

# ANIMAL MANAGEMENT – SURRENDERED AND UNCLAIMED ANIMALS POLICY

## COMMUNITY POLICY



### 1 Scope

This policy applies to surrendered and impounded animals which have not been reclaimed by their owner within the statutory prescribed periods.

### 2 Purpose

The purpose of this policy is to minimise euthanasia rates and reduce the number of impounded animals within the Region.

### 3 Related Documents

#### 3.1 Primary

Nil

#### 3.2 Secondary

*Animal Management (Cats and Dogs) Act 2008*

*Local Law No. 2 (Animal Management) 2011*

*Subordinate Local Law No. 2 (Animal Management) 2011*

Animal Management – Rehoming and Rehoming Incentive Work Instruction

Australian Veterinary Association – Code of Professional Conduct

Cash Donation for Rehoming Impounded Animals Application Form

Dog Registration Amendment Form

Fees and Charges Schedule

Memorandum of Understanding

### 4 Definitions

To assist in interpretation, the following definitions apply:

Animal Welfare Agency	As defined in <i>Local Law no. 2 (Animal Management) 2011</i> : (a) The Royal Society for the Prevention of Cruelty to Animals (Queensland); (b) The Animal Welfare League of Queensland; and (c) Another incorporated association which: (i) Has objects similar to the objects of the corporation referred to in paragraph (a) or the incorporated association referred to in paragraph (b); and (ii) Is recognised as an animal welfare agency by a delegated officer.
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Animal Welfare Charity	<p>An organisation that has the following characteristics:</p> <p>(a) It is a charity that is registered with the Australian Charities and Not-for-profit Commission; and</p> <p>(b) It is an institution whose principal activity is one or both of the following:</p> <p>(i) Providing short-term direct care to animals (but not only native wildlife) that have been lost, mistreated or are without owners; or</p> <p>(ii) Rehabilitating orphaned, sick or injured animals (but not only native wildlife) that have been lost, mistreated or are without owners.</p> <p>Unlike Animal Welfare Agencies, Animal Welfare Charities do not need to be incorporated associations.</p>
Council	Rockhampton Regional Council
Delegated Officer	An employee appointed to a position with the relevant delegation under <i>Local Law No. 2 (Animal Management) 2011</i> .
Identifiable Animal	<p>As defined in <i>Subordinate Local Law No. 2 (Animal Management) 2011</i>, an animal:</p> <p>(a) Wearing an identifying tag issued by the local government; or</p> <p>(b) Otherwise identified so that the local government is able to ascertain the owner of the animal.</p>
Owner	<p>As defined in <i>Local Law No. 2 (Animal Management) 2011</i>, owner, of an animal, means:</p> <p>(a) Its registered owner;</p> <p>(b) A person who owns the animal, in the sense of it being the person's personal property;</p> <p>(c) A person who usually keeps the animal, including through an agent, employee or anyone else; or</p> <p>(d) If a person mentioned in paragraphs (a) to (c) is a minor—a parent or guardian of the minor.</p>
PPID	<p>As defined in the <i>Animal Management (Cats and Dogs) Act 2008</i>, a prescribed permanent identification device is a microchip or other electronic device that:</p> <p>(a) Is capable of being permanently implanted in a cat or dog;</p> <p>(b) Is designed to record information in a way that can be electronically retrieved; and</p> <p>(c) Complies with the requirements prescribed by regulation for the device.</p>
Prescribed Period	<p>Commences on the day a notice of impounding is given to a person, or if no notice is given to a person, on the day of the seizure and as defined in <i>Subordinate Local Law No. 2 (Animal Management) 2011</i>:</p> <p>(a) If the animal is a horse, cow, registered cat, registered dog or other identifiable animal – 5 days; or</p> <p>(b) If the animal is an unregistered cat, unregistered dog or an animal which is not an identifiable animal – 3 days.</p>
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.

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Responsible Person	As defined in <i>Local Law No. 2 (Animal Management) 2011</i> , <i>responsible person</i> , for an animal, means: (a) The person, or the person’s employee acting within the scope of the employment, who has immediate control or custody of the animal; (b) The parent or guardian of a minor who has immediate control or custody of the animal; or (c) The person who occupies the place at which the animal is usually kept, but does not include: (a) A person who occupies the place at which the animal is usually kept, if someone else who is an adult and lives at the place keeps the animal; or (b) A person who has the control or custody of or keeps the animal as an employee of someone else, if the person is acting within the scope of the employment.
Surrendered	The owner of an animal has surrendered the animal to Council.

## 5 Policy Statement

Council is committed to minimising euthanasia rates and reducing the number of impounded animals within the Region.

Where possible, Council does not take a seized currently registered dog that also complies with section 14 of the *Animal Management (Cats and Dogs) Act 2008* directly to Council’s Animal Management Centre if the owner can collect promptly within the field. Seized unregistered dogs (including identifiable unregistered dogs) or unidentifiable animals, are taken to Council’s Animal Management Centre where they are retained for the prescribed period. Council makes every effort to identify the owner/responsible person of the impounded animal prior to the expiration of the prescribed period.

Surrendered and unclaimed animals which have not been reclaimed within the prescribed period may be suitable to be transferred to an animal welfare agency that has entered into a formal memorandum of understanding with Council.

Animal welfare charities seeking to receive surrendered and/or unclaimed animals are encouraged to partner with animal welfare agencies as a “portal” for their activities. Council is unable to transfer directly to animal welfare charities.

### 5.1 Transfer of Cats and Dogs

Surrendered and unclaimed cats and dogs are checked to determine their suitability for transfer having regard to:

- (a) Breed;
- (b) Size;
- (c) Age;
- (d) Health observations;
- (e) Behavioural and temperament observations;
- (f) Likelihood of rehoming;
- (g) Likelihood of surviving surgery to desex; and
- (h) Any other factors as applicable to a specific animal or breed.

Once the prescribed period has lapsed, registrations of surrendered and unclaimed dogs are transferred to Council.

All cats and dogs suitable for transfer to an animal welfare agency will be:

- (a) Implanted with a PPID; and
- (b) If the animal is a dog, provided with free registration to the end of the current registration period.

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Animal welfare agencies that are not in receipt of government funding may be eligible for a cash donation of \$100 per dog and \$50 per cat for each transferred dog/cat that has been successfully rehomed. To qualify, applicants must complete a Cash Donation for Rehoming Impounded Animals Application Form and submit to Council together with the following mandatory documentation:

For dogs:

- (a) Desexing certificate or written confirmation of desexing from a veterinary surgery,
- (b) Completed Dog Registration Amendment Form, and
- (c) Affirmation that the applicant is not currently receiving government funding.

For cats:

- (a) Desexing certification or written confirmation of desexing from a veterinary surgery,
- (b) Affirmation that the cat was successfully rehomed and not euthanised, and
- (c) Affirmation that the applicant is not currently receiving government funding.

A maximum of one cash donation is paid per animal.

## 5.2 Other Domestic Animals, Including Livestock

Surrendered and unclaimed domestic animals such as poultry, small domestic animals and livestock are offered to animal welfare agencies or another Council facility (for example the Heritage Village).

If the animal is not transferred to an animal welfare agency or another Council facility, the animal may be offered for sale or humanely euthanised.

## 5.3 General Conditions for the Transfer of Animals

Animal welfare agencies who have entered into a formal memorandum of understanding with Council must submit a written expression of interest if they wish to claim a surrendered or unclaimed animal. The memorandum of understanding will detail the general conditions for the transfer including but not limited to:

The animal welfare agency will:

- (a) Treat all animals received from Council humanely;
- (b) Desex entire cats or dogs before rehoming the animal, unless otherwise approved by Council; and
- (c) Adhere to all relevant legislation including Local Laws and Planning Schemes.

Council:

- (a) Is the sole arbitrator in all rehoming matters (all decisions made by Council are final); and
- (b) Accepts no liability concerning the health or behavioural status of animals transferred to an animal welfare agency.

## 5.4 Euthanasia

Circumstances where euthanasia may be considered acceptable include, but are not limited to, the following:

- (a) Animals that are surrendered for the purposes of euthanasia;
- (b) Where animals are vicious, dangerous, unmanageable, fearful or likely to cause harm due to their behaviour or temperament;
- (c) Where the animal is a dog of a restricted breed type or has been declared to be a menacing or dangerous dog under the *Animal Management (Cats and Dogs) Act 2008*;
- (d) Where the animal is diseased, infant and/or feral as determined by the veterinarian; or
- (e) Unclaimed impounded animals unable to be transferred to an animal welfare agency.

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Euthanasia is undertaken by an approved veterinarian in line with the Australian Veterinary Association – Code of Professional Conduct. The veterinarian determines the most appropriate method of euthanasia.

## 6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the Council.

## 7 Document Management

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	Manager Planning and Regulatory Services
Policy Quality Control	Legal and Governance



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