



Australian Capital Territory

Domestic Animals Regulation 2001

SL2001-17

made under the

Domestic Animals Act 2000

Republication No 21

Effective: 21 December 2018 – 9 April 2020

Republication date: 21 December 2018

Last amendment made by [A2018-32](#)

About this republication

The republished law

This is a republication of the *Domestic Animals Regulation 2001*, made under the *Domestic Animals Act 2000* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 21 December 2018. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 21 December 2018.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

Domestic Animals Regulation 2001

made under the

Domestic Animals Act 2000

Contents

	Page
Part 1	Preliminary
1	Name of regulation 2
2	Dictionary 2
3	Notes 2
4	Offences against regulation—application of Criminal Code etc 3
Part 2	Dogs
5	Dog registration information—Act, s 8 4
6	Information on dog registration certificates—Act s 11 (2) 4
6A	Multiple dog licence prescribed conditions—Act, s 21 (4) (a) 5
6B	Dangerous dog licence prescribed conditions—Act, s 26 (3) (a) 6
6C	Information on greyhound registration certificates—Act, s 39E 8

R21
21/12/18

Domestic Animals Regulation 2001
Effective: 21/12/18-09/04/20

contents 1

Contents

	Page
6D Prescribed control orders—Act, s 53CA (a)	8
6E Home impoundment prescribed conditions—Act, s 56A (4) (a) and s 60 (4) (a)	10
7 How dogs must be identified—Act, s 83	11
Part 3 Cats	
8 Cats to which compulsory identification applies—Act, s 83	14
9 How cats must be identified—Act, s 83	14
9A Multiple cat licences—requirement to be licensed	15
Part 4 Implanting microchips	
10 Approval of identifying microchip	17
11 Selling or supplying fake identifying microchips	17
12 Information to be given to domestic animals registry services	17
13 Authorisation of identifiers	18
14 Withdrawal of authorisation	19
15 Identifying microchip to be implanted only by vet or authorised identifier	19
16 Code of practice about implanting identifying microchips	20
17 Requirement to scan for identifying microchips	20
18 Operation of domestic animals registry services	21
19 Prohibition of certain operators	21
20 Operator to provide information	21
21 Notification of ceasing to operate domestic animals registry services	22
22 Code of practice about operation of domestic animals registry service	22
23 Reviewable decisions—Act, s 118, def <i>reviewable decision</i>	23
23A Right of review and notice—Act, s 119 and 120 (a)	23
Part 5 Miscellaneous	
24 Dishonoured cheques	24
25 Incorporation of documents	25

		Contents
		Page
Schedule 1	Reviewable decisions	26
Dictionary		30
Endnotes		
1	About the endnotes	32
2	Abbreviation key	32
3	Legislation history	33
4	Amendment history	36
5	Earlier republications	40



Australian Capital Territory

Domestic Animals Regulation 2001

made under the

Domestic Animals Act 2000

Part 1 Preliminary

1 Name of regulation

This regulation is the *Domestic Animals Regulation 2001*.

2 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation.

For example, the signpost definition '*identifying microchip*'—see section 10.' means that the term 'identifying microchip' is defined in that section.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

3 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

4 Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

Note 1 Criminal Code

The [Criminal Code](#), ch 2 applies to all offences against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Note 2 Penalty units

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

Part 2 Dogs

5 Dog registration information—Act, s 8

If the registrar registers a dog, the registrar must record the following information in the register:

- (a) the name and address of the keeper of the dog;
- (b) if the dog is kept at another address—the address;
- (c) the registration number allotted to the dog;
- (d) the unique identification number for the microchip implanted in the dog;
- (e) if the dog is an assistance animal—a statement to that effect;
- (f) if the dog is a dangerous dog—a statement to that effect;
- (g) if the dog is a racing greyhound—a statement to that effect;
- (h) if the dog is a registered racing greyhound—a statement to that effect.

6 Information on dog registration certificates—Act s 11 (2)

A registration certificate for a dog must state the following information:

- (a) the registration number allotted to the dog;
- (b) the unique identification number for the microchip implanted in the dog;
- (c) if the dog is a recognisable breed—the breed;
- (d) the colour of the dog;
- (e) if the dog is an assistance animal—a statement to that effect;
- (f) the name and address of the registered keeper of the dog.

**6A Multiple dog licence prescribed conditions—Act,
s 21 (4) (a)**

A multiple dog licence may include 1 or more of the following conditions:

- (a) the licence only applies to stated premises;
- (b) each dog must be registered and, if required under the Act, de-sexed and microchipped;
- (c) the registration and microchip details for each dog must be up-to-date;
- (d) the total area of the yard in which the dogs are held must not be less than a stated minimum area;
- (e) no part of the yard in which the dogs are held may be less than 2m from a boundary fence;
- (f) each dog must have its own permanent shelter that allows it to be sheltered all day and night from sun, wind and rain;
- (g) no more than 3 of the dogs may be taken into a public place by the same keeper or carer at the same time;
- (h) the dogs must be kept in a yard that is enclosed by a fence that—
 - (i) is higher than a stated minimum height; and
 - (ii) is constructed in a stated way or from a stated material; and
 - (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow a dog to escape;
- (i) any gate or door to a yard in which the dog is kept must—
 - (i) be spring-latched and self-closing; and
 - (ii) be padlocked when the keeper or carer is not in the yard; and

- (iii) be of a stated minimum height; and
- (iv) be constructed in a stated way or from a stated material; and
- (v) be in good repair and structurally sound; and
- (vi) not have any gaps or holes in or under it large enough to allow the dog to escape;
- (j) the keeper, any carer and a stated dog must complete a stated course in behavioural or socialisation training for dogs;
- (k) a stated thing must be done in relation to a stated dog within a stated time.

Examples—par (k)

- 1 de-sexing a dog within 14 days
- 2 stated veterinary treatment of a dog must be undertaken within 7 days
- 3 stated evidence of compliance with a stated condition must be given to the registrar within 28 days eg a certificate from a veterinarian

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

6B Dangerous dog licence prescribed conditions—Act, s 26 (3) (a)

A dangerous dog licence may include 1 or more of the following conditions:

- (a) the dog must be kept at a stated address for the duration of the licence unless otherwise authorised by the registrar;
- (b) the registration and microchip details for the dog must be up-to-date;
- (c) the dog must be kept in a yard that is enclosed by a fence that—
 - (i) is higher than a stated minimum height; and
 - (ii) is constructed in a stated way or from a stated material; and

- (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow the dog to escape through;
- (d) any gate or door to a yard in which the dog is kept must—
 - (i) be spring-latched and self-closing; and
 - (ii) be padlocked when the keeper is not in the yard; and
 - (iii) be of a stated minimum height; and
 - (iv) be constructed in a stated way or from a stated material; and
 - (v) be in good repair and structurally sound; and
 - (vi) not have any gaps or holes in or under it large enough to allow the dog to escape;
- (e) if the dog leaves the premises at which the dog is kept, the dog must—
 - (i) only be in the care of the keeper or another stated person who is at least 18 years old; and
 - (ii) be restrained by a leash, or muzzle, of a stated kind; and
 - (iii) be under the effective control of the keeper or other person; and
 - (iv) not be taken into, or within a stated distance of, an off-lead area or another stated place;
- (f) the dog must not leave the premises at which the dog is kept or may only leave the premises within a stated time or for a stated period;
- (g) the keeper, any carer and the dog must complete a stated course in behavioural or socialisation training for the dog;

- (h) a stated thing must be done in relation to the dog within a stated time.

Examples—par (h)

- 1 a certificate of completion of behavioural or socialisation training must be provided within 28 days
- 2 do stated repairs to a fence
- 3 affix signs about the dog to stated parts of premises

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

6C Information on greyhound registration certificates—Act, s 39E

A registration certificate for a greyhound registered as a racing greyhound must state the following information:

- (a) the registration number allotted to the racing greyhound;
- (b) the registration number allotted to the greyhound under the [Act](#), section 11;
- (c) the name and address of the registered keeper of the dog.

6D Prescribed control orders—Act, s 53CA (a)

- (1) A control order in relation to a dog may require the keeper or carer to do 1 or more of the following things:
 - (a) keep the dog at a stated address for a stated period unless otherwise authorised by the registrar;
 - (b) register, de-sex or microchip the dog;
 - (c) up-date the dog's registration and microchip details;
 - (d) ensure that the dog is kept in a yard enclosed by a fence that—
 - (i) is higher than a stated minimum height; and
 - (ii) is constructed in a stated way or from a stated material; and

- (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow the dog to escape;
- (e) ensure that any gate or door to a yard in which the dog is kept—
 - (i) is spring-latched and self-closing; and
 - (ii) is padlocked when the keeper or carer is not in the yard; and
 - (iii) is of a stated minimum height; and
 - (iv) is constructed in a stated way or from a stated material; and
 - (v) is in good repair and structurally sound; and
 - (vi) does not have any gaps or holes in, or under it, large enough to allow the dog to escape through;
- (f) ensure that a warning sign is displayed on all gates and doors at the premises where the dog is kept so that it can be readily seen by a person about to enter the premises through any gate or door;
- (g) ensure that if the dog leaves the premises at which the dog is kept, the dog must—
 - (i) only be in the care of the keeper or another stated person who is at least 18 years old; and
 - (ii) be restrained by a leash, or muzzle, of a stated kind; and
 - (iii) be under the effective control of the keeper or other person; and
 - (iv) not be taken into, or within a stated distance of, an off-lead area or another stated place;
- (h) ensure that the dog does not leave the premises at which the dog is kept or ensure that the dog only leaves the premises within a stated time or for a stated period;

- (i) must complete a stated course in behavioural or socialisation training with the dog;
- (j) a stated thing in relation to the dog within a stated time.

Examples—par (j)

a certificate of completion of behavioural or socialisation training must be provided within 28 days

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) In this section:

door—see the [Act](#), section 28 (3).

warning sign—see the [Act](#), section 28 (3).

6E Home impoundment prescribed conditions—Act, s 56A (4) (a) and s 60 (4) (a)

A keeper or carer may be directed to keep a dog on stated premises in accordance with 1 or more of the following conditions:

- (a) the dog must be kept at the premises for a stated period unless otherwise authorised by the registrar;
- (b) the dog must be kept in a yard that is enclosed by a fence that—
 - (i) is higher than a stated minimum height; and
 - (ii) is constructed in a stated way or from a stated material; and
 - (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow the dog to escape;
- (c) any gate or door to a yard in which the dog is kept must—
 - (i) be spring-latched and self-closing; and
 - (ii) be padlocked when the keeper is not in the yard; and

- (iii) be of a stated minimum height; and
- (iv) be constructed in a stated way or from a stated material; and
- (v) be in good repair and structurally sound; and
- (vi) not have any gaps or holes in or under it large enough to allow the dog to escape through;
- (d) if the dog leaves the premises at which the dog is kept, the dog must—
 - (i) only be in the care of the keeper or another stated person who is at least 18 years old; and
 - (ii) be restrained by a leash, or muzzle, of a stated kind; and
 - (iii) be under the effective control of the keeper or other person; and
 - (iv) not be taken into, or within a stated distance of, an off-lead area or another stated place;
- (e) the dog must not leave the premises at which the dog is kept or may only leave the premises within stated times or for stated periods;
- (f) a stated thing must be done in relation to the dog within a stated time.

Example—par (f)

do stated repairs to a fence

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

7 How dogs must be identified—Act, s 83

- (1) A dog must be identified by an identifying microchip if the dog—
 - (a) is at least 12 weeks old; or

- (b) has been sold; or
 - (c) is a dangerous dog.
- (2) The identifying microchip must—
 - (a) be implanted in the dog; and
 - (b) contain a number (the *unique identification number*) by which the identification particulars for the dog can be worked out; and
 - (c) function properly.
- (3) The identification particulars for a dog are—
 - (a) the following information about the dog:
 - (i) the dog's breed;
 - (ii) the dog's date of birth or age;
 - (iii) the dog's colour;
 - (iv) the dog's sex;
 - (v) the dog's reproductive status;
 - (vi) the address where the dog is, or is to be, kept;
 - (vii) the unique identification number of the identifying microchip implanted in the dog;
 - (viii) the identification number of any other microchip implanted in the dog;
 - (ix) the name and business address of the person who implanted the identifying microchip mentioned in subparagraph (vii) and the date it was implanted;
 - (x) whether the dog is a dangerous dog; and
 - (b) the following information about the dog's owner:
 - (i) the owner's name and home address and, if different, postal address;

- (ii) a contact telephone number for the owner; and
 - (c) the name of a person (other than the owner) who can be contacted in relation to the dog and a contact telephone number for the person.
- (4) However, subsection (1) does not apply to a dog if—
 - (a) the dog is less than 6 months old; and
 - (b) a veterinary practitioner certified in writing, before the dog was 12 weeks old or first sold (whichever is the earlier), that identification of the dog by identifying microchip would be a serious health risk to the dog.

Part 3 Cats

8 **Cats to which compulsory identification applies—Act, s 83**

- (1) A cat must be identified if the cat—
 - (a) is at least 12 weeks old; or
 - (b) has been sold.
- (2) However, a cat need not be identified if—
 - (a) the cat is less than 6 months old; and
 - (b) a veterinary practitioner certified in writing, before the cat was 12 weeks old or first sold (whichever is the earlier), that identification of the cat as required by section 9 would be a serious health risk to the cat.

9 **How cats must be identified—Act, s 83**

- (1) The cat must be identified by an identifying microchip that—
 - (a) is implanted in the cat; and
 - (b) contains a number (the *unique identification number*) by which the identification particulars for the cat can be worked out; and
 - (c) functions properly.
- (2) The identification particulars for a cat are—
 - (a) the following information about the cat:
 - (i) the cat's breed;
 - (ii) the cat's date of birth or age;
 - (iii) the cat's colour;
 - (iv) the cat's sex;
 - (v) the cat's reproductive status;

- (vi) the address where the cat is, or is to be, kept;
 - (vii) the unique identification number of the identifying microchip implanted in the cat;
 - (viii) the identification number of any other microchip implanted in the cat;
 - (ix) the name and business address of the person who implanted the identifying microchip mentioned in subparagraph (vii) and the date it was implanted; and
- (b) the following information about the cat's owner:
- (i) the owner's name and home address and, if different, postal address;
 - (ii) a contact telephone number for the owner; and
- (c) the name of a person (other than the owner) who can be contacted in relation to the cat and a contact telephone number for the person.

9A Multiple cat licences—requirement to be licensed

- (1) A person commits an offence if—
- (a) the person keeps 4 or more cats on 1 residential premises; and
 - (b) the person does not hold a multiple cat licence to keep the cats on the premises.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply to—
- (a) a cat less than 84 days old; or
 - (b) a cat kept by the person for less than 28 days; or
 - (c) a person resident in the ACT for less than 28 days; or

Part 3 Cats

Section 9A

- (d) a cat that is an assistance animal; or
- (e) a cat kept on land that is under a lease that allows for an animal care facility.

Part 4 Implanting microchips

10 Approval of identifying microchip

- (1) The Minister may approve a microchip (an *identifying microchip*) to be used for identifying a domestic animal.
- (2) An approval is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](#).

11 Selling or supplying fake identifying microchips

- (1) A person commits an offence if—
 - (a) the person sells or supplies a microchip to someone else; and
 - (b) the person represents to the other person that the microchip is an identifying microchip; and
 - (c) the microchip is not an identifying microchip.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

12 Information to be given to domestic animals registry services

- (1) A person who sells or supplies an identifying microchip to a veterinary practitioner or authorised identifier must give the following information to each operator of a domestic animals registry service in the ACT:
 - (a) the name and address of the veterinary practitioner or authorised identifier;
 - (b) the unique identification number of the microchip in a 15 character numeric or 10 character hexadecimal format and linked to the manufacturer of the microchip and a distribution batch number;

- (c) an allocation list linking the unique identification number to the veterinary practitioner or authorised identifier to whom the microchip was sold or supplied.

Maximum penalty: 20 penalty units.

- (2) The information mentioned in subsection (1) (b) and (c) must be given in an electronic format suitable for incorporation in the records of each operator of a domestic animals registry service in the ACT.
- (3) It is a defence to a prosecution for an offence against this section if the defendant proves that the defendant believed on reasonable grounds that the information mentioned in subsection (1) had already been, or would be, given to each operator of a domestic animals registry service in the ACT by someone else.

13 Authorisation of identifiers

- (1) A person may apply to the registrar to be an identifier of domestic animals.
- (2) The registrar must—
 - (a) authorise the person as an identifier of domestic animals; or
 - (b) refuse to authorise the person as an identifier of domestic animals.
- (3) The registrar must authorise the person to be an identifier of domestic animals if satisfied that the person—
 - (a) is qualified and competent to be an authorised identifier; and
 - (b) will comply with the requirements of this part in identifying domestic animals.
- (4) The registrar must give the person written notice of the registrar's decision.

14 Withdrawal of authorisation

- (1) This section applies if the registrar is satisfied that a person who is authorised as an identifier of domestic animals—
 - (a) is not, or is no longer, qualified or competent to be an authorised identifier; or
 - (b) has been negligent or incompetent in relation to the exercise of the person's functions as an authorised identifier; or
 - (c) has failed to comply with a requirement of this part in identifying domestic animals.
- (2) The registrar may, by written notice given to the person, withdraw the person's authorisation as an identifier of domestic animals.

15 Identifying microchip to be implanted only by vet or authorised identifier

- (1) A person commits an offence if the person—
 - (a) implants an identifying microchip in a dog or cat; and
 - (b) is not a veterinary practitioner or authorised identifier.Maximum penalty: 10 penalty units.
- (2) A person commits an offence if—
 - (a) the person is asked by the keeper or carer of a dog or cat to implant an identifying microchip in the animal; and
 - (b) the person implants a microchip in the animal; and
 - (c) the microchip is not an identifying microchip.Maximum penalty: 10 penalty units.
- (3) An offence against subsection (1) or (2) is a strict liability offence.

- (4) A person who is not an authorised identifier commits an offence if the person represents himself or herself to be an authorised identifier.

Maximum penalty: 5 penalty units.

16 Code of practice about implanting identifying microchips

- (1) The Minister may approve a code of practice about the procedures to be followed by a person who implants an identifying microchip in a domestic animal.

- (2) An approved code of practice is a disallowable instrument.

Note A disallowable instrument must be notified and presented to the Legislative Assembly, under the [Legislation Act](#).

- (3) A person who implants an identifying microchip in a domestic animal must comply with a code of practice approved under this section.

Maximum penalty: 10 penalty units.

- (4) An offence against this section is a strict liability offence.

17 Requirement to scan for identifying microchips

- (1) A person who operates an animal shelter or pound commits an offence if—

- (a) a dog or cat enters the shelter or pound; and
- (b) the person does not, within 3 days after the day the animal enters the shelter or pound, scan the animal to find out whether it is implanted with an identifying microchip.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

- (3) In this section:

animal shelter means premises maintained for providing shelter to, or finding new homes for, stray, abandoned or unwanted dogs or cats.

pound means premises maintained for impounding dogs or cats.

18 Operation of domestic animals registry services

- (1) A person commits an offence if the person operates a domestic animals registry service in the ACT and the person—
 - (a) is not licensed (however described) to operate a domestic animals registry service under a corresponding law; or
 - (b) is prohibited from operating the service in the ACT under a notice under section 19.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

19 Prohibition of certain operators

- (1) This section applies if the registrar is satisfied that a person who is licensed under a corresponding law to operate a domestic animals registry service is not operating, or will not operate, the service in accordance with a code of practice approved under section 22.
- (2) The registrar may, by written notice given to the person, prohibit the person from operating the service in the ACT.

20 Operator to provide information

- (1) A person who operates a domestic animals registry service in the ACT commits an offence if—
 - (a) the registrar asks the person to give the registrar information about the registry service; and
 - (b) the person does not give the registrar the information within 7 working days after the day the person receives the request.

Maximum penalty: 5 penalty units.

Note The [Legislation Act](#), s 170 and s 171 deal with the application of the privilege against self-incrimination and client legal privilege.

- (2) An offence against this section is a strict liability offence.

21 Notification of ceasing to operate domestic animals registry services

- (1) This section applies to a person who—
- (a) is licensed (however described) to operate a domestic animals registry service under a corresponding law; and
 - (b) operates a domestic animals registry service in the ACT under the licence.
- (2) The person commits an offence if—
- (a) the person's licence to operate the service is suspended or cancelled under the corresponding law, or the person discontinues operating the service in the ACT for any other reason; and
 - (b) the person does not give the registrar written notice of the suspension, cancellation or discontinuation within 3 working days after the day it happens.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

22 Code of practice about operation of domestic animals registry service

- (1) The Minister may approve a code of practice about the operation of domestic animals registry services in the ACT.
- (2) An approved code of practice is a disallowable instrument.

Note A disallowable instrument must be notified and presented to the Legislative Assembly, under the [Legislation Act](#).

- (3) A person who operates a domestic animals registry service in the ACT must comply with a code of practice approved under this section.

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

23 Reviewable decisions—Act, s 118, def *reviewable decision*

A decision mentioned in schedule 1, column 3, under a provision mentioned in column 2 in relation to the decision is prescribed.

23A Right of review and notice—Act, s 119 and 120 (a)

An entity mentioned in schedule 1, column 4 is prescribed.

Part 5 Miscellaneous

24 Dishonoured cheques

- (1) If a person pays a fee under the Act by cheque and the cheque is not met on presentation—
 - (a) the person is liable for—
 - (i) any charge imposed by a bank because the cheque is not met; and
 - (ii) the amount of the cheque; and
 - (b) the registrar may suspend the benefit paid for by the cheque until the amount for which the person is liable is paid.
- (2) The registrar may waive liability under subsection (1) (a) for payment of the bank charge in cases of hardship.
- (3) The Minister may issue guidelines about the exercise of the registrar's function under subsection (2).
- (4) The registrar must comply with any guidelines under this section.
- (5) A guideline is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (6) In this section:

benefit means any service under the Act for which a fee is payable, and includes a registration, renewal, licence or permit.

25 Incorporation of documents

A statutory instrument under this regulation may apply, adopt or incorporate an instrument as in force from time to time.

Note 1 The text of an applied, adopted or incorporated instrument, whether applied as in force from time to time or as at a particular time, is taken to be a notifiable instrument if the operation of the [Legislation Act](#), s 47 (5) or (6) is not disapplied (see s 47 (7)).

Note 2 A notifiable instrument must be notified under the [Legislation Act](#).

Note 3 A reference to an instrument includes a reference to a provision of an instrument (see [Legislation Act](#), s 14 (2)).

Schedule 1 Reviewable decisions

(see s 23 and s 23A)

column 1 item	column 2 section	column 3 decision	column 4 entity
1	Act, 7 (b)	refuse to register dog	applicant for registration
2	Act, 13 (1) (c)	cancel registration of dog	keeper of dog
3	Act, 20 (1) (b)	refuse to issue multiple dog licence	applicant for licence
4	Act, 21 (1)	issue multiple dog licence on conditions	applicant for licence
5	Act, 22 (1) or (2)	declare dog to be dangerous dog	keeper of dog
6	Act, 25 (1) (a)	approve issue of dangerous dog licence	person who, or whose animal, has been attacked or harassed by dog
7	Act, 25 (1) (b)	refuse to issue dangerous dog licence	applicant for licence
8	Act, 26 (1)	issue dangerous dog licence on conditions	applicant for licence
9	Act, 33	vary or refuse to vary special licence	licensee whose licence varied or applicant for variation
10	Act, 36 (1)	cancel special licence	entity whose licence cancelled

column 1 item	column 2 section	column 3 decision	column 4 entity
11	Act, 39C (2) (b)	refuse to register racing greyhound	applicant for registration
12	Act, 39I (1) (b)	refuse to issue racing greyhound controller licence	applicant for licence
13	Act, 39J (1)	issue racing greyhound controller licence on conditions	applicant for licence
14	Act, 43	refuse to issue permit to take dog into prohibited area	applicant for permit
15	Act, 43	issue permit to take dog into prohibited area on conditions	applicant for permit
16	Act, 53B (2)	destroy dog	keeper of dog
17	Act, 53B (6)	issue control order	keeper of dog
18	Act, 53C (2)	destroy dog	keeper of dog
19	Act, 53C (4)	issue control order	keeper of dog
20	Act, 62 (2) (c)	refuse to release dog because premises where dog will be kept are not secure enough to prevent dog escaping	person claiming release of dog
21	Act, 63 (2) (c)	refuse to release dog because premises where dog will be kept are secure not enough to prevent dog escaping	person claiming release of dog
22	Act, 67A (2)	sell seized dog	keeper of dog
23	Act, 68A (2)	destroy dog	keeper of dog

Schedule 1

Reviewable decisions

column 1 item	column 2 section	column 3 decision	column 4 entity
24	Act, 70 (4)	impose conditions on return of dog	keeper of dog
25	Act, 72B (1) (b)	refuse to issue breeding licence	applicant for licence
26	Act, 72E (1)	impose condition on breeding licence	licensee
27	Act, 72F (1)	refuse to vary breeding licence	licensee
28	Act, 72F (2)	vary breeding licence on registrar's initiative	licensee
29	Act, 72G (1)	cancel a breeding licence	person whose licence cancelled
30	Act, 76 (1)	refuse to issue permit to keep cat or dog that is not desexed	applicant for permit
31	Act, 77	revoke a permit if satisfied that dog or cat is no longer dog or cat to which s 76 (2) applies	applicant for permit
32	Act, 84C (1) (b)	refuse to issue multiple cat licence	applicant for licence
33	Act, 84D (1)	issue multiple cat licence on conditions	applicant for licence
34	Act, 92 (4)	impose conditions on return of seized cat	keeper of cat
35	Act, 112	issue nuisance notice	keeper of animal or occupier of place
36	Act, 113	refuse to revoke nuisance notice	person given notice
37	Act, 114 (1)	seize animal	keeper of animal

column 1 item	column 2 section	column 3 decision	column 4 entity
38	Act , 114 (4)	refuse to return animal	keeper of animal
39	13	refuse to authorise person as identifier of domestic animals	applicant for authorisation
40	14	withdraw authorisation as identifier of domestic animals	entity that has authorisation revoked
41	19	prohibit entity operating domestic animals registry service	licensed operator

Dictionary

(see s 2)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](#), dict, pt 1 defines the following terms:

- home address
- penalty unit (see s 133)
- person (see s 160)
- veterinary practitioner.

Note 3 Terms used in this regulation have the same meaning that they have in the [Domestic Animals Act 2000](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Domestic Animals Act 2000](#), dict:

- carer
- control order
- dangerous dog
- dangerous dog licence
- effective control
- incorporated document
- keeper
- multiple dog licence
- public place
- racing greyhound
- racing greyhound controller licence
- registered keeper
- registered racing greyhound
- registrar.

authorised identifier means a person who is authorised under section 13 as an identifier of domestic animals.

corresponding law means any of the following:

- (a) [Companion Animals Act 1998](#) (NSW);
- (b) [Companion Animals Regulation 2008](#) (NSW);
- (c) [Domestic Animals Act 1994](#) (Vic);
- (d) [Domestic Animals Regulations 2005](#) (Vic).

domestic animals registry service means a service of keeping records relating to domestic animals that, in relation to each animal about which records are kept—

- (a) contain identifying information about the animal and its owner; and
- (b) are referenced to the animal through information contained in an identifying microchip implanted in the animal.

identifying microchip—see section 10.

off-lead area means an area declared under the [Act](#), section 40.

unique identification number—

- (a) for a microchip implanted in a dog—see section 7 (4) (b); and
- (b) for a microchip implanted in a cat—see section 9 (1) (b).

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the [Legislation Act 2001](#), part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

This regulation was originally the *Domestic Animals Regulations 2001*. It was renamed under the *Legislation Act 2001*.

Domestic Animals Regulation 2001 SL2001-17

notified 12 June 2001 ([Gaz 2001 No S32](#))
s 1 and s 2 commenced 12 June 2001 (IA s 10B)
remainder commenced 21 June 2001 (s 2)

as amended by

Domestic Animals Regulations Amendment 2001 SL2001-30

notified 30 August 2001 ([Gaz 2001 No 35](#))
commenced 30 August 2001 (s 1)

Domestic Animals Amendment Regulations 2002 (No 1) SL2002-15

notified LR 19 June 2002
commenced 19 June 2002 (s 2)

Statute Law Amendment Act 2002 A2002-30 pt 3.19

notified LR 16 September 2002
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))
pt 3.19 commenced 17 September 2002 (s 2 (1))

Domestic Animals Amendment Act 2002 A2002-44 pt 3

notified LR 2 December 2002
s 1, s 2 commenced 2 December 2002 (LA s 75)
pt 3 commenced 3 December 2002 (s 2)

Statute Law Amendment Act 2005 A2005-20 sch 3 pt 3.17

notified LR 12 May 2005
s 1, s 2 taken to have commenced 8 March 2005 (LA s 75 (2))
sch 3 pt 3.17 commenced 12 November 2005 (s 2 (2) and LA s 79)

Domestic Animals (Cat Containment) Amendment Act 2005 A2005-57 pt 3

notified LR 23 November 2005
s 1, s 2 commenced 23 November 2005 (LA s 75 (1))
pt 3 commenced 23 May 2006 (s 2 and LA s 79)

Endnotes

Domestic Animals Amendment Regulation 2008 (No 1) SL2008-18

notified LR 30 April 2008

s 1, s 2 commenced 30 April 2008 (LA s 75 (1))

remainder commenced 1 May 2008 (s 2 and see [Domestic Animals Amendment Act 2007](#) A2007-35, s 2 and [CN2008-6](#))

ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2) A2008-37 sch 1 pt 1.31

notified LR 4 September 2008

s 1, s 2 commenced 4 September 2008 (LA s 75 (1))

sch 1 pt 1.31 commenced 2 February 2009 (s 2 (1) and see [ACT Civil and Administrative Tribunal Act 2008](#) A2008-35, s 2 (1) and [CN2009-2](#))

Statute Law Amendment Act 2009 (No 2) A2009-49 sch 3 pt 3.20

notified LR 26 November 2009

s 1, s 2 commenced 26 November 2009 (LA s 75 (1))

sch 3 pt 3.20 commenced 17 December 2009 (s 2)

Domestic Animals Amendment Act 2010 A2010-3 sch 1 pt 1.1

notified LR 17 February 2010

s 1, s 2 commenced 17 February 2010 (LA s 75 (1))

sch 1 pt 1.1 commenced 18 February 2010 (s 2)

Statute Law Amendment Act 2011 (No 3) A2011-52 sch 1 pt 1.1

notified LR 28 November 2011

s 1, s 2 commenced 28 November 2011 (LA s 75 (1))

sch 1 pt 1.1 commenced 12 December 2011 (s 2)

Statute Law Amendment Act 2013 A2013-19 sch 3 pt 3.13

notified LR 24 May 2013

s 1, s 2 commenced 24 May 2013 (LA s 75 (1))

sch 3 pt 3.13 commenced 14 June 2013 (s 2)

Domestic Animals (Breeding) Legislation Amendment Act 2015 A2015-9 pt 4

notified LR 7 April 2015

s 1, s 2 commenced 7 April 2015 (LA s 75 (1))

pt 4 commenced 15 September 2015 (s 2 and [CN2015-19](#))

Transport Canberra and City Services Legislation Amendment Act 2017 A2017-2 pt 3

notified LR 22 February 2017
s 1, s 2 commenced 22 February 2017 (LA s 75 (1))
pt 3 commenced 23 February 2017 (s 2)

Domestic Animals (Racing Greyhounds) Amendment Act 2017 A2017-44 pt 3 (as am by A2018-11 sch 1)

notified LR 5 December 2017
s 1, s 2 commenced 5 December 2017 (LA s 75 (1))
pt 3 commenced 30 April 2018 (s 2)

Domestic Animals (Dangerous Dogs) Legislation Amendment Act 2017 A2017-46 pt 3

notified LR 13 December 2017
s 1, s 2 commenced 13 December 2017 (LA s 75 (1))
pt 3 commenced 14 December 2017 (s 2)

Domestic Animals Legislation Amendment Act 2018 A2018-11 pt 3, sch 1

notified LR 18 April 2018
s 1, s 2 commenced 18 April 2018 (LA s 75 (1))
pt 3 commenced 30 April 2018 (s 2 (1) and see [Domestic Animals \(Racing Greyhounds\) Amendment Act 2017 A2017-44 s 2](#))
sch 1 commenced 30 April 2018 (s 2 (2) and see [Domestic Animals \(Racing Greyhounds\) Amendment Act 2017 A2017-44 s 2](#))

Note Sch 1 amends the [Domestic Animals \(Racing Greyhounds\) Amendment Act 2017 A2017-44](#).

Veterinary Practice Act 2018 A2018-32 sch 3 pt 3.4

notified LR 30 August 2018
s 1, s 2 commenced 30 August 2018 (LA s 75 (1))
sch 3 pt 3.4 commenced 21 December 2018 (s 2 and [CN2018-12](#))

Endnotes

4 Amendment history

4 Amendment history

Preliminary

pt 1 hdg ins [A2005-57](#) s 18

Name of regulation

s 1 am R6 LA

Dictionary

s 2 om R1 (IA s 43 (4))
ins [A2002-30](#) amdt 3.241
sub [A2005-57](#) s 19
am [SL2008-18](#) s 4

Notes

s 3 sub [A2002-30](#) amdt 3.241; [A2005-57](#) s 19

Offences against regulation—application of Criminal Code etc

s 4 sub [A2002-30](#) amdt 3.241; [A2002-44](#) s 23; [A2005-57](#) s 19

Dogs

pt 2 hdg ins [A2005-57](#) s 19

Dog registration information—Act, s 8

s 5 sub [A2002-30](#) amdt 3.241; [A2005-57](#) s 19
am [A2017-46](#) s 143; pars renum R19 LA; [A2018-11](#) s 68

Information on dog registration certificates—Act s 11 (2)

s 6 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
am [SL2008-18](#) s 5; [A2017-46](#) s 144; pars renum R19 LA;
[A2018-11](#) s 69

Multiple dog licence prescribed conditions—Act, s 21 (4) (a)

s 6A ins [SL2008-18](#) s 6
om [A2017-46](#) s 145
ins [A2018-11](#) s 70

Dangerous dog licence prescribed conditions—Act, s 26 (3) (a)

s 6B ins [A2018-11](#) s 70

Information on greyhound registration certificates—Act, s 39E

s 6C ins [A2018-11](#) s 70

Prescribed control orders—Act, s 53CA (a)

s 6D ins [A2018-11](#) s 70

Home impoundment prescribed conditions—Act, s 56A (4) (a) and s 60 (4) (a)

s 6E ins [A2018-11](#) s 70

How dogs must be identified—Act, s 83

s 7 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
sub [SL2008-18](#) s 7
(7), (8) exp 1 May 2011 (s 7 (8))
am [A2017-46](#) s 146; [A2018-11](#) s 71, s 72; ss renum R20 LA;
[A2018-32](#) amdt 3.7

Cats

pt 3 hdg ins [A2005-57](#) s 19
sub [SL2008-18](#) s 8

Cats to which compulsory identification applies—Act, s 83

s 8 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
am [A2018-32](#) amdt 3.7

How cats must be identified—Act, s 83

s 9 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
am [SL2008-18](#) ss 9-11
(3), (4) exp 30 June 2008 (s 9 (4))

Multiple cat licences—requirement to be licensed

s 9A ins [SL2008-18](#) s 12

Implanting microchips

pt 4 hdg ins [A2005-57](#) s 19
sub [SL2008-18](#) s 13

Approval of identifying microchip

s 10 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
sub [SL2008-18](#) s 13

Selling or supplying fake identifying microchips

s 11 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
sub [SL2008-18](#) s 13

Information to be given to domestic animals registry services

s 12 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
sub [SL2008-18](#) s 13
am [A2018-32](#) amdt 3.7

Authorisation of identifiers

s 13 om [A2005-20](#) amdt 3.140
ins [A2005-57](#) s 19
sub [SL2008-18](#) s 13

Endnotes

4 Amendment history

Withdrawal of authorisation

s 14 sub [A2005-57](#) s 19; [SL2008-18](#) s 13

Identifying microchip to be implanted only by vet or authorised identifier

s 15 hdg sub [A2010-3](#) amdt 1.1
s 15 ins [A2005-57](#) s 19
sub [SL2008-18](#) s 13
am [A2018-32](#) amdt 3.7

Code of practice about implanting identifying microchips

s 16 ins [A2005-57](#) s 19
sub [SL2008-18](#) s 13

Requirement to scan for identifying microchips

s 17 **orig s 17**
renum as s 24
pres s 17
ins [SL2008-18](#) s 13

Operation of domestic animals registry services

s 18 ins [SL2008-18](#) s 13

Prohibition of certain operators

s 19 ins [SL2008-18](#) s 13

Operator to provide information

s 20 ins [SL2008-18](#) s 13

Notification of ceasing to operate domestic animals registry services

s 21 ins [SL2008-18](#) s 13

Code of practice about operation of domestic animals registry service

s 22 ins [SL2008-18](#) s 13

Reviewable decisions—Act, s 118, def *reviewable decision*

s 23 ins [SL2008-18](#) s 13
sub [A2008-37](#) amdt 1.126

Right of review and notice—Act, s 119 and 120 (a)

s 23A ins [A2008-37](#) amdt 1.126

Miscellaneous

pt 5 hdg ins [A2005-57](#) s 19

Dishonoured cheques

s 24 (prev s 17) ins [A2005-57](#) s 19
renum as s 24 R9 LA (see [SL2008-18](#) s 14)

Incorporation of documents

s 25 ins [SL2008-18](#) s 15
am [A2013-19](#) amdt 3.84

Reviewable decisions

sch 1 sub [SL2001-30](#) s 3
 am [SL2002-15](#) s 4; items renum R3 LA (see [SL2002-15](#) s 5)
 om [A2005-20](#) amdt 3.141
 ins [A2008-37](#) amdt 1.127
 am [A2011-52](#) amdt 1.1; items renum R15 LA; [A2015-9](#) s 16;
 items renum R17 LA; [A2017-2](#) s 5, s 6; items renum R18 LA;
[A2017-46](#) ss 147-150; items renum R19 LA; [A2018-11](#)
 ss 73-75; items renum R20 LA

Dictionary

dict ins [A2005-57](#) s 20
 sub [SL2008-18](#) s 16
 am [A2009-49](#) amdt 3.45; [A2013-19](#) amdt 3.85; [A2017-46](#)
 s 151; [A2017-44](#) s 39; [A2018-11](#) s 77; [A2018-32](#) amdt 3.7
 def **authorised identifier** ins [A2005-57](#) s 20
 sub [SL2008-18](#) s 16
 def **corresponding law** ins [SL2008-18](#) s 16
 am [A2013-19](#) amdt 3.86; [A2015-9](#) s 17
 def **domestic animals registry service** ins [SL2008-18](#) s 16
 def **identifying microchip** ins [A2005-57](#) s 20
 sub [SL2008-18](#) s 16
 def **off-lead area** ins [A2018-11](#) s 76
 def **unique identification number** ins [SL2008-18](#) s 16

Endnotes

5 Earlier republishings

5 Earlier republishings

Some earlier republishings were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republishings have also been published in printed format. These republishings are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	1 July 2001
2	SL2001-30	30 August 2001
3	SL2002-15	19 June 2002
4	A2002-30	17 September 2002
5	A2002-44	3 December 2002
6	A2002-44	2 November 2004
7	A2005-20	12 November 2005
8	A2005-57	23 May 2006
9 (RI) ‡	SL2008-18	3 March 2011
10 (RI) ‡	SL2008-18	3 March 2011
11 (RI) ‡	A2008-37	3 March 2011
12 (RI) ‡	A2009-49	3 March 2011
13 (RI) ‡	A2010-3	3 March 2011
14	A2010-3	2 May 2011
15	A2011-52	12 December 2011
16	A2013-19	14 June 2013
17	A2015-9	15 September 2015
18	A2017-2	23 February 2017
19	A2017-46	14 December 2017
20	A2018-11	30 April 2018

‡ includes textual correction in s 9

© Australian Capital Territory 2018