

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

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	An organisation that has the following characteristics: (a) It is a charity that is registered with the Australian Charities and Not-for-profit Commission; and (b) It is an institution whose principal activity is one or both of the following: (i) Providing short-term direct care to animals (but not only native wildlife) that have been lost, mistreated or are without owners; or (ii) Rehabilitating orphaned, sick or injured animals (but not only native wildlife) that have been lost, mistreated or are without owners. Unlike Animal Welfare Agencies, Animal Welfare Charities do not need to be incorporated associations.
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	As defined in <i>Subordinate Local Law No. 2 (Animal Management) 2011</i> , an animal: (a) Wearing an identifying tag issued by the local government; or (b) Otherwise identified so that the local government is able to ascertain the owner of the animal.
NLIS	National Livestock Identification System
Owner	As defined in <i>Local Law No. 2 (Animal Management) 2011</i> , owner, of an animal, means: (a) Its registered owner; (b) A person who owns the animal, in the sense of it being the person's personal property; (c) A person who usually keeps the animal, including through an agent, employee or anyone else; or (d) If a person mentioned in paragraphs (a) to (c) is a minor—a parent or guardian of the minor.
PPID	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: (a) Is capable of being permanently implanted in a cat or dog; (b) Is designed to record information in a way that can be electronically retrieved; and (c) Complies with the requirements prescribed by regulation for the device.
Prescribed Period	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> : (a) If the animal is a horse, cow, registered cat, registered dog or other identifiable animal – 5 days; or (b) If the animal is an unregistered cat, unregistered dog or an animal which is not an identifiable animal – 3 days.
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.

Council is committed to working with animal welfare agencies although animal welfare charities do not meet the requirement to rehome animals. 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 Animal Ownership

Ownership of an animal remains to the owner until the prescribed period has lapsed in accordance with *Local Law No. 2 (Animal Management) 2011*. Ownership of surrendered and unclaimed animals are transferred to Council at this time. Council has the right to return the animal to the owner after this prescribed period if the owner identifies themselves to Council.

Surrendered and unclaimed animals which have not been reclaimed within the prescribed period and had ownership transferred to Council, may be rehomed/sold or transferred in accordance with paragraphs 5.3 and 5.4.

5.2 General Requirement for Rehoming

Surrendered and unclaimed animals 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;

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- (g) Likelihood of surviving surgery to desex; and
- (h) Any other factors as applicable to a specific animal or breed.

5.3 Cats and Dogs

Surrendered and unclaimed cats and dogs are either:

- (a) Offered to animal welfare agencies;
- (b) Offered for sale; or
- (c) Humanely euthanised.

Councils preferred option is to transfer cats and dogs to animal welfare agencies.

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, where the dog is to remain in the Region.

5.4 Other Domestic Animals, Including Livestock

Surrendered and unclaimed domestic animals such as, but not limited to, poultry and livestock are either:

- (a) Offered to animal welfare agencies;
- (b) Offered to another Council facility (for example the Heritage Village);
- (c) Offered for sale; or
- (d) Humanely euthanised.

All domestic animals, including livestock suitable for transfer to an animal welfare agency or sale may be:

- (a) Implanted with a PPID;
- (b) Tagged with a NLIS tag;
- (c) Branded; or
- (d) Marked or tagged with another device as required by law.

Offering livestock for sale over offering animals to animal welfare agencies is at the discretion of Council.

5.5 General Conditions for the Transfer of Animals to Animal Welfare Agencies

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.

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5.6 Rehoming Incentives

Animal welfare agencies may be eligible for a cash donation for cats and dogs rehomed from Councils Animal Management Centre.

Council as part of the budget process will set an amount to be donated to eligible animal welfare agencies. Council will pay the cash donations twice yearly to animal welfare agencies in June and December.

The amount donated to the animal welfare agency will be determined by using the number of cats and dogs rescued by the animal welfare agency, over the total number of cats and dogs rehomed by Council.

The amount paid to the animal welfare agency will be the percentage of animals rescued divided by the amount budgeted, up to \$100 per dog and \$50 per cat rescued.

To qualify, animal welfare agencies must complete a Cash Donation for Rehoming Impounded Animals Application Form for the applicable period being 1 November to 30 April and 1 May to 30 October. Applications must be submitted to Council by 25 May and 25 November of each year, together with the following mandatory documentation:

- (a) List of cats and dogs rehomed from Councils Animal Management Centre in the applicable period; and
- (b) Confirmation as part of the list that all cats and dogs were desexed.

Comparison of the records provided by the animal welfare agencies will be completed by Council to confirm the list of cats and dogs aligns with Councils records.

5.7 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 a dangerous dog under the *Animal Management (Cats and Dogs) Act 2008*;
- (d) Where the animal is diseased, infant and/or feral as determined by a veterinarian; or
- (e) Unclaimed impounded animals unable to be transferred to an animal welfare agency.

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.

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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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