

**Version No. 013**  
**Prevention of Cruelty to Animals Regulations**  
**1997**

**S.R. No. 159/1997**

Version incorporating amendments as at 24 June 2004

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**PART 1—PRELIMINARY**

**1. Objectives**

The objectives of these Regulations are—

- (a) to prescribe standards for the protection of animals in certain circumstances;
- (b) to prescribe conditions for permits to conduct rodeos and operate rodeo schools;
- (c) to prescribe conditions for licences and standards for scientific procedures and breeding carried out by scientific and breeding establishments;
- (d) to prescribe forms, fees and other matters authorised by the **Prevention of Cruelty to Animals Act 1986**.

**2. Authorising provisions**

These Regulations are made under sections 15, 16, 19, 25, 26, 27, 29, 35 and 42 of the **Prevention of Cruelty to Animals Act 1986**.

**3. Commencement**

These Regulations come into operation on 22 December 1997.

**4. Revocation**

The Regulations listed in Schedule 1 are **revoked**.

Reg. 5 def. of  
"Australian  
code of  
practice"  
inserted by  
S.R. No.  
64/2004 reg. 5.

Reg. 5 def. of  
"Pound  
Animals code  
of practice"  
inserted by  
S.R. No.  
64/2004 reg. 5.

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Part 1—Preliminary

r. 5

## 5. Definition

In these Regulations—

**"Australian code of practice"** means the  
Australian code of practice for the care and  
use of animals for scientific purposes,  
6th edition 1997 published by the Australian  
Government Publishing Service, Canberra  
September 1997;

**"Pound Animals code of practice"** means the  
Code of Practice for the use of animals from  
municipal pounds in scientific procedures  
approved by the Governor in Council on  
19 April 1988 and published in the Victorian  
Government Gazette G47 on 7 December  
1988 at pages 3659–60;

**"the Act"** means the **Prevention of Cruelty to  
Animals Act 1986**.

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**PART 2—PROTECTION OF ANIMALS**

**Division 1—General Requirements**

**6. Leghold traps**

- (1) For the purposes of section 15(1)(a) of the Act, the kind of spring-operated steel-jawed leghold trap prescribed as a large leghold trap is one that has a hinge not less than 12 centimetres wide.
- (2) For the purposes of section 15(1)(b) of the Act, the kind of spring-operated steel-jawed leghold trap prescribed as a small leghold trap is one that has a hinge less than 12 centimetres wide.

**7. Minimum cage floor areas for layer hens**

- (1) A person who keeps female domestic fowls of the genus *Gallus* in cages for the purpose of egg production must provide—
  - (a) for every fowl under 2.4 kilograms in weight a cage floor area of not less than 450 square centimetres; and
  - (b) for every fowl of 2.4 kilograms or more in weight a cage floor area of not less than 600 square centimetres.

Penalty: 5 penalty units.

- (2) For the purposes of sub-regulation (1), the cage floor area includes the floor area under any baffle.

**7A. Tail docking of dogs**

- (1) A person, other than a veterinary practitioner, must not dock a dog's tail.

Penalty: 10 penalty units.

Reg. 7A  
 inserted by  
 S.R. No.  
 23/2004 reg. 4.

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r. 7B

- (2) A veterinary practitioner must not dock a dog's tail unless he or she reasonably considers the docking to be necessary for therapeutic reasons.

Penalty: 10 penalty units.

**7B. Firing of horses prohibited**

A person must not use the procedure of the firing of horses.

Penalty: 5 penalty units.

**7C. Possession of dog and cock fighting implements prohibited**

- (1) A person must not possess any dog fighting implement or cock fighting implement.

Penalty: 5 penalty units.

- (2) Sub-regulation (1) does not apply to a person who possesses a dog fighting implement or a cock fighting implement for the purposes of displaying it in a museum that is open to the general public.

**7D. Use of pronged collars prohibited**

A person must not use a pronged collar on any animal.

Penalty: 5 penalty units

**7E. Use of certain electronic collars prohibited**

- (1) A person must not use an electronic dog training collar that can impart an electric shock on a dog or any other animal except in the circumstances in sub-regulation (2).

Penalty: 5 penalty units.

Reg. 7B  
inserted by  
S.R. No.  
63/2004 reg. 5.

Reg. 7C  
inserted by  
S.R. No.  
63/2004 reg. 5.

Reg. 7D  
inserted by  
S.R. No.  
63/2004 reg. 5.

Reg. 7E  
inserted by  
S.R. No.  
63/2004 reg. 5.

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- (2) Sub-regulation (1) does not apply to a person who uses an electronic dog training collar on a dog—
- (a) if a veterinary practitioner has examined the physical health and temperament of the dog and reasonably believes that the dog is suitable to have an electronic dog training collar used on it; and
  - (b) the person is—
    - (i) a veterinary practitioner; or
    - (ii) acting on the instructions of a veterinary practitioner; or
    - (iii) a qualified dog trainer (within the meaning of regulation 13(2) of the Domestic (Feral and Nuisance) Animals Regulations 1996<sup>1</sup>); or
    - (iv) acting under the supervision of a qualified dog trainer (within the meaning of regulation 13(2) of the Domestic (Feral and Nuisance) Animals Regulations 1996).

**Division 2—Rodeos and Rodeo Schools**

**8. Rodeo permits**

- (1) For the purposes of section 16(1) of the Act, an application for a permit to conduct a rodeo must be in the form in Schedule 2.
  - (2) For the purposes of section 16(2) of the Act—
    - (a) a permit to conduct a rodeo must be in the form in Schedule 3; and
    - (b) the prescribed conditions are set out in Part A of the form of permit in Schedule 3.
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**9. Rodeo school permits**

- (1) For the purposes of section 16(1) of the Act, an application to operate a rodeo school must be in the form in Schedule 4.
- (2) For the purposes of section 16(2) of the Act—
  - (a) a permit to operate a rodeo school must be in the form in Schedule 5; and
  - (b) the prescribed conditions are set out in Part A of the form of permit in Schedule 5.

**10. Restrictions on the conduct of rodeos and rodeo schools**

- (1) A person who proposes to conduct a rodeo must, in the application for a permit—
  - (a) nominate a veterinary practitioner who will attend the rodeo in accordance with the conditions of the permit; and
  - (b) nominate a stock contractor who—
    - (i) is accredited by an organisation approved by the Minister; and
    - (ii) has agreed to arrange for the supply of stock to be used at the rodeo; and
  - (c) specify the name of the organisation approved by the Minister.
- (2) A person must not conduct a rodeo using any animals except those provided by a stock contractor nominated in accordance with sub-regulation (1)(b).
- (3) A person who proposes to conduct a rodeo school, must, in the application for a permit—
  - (a) nominate a veterinary practitioner who will attend the rodeo school in accordance with the conditions of the permit; and

Reg. 10  
 amended by  
 S.R. No.  
 65/2001  
 reg. 4(1)(a)(2),  
 substituted by  
 S.R. No.  
 63/2004 reg. 6.

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- (b) nominate a stock contractor who—
    - (i) is accredited by an organisation approved by the Minister; and
    - (ii) has agreed to arrange for the supply of stock to be used at the rodeo school; and
  - (c) nominate an instructor-in-charge who is accredited by the organisation; and
  - (d) for each class of instruction, nominate an instructor who is accredited by the organisation; and
  - (e) specify the name of the organisation.
- (4) A person must not conduct a rodeo school using any animals except those provided by a stock contractor nominated in accordance with sub-regulation (3)(b).
- (5) For the purposes of sub-regulation (1) or (3) the Minister may approve an organisation if satisfied that—
- (a) the organisation consists of members of the rodeo industry and represents the interests of the rodeo industry; and
  - (b) the objectives of the organisation provide for the welfare of livestock used in rodeos and rodeo schools.
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Reg. 11  
amended by  
S.R. Nos  
63/2004 reg. 7,  
64/2004 reg. 6.

## PART 3—SCIENTIFIC PROCEDURES

### Division 1—Particular Scientific Procedures

#### 11. Certain procedures etc. are not scientific procedures

For the purposes of paragraph (j) of the definition of "scientific procedure" in section 3(1) of the Act, a procedure, test, experiment, inquiry, investigation or study which is carried out on or in connection with any live crustacean for a purpose set out in paragraphs (c) to (f) of that definition is prescribed.

#### 12. Regulation of certain scientific procedures

- (1) A person must not carry out any scientific procedure or series of related scientific procedures known as the Draize test using the conjunctival sac of rabbits to determine the relative irritancy of a chemical or a cosmetic, toilet, household or industrial preparation.
- (2) A person must not carry out any scientific procedure or series of related scientific procedures involving a test for determining the relative toxicity of a chemical or a cosmetic, toilet, household or industrial preparation in which the object of the test is to assess the toxicity of the preparation against a predetermined level of mortality unless—
  - (a) the scientific procedure is related to—
    - (i) potentially lifesaving treatment for animals or human beings; or
    - (ii) research in connection with cancer in animals or human beings; and
  - (b) the objective of the scientific procedure cannot be achieved by any other scientific means; and

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- (c) the scientific procedure is recommended for approval by a Peer Review Committee established under section 34 of the Act; and
- (d) the scientific procedure is approved by the Minister; and
- (e) the scientific procedure is carried out in accordance with any conditions determined by the Minister.

**Division 2—Scientific Premises**

Pt 3 Div. 2  
 (Heading and  
 ss 13–17)  
 substituted as  
 Pt 3 Div. 2  
 (Heading and  
 ss 13–16) by  
 S.R. No.  
 64/2004 reg. 7.

**13. Application for the issue or renewal of a scientific procedures premises licence**

Reg. 13  
 substituted by  
 S.R. No.  
 64/2004 reg. 7.

For the purposes of sections 30(2) and 32J(2) of the Act, the prescribed particulars for an application for the issue or renewal of a scientific procedures premises licence are—

- (a) the name of the applicant; and
- (b) the name, title, address, phone, fax and email contact details of the person nominated under section 26(2) of the Act; and
- (c) the names, qualifications and experience of the members of each Animal Ethics Committee responsible for approving scientific procedures under the licence; and
- (d) the name and location of the scientific premises at which it is intended to carry out scientific procedures; and

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- (e) a declaration from the applicant that—
  - (i) there is a person nominated under section 26(2) of the Act; and
  - (ii) one or more Animal Ethics Committees have been established by the applicant in accordance with the Australian code of practice; and
  - (iii) the names of the members of each Animal Ethics Committee and their qualifications and experience are included with the application; and
  - (iv) all scientific procedures will be carried out in accordance with the Act, these Regulations, the Australian code of practice and the Pound Animals code of practice; and
- (f) a declaration from the person nominated under section 26(2) of the Act that they consent to that nomination and that they agree to comply with all the relevant requirements of the Act, these Regulations, the licence, the Australian code of practice and the Pound Animals code of practice.

Reg. 14  
 substituted by  
 S.R. No.  
 64/2004 reg. 7.

**14. Conditions on scientific procedures premises licences**

For the purposes of section 30 of the Act, the following conditions are prescribed for a scientific procedures premises licence—

- (a) all scientific procedures must be carried out in accordance with the Act, these Regulations, the Australian code of practice and the Pound Animals code of practice;

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**r. 14**

- (b) the licence holder must establish and maintain one or more Animal Ethics Committees in accordance with the Australian code of practice for the period of the licence;
- (c) the licence holder must notify the Department Head of any change in membership of an Animal Ethics Committee within 14 days of the change taking effect;
- (d) no scientific procedure or program of scientific procedures may commence unless and until an Animal Ethics Committee has approved the—
  - (i) scientific procedures; and
  - (ii) premises at which the scientific procedures are to be carried out; and
  - (iii) person or persons who will carry out the scientific procedures;
- (e) any person carrying out a scientific procedure under the scientific procedures premises licence must conduct the scientific procedure or program of scientific procedures, in accordance with the approval given by an Animal Ethics Committee;
- (f) the licence holder must keep a record, on a monthly basis, of—
  - (i) any program of scientific procedures approved by an Animal Ethics Committee; and
  - (ii) the number and species of specified animals at the scientific premises on the first working day of each month; and

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**r. 14**

- (iii) the source of the specified animals (which, in the case of animals bred outside Australia, must include the name and address of the supplier); and
- (iv) the number and species of specified animals destroyed without being used in scientific procedures and the date of their destruction; and
- (v) the number and species of live specified animals removed from the licensed scientific premises, the date of their removal and destination;
- (g) all scientific procedures must be carried out at the licensed scientific premises or at any other place or premises approved by an Animal Ethics Committee;
- (h) animal housing, facilities and equipment at the scientific premises must comply with the minimum standards specified in the Australian code of practice and regulation 16;
- (i) specified animals used in scientific procedures, must be bred at—
  - (i) scientific premises for which a scientific procedures premises licence has been issued; or
  - (ii) premises for which a specified animals breeding licence has been issued under the Act; or
  - (iii) premises within Australia but outside Victoria which comply with all relevant requirements of the State or Territory in which the premises are located for the breeding of specified animals; or
  - (iv) premises outside Australia;

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- (j) the licence holder must notify the Department Head, in accordance with regulation 27, of any change to the person nominated under section 26(2) of the Act.

**15. Approvals by Animal Ethics Committees**

Reg. 15  
substituted by  
S.R. No.  
64/2004 reg. 7.

- (1) An Animal Ethics Committee established in accordance with the Australian code of practice may approve—
  - (a) a scientific procedure or any program of scientific procedures that is to be carried out at the licensed scientific premises;
  - (b) a scientific procedure or any program of scientific procedures that is to be carried out at a place or premises other than the scientific premises;
  - (c) any other place or premises in or at which scientific procedures approved by the Animal Ethics Committee may be carried out;
  - (d) the person or persons who will carry out the scientific procedures.
- (2) As soon as is practicable after approving any scientific procedure or program of scientific procedures to be carried out at a place or premises other than the licensed scientific premises, the Animal Ethics Committee responsible for approving the scientific procedure or program of scientific procedures must notify the Department Head in writing of the—
  - (a) place or premises at which the scientific procedures are to be carried out;
  - (b) nature of whole or part of the scientific procedures to be carried out at the other place or premises;



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- (c) number and species of animals proposed to be used in the scientific procedure or program of scientific procedures.

**16. Minimum standards for scientific premises**

The minimum standards with which the facilities and equipment at the licensed scientific premises must comply are—

- (a) the facilities used for housing or handling animals must be clean and kept in good order and repair; and
- (b) the equipment used for animals undergoing scientific procedures must be clean and kept in good order and repair.

**Division 3—Scientific Procedures Field Work Licence**

**17. Application for the issue or renewal of a scientific procedures field work licence**

For the purposes of sections 32B and 32J(2) of the Act, the prescribed particulars for an application for the issue or renewal of a scientific procedures field work licence are—

- (a) the name of the applicant and the applicant's address, phone, fax and email contact details;
- (b) the name, address, phone, fax and email contact details of the person nominated by the applicant to be responsible for any procedures carried out under the licence;

Reg. 16  
substituted by  
S.R. No.  
64/2004 reg. 7.

Pt 3 Div. 3  
(Heading and  
ss 18–21)  
substituted as  
Pt 3 Div. 3  
(Heading and  
ss 17–19) by  
S.R. No.  
64/2004 reg. 7.

Reg. 17  
substituted by  
S.R. No.  
64/2004 reg. 7.

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- (c) the names, qualifications and experience of the members of each Animal Ethics Committee responsible for approving scientific procedures under the licence;
- (d) a declaration from the applicant that—
  - (i) one or more Animal Ethics Committees have been established by the applicant in accordance with the Australian code of practice; and
  - (ii) the names of the members of each Animal Ethics Committee and their qualifications and experience are included with the application; and
  - (iii) all scientific procedures will be carried out in accordance with the Act, these Regulations, the Australian code of practice and the Pound Animals code of practice;
- (e) a declaration from the person nominated by the applicant to be responsible for procedures carried out under the licence that they consent to being named in the licence and that they agree to comply with all the relevant requirements of the Act, these Regulations, the licence, the Australian code of practice and the Pound Animals code of practice.

**18. Conditions on scientific procedures field work licences**

For the purposes of section 32D(1) of the Act, the following conditions are prescribed for a scientific procedures field work licence—

- (a) all scientific procedures must be carried out in accordance with the Act, these Regulations, the Australian code of practice and the Pound Animals code of practice;

**Reg. 18**  
**substituted by**  
**S.R. No.**  
**64/2004 reg. 7.**

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- (b) the licence holder must establish and maintain an Animal Ethics Committee in accordance with the Australian code of practice for the period of the licence;
- (c) the licence holder must notify the Department Head of any change in membership of an Animal Ethics Committee within 14 days of such change taking effect;
- (d) no scientific procedure or program of scientific procedures may commence unless and until the Animal Ethics Committee has approved the—
  - (i) scientific procedures; and
  - (ii) place or premises at which the scientific procedures are to be carried out; and
  - (iii) person or persons who will carry out the scientific procedures;
- (e) any person carrying out a scientific procedure under the scientific procedures field work licence must conduct the scientific procedure or program of scientific procedures in accordance with the approval given by an Animal Ethics Committee;
- (f) the licence holder must keep a record, on a monthly basis, of—
  - (i) any program of scientific procedures or any series of related scientific procedures approved by an Animal Ethics Committee; and
  - (ii) the number and species of animals at any place or premises at which scientific procedures are carried out under the licence on the first working day of each month; and

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- (iii) the source of the animals involved in scientific procedures (which, in the case of animals bred outside Australia, must include the name and address of the supplier);
- (g) animal housing, facilities and equipment at any premises at which scientific procedures are carried out under the licence must comply with the minimum standards specified in the Australian code of practice and in regulation 16;
- (h) specified animals used in scientific procedures must be bred at—
  - (i) scientific premises for which a scientific procedures premises licence has been issued; or
  - (ii) premises for which a specified animals breeding licence has been issued under the Act; or
  - (iii) premises within Australia but outside Victoria which comply with all relevant requirements of the State or Territory in which the premises are located for the breeding of specified animals; or
  - (iv) premises outside Australia;
- (i) the licence holder must notify the Department Head, in accordance with regulation 27, of any change to the person nominated by the licence holder to be responsible for any procedures carried out under the licence.

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Reg. 19  
substituted by  
S.R. No.  
64/2004 reg. 7.

**19. Approvals by Animal Ethics Committees**

- (1) An Animal Ethics Committee established in accordance with the Australian code of practice may approve—
  - (a) a scientific procedure or any program of scientific procedures which is to be carried out;
  - (b) any place or premises as a place or premises in or at which a scientific procedure or program of scientific procedures approved by the Animal Ethics Committee may be carried out;
  - (c) the person or persons who will carry out the scientific procedures.
- (2) As soon as practicable after approving any scientific procedure or program of scientific procedures, the Animal Ethics Committee responsible for approving the scientific procedure or program of scientific procedures must notify the Department Head in writing of the—
  - (a) place or premises at which the scientific procedure or scientific procedures will be carried out; and
  - (b) nature of whole or part of the scientific procedures; and
  - (c) number and species of animals proposed to be used in the scientific procedure or scientific procedures.

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**Division 4—Specified Animals Breeding Licence**

Pt 3 Div. 4  
 (Heading)  
 inserted by  
 S.R. No.  
 64/2004 reg. 7.

**20. Application for the issue or renewal of a specified animals breeding licence**

Reg. 20  
 substituted by  
 S.R. No.  
 64/2004 reg. 7.

For the purposes of sections 32F(2) and 32J(2) of the Act, the prescribed particulars for an application for the issue or renewal of a specified animals breeding licence are—

- (a) the name of the applicant and the applicant's address, phone, fax and email contact details;
- (b) the name, address, phone, fax and email contact details of the person nominated by the applicant to be responsible for the breeding of specified animals under the licence;
- (c) a list of the premises at which the breeding of specified animals will be carried out;
- (d) the names, qualifications and experience of the members of each Animal Ethics Committee who are responsible for activities carried out under the licence;
- (e) a declaration from the applicant that—
  - (i) one or more Animal Ethics Committees have been established by the applicant in accordance with the Australian code of practice; and
  - (ii) the names of the members of each Animal Ethics Committee and their qualifications and experience are included with the application; and

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- (iii) the breeding of specified animals will be carried out only in the premises listed by the applicant in the application and only in accordance with the Act, these Regulations, the licence and the Australian code of practice;
- (f) a declaration from the person nominated by the applicant to be responsible for breeding carried out under the licence that they consent to being named in the licence and that they agree to comply with all the relevant requirements of the Act, these Regulations and the Australian code of practice.

**21. Conditions on specified animals breeding licences**

The following conditions apply to a specified animals breeding licence—

- (a) the breeding of specified animals must be carried out in accordance with the Act, these Regulations and the Australian code of practice;
- (b) a practice or procedure involving the—
  - (i) surgical, medical or physical treatment of specified animals; or
  - (ii) extraction or derivation of any tissue, material or substance from the bodies of specified animals—

may only be conducted if the practice or procedure is necessary for the breeding, care or delivery of specified animals under the licence and is carried out in accordance with the Act and the Australian code of practice;

Reg. 21  
 substituted by  
 S.R. No.  
 64/2004 reg. 7.

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- (c) only specified animals that have not been bred in their native habitat may be used for breeding under a specified animals breeding licence;
- (d) breeding of specified animals by the licence holder may only take place at those premises described in the specified animals breeding licence issued to the licence holder;
- (e) the licence holder must establish and maintain an Animal Ethics Committee in accordance with the Australian code of practice for the period of the licence;
- (f) the licence holder must notify the Department Head of any change in membership of the Animal Ethics Committee within 14 days of the change taking effect;
- (g) practices or procedures to be conducted on specified animals which involve the—
  - (i) surgical, medical or physical treatment of specified animals; or
  - (ii) the extraction or derivation of any tissue, material or substance from the body of a specified animal—must be approved and monitored by the Animal Ethics Committee;
- (h) animal housing, facilities and equipment at the premises must comply with the minimum standards specified in the Australian code of practice and regulation 23;
- (i) the licence holder must keep a record on a monthly basis, of—
  - (i) the number and species of specified animals at the premises on the first working day of each month; and



*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Part 3—Scientific Procedures

r. 22

Reg. 22  
substituted by  
S.R. No.  
64/2004 reg. 7.

- (ii) the number and species of specified animals sold or delivered to each scientific premises; and
- (iii) the number and species of specified animals destroyed and the date of their destruction;
- (j) the licence holder must notify the Department Head in accordance with regulation 27 of any change to the person nominated by the licence holder to be responsible for any breeding of specified animals carried out under the licence.

## **22. Approvals by Animal Ethics Committees**

An Animal Ethics Committee established in accordance with the Australian code of practice may approve—

- (a) a practice or procedure to be conducted on specified animals involving—
  - (i) surgical, medical or physical treatment; or
  - (ii) the extraction or derivation of any tissue, material or substance from the body of an animal—

which is necessary to be carried out for the breeding, sale and delivery of specified animals;

- (b) the premises specified in the specified animals breeding licence as premises in or at which a practice or procedure approved by the Animal Ethics Committee may be carried out;
- (c) the person or persons who will carry out the scientific procedures.

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*S.R. No. 159/1997*

Part 3—Scientific Procedures

r. 23

**23. Minimum standards for premises specified in a specified animals breeding licence**

Reg. 23  
substituted by  
S.R. No.  
64/2004 reg. 7.

The minimum standards with which the facilities and equipment at the premises specified in a specified animals breeding licence must comply are—

- (a) the facilities used for housing or handling animals must be clean and kept in good order and repair; and
- (b) the equipment used for animals undergoing scientific procedures must be clean and kept in good order and repair.

**Division 5—Records, returns and other requirements**

Pt 3 Div. 5  
(Heading)  
inserted by  
S.R. No.  
64/2004 reg. 7.

**24. Completion of annual returns**

Reg. 24  
substituted by  
S.R. No.  
64/2004 reg. 7.

- (1) The holder of a scientific procedures premises licence, scientific procedures field work licence or a specified animals breeding licence must, on or before 1 March in each year, forward to the Department Head a return—
  - (a) detailing the animals used in scientific procedures carried out under that licence or specified animals bred under that licence during the 12 months ending on 31 December in the previous year; or
  - (b) if no animals were used in scientific procedures under the licence, a statement to that effect.

Penalty: 5 penalty units.

*Prevention of Cruelty to Animals Regulations 1997*  
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Part 3—Scientific Procedures

**r. 24**

- (2) A return under sub-regulation (1)(a) must specify the following matters—
- (a) the name of the licence holder;
  - (b) the project number given to the project by the relevant Animal Ethics Committee;
  - (c) the date the project was approved by the relevant Animals Ethics Committee;
  - (d) the type of animal;
  - (e) the source of the animals;
  - (f) the procedure or breeding option;
  - (g) the overall purpose;
  - (h) the impact of the project on animals;
  - (i) particular procedures;
  - (j) the benefit focus of the project;
  - (k) the number of animals that died or were humanely killed during the project or breeding program;
  - (l) the number of animals used.
- (3) A return under sub-regulation (1)(a) may provide details of the matters in sub-regulation (2)(d) to (k) by reference to the appropriate code for that matter that is set out in Schedule 6.
- (4) The holder of a scientific procedures premises licence, scientific procedures field work licence or a specified animals breeding licence must not forward a return to the Department Head under sub-regulation (1) that the licence holder knows to contain false or misleading information.

Penalty: 5 penalty units.

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r. 25

- (5) The holder of a scientific procedures premises licence, scientific procedures field work licence or a specified animals breeding licence must forward to the Department Head with the return or returns under sub-regulation (1)—
- (a) a declaration verifying the facts contained in the return or returns; and
  - (b) a statement of the total number of projects approved by an Animal Ethics Committee under that licence.

Penalty: 5 penalty units.

- (6) In this regulation, "**animal**" means an animal—
- (a) in the case of a mammal, bird or reptile, at or above the normal mid-point of the gestational cycle for the particular class of animal; or
  - (b) in any other case, capable of independent feeding.

**25. Return of records**

The holder of a scientific procedures premises licence, scientific procedures field work licence or specified animals breeding licence must keep all records required to be kept under the licence for 4 years and must send them to the Department Head if the licence holder ceases to hold that licence.

Penalty: 5 penalty units.

Reg. 25  
inserted by  
S.R. No.  
64/2004 reg. 7.

**26. Variation to a licence or licence condition**

For the purposes of section 32M of the Act, the prescribed particulars for an application to vary a licence or licence condition, are—

- (a) the type of licence;
- (b) the name and address of the licence holder;
- (c) a description of the proposed variation.

Reg. 26  
inserted by  
S.R. No.  
64/2004 reg. 7.

Reg. 27  
inserted by  
S.R. No.  
64/2004 reg. 7.

r. 27

*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Part 3—Scientific Procedures

**27. Notification of change of nominated person**

- (1) The holder of a scientific procedures premises licence, scientific procedures field work licence or specified animals breeding licence must notify the Department Head of any change to the nominated person within 14 days after the change in accordance with sub-regulation (2).
- (2) A notification under sub-regulation (1) must provide—
  - (a) the name and address of the licence holder; and
  - (b) the name of the current nominated person; and
  - (c) the name, address, phone, fax and email contact details of the proposed new nominated person; and
  - (d) the effective date of transfer; and
  - (e) a declaration from the new nominated person that the person agrees to comply with all the relevant requirements of—
    - (i) the Act, these Regulations, the licence and the Australian code of practice; and
    - (ii) the Pound Animals code of practice, in the case of a scientific procedures premises licence or scientific procedures field work licence.
- (3) In this regulation, "**nominated person**" means a person nominated—
  - (a) under section 26(2) of the Act; or
  - (b) by the holder of a scientific procedures field work licence to be responsible for procedures carried out under that licence; or

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Part 3—Scientific Procedures

r. 27

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- (c) by the holder of a specified animals breeding licence to be responsible for breeding carried out under that licence.
-

Pt 4 (Heading and ss 22–24) substituted as Pt 4 (Heading and ss 28–33) by S.R. No. 64/2004 reg. 8.

Reg. 28 inserted by S.R. No. 64/2004 reg. 8.

Reg. 29 inserted by S.R. No. 64/2004 reg. 8.

Reg. 30 inserted by S.R. No. 64/2004 reg. 8.

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S.R. No. 159/1997

Part 4—Miscellaneous

r. 28

**PART 4—MISCELLANEOUS**

**28. Identification certificates**

- (1) For the purposes of section 19(1) of the Act, an identification certificate issued—
  - (a) to an inspector must be in the form in Schedule 7;
  - (b) to a specialist inspector must be in the form in Schedule 8.
- (2) For the purposes of section 35(4) of the Act, an identification certificate issued to an authorised officer must be in the form in Schedule 9.

**29. Orders for the destruction or treatment of animals**

For the purposes of section 35(7)(b) of the Act, an order must be in the form in Schedule 16.

**30. Fees**

The prescribed fees for the purposes of the Act are as follows—

<i>Section of Act</i>	<i>Provision</i>	<i>Fee</i>
Section 16(1)	For the issue of a rodeo permit—	
	(a) for the first day of the rodeo;	\$51.00
	(b) for each subsequent day	\$25.00
Section 16(1)	For the issue of a rodeo school permit	\$26.00

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Part 4—Miscellaneous

**r. 31**

<i>Section of Act</i>	<i>Provision</i>	<i>Fee</i>
Section 30(2)	For the issue or renewal of a scientific procedures premises licence—for each year or part of a year—	
	(a) 10 or more persons conducting scientific procedures;	\$585.00
	(b) fewer than 10 persons conducting scientific procedures	\$390.00
Section 32B(2)	For the issue or renewal of a scientific procedures field work licence—for each year or part of a year—	
	(a) 10 or more persons conducting scientific procedures;	\$585.00
	(b) fewer than 10 persons conducting scientific procedures	\$390.00
Section 32F(2)	For the issue or renewal of a specified animals breeding licence—for each year or part of a year	\$585.00

**31. Service of infringement notice**

An offence against either of the following regulations is prescribed for the purposes of section 37A(1)(b) of the Act—

- (a) regulation 24(1);
- (b) regulation 24(5).

**Reg. 31**  
**inserted by**  
**S.R. No.**  
**64/2004 reg. 8.**



*Prevention of Cruelty to Animals Regulations 1997*  
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Part 4—Miscellaneous

r. 32

Reg. 32  
inserted by  
S.R. No.  
64/2004 reg. 8.

Reg. 33  
inserted by  
S.R. No.  
64/2004 reg. 8.

### **32. Infringement penalties**

For the purposes of section 37B of the Act the penalty for an offence for which an infringement may be issued is the penalty listed opposite that offence in Schedule 10.

### **33. Transitional provision**

An identification certificate issued before 24 June 2004 to an inspector, specialist inspector or authorised officer in the form prescribed in these Regulations as in force immediately before that date is to be treated as an identification certificate in the prescribed form for the purposes of the Act and these Regulations on and after that date until the date of expiry of the identification certificate.

*Prevention of Cruelty to Animals Regulations 1997*  
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Sch. 1
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**SCHEDULES**

**SCHEDULE 1**

Regulation 4

**REGULATIONS REVOKED**

S.R. No.	Title
360/1986	Prevention of Cruelty to Animals Regulations 1986
79/1988	Prevention of Cruelty to Animals (Fees) Regulations 1988
439/1988	Prevention of Cruelty to Animals (Amendment) Regulations 1988
58/1989	Prevention of Cruelty to Animals (Fees) Regulations 1989
163/1992	Prevention of Cruelty to Animals (Fees) Regulations 1992
89/1993	Prevention of Cruelty to Animals (Fees) Regulations 1993
185/1994	Prevention of Cruelty to Animals (Amendment) Regulations 1994
171/1995	Prevention of Cruelty to Animals (Amendment) Regulations 1995
6/1996	Prevention of Cruelty to Animals (Fees) Regulations 1996
52/1996	Prevention of Cruelty to Animals (Amendment) Regulations 1996
73/1997	Prevention of Cruelty to Animals (Amendment) Regulations 1997

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Sch. 2

Sch. 2  
amended by  
S.R. Nos  
65/2001  
reg. 4(1)(b),  
63/2004  
regs 8(a), 9(a).

**SCHEDULE 2**

Regulation 8(1)

**APPLICATION FOR A PERMIT TO CONDUCT A RODEO**

I,

(Name in full)

of

(Residential address)

apply for a permit to conduct a rodeo to be held at

(Location)

Program events:

(List all events. If insufficient space, attach list.)

Commencing Date:                      Time:                      am/pm.

Finishing Date:                      Time:                      am/pm.

I nominate:

(Name of veterinary practitioner)

of

(Address)

as the veterinary practitioner to be in attendance at all times when the rodeo is being conducted.

I nominate

(Name of stock contractor)

of

(Address)

as the stock contractor for the supply of stock for the rodeo.

Name of the organisation that has accredited the stock contractor:

I declare that if a permit is issued in respect of this application I undertake to exercise due care in the management and control of all aspects of the rodeo and, in particular, to—

*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

<b>Sch. 2</b>
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- 
- (a) conduct the rodeo in accordance with the conditions contained in the permit; and
  - (b) provide conditions and facilities for animals at the rodeo which conform to the conditions contained in the permit.

Date:

Signature of applicant:

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*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Sch. 3

Sch. 3  
 amended by  
 S.R. Nos  
 65/2001  
 reg. 4(1)(c)  
 (i)(ii), 63/2004  
 reg. 9(b)(i)(ii).

**SCHEDULE 3**

Regulation 8(2)

**PERMIT TO CONDUCT A RODEO**

Subject to the conditions set out below in Part A of this permit, permission is granted to:

(Name in full)

to conduct a rodeo at:

(Location)

on:

(Dates)

between the hours of and

Veterinary practitioner in attendance:

Stock contractor for the supply of stock:

Date:

**PART A—CONDITIONS OF PERMIT**

1. This permit must be produced on demand to an inspector under section 18 of the **Prevention of Cruelty to Animals Act 1986**.
2. The rodeo must not commence or continue unless the veterinary practitioner and the stock contractor nominated on this permit are in attendance at the rodeo during any event that includes buck jumping, rough-riding, animal dogging, roping or tying.
3. Animals other than cattle and horses are not permitted to take part in the rodeo.
4. Cattle and horses must be penned separately in the yards and aggressive or injured animals must be isolated from other animals.
5. Mares with foals at foot or cows with calves at foot must not be yarded or used in connection with a rodeo.
6. An animal that weighs less than 200 kilograms must not be permitted to take part in the rodeo.

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<b>Sch. 3</b>
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7. An animal that is lame, sick, injured or has defective eyesight must not be permitted to take part in the rodeo.
  8. The permit holder must ensure that the stock contractor nominated to supply animals for the rodeo—
    - (a) provides adequate food, water and shelter for all stock involved in the rodeo; and
    - (b) takes responsibility for all stock; and
    - (c) accepts and implements the instructions of the nominated veterinary practitioner in attendance in relation to the fitness or otherwise of any animal taking part and the decision of that veterinary practitioner in relation to the need for the treatment or destruction of any sick or injured animal.
  9. An electric charge must not be used in connection with the movement or herding of an animal other than by means of a battery-loaded device known as a "Cattle Prod". The "Cattle Prod" must be used only on the hip or shoulder areas of the animal.
  10. A stimulant or hypnotic substance must not be used on, or provided to, an animal that is to take part in the rodeo.
  11. A flank strap must incorporate a quick-release device that is lined to effectively prevent injury or undue discomfort to the animal. Sharp or cutting objects must not be used in a cinch, saddle, girth or flank strap.
  12. Paddles, fully-locked rowels or rowels that are capable of being fully-locked on spurs must not be used on a horse. Loose ropes must not be used on any animal in bareback riding events.
  13. The arena must be free of rocks, holes and obstacles.
  14. Small animals or pets are not permitted in the arena.
  15. An animal must be immediately removed from the arena after completing an event.
  16. An animal that is injured in the arena must be removed by a conveyance if the animal is unable to walk. A suitable conveyance must be available for this purpose at all times during the rodeo.
  17. Mobile screens must be available at all times during the rodeo and, if it is necessary to destroy an injured animal, the screens must be placed around the animal to effectively screen the incident from public view before the animal is destroyed, unless this would unduly prolong the suffering of the animal.
  18. Chutes must be constructed in a manner that will prevent injury to an animal.
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*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Sch. 3
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19. A sufficient number of persons must be stationed at the chute to remove or release any animal that becomes caught.
  20. An animal in the chute that becomes excessively excited or in any way appears to be in danger of injury must be immediately released.
  21. The use of fireworks is prohibited at the rodeo while any stock are in the arena.
  22. Entertainers, such as clowns, must not be permitted to abuse, tease or torment in any manner whatsoever, any animal taking part in the rodeo.
  23. A person under the influence of liquor or drugs must not be permitted to take part in any rodeo event or to handle animals in the holding yards, chute or arena.

PART B—INFORMATION

Your attention is drawn to the fact that the Minister is authorised by the **Prevention of Cruelty to Animals Act 1986** to vary or cancel this permit. This permit may be cancelled if the holder contravenes the Act or the regulations or any conditions set out in Part A.

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*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Sch. 4
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**SCHEDULE 4**

Regulation 9(1)

**APPLICATION FOR A PERMIT TO OPERATE A RODEO SCHOOL**

**Sch. 4**  
**amended by**  
**S.R. Nos**  
**65/2001**  
**reg. 4(1)(d)**  
**(i)–(iii),**  
**63/2004**  
**regs 8(b)(i)(ii),**  
**9(c).**

I,

(Name in full)

of

(Residential address)

apply for a permit to operate a rodeo school to be held at

(Location)

Rodeo events in which classes will be conducted:

(List all events. If insufficient space, attach list.)

Dates on which the rodeo school will be held:

Date:                      Time from:                      to:

Date:                      Time from:                      to:

(If insufficient space, attach list.)

I nominate:

(Name of veterinary practitioner)

of:

(Address)

as the veterinary practitioner to inspect stock prior to the conduct of the rodeo school, to be available on request during the conduct of the school and to inspect stock at the conclusion of the school.

I nominate

(Name of stock contractor)

of

(Address)

as the stock contractor for the supply of stock for the rodeo school.

Name of the organisation that has accredited the stock contractor:



*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

<b>Sch. 4</b>
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I nominate the following Instructor/s for each class:

Event	Instructor
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I nominate the following Instructor as the Instructor-in-charge:

(Name of Instructor)

Name of organisation that has accredited each instructor:

I declare that if a permit is issued in respect of this application I undertake to exercise due care in the management and control of all aspects of the rodeo school and, in particular, to—

- (a) conduct the rodeo school in accordance with the conditions contained in the permit; and
- (b) provide conditions and facilities for animals at the rodeo school which conform to the conditions contained in the permit.

Date:            Signature of applicant:

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*Prevention of Cruelty to Animals Regulations 1997*  
S.R. No. 159/1997

Sch. 5
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**SCHEDULE 5**

Regulation 9(2)

**PERMIT TO OPERATE A RODEO SCHOOL**

Sch. 5  
amended by  
S.R. Nos  
65/2001  
reg. 4(1)(e)  
(i)–(iv),  
63/2004  
reg. 9(d)(i)(ii).

Subject to the conditions set out below in Part A of this permit, permission is granted to:

(Name in full)

to operate a rodeo school at:

(Location)

at the following times and dates:

Veterinary practitioner nominated to be on stand-by during the rodeo school:

Stock contractor nominated for the supply of stock:

Instructors:

Instructor-in-charge:

Date:

**PART A—CONDITIONS OF PERMIT**

1. This permit must be produced on demand to an inspector under section 18 of the **Prevention of Cruelty to Animals Act 1986**.
2. The rodeo school must not commence unless the veterinary practitioner and the stock contractor nominated on this permit are in attendance at the commencement of the school.
3. The nominated veterinary practitioner must attend the rodeo school before the commencement of the school and be available during the conduct of the school.
4. Animals other than cattle and horses are not permitted to be used for instruction at the rodeo school.
5. Cattle and horses must be penned separately in the yards and aggressive or injured animals must be isolated from other animals.
6. Mares with foals at foot or cows with calves at foot must not be yarded or used in connection with a rodeo school.
7. An animal that weighs less than 200 kilograms must not be permitted to be used for instruction at the rodeo school.

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S.R. No. 159/1997

**Sch. 5**

8. An animal that is lame, sick, injured or has defective eyesight must not be permitted to take part in the rodeo school.
9. The permit holder must ensure that the stock contractor nominated to supply animals for the rodeo school—
  - (a) provides adequate food, water and shelter for all stock involved in the rodeo school; and
  - (b) takes responsibility for all stock; and
  - (c) accepts and implements the instructions of the nominated veterinary practitioner in attendance in relation to the fitness or otherwise of any animal taking part and the decision of that veterinary practitioner in relation to the need for the treatment or destruction of any sick or injured animal.
10. An electric charge must not be used in connection with the movement or herding of an animal other than by means of a battery-loaded device known as a "Cattle Prod". The "Cattle Prod" must be used only on the hip or shoulder areas of the animal.
11. A stimulant or hypnotic substance must not be used on, or provided to, an animal that is to take part in the rodeo school.
12. A flank strap must incorporate a quick-release device that is lined to effectively prevent injury or undue discomfort to the animal. Sharp or cutting objects must not be used in a cinch, saddle, girth or flank strap.
13. Paddles, fully-locked rowels or rowels that are capable of being fully-locked on spurs must not be used on a horse. Loose ropes must not be used on any animal in bareback riding instruction at the rodeo school.
14. The training area must be free of rocks, holes and obstacles.
15. Small animals or pets are not permitted in the training area.
16. An animal that is injured in the training area must be removed by a conveyance if the animal is unable to walk. A suitable conveyance must be available for this purpose at all times during the rodeo school.
17. Chutes must be constructed in a manner that will prevent injury to an animal.
18. A sufficient number of persons must be stationed at the chute to remove or release any animal that becomes caught.
19. An animal in the chute that becomes excessively excited or in any way appears to be in danger of injury must be immediately released.
20. The use of fireworks is prohibited at the rodeo school.
21. A person under the influence of liquor or drugs must not be permitted to take part in any rodeo school or to handle animals in the holding yards, chute or training area.

*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Sch. 5
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PART B—OTHER INFORMATION

Your attention is drawn to the fact that the Minister is authorised by the **Prevention of Cruelty to Animals Act 1986** to vary or cancel this permit. This permit may be cancelled if the holder contravenes the Act or the regulations or any of the conditions set out in Part A.

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*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Sch. 6

Sch. 6  
substituted by  
S.R. No.  
64/2004 reg. 9.

**SCHEDULE 6**

Regulation 24

**CODES FOR ANNUAL RETURNS**

**1. TYPE OF ANIMAL**

*Code Description*

*Laboratory Mammals*

- 01 Ferret
- 02 Guinea pig\*
- 03 Hamster
- 04 Mouse\*
- 05 Rabbit\*
- 06 Rat\*
- 07 Other

*Stock Animals*

- 08 Cattle
- 09 Deer
- 10 Domestic Poultry
- 11 Goats
- 12 Horses
- 13 Pigs
- 14 Sheep
- 15 Other

*Birds*

- 16 Exotic captive
- 17 Exotic wild
- 18 Native captive
- 19 Native Non-endemic
- 20 Native wild
- 21 Other

*Prevention of Cruelty to Animals Regulations 1997*  
*S.R. No. 159/1997*

Sch. 6
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***Aquatic Animals***

- 22 Amphibians
- 23 Cephalopods
- 24 Crustaceans
- 25 Fish
- 26 Other

***Reptiles***

- 27 Lizards
- 28 Snakes
- 29 Tortoises
- 30 Other

***Domestic Animals***

- 31 Cats
- 32 Dogs
- 33 Other

***Primates***

- 34 Baboons\*
- 35 Macaques\*
- 36 Marmosets\*
- 37 Other\*

***Native Animals***

- 38 Dasyurids
- 39 Macropods
- 40 Koalas
- 41 Native Rats, Mice
- 42 Possums, Gliders
- 43 Wombats
- 44 Other

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**Sch. 6**

***Exotic Feral Animals***

- 45 Camels
- 46 Cats
- 47 Cattle
- 48 Goats
- 49 Hares
- 50 Horses
- 51 Mice
- 52 Pigs
- 53 Rabbits
- 54 Rats
- 55 Other exotic feral animals

***Zoo Animals***

- 56 Other Zoo animals
- \*Specified animals

**2. SOURCE OF THE ANIMALS**

***Code Description***

***Specified animals:***

- 01 Own derivation
  - Interstate-licensed institution
  - Imported from overseas
  - Victoria—under a Specified Animals Breeding Licence
- 02 Other

***Livestock and other domestics, native animals, reptiles, aquatic, exotic and feral animals:***

- 03 Own derivation
- 04 Commercial supplier
- 05 Private donation
- 06 Municipal pound
- 07 Privately owned animals on a farm
- 08 Animals in their natural habitat

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- 09 Removed from Australian natural habitat for the project
- 10 Australian captive colony/zoo
- 11 Other source

**3. PROCEDURE OR BREEDING OPTION**

- 01 Animals undergoing procedures
- 02 Specified animals for stock maintenance or breed development

**4. OVERALL PURPOSE**

*Code Description*

- 01 The understanding of human or animal biology
- 02 The maintenance and improvement of human or animal health and welfare
- 03 The improvement of animal management or production
- 04 The achievement of educational objectives
- 05 Environmental objectives
- 06 Breeding (not final progeny) and/or maintenance stock

**5. IMPACT OF THE PROJECT ON THE ANIMALS**

*Code Description*

- 01 Observational studies involving minor interference
- 02 Animal unconscious without recovery
- 03 Minor conscious intervention, no anaesthesia
- 04 Minor operative procedures with recovery
- 05 Surgery with recovery
- 06 Minor physiological challenge
- 07 Moderate to major physiological challenge
- 08 Death as an end point
- 09 Conventional breeding only
- 10 Breeding for production of genetically modified animal or cloning



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**6. PARTICULAR PROCEDURES**

- 01 Attachment or insertion of devices for long term direct or telemetric monitoring
- 02 Adversive stimuli, electrical or other, for behavioural training, or for inducing a state of stress integral to the experiment
- 03 Burning or scalding
- 04 Exposure to ionising radiation
- 05 Gene manipulative technology
- 06 Immunomodulatory methods
- 07 Induction of neoplasia
- 08 Induction of infection
- 09 Induction of other disease model
- 10 In vivo production of monoclonal antibody
- 11 In vivo production of polyclonal antibody
- 12 Interference with the central nervous system or any of the special senses or brain centres controlling them
- 13 Use of neuromuscular blocking agents or electro-immobilisation
- 14 Other procedure and breeding

**7. BENEFIT FOCUS OF THE PROJECT**

***Code Description***

- 01 Fundamental biology/physiology
- 02 Diseases—human
- 03 Diseases—animal
- 04 Diseases—zoonotic
- 05 Environmental monitoring/ecology
- 06 Domestic animal management/production
- 07 Wildlife management/conservation
- 08 Vertebrate pest management
- 09 Production of biological products
- 10 Xenotransplantation
- 11 Development of techniques—remedial, surgical, diagnostic

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Sch. 6
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- 12 Educational
  - 13 Training
  - 14 Regulatory product testing (ie. Vaccines, chemical, drug evaluation)
  - 15 Lethality testing
  - 16 Breeding
-

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Sch. 7

Sch. 7  
substituted by  
S.R. No.  
64/2004 reg. 9.

**SCHEDULE 7**

Regulation 28(1)(a)

**CERTIFICATE OF IDENTIFICATION AS AN INSPECTOR**

The bearer \_\_\_\_\_, who is an employee of the \_\_\_\_\_,  
and whose photograph and signature appear on this card, is approved under  
section 18 of the **Prevention of Cruelty to Animals Act 1986** as an  
inspector and is authorised to exercise any powers provided under section 21  
of that Act.

Expiry Date 30/6/

No.

Minister

\_\_\_\_\_

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Sch. 8

**SCHEDULE 8**

Regulation 28(1)(b)

Sch. 8  
substituted by  
S.R. No.  
64/2004 reg. 9.

**CERTIFICATE OF IDENTIFICATION AS A SPECIALIST  
INSPECTOR**

The bearer \_\_\_\_\_, who is an employee of the \_\_\_\_\_,  
and whose photograph and signature appear on this card, is a specialist  
inspector appointed under section 18A of the **Prevention of Cruelty to  
Animals Act 1986** and is authorised to exercise any powers provided under  
section 22A of that Act.

Expiry Date 30/6/

No.

Minister

\_\_\_\_\_

*Prevention of Cruelty to Animals Regulations 1997*  
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Sch. 9

Sch. 9  
substituted by  
S.R. No.  
64/2004 reg. 9.

**SCHEDULE 9**

Regulation 28(2)

**CERTIFICATE OF IDENTIFICATION AS AN AUTHORISED  
OFFICER**

The bearer \_\_\_\_\_, who is an employee of the \_\_\_\_\_,  
and whose photograph and signature appear on this card, is appointed as an  
authorised officer under the **Prevention of Cruelty to Animals Act 1986** for  
the purposes of Part 3 of that Act generally or for the following specific  
purposes:

and is authorised to exercise the powers under section 35(7) of that Act.

Expiry Date 30/6/

No.

Minister

\_\_\_\_\_

*Prevention of Cruelty to Animals Regulations 1997*  
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Sch. 10

**SCHEDULE 10**

**Sch. 10**  
**substituted by**  
**S.R. No.**  
**64/2004 reg. 9.**

Regulation 30		
<i>Section of Act</i>	<i>Brief description of offence</i>	<i>Prescribed penalty</i>
Section 15A(2)	Failure to secure a dog on the tray of a motor vehicle or a trailer attached to a motor vehicle	1 penalty unit
Regulation 24(1)	Failure to provide an annual return to the Department Head	1 penalty unit
Regulation 24(5)	Failure to provide a declaration verifying the facts contained in an annual return and statement of approved projects	1 penalty unit

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**Schs 11–15**  
**repealed by**  
**S.R. No.**  
**64/2004**  
**reg. 10.**

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Sch. 16

Sch. 16  
amended by  
S.R. No.  
64/2004  
reg. 11.

**SCHEDULE 16**

Regulation 29

**ORDER FOR THE DESTRUCTION, TREATMENT, HOUSING OR  
FEEDING OF ANIMALS**

To:

I, \_\_\_\_\_ being an officer authorised under section 35 of the **Prevention of Cruelty to Animals Act 1986**, order that—

- \*(a) the animals referred to below are to be destroyed for the following reasons:
- \*(b) the animals referred to below are to be treated as follows:
- \*(c) the animals referred to below are to be housed or fed in accordance with the Prevention of Cruelty to Animals Regulations 1997.

The animals to which this order applies are:

Date: \_\_\_\_\_ Signature of authorised officer: \_\_\_\_\_

\* Strike out the provisions that do not apply.

\_\_\_\_\_

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Endnotes

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**ENDNOTES**

**1. General Information**

The Prevention of Cruelty to Animals Regulations 1997, S.R. No. 159/1997 were made on 16 December 1997 by the Governor in Council under sections 15, 16, 19, 25, 26, 27, 29, 35 and 42 of the **Prevention of Cruelty to Animals Act 1986**, No. 46/1986 and came into operation on 22 December 1997: regulation 3.

The Prevention of Cruelty to Animals Regulations 1997 will sunset 10 years after the day of making on 16 December 2007 (see section 5 of the **Subordinate Legislation Act 1994**).



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Endnotes
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## 2. Table of Amendments

This Version incorporates amendments made to the Prevention of Cruelty to Animals Regulations 1997 by statutory rules, subordinate instruments and Acts.

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Prevention of Cruelty to Animals (Amendment) Regulations 2001, S.R. No. 65/2001

*Date of Making:* 10.7.01

*Date of Commencement:* 2.8.01: reg. 3

Prevention of Cruelty to Animals (Tail Docking of Dogs) Regulations 2004,  
S.R. No. 23/2004

*Date of Making:* 23.3.04

*Date of Commencement:* 1.4.04: reg. 3

Prevention of Cruelty to Animals (Amendment) Regulations 2004, S.R. No. 63/2004

*Date of Making:* 22.6.04

*Date of Commencement:* 23.6.04: reg. 3

Prevention of Cruelty to Animals (Further Amendment) Regulations 2004,  
S.R. No. 64/2004

*Date of Making:* 22.6.04

*Date of Commencement:* 24.6.04: reg. 3

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Endnotes

### 3. Explanatory Details

<sup>1</sup> Reg. 7E(2)(b)(iii); S.R. No. 25/1996. Reprint No. 1 as at 18 March 2004. Reprinted to S.R. No. 39/2003.

**Table of Applied, Adopted or Incorporated Matter Required by  
Subordinate Legislation Regulations 1994**

Note that the following table of applied, adopted or incorporated matter is included in 64/2004 in accordance with the requirements of regulation 6 of the Subordinate Legislation Regulations 1994.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 13(e)(iv); Regulation 13(f); Regulation 14(a); Regulation 14(h); Regulation 17(d)(iii); Regulation 17(e); Regulation 18(a); Regulation 18(g); Regulation 20(f); Regulation 27(2)(e)(i)	Australian code of practice for the care and use of animals for scientific purposes, 6th edition 1997, and published by the Australian Government Publishing Service, Canberra 1997.	Whole document

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<b>Statutory rule provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 13(e)(ii); Regulation 14(b); Regulation 15(1); Regulation 17(d)(i); Regulation 18(b); Regulation 19(1); Regulation 20(e)(i); Regulation 21(e); and Regulation 22	Australian code of practice for the care and use of animals for scientific purposes, 6th edition 1997, and published by the Australian Government Publishing Service, Canberra 1997.	Introduction and sections 1, 2 and 3
Regulation 20(e)(iii); Regulation 21(a); Regulation 21(b); Regulation 21(h)	Australian code of practice for the care and use of animals for scientific purposes, 6th edition 1997, published by the Australian Government Publishing Service, Canberra 1997.	Introduction and sections 1, 2, 3 and 4

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<b>Statutory rule provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 13(e)(iv); Regulation 13(f); Regulation 14(a); Regulation 17(d)(iii); Regulation 17(e); Regulation 18(a); Regulation 27(2)(e)(ii).	Code of practice for the use of animals from municipal pounds in scientific procedures approved by the Governor in Council on 19 April 1988 and published in the Victorian Government Gazette G47 on 7 December 1988 at pages 3659–60.	Whole document