

**THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY  
2007**

**Animal Welfare Legislation Amendment Bill 2006**

**EXPLANATORY STATEMENT**

Circulated by authority of the  
Minister for Environment and Sustainability  
Mr John Hargreaves MLA

This Explanatory Statement relates to the *Animal Welfare Legislation Amendment Bill 2006* (the Bill) as introduced into the Legislative Assembly.

## **Overview of Bill**

The purpose of this Bill is to make amendments to the *Animal Welfare Act 1992* (the Act) and to take into account some of the changes recommended by the Animal Welfare Advisory Committee (AWAC) in its October 2002 Public Discussion Paper entitled *Proposed Amendments to the Animal Welfare Act 1992*.

## **Summary**

The changes in the Bill include:

### **Medical and surgical procedures – veterinary surgeons**

An amendment to section 19A of the Bill will be made to prevent veterinary surgeons from removing a dog's dewclaws after 4 days after the day the dog was born for a purpose other than a prophylactic purpose or a therapeutic purpose. A therapeutic procedure relates to a procedure performed for the remedial treatment of a disease or injury. A prophylactic procedure relates to a procedure performed for a preventative reason.

### **Identity certificate for authorised people**

The Bill provides that the animal ethics committee must give (upon application) an authorised person an identity certificate under section 42 of the Bill. A amendment to section 42(2)(b) of the Bill will be made to remove the words 'each authorisation that the person holds'. Listing multiple authorisations on one identity certificate would pose an administrative burden to individuals applying for an authorisation. The removal of the words 'each authorisation that the person holds' will ensure that the administrative process involved in issuing an identity certificate to an authorised person operates in an efficient and practical manner.

### **Financial Implications**

Nil

## **Summary on Clause**

### **Clause 2 – Commencement**

The commencement provision notes that apart from Division 6.2 – Trapping Permits – the Act commences on the day after its notification day. Division 6.2 commences on a day fixed by the Minister by written notice.

### **Clause 9 - Medical and surgical procedures – veterinary surgeons**

Section 19A of the Bill relates to medical and surgical procedures by veterinary surgeons. This section will prevent veterinary surgeons from removing a dog's dewclaws after 4 days after the day the dog was born for a purpose other than a prophylactic purpose or a therapeutic purpose.

**Clause 11 - Section 42(2)(b) – Identity certificate for authorised people**

Section 42 of the Bill updates provisions for issuing of identity certificates for authorised people. Section 42 requires that the animal ethics committee must give an authorised person an identity certificate stating the person’s name and that the person is an authorised person. This section also outlines what the identity certificate must show, for example, a recent photograph, and outlines the offence provisions if a person does not comply with the requirements under section 42.