

NSW LEGISLATED ENFORCEMENT BODIES – ANIMAL WELFARE

NSW has 3 enforcement bodies approved to enforce the Prevention of Cruelty to Animals Act 1979 (POCTA Act):

- Royal Society for the Prevention of Cruelty to Animals (RSPCA)
- Animal Welfare League (AWL)
- NSW Police

These enforcement bodies are authorised to conduct inspections that are either triggered by a welfare complaint or a regulated check of Code of Practice compliance.

Your Rights if an Inspector Presents to your Property

- Most Inspectors will arrive unannounced. If their timing is not suitable to you e.g. you have a medical appointment to attend, or you're about to go to work, or collect or drop off children etc. advise that you will need them to come back at a mutually convenient time. Get the Inspector's details and make an appointment
- Inspectors can enter your property and out-buildings, but without your consent or a warrant (issued in serious animal welfare matters), they cannot come into your home
- You can have a friend or relative be with you during the conduct of an audit
- You can ask questions of the Inspector
- You do not have to answer all or some of the Inspector's questions but you are encouraged to be polite and co-operate
- You can record the audit/inspection BUT you must ask the Inspector for consent
- You can ask that the audit/inspection not be recorded (enforcement bodies are permitted to record video and audio)

What do you need to do to prepare?

- Ensure you have read and understand the Animal Welfare Code of Practice for Breeding Dogs and Cats '**Standards**' requirements [Animal Welfare Code of Practice Breeding Dogs and Cats \(nsw.gov.au\)](http://www.nsw.gov.au/animal-welfare/code-of-practice)
- Have a minimum of the last 3 years of records available for viewing
- Records must cover:
 - Full details and description of **all** dogs on the premises; all dogs need to be easily identified
 - Vaccination, worming, flea/tick/mite control, heartworm preventative, pest control on property, whelping details, breeding details, puppy records, rehoming details, details of leased dogs, neutering/desexing details
 - Evacuation plan
 - Vet details
 - Feeding guide/diet particulars
 - Veterinary treatments
 - Veterinary reports
- The AWCOP references in 2.2 that:

“It applies to the welfare of dogs and cats which are involved in the business of breeding and raising puppies and kittens”.

- Neutered dogs do not fall under that category
- Ensure adequate facilities for the housing of dogs, providing:
 - Pen sizes meeting minimum Standard at the least
 - Sufficient bedding for all dogs
 - Clean, dry environment

****It should be noted that the RSPCA Chief Inspector Scott Meyers has recently (16-12-2020) advised DOGS NSW that as long as boundary fencing meets the 1.8m height requirement OR that dog pens or housing is inside a building or shed that can securely confine the dogs, pen heights of less than 1.8m within those areas would meet compliance.****

PLEASE HAVE A COPY OF THE ANIMAL WELFARE CODE OF PRACTICE FOR BREEDING DOGS AND CATS (AWCOP) WITH YOU DURING AN AUDIT/INSPECTION