

# Domestic Animals (Cat Containment) Declaration 2015 (No 1)

## Disallowable instrument DI2015— 11

made under the

**Domestic Animals Act 2000, s 81 (Declaration of cat containment)**

## EXPLANATORY STATEMENT

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Section 81 of the *Domestic Animals Act 2000* (the Act) permits the Minister to declare an area as an area where cats must be confined to their keeper's or carer's premises at all times or during stated times. Before declaring a cat containment area, section 81 (1) of the Act requires that the Minister must be satisfied that cats in the area are a serious threat to native flora or fauna in the area.

This declaration updates the list of already-declared cat containment areas with the inclusion of the new Gungahlin suburbs of Moncrieff and Jacka. The Minister is satisfied that cats are a serious threat to native fauna in Moncrieff and Jacka. The declaration also removes Mulligans Flat and Gorooyarroo Nature Reserves from the list of declared cat containment areas, given that section 212 of the *Nature Conservation Act 1980* provides that it is an offence to bring a non-native animal into a reserved area.

Clause 3 (2) of the declaration provides that cats within declared cat containment areas must be confined to their keeper's or carer's premises at all times.

The declaration has two separate commencement dates. The bulk of the instrument commences on the day after the last day when it could have been disallowed by the Legislative Assembly, as required by section 81 (3) (a) of the Act. This commencement date does not include the division of Jacka.

The commencement of cat containment in Jacka has been delayed until 1 January 2017, to allow the current residents of the area time to prepare to implement cat containment measures on their premises. A later commencement date for declarations of cat containment is provided for in section 81 (3) (b) of the Act. When cat containment commences in Jacka, clause 4 (2) provides that cats must be confined to their keeper's or carer's premises at all times.

The declaration also revokes the *Domestic Animals (Cat Curfew Area) Declaration 2012 (No 1)* (DI2012-182). The *Territory and Municipal Services Legislation Amendment Act 2014* amended sections 81 and 82 of the Act to rename 'cat curfew' to 'cat containment', and this new title of 'cat containment' has been reflected in the name of this instrument.