

Australian Capital Territory

Animal Welfare (Overnight Animal Boarding Establishments) Mandatory Code of Practice 2021 (No 1)

Disallowable instrument DI2021–190

made under the

Animal Welfare Act 1992, Section 23 (Mandatory code of practice)

EXPLANATORY STATEMENT

Summary

The Animal Welfare (Overnight Animal Boarding Establishments) Mandatory Code of Practice 2021 (Code) sets out animal welfare standards for the care of animals held overnight by an animal boarding business.

The Code builds on, strengthens and replaces previous standards for animal boarding establishments (the Animal Boarding Establishments 2008 code of practice), and was developed in consultation with Canberra pet boarding business representatives.

In the ACT, pet businesses (including overnight pet boarding establishments) are required to be licensed under the *Animal Welfare Act 1992 (Act)*. Pet business licence conditions are based on the standards set out in the Code, where relevant to the business and in addition to any other conditions attached to the licence.

Mandatory Standards

The Code is a mandatory code of practice under section 23 of the Act. Mandatory standards are set out in bold, numbered and grouped together at the start of the Code to ensure these are understood and complied with.

These mandatory standards will also serve as licence conditions for pet business licences issued by the Animal Welfare Authority under section 24I of the Act, where the standards are relevant to the nature of the business.

Scope

The Code concerns animal boarding establishments that offer overnight care services for animals owned by their clients. This can include stays lasting from a single night to months.

For the purpose of the Code, overnight animal boarding establishments are defined as fixed-location businesses that offer pet boarding services as part of the business.

Other forms of animal boarding, such as boarding stock animals, horse agistment, temporarily holding an animal as part of a non-boarding business (such as pet groomers), and private pet-sitting apps, are not captured by the Code.

The standards extend to the suitability of the facility, pen sizes, exercise areas, cleaning, environment, security, general health, and provision of food and water. The Code also does not extend to animals being boarded for welfare or veterinary reasons.

Pet Business Licensing

Pet shops in the ACT must be licensed under the Act to maintain best-practice animal welfare outcomes. The mandatory standards set out in the Code act as licence conditions for these businesses.

Under section 24I(2), it is a condition of a pet business licence that the business comply with the mandatory standards set out in a code of practice. The Animal Welfare Authority may also apply other conditions to a licence in addition to this.

Only the mandatory standards relevant to the business will apply as conditions of a pet business licence, e.g. cat-specific provisions do not apply to an overnight boarding kennel establishment that only boards dogs.

Development of the Code

The Code was developed in consultation with a pet business licensing working group consisting of business and industry representatives.

The Code of Practice for Animal Boarding Establishments 2008 informed the development of the Code and is revoked.

Transport Canberra and City Services (TCCS) will monitor the effectiveness of the mandatory standards in the Code to determine how these perform as pet business licence conditions.