . .	12
22	Courses for authorised implanters . . . . .	12
<b>Division 2</b>	<b>Approved courses and qualifications</b>	
23	Definitions for div 2. . . . .	13
24	Making application . . . . .	13
25	Chief executive may ask for further information . . . . .	13
26	Deciding application . . . . .	14
27	Grant of approval on conditions . . . . .	15
28	Notice of approval if application granted . . . . .	15
29	Notice of refusal . . . . .	15
30	Review of chief executive’s decision. . . . .	15
30A	Prescribed classes of dog—Act, s 44. . . . .	16
<b>Part 5</b>	<b>Miscellaneous provisions</b>	
31	Program prescribed for decommissioning greyhounds . . . . .	16
32	Fees . . . . .	16
<b>Part 6</b>	<b>Other matters prescribed for Act, sch 2</b>	
32A	Deferred dates for particular local governments. . . . .	17
33	Information that is PID information . . . . .	17
34	Way cat or dog to be tattooed . . . . .	18
<b>Part 7</b>	<b>Transitional provisions</b>	
<b>Division 1</b>	<b>Restricted dogs</b>	
35	Identifying tag. . . . .	18
36	Minimum enclosed area—deferred application of s 9 for particular persons. . . . .	18
37	Weatherproof area required—deferred application of s 14 for particular persons. . . . .	19
38	Public notice. . . . .	19
<b>Division 2</b>	<b>Local law dangerous dogs</b>	
39	Public access to front entrance of house—deferred application of s 8 for keepers . . . . .	19
40	Minimum enclosed area—deferred application of s 9 for particular persons. . . . .	20

41	Minimum height—deferred application of s 10 for keepers . . . . .	21
42	Standard for enclosure materials—deferred application of s 11 for keepers . . . . .	21
43	Enclosure walls—deferred application of s 12 for keepers. . . . .	22
44	Gate requirements—deferred application of s 13 for keepers . . .	23
45	Weatherproof area required—deferred application of s 14 for particular persons. . . . .	24
46	Public notice . . . . .	24
<b>Division 3</b>	<b>Miscellaneous</b>	
47	References to repealed part 16 . . . . .	25
<b>Schedule 1</b>	<b>Chief executive officer must give information</b> . . . . .	26
<b>Schedule 2</b>	<b>Courses and qualifications for authorised implanters</b> . . . . .	28
<b>Schedule 3</b>	<b>Fees</b> . . . . .	29
<b>Schedule 4</b>	<b>Information that is PID information</b> . . . . .	30
1	Information about owner. . . . .	30
2	Information about cat or dog . . . . .	30
3	Information about authorised implanter . . . . .	31
<b>Schedule 5</b>	<b>Dictionary</b> . . . . .	32
 <b>Endnotes</b>		
1	Index to endnotes. . . . .	33
2	Date to which amendments incorporated. . . . .	33
3	Key . . . . .	33
4	Table of reprints . . . . .	34
5	List of legislation. . . . .	34
6	List of annotations . . . . .	35



---

# Animal Management (Cats and Dogs) Regulation 2009

[as amended by all amendments that commenced on or before 1 July 2010]

## Part 1 Preliminary

### Division 1 Introduction

#### 1 Short title

This regulation may be cited as the *Animal Management (Cats and Dogs) Regulation 2009*.

#### 2 Commencement

This regulation commences on 1 July 2009.

#### 3 Definitions

The dictionary in schedule 5 defines particular words used in this regulation.

### Division 2 Interpretation—key definitions

#### 4 Requirements for PPIDs—Act, s 12

- (1) For section 12(2) of the Act, this section prescribes the requirements with which a PPID must comply.
- (2) A PPID must—
  - (a) be designed to transmit the PID number for the PPID when scanned by an electronic reader; and

[s 4]

---

- (b) have stored on it a PID number that—
  - (i) includes a manufacturer’s code; and
  - (ii) complies with the requirements of AS 5018-2001 relating to unique identification codes transmitted by transponders; and
- (c) comply with the requirements of AS 5019-2001 relating to transponders.

*Editor’s notes—*

- AS 5018-2001 (Electronic animal identification—National coding scheme)
- AS 5019-2001 (Electronic animal identification—Radiofrequency methods)

- (3) In this section—

**AS 5018-2001** means AS 5018-2001 as in force on 1 July 2009.

**AS 5019-2001** means AS 5019-2001 as in force on 1 July 2009.

**ICAR** means the International Committee for Animal Recording Pty Ltd ACN 121 026 195.

**manufacturer’s code** means a unique number ICAR 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                      Regulated dogs—permit conditions**

### **Division 1                      Operation of pt 2**

#### **5                      Prescribed requirements for particular permit conditions**

For sections 81, 97 and 98 of the Act, this part prescribes requirements for particular permit conditions for relevant dogs stated in schedule 1 of the Act.

### **Division 2                      Identification**

#### **6                      Identifying tag**

- (1) For schedule 1, section 2(3) of the Act, a tag to be attached to a relevant dog's collar must—
  - (a) be metal or plastic; and
  - (b) be disc-shaped; and
  - (c) have a yellow background; and
  - (d) be at least 25mm in diameter; and
  - (e) contain the following information—
    - (i) the words 'Regulated Dog';
    - (ii) a 24 hour contact telephone number for the owner of, or any responsible person for, the dog.
- (2) The information mentioned in subsection (1)(e) must be engraved and legible.

[s 7]

---

## **Division 3                      Enclosure**

### **7                      Operation of div 3**

For schedule 1, section 4 of the Act, this division prescribes the requirements for an enclosure and an area enclosed for a relevant dog.

### **8                      Public access to front entrance of house**

The enclosure must not be built or situated in a way requiring a member of the public seeking access to the front entrance of a dwelling house on the relevant place to go into the enclosed area.

*Note—*

*Relevant place* is defined in schedule 1, section 1 of the Act.

### **9                      Minimum enclosed area**

- (1) The area enclosed must be at least 10m<sup>2</sup>.

*Note—*

See also the *Animal Care and Protection Act 2001*, section 33 (Obligation to exercise closely confined dogs).

- (2) The area must not include any area that is—
- (a) a swimming pool or area surrounding a swimming pool;  
or
  - (b) all or part of a building usually used for residential purposes.

### **10                    Minimum height**

The walls of the enclosure must be—

- (a) if the dog is 8kg or less—at least 1m high above ground level; or
- (b) if the dog is more than 8kg—at least 1.8m high above ground level.

---

## 11 Standard for enclosure materials

The enclosure must consist of firm and strong materials.

## 12 Enclosure walls

- (1) The exterior of the walls of the enclosure must be designed to prevent a child from climbing into the enclosure.
- (2) The walls may include a perimeter fence for the relevant place or an exterior wall of a structure if it complies with the requirements for the enclosure under schedule 1, section 4 of the Act and this division.

## 13 Gate requirements

- (1) The enclosure must include a gate (the *enclosure gate*).
- (2) The enclosure must not have a driveway gate or other vehicle entry gate (a *vehicle gate*).
- (3) The enclosure gate must—
  - (a) be childproof, self-closing and self-latching; and
  - (b) comply with the requirements for the enclosure under schedule 1, section 4 of the Act and this division.
- (4) However, the enclosure may have another gate that is not self-closing and self-latching if it—
  - (a) is not a vehicle gate; and
  - (b) complies with section 12; and
  - (c) is kept securely locked whenever it is not in immediate use.

## 14 Weatherproof area required

The enclosure must include a weatherproof area appropriate for a dog.

[s 15]

---

*Examples of an appropriate weatherproof area—*

- a kennel
- an area of an appropriate size, covered by a roof

## **Division 4                      Public notice**

### **15            Operation of div 4**

For schedule 1, section 5(2) of the Act, this division prescribes the following for a sign notifying the public that a relevant dog is kept at a place—

- (a) the dimensions of the sign;
- (b) the quality and type of the sign;
- (c) the information that must be contained in the sign.

### **16            Dimensions of sign**

The sign must be of at least the following dimensions—

- (a) 360mm in height;
- (b) 260mm in width.

### **17            Quality and type of sign**

The sign must—

- (a) consist of firm and strong materials; and
- (b) have a yellow background and black border.

### **18            Information sign must contain**

(1) The sign must contain all of the following words, in the following case—

- (a) for                      a                      declared                      dangerous  
dog—‘BEWARE—DANGEROUS DOG’;

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

## Part 3 Registers

### 19 Chief executive officer must give information

For section 174(2)(b)(iii) of the Act, the prescribed information to be stated in a notice for a dog mentioned in section 174(1) of the Act is stated in schedule 1.

[s 20]

## **Part 4                                  Courses and qualifications for authorised implanters**

### **Division 1                                  Prescribed courses and qualifications**

#### **20                                  Courses for authorised implanters**

(1) For schedule 2 of the Act, definition *authorised implanter*, paragraph (a)(i), the course prescribed is—

- (a) AVA’s Queensland Microchip Implantation Course offered by its Queensland Division; or
- (b) a course mentioned in schedule 2, part 1, column 2, offered by the entity mentioned in the schedule, column 1 opposite the course.

(2) In this section—

*AVA* means The Australian Veterinary Association Ltd ABN 63 008 522 852.

#### **21                                  Qualifications for authorised implanters**

For schedule 2 of the Act, definition *authorised implanter*, paragraph (b)(i), the qualification prescribed is a qualification mentioned in schedule 2, part 2, column 2, offered by the entity mentioned in the schedule, column 1 opposite the qualification.

#### **22                                  Courses for authorised implanters**

For schedule 2 of the Act, definition *authorised implanter*, paragraph (b)(ii), the course prescribed is a course mentioned in schedule 2, part 1, column 2, offered by the entity mentioned in the schedule, column 1 opposite the course.

---

## Division 2                      **Approved courses and qualifications**

### 23            **Definitions for div 2**

In this division—

*applicant* see section 24.

*approval* means an approval that may be given by the chief executive under schedule 2 of the Act, definition *authorised implanter*.

### 24            **Making application**

- (1) A veterinary surgeon (the *applicant*) may apply for an approval for a course offered in a State or country as being equivalent to a course mentioned in section 20 or 22.
- (2) A person other than a veterinary surgeon (also the *applicant*) may apply for an approval for any of the following offered in a State or country—
  - (a) a qualification as being equivalent to a qualification mentioned in section 21;
  - (b) a course as being equivalent to a course mentioned in section 22.
- (3) The application must be—
  - (a) made to the chief executive in the approved form; and
  - (b) supported by enough information to enable the chief executive to decide the application.

### 25            **Chief executive may ask for further information**

- (1) The chief executive may, by notice, require the applicant to give other information or documents reasonably required to enable the chief executive to decide the application.
- (2) The notice must state a reasonable period of at least 14 days to comply with the notice.

[s 26]

---

- (3) The applicant must, within the time stated in the notice, give the chief executive the other information or documents.
- (4) If subsection (3) is not complied with, the application lapses.

## 26 Deciding application

- (1) The chief executive must decide the application within 30 days (the *relevant time*) after the application is made.
- (2) However, if within the relevant time the chief executive has required the applicant to give other information or documents (the *other information*) under section 25, the chief executive must decide the application within 30 days after the other information is given to the chief executive.
- (3) The chief executive may refuse the application if the chief executive is satisfied of any of the following—
  - (a) if the applicant is a veterinary surgeon—the course is not equivalent to a course mentioned in section 20 or 22;
  - (b) if the applicant is not a veterinary surgeon—
    - (i) the qualification is not equivalent to a qualification mentioned in section 21; or
    - (ii) the course is not equivalent to a course mentioned in section 22;
  - (c) the applicant has contravened a provision of PID legislation;
  - (d) the applicant has had another approval under PID legislation cancelled or suspended.
- (4) In this section—

*PID legislation* means—

  - (a) a provision of the Act about the permanent identification of animals; or
  - (b) a corresponding law that provides, or provided, for the same, or substantially the same, matter as a provision of the Act about the permanent identification of animals.



## **27 Grant of approval on conditions**

The chief executive may grant the application on conditions the chief executive considers reasonable and relevant.

## **28 Notice of approval if application granted**

- (1) If the chief executive decides the application, the chief executive must give the applicant notice of the granting of the approval within 30 days after making the decision.
- (2) The notice must include—
  - (a) details identifying the applicant and the course or qualification to which the approval relates; and
  - (b) any condition to which the approval is subject under section 27; and
  - (c) if the conditions are conditions to which the applicant has not agreed in writing—the matters mentioned in section 29(2)(b).

## **29 Notice of refusal**

- (1) If the chief executive decides to refuse the application, the chief executive must give the applicant a notice of the refusal within 30 days after making the decision.
- (2) The notice must state—
  - (a) the decision and the reasons for it; and
  - (b) that the applicant may apply for an internal review of the decision to the original decider for the decision within 14 days after the applicant receives the notice; and
  - (c) how to apply for the internal review.

## **30 Review of chief executive's decision**

For a decision as follows, chapter 8 of the Act applies as if the decision were an original decision mentioned in section 181

[s 30A]

---

of the Act and the applicant were the interested person for the decision—

- (a) a decision to refuse the application;
- (b) a decision to grant an approval on conditions to which the applicant has not agreed in writing.

*Editor's note—*

chapter 8 (Reviews) and section 181 (Who may apply for internal review) of the Act

### **30A Prescribed classes of dog—Act, s 44**

A dog is a prescribed class of dog for section 44(4)(c) of the Act if—

- (a) the dog is kept by a person primarily for producing canine plasma products derived completely or partly from the plasma of the dog; and
- (b) the person is registered under the *Animal Care and Protection Act 2001* to use the dog for the purpose.

## **Part 5 Miscellaneous provisions**

### **31 Program prescribed for decommissioning greyhounds**

For section 197(3) of the Act, definition *decommissioned greyhound*, paragraph (b), the program prescribed is the Greyhound Adoption Program of Queensland offered by Greyhounds Queensland Limited ABN 87 128 067 247.

### **32 Fees**

The fees payable under the Act are stated in schedule 3.

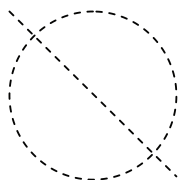


[s 34]

---

### **34 Way cat or dog to be tattooed**

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



*Figure 1—Symbol for permanently marking inside a cat's or dog's left ear*

## **Part 7 Transitional provisions**

### **Division 1 Restricted dogs**

#### **35 Identifying tag**

- (1) This section applies to an identifying tag for a restricted dog complying with the *Local Government Act 1993*, former section 1193ZA in force immediately before 1 July 2009.
- (2) The tag is taken to comply with the requirements prescribed under section 6.

#### **36 Minimum enclosed area—deferred application of s 9 for particular persons**

If, immediately before 1 July 2009, a permit holder, or any responsible person, for a restricted dog is lawfully complying with a requirement prescribed under repealed part 16, section 84, section 9(2) does not apply to the holder or person until 1 October 2009.

---

**37 Weatherproof area required—deferred application of s 14 for particular persons**

If, immediately before 1 July 2009, a permit holder, or any responsible person, for a restricted dog is lawfully complying with the requirement prescribed under repealed part 16, section 89, section 14 does not apply to the holder or person until 1 October 2009.

**38 Public notice**

- (1) Subsection (2) applies to a sign for a restricted dog complying with the requirements prescribed under the *Local Government Act 1993*, former section 1193ZD in force immediately before 1 July 2009.
- (2) The sign is taken to comply with the requirements prescribed under part 2, division 4.

**Division 2 Local law dangerous dogs**

**39 Public access to front entrance of house—deferred application of s 8 for keepers**

- (1) This section applies to—
  - (a) if a local law entrance requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog who, immediately before 1 July 2009, is lawfully complying with the requirement; or
  - (b) if no local law entrance requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog.
- (2) Section 8 does not apply to the keeper until 1 October 2009.
- (3) If, from 1 October 2009, a keeper of a local law dangerous dog mentioned in subsection (1)(a) continues to comply with the local law entrance requirement, the dog's enclosure is taken to comply with section 8 until the earlier of the following—

[s 40]

---

- (a) the keeper stops complying with the requirement;
  - (b) the dog dies.
- (4) In this section—

*local law entrance requirement* means a requirement under a local law, or resolution, of the relevant local government for a local law dangerous dog for public access to the front entrance of the dwelling house at which a local law dangerous dog is usually kept that is the same as, or similar to, repealed part 16, section 83 in force immediately before 1 July 2009.

#### **40 Minimum enclosed area—deferred application of s 9 for particular persons**

- (1) This section applies to—
- (a) if a local law minimum area requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog who, immediately before 1 July 2009, is lawfully complying with the requirement; or
  - (b) if no local law minimum area requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog.
- (2) Section 9 does not apply to the keeper until 1 October 2009.
- (3) If, from 1 October 2009, a keeper of a local law dangerous dog mentioned in subsection (1)(a) continues to comply with the local law minimum area requirement, the dog's enclosure is taken to comply with section 9 until the earlier of the following—
- (a) the keeper stops complying with the requirement;
  - (b) the dog dies.
- (4) In this section—

*local law minimum area requirement* means a requirement under a local law, or resolution, of the relevant local government for a local law dangerous dog for the minimum area enclosed for local law dangerous dogs that is the same as,

---

or similar to, repealed part 16, section 84 in force immediately before 1 July 2009.

#### **41 Minimum height—deferred application of s 10 for keepers**

- (1) This section applies to—
  - (a) if a local law minimum height requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog who, immediately before 1 July 2009, is lawfully complying with the requirement; or
  - (b) if no local law minimum height requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog.
- (2) Section 10 does not apply to the keeper until 1 October 2009.
- (3) If, from 1 October 2009, a keeper of a local law dangerous dog mentioned in subsection (1)(a) continues to comply with the local law minimum height requirement, the dog's enclosure is taken to comply with section 10 until the earlier of the following—
  - (a) the keeper stops complying with the requirement;
  - (b) the dog dies.
- (4) In this section—

*local law minimum height requirement* means a requirement under a local law, or resolution, of the relevant local government for a local law dangerous dog for the minimum height for the walls of an enclosure for local law dangerous dogs that is the same as, or similar to, repealed part 16, section 85 in force immediately before 1 July 2009.

#### **42 Standard for enclosure materials—deferred application of s 11 for keepers**

- (1) This section applies to—
  - (a) if a local law enclosure materials requirement applies to a local law dangerous dog—a keeper of a local law

[s 43]

---

dangerous dog who, immediately before 1 July 2009, is lawfully complying with the requirement; or

- (b) if no local law enclosure materials requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog.
- (2) Section 11 does not apply to the keeper until 1 October 2009.
  - (3) If, from 1 October 2009, a keeper of a local law dangerous dog mentioned in subsection (1)(a) continues to comply with the local law enclosure materials requirement, the dog's enclosure is taken to comply with section 11 until the earlier of the following—
    - (a) the keeper stops complying with the requirement;
    - (b) the dog dies.
  - (4) In this section—

*local law enclosure materials requirement* means a requirement under a local law, or resolution, of the relevant local government for a local law dangerous dog for the standard of enclosure materials for local law dangerous dogs that is the same as, or similar to, repealed part 16, section 86 in force immediately before 1 July 2009.

#### **43 Enclosure walls—deferred application of s 12 for keepers**

- (1) This section applies to—
  - (a) if a local law enclosure walls requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog who, immediately before 1 July 2009, is lawfully complying with the requirement; or
  - (b) if no local law enclosure walls requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog.
- (2) Section 12 does not apply to the keeper until 1 October 2009.
- (3) If, from 1 October 2009, a keeper of a local law dangerous dog mentioned in subsection (1)(a) continues to comply with the local law enclosure walls requirement, the dog's enclosure



---

is taken to comply with section 12 until the earlier of the following—

- (a) the keeper stops complying with the requirement;
  - (b) the dog dies.
- (4) In this section—

***local law enclosure walls requirement*** means a requirement under a local law, or resolution, of the relevant local government for a local law dangerous dog for enclosure walls for local law dangerous dogs that is the same as, or similar to, repealed part 16, section 87 in force immediately before 1 July 2009.

#### **44 Gate requirements—deferred application of s 13 for keepers**

- (1) This section applies to—
- (a) if a local law gate requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog who, immediately before 1 July 2009, is lawfully complying with the requirement; or
  - (b) if no local law gate requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog.
- (2) Section 13 does not apply to the keeper until 1 October 2009.
- (3) If, from 1 October 2009, a keeper of a local law dangerous dog mentioned in subsection (1)(a) continues to comply with the local law gate requirement, the dog's enclosure is taken to comply with section 13 until the earlier of the following—
- (a) the keeper stops complying with the requirement;
  - (b) the dog dies.
- (4) In this section—

***local law gate requirement*** means a requirement under a local law, or resolution, of the relevant local government for a local law dangerous dog for enclosure gates for local law dangerous

[s 45]

---

dogs that is the same as, or similar to, repealed part 16, section 88 in force immediately before 1 July 2009.

#### **45 Weatherproof area required—deferred application of s 14 for particular persons**

- (1) This section applies to—
  - (a) if a local law weatherproof area requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog who, immediately before 1 July 2009, is lawfully complying with the requirement; or
  - (b) if no local law weatherproof area requirement applies to a local law dangerous dog—a keeper of a local law dangerous dog.
- (2) Section 14 does not apply to the keeper until 1 October 2009.
- (3) If, from 1 October 2009, a keeper of a local law dangerous dog mentioned in subsection (1)(a) continues to comply with the local law weatherproof area requirement, the dog's enclosure is taken to comply with section 14 until the earlier of the following—
  - (a) the keeper stops complying with the requirement;
  - (b) the dog dies.
- (4) In this section—

*local law weatherproof area requirement* means a requirement under a local law, or resolution, of the relevant local government for a local law dangerous dog for a weatherproof sleeping area for local law dangerous dogs that is the same as, or similar to, repealed part 16, section 89 in force immediately before 1 July 2009.

#### **46 Public notice**

- (1) Subsection (2) applies to a sign for a local law dangerous dog complying with requirements under a local law, or a resolution, of the relevant local government for the dog

displayed or erected before 1 July 2009 that was still displayed or erected immediately before that date.

- (2) The sign is taken to comply with the requirements under part 2, division 4.
- (3) In this section—

*sign*, for a local law dangerous dog, means a sign complying with the same, or substantially the same, requirements prescribed under the *Local Government Act 1993*, former section 1193ZD in force immediately before 1 July 2009.

## **Division 3                      Miscellaneous**

### **47            References to repealed part 16**

- (1) A reference in another Act or document to repealed part 16 may, if the context permits, be taken as a reference to part 2, division 3.
- (2) A reference in another Act or document to a particular provision of repealed part 16 (the *repealed provision*) may, if the context permits, be taken as a reference to any provision of part 2, division 3, all or part of which corresponds, or substantially corresponds, to the repealed provision.
- (3) This section is subject to the other provisions of this part.

## **Schedule 1      Chief executive officer must give information**

section 19

- 1 Information for the dog at the time the notice is given—
  - name
  - weight, expressed in kilograms
  - height, expressed in centimetres
  - whether the enclosure at the address stated in the registration notice is adequate
  - whether the dog is alive, dead or missing
  - photo
  - previous history of any incident
- 2 Information about any incident relating to the dog—
  - date
  - time
  - address, or location, and place, for example, a footpath
  - local government area
  - name of the authorised person attending the incident
  - seriousness
  - whether, at the time of the incident, the dog is desexed, or if information about whether it is desexed is unknown, that it is unknown
  - owner, permit holder or any responsible person (each the *relevant person*) at the time of the incident
  - whether the relevant person was present at the time of the incident
  - address stated in the registration notice at the time of the incident
  - whether the dog was under the effective control of someone at the time of the incident
  - nature of the incident
  - if a person is a victim of the incident—the following about the person—
    - age
    - sex

- if the person is a child, whether another person, responsible for the child, was present at the time
- whether the person knew the relevant person
- the person's activity at the time of the incident
- if the incident resulted in an injury to the person—
  - photo of the primary injury
  - location of the primary injury on the person's body
  - type of medical treatment required, if any
- if an animal is a victim of the incident—the species of the animal

## **Schedule 2**      **Courses and qualifications for authorised implanters**

section 20, 21 or 22

### **Part 1**      **Courses**

<b>Column 1 Institution</b>	<b>Column 2 Course</b>
BNIT	Microchip Implantation of Cats and Dogs
AIRC	Microchip Implantation of Cats and Dogs

### **Part 2**      **Qualifications**

<b>Column 1 Entity</b>	<b>Column 2 Qualification</b>
Registered training organisation	Advanced Certificate in Veterinary Nursing Certificate III in Animal Technology Certificate III in Companion Animal Services Certificate III in Local Government (Animal Management) Certificate IV in Animal Control and Regulation Certificate IV in Animal Welfare (Regulation) Certificate IV in Captive Animals Certificate IV in Companion Animal Services Certificate IV in Veterinary Nursing
The University of Queensland	Bachelor of Applied Science (Veterinary Technology)

---

## Schedule 3      Fees

section 32

\$

### Licence fees

1	Application for, or for renewal of, a licence for 1 year (each the <i>initial period</i> ) (Act, section 143(2)(b) or 155(2)(c)). . . . .	772.50
2	Fee for each subsequent year of the duration of a licence after the initial period, payable before the subsequent year starts. . . . .	772.50
3	Application for an amendment of a licence (Act, section 158(2)(b)). . . . .	nil
4	Application for a replacement of a licence (Act, section 170(2)(c)). . . . .	nil

## **Schedule 4      Information that is PID information**

section 33

### **1      Information about owner**

The following information about a cat or dog is prescribed for its owner—

- (a) residential address;
- (b) contact telephone number;
- (c) name and contact telephone number of a person, if any, other than the owner, who may be contacted about the cat or dog.

### **2      Information about cat or dog**

(1) The following information about a cat or dog is prescribed for the cat or dog—

- (a) breed;
- (b) colour;
- (c) sex;
- (d) either—
  - (i) if its date of birth is known—date of birth; or
  - (ii) otherwise—approximate age at the time it is implanted with a PID;
- (e) date it is implanted with a PID;
- (f) if it is already implanted with a PID and the PID number for the PID is known—the PID number;
- (g) whether it is desexed, or if information about whether it is desexed is unknown, that it is unknown;
- (h) relevant address;



- 
- (i) name of the relevant local government;
  - (j) if the dog is a regulated dog—the dog is a declared dangerous dog, declared menacing dog or restricted dog;
  - (k) if the dog is a decommissioned greyhound—
    - (i) it is decommissioned; and
    - (ii) details of the program completed, including the date the program was completed.
- (2) In this section—

***program*** means—

- (a) a program prescribed under section 31; or
- (b) a program for decommissioning greyhounds prescribed under a corresponding law.

***relevant address***, for a cat or dog, means—

- (a) if the dog is a restricted dog—the address of the place for which a restricted dog permit has been issued; or
- (b) otherwise—the address of the place stated in the registration notice as the address for it.

### **3 Information about authorised implanter**

The following information about a cat or dog is prescribed for the authorised implanter implanting it with a PID—

- (a) name;
- (b) business address;
- (c) contact telephone number.

## Schedule 5 Dictionary

### section 3

**AIRC** means Animal Industries Resource Centre ABN 54 057 048 664.

**applicant**, for part 4, division 2, see section 23.

**approval**, for part 4, division 2, see section 23.

**BNIT** means Brisbane North Institute of TAFE ABN 54 456 676 679.

**decommissioned greyhound** has the meaning given in section 197(3) of the Act.

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

**incident**, relating 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.

**keeper**, of a local law dangerous dog, means the keeper of the dog as defined under a local law of the relevant local government for the dog.

**local law dangerous dog** means a dog that was declared to be a dangerous dog under a local law.

**registered training organisation** see the *Vocational Education, Training and Employment Act 2000*, schedule 3.

**repealed part 16** means the repealed *Local Government Regulation 2005*, part 16.

## Endnotes

### 1 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	33
3 Key . . . . .	33
4 Table of reprints . . . . .	34
5 List of legislation . . . . .	34
6 List of annotations . . . . .	35

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2010. Future amendments of the Animal Management (Cats and Dogs) Regulation 2009 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 July 2009	
1A	2009 SL No. 201	25 September 2009	
1B	2009 SL No. 265	1 December 2009	
1C	2010 SL No. 19	26 February 2010	
1D	2010 SL No. 121	1 July 2010	

## 5 List of legislation

### **Animal Management (Cats and Dogs) Regulation 2009 SL No. 91**

made by the Governor in Council on 18 June 2009

notfd gaz 19 June 2009 pp 707–11

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2009 (see s 2)

exp 1 September 2019 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Animal Management (Cats and Dogs) Amendment Regulation (No. 1) 2009 SL No. 201**

notfd gaz 25 September 2009 pp 309–10

commenced on date of notification

### **Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Regulation (No. 1) 2009 SL No. 265 pts 1–2**

notfd gaz 20 November 2009 pp 900–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 2009 (see s 2)

### **Animal Management (Cats and Dogs) Amendment Regulation (No. 1) 2010 SL No. 19**

notfd gaz 26 February 2010 pp 465–7

commenced on date of notification

### **Animal Management (Cats and Dogs) Amendment Regulation (No. 2) 2010 SL No. 121**

notfd gaz 18 June 2010 pp 529–35

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2010 (see s 2)

## 6 List of annotations

### Identifying tag

s 6 amd 2009 SL No. 201 s 3

### Notice of approval if application granted

s 28 amd 2009 SL No. 201 s 4

### Notice of refusal

s 29 amd 2009 SL No. 201 s 5; 2009 SL No. 265 s 4

### Review of chief executive's decision

s 30 amd 2009 SL No. 265 s 5

### Prescribed classes of dog—Act, s 44

s 30A ins 2010 SL No. 19 s 3

### Deferred dates for particular local governments

s 32A ins 2009 SL No. 201 s 6  
amd 2010 SL No. 19 s 4; 2010 SL No. 121 s 4

### Public access to front entrance of house—deferred application of s 8 for keepers

s 39 amd 2009 SL No. 201 s 7

### Minimum enclosed area—deferred application of s 9 for particular persons

s 40 amd 2009 SL No. 201 s 8

### Minimum height—deferred application of s 10 for keepers

s 41 amd 2009 SL No. 201 s 9

### Standard for enclosure materials—deferred application of s 11 for keepers

s 42 amd 2009 SL No. 201 s 10

### Enclosure walls—deferred application of s 12 for keepers

s 43 amd 2009 SL No. 201 s 11

### Gate requirements—deferred application of s 13 for keepers

s 44 amd 2009 SL No. 201 s 12

### Weatherproof area required—deferred application of s 14 for particular persons

s 45 amd 2009 SL No. 201 s 13

### PART 8—AMENDMENT OF LOCAL GOVERNMENT REGULATION 2005

pt 8 (ss 48–50) om R1 (see RA ss 7(1)(k) and 40)

### PART 9—AMENDMENT OF STATE PENALTIES ENFORCEMENT REGULATION 2000

pt 9 (ss 51–52) om R1 (see RA ss 7(1)(k) and 40)

### SCHEDULE 3—FEES

amd 2010 SL No. 121 s 5

### SCHEDULE 5—DICTIONARY

def “yellow” om 2009 SL No. 201 s 14

© State of Queensland 2010