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## Prevention of Cruelty to Animals (Animals in Pet Shops) Guidelines 2017

under the

*Prevention of Cruelty to Animals Regulation 2012*

### Explanatory note

The object of these Guidelines is to provide benchmarks for everyone involved in the activity of selling animals in pet shops.

These Guidelines deal with the following:

- (a) the responsibilities and competency of the staff who care for and manage animals in pet shops (**Part 2**),
- (b) the management systems that must be used in pet shops (**Part 3**),
- (c) the standards of housing required for animals in pet shops (**Part 4**),
- (d) the requirements for managing the care of animals in pet shops including requirements for food and water, cleanliness and transport (**Part 5**),
- (e) the health care standards for animals in pet shops (**Part 6**),
- (f) matters relating to the transfer of ownership of animals in pet shops (**Part 7**)
- (g) special requirements for dogs and cats in pet shops (**Part 8**)
- (h) special requirements for rabbits, rats, mice and guinea pigs in pet shops (**Part 8**)
- (i) special requirements for fish in pet shops (**Part 8**)
- (j) special requirements for birds in pet shops (**Part 8**)
- (k) special requirements for reptiles in pet shops (**Part 8**)
- (l) matters relating to the humane destruction of animals in pet shops (**Part 9**)
- (m) other miscellaneous matters (**Part 1**).

Clause 26 of the Regulation includes a requirement that any person who owns or works in a pet shop must comply with the Prevention of Cruelty to Animals (Animals in Pet Shops) Standards 2017. These guidelines provide more detail as to how the Standards should be complied with.

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## Prevention of Cruelty to Animals (Animals in Pet Shops) Guidelines 2017

under the

*Prevention of Cruelty to Animals Regulation 2012*

### Part 1 Preliminary

#### 1 Name of Guidelines

These Guidelines are the *Prevention of Cruelty to Animals (Animals in Pet Shops) Guidelines 2017*.

#### 2 Commencement

Not applicable.

#### 3 Application of these Guidelines

These Guidelines apply to the conduct of selling animals in pet shops.

#### 4 Interpretation

##### (1) Definitions

In these Guidelines:

***animal*** means a member of a vertebrate species (other than an amphibian) including any:

- (a) mammal (other than an human) and including a dog, cat, rabbit, guinea pig, rat or mouse.
- (b) bird,
- (c) fish,
- (d) reptile.

***arboreal*** means living and moving about primarily in trees.

***behavioural enrichment*** means the provision of stimuli that promote appropriate behavioural and mental activities, resulting in improved animal health and activity.

***biosecure*** means a facility that utilises security measures to protect animals against the transmission of disease and pests.

***brachycephalic*** means an animal with a shortened skull and flattened muzzle.

***cryptic*** means hidden or camouflaged.

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**disease** means:

- (a) any infection of an organism having the potential to result in or resulting in an abnormal, pathological or unhealthy condition that is caused by a known or unknown disease agent, and
- (b) any other medical condition that has a negative impact on the physical or psychological health of an animal,

**disease agent** includes a prion, a microorganism, an infectious agent and a parasite.

**ectothermic** means an animal having a variable body temperature dependent on the temperature of the surroundings, such as fishes and reptiles.

**emergency management plan** means a document that details the response to an actual or imminent event or situation that endangers, or threatens to endanger, the safety or health of animals and that may destroy or damage, or threaten to destroy or damage, property.

**environmental enrichment** means the provision of appropriate activities or experiences within an animal's environment to meet that animal's physical and psychological needs.

**healthy** means an animal that is free from sickness, injury or disease affecting the overall physical and psychological well-being of the animal.

**housing** means any structure used to contain animals, and includes any cattery, cage, module, enclosure, hutch, or tank within premises or any room forming part of premises.

**infectious disease** means a disease caused by a transmissible agent that may cause illness or death in susceptible animals that become infected.

**isolation facility** means a secure area in which individual animals are kept separate from other animals and which can be made biosecure.

**kitten** means a cat which is less than 16 weeks of age.

**manager** means a person who directly or indirectly controls a pet shop, and includes:

- (a) the owner, or
- (b) a person engaged under a contract or services or a contract of employment, or
- (c) a volunteer.

**market or fair** means a meeting of people for the purpose of selling and buying goods, including animals and includes temporary facilities at which animals are kept for short periods.

**microchip** means a subcutaneous full duplex electronic radio transponder inserted under the skin of a dog or a cat for permanent identification purposes.

**parvovirus** means a virus which causes intestinal inflammation in infected dogs, for which symptoms include vomiting, diarrhoea, high fever, and dehydration.

**person in charge** of a pet shop, includes:

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- (a) the proprietor of the business that conducts the animal trade in the pet shop,
- (b) each person concerned with the management of the pet shop, and
- (c) any person performing the role of manager of the pet shop.

***pet shop*** means any premises used for the conduct of animal trade for which an animal is kept for the purposes of sale, and includes:

- (a) a shop,
- (b) booth or stall at a market, and
- (c) premises used for residential purposes and any associated structures.

***proprietor*** means the owner.

***puppy*** means a dog which is less than 16 weeks of age.

***Register of Companion Animals*** has the same meaning as in the *Companion Animals Act 1998*.

***registered training organisation*** means a training provider registered by the Australian Skills Quality Authority of the Commonwealth.

***sale*** means the transfer of ownership of an animal or animals, and includes:

- (a) selling by wholesale, retail, auction or tender, or
- (b) barter or exchange, or
- (c) supplying for profit, or
- (d) offering for sale, receiving for sale or exposing for sale, or
- (e) consigning or delivering for sale, or
- (f) having in possession for sale, or
- (g) causing or allowing any of the above to be done.

***socialisation*** means exposing an animal to different age-appropriate positive experiences in order to prepare an animal for coping throughout life.

***staff or staff member*** means a person who works in a pet shop, including the person in charge of a pet shop, employees, contractors or volunteers, whether working full-time or part-time and whether working or not working for fee or reward,

***terrestrial*** means living and moving primarily on the ground.

***the Act*** means the *Prevention of Cruelty to Animals Act 1979*.

***the Regulation*** means the Prevention of Cruelty to Animals Regulation 2012.

***vaccinated*** when used in relation to a dog or cat, means inoculated according to current veterinary advice and the vaccine manufacturers' instructions for a vaccine registered for the species.

***volunteer*** means a member of the public who is not paid, but works in a voluntary capacity under the supervision of the person in charge of the pet shop.

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*written procedures* mean the procedures developed under these Standards that are in place for the pet shop.

*zoonoses* means any disease that is communicable between humans and another animal species.

**Note:** Pursuant to section 11 of the *Interpretation Act 1987*, words and expressions in this Standard such as ***animal trade, cat, cage, dog, inspector, owner, person in charge*** in relation to an animal, ***veterinary practitioner*** and ***veterinary treatment*** have the same meaning as they have in the Act.

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## Part 2 Responsibilities and competency of staff

### 5 Responsibilities and competency of staff

- (1) Staff should be knowledgeable and experienced in the care of each species of animals kept.
- (2) Managers, senior staff and those responsible for staff training and education should be encouraged to gain a Certificate III or IV in Animal Studies, and all staff involved in breeding dogs and cats should be encouraged to obtain a Certificate II in Animal Studies (includes working dogs).

### 6 Required numbers of staff

There are no guidelines for this area.

### 7 Staff training register

- (1) The Training Register should be kept wholly by means of a computer with data backup mechanisms in place.

## Part 3 Quality management systems

### 8 Directory of information about animals

- (1) Records kept should have space for notes or observations regarding individual animals made during time at the facility, including any significant alteration in the animal's condition or behaviour since arrival.
- (2) The use of stock books, enclosure labels and daily cleaning record sheets is encouraged.

### 9 Register of Companion Animals

There are no guidelines for this area.

### 10 Time period for keeping information

There are no guidelines for this area.



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## 11 Production of information

There are no guidelines for this area.

## 12 Written operating procedures

- (1) Procedural documents should be periodically reviewed and approved by the person in charge. The period from the last review and approval of procedures should not exceed two years.
- (2) Specialist advice should be sought before pest control operations are conducted, in order to protect the health and safety of the animals kept.

## Part 4 Animal housing standards

### Division 1 Construction and maintenance standards for animal housing

#### 13 Construction standards for animal housing

- (1) Pet shops should be located away from sources of excessive noise or pollution that could stress or injure animals.
- (2) Measures should be in place to protect animals from loud or sudden noise.
- (3) Animal enclosures should be designed for ease of cleaning, feeding, watering and the regular inspection of animals kept.
- (4) Pet shops should take all reasonable measures to prevent animal escape or theft from enclosures.
- (5) Animals should be screened from excessive noise and vibration and buffered from the public by barriers for signage, for example: 'Quiet Please' or 'Do not Tap on Glass'.
- (6) Design and construction of enclosures should incorporate features that enable the enclosure to be easily moved outside the pet shop premises in the event of an emergency.
- (7) All pet shops should be sewered or on a septic system, in accordance with the requirements of the local government authority, the relevant government department or other authorities; or have some other adequate and acceptable method for disposal of faeces and other liquid wastes.

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## 14 Lighting of animal housing

- (1) Lighting should not generate excessive heat.

## 15 Ventilation of animal housing

- (1) In enclosed rooms, ventilation should be adequate to keep animal housing areas free of dampness and draughts and minimise noxious odours. Cage or pen areas should have an ample supply of fresh air. Room ventilation rates of about six to twelve air changes per hour may be needed.

## 16 Temperature of animal housing

- (1) If artificial heating devices are used, they should be positioned so that parts of the enclosure are not heated, thereby providing a range of temperatures.
- (2) Environmental temperature should be controlled to minimise distress to animals. Particular attention should be given to protections for brachycephalic breeds, especially against heat.

## 17 Minimum housing requirements for animals

- (1) The cage sizes provided in Tables 2, 3 and 4 provide the minimum enforceable standard. Managers are strongly encouraged to ensure that the physical and mental needs of individual animals do not become constrained by their spatial environment.
- (2) Animal housing should be as large as possible to meet the physiological, behavioural and social needs of an animal.
- (3) Where groups of cats are housed together, consideration should be given for each cat to be able to be free from interference by other cats.

## 18 Animal treatment room

There are no guidelines for this area.

## 19 Isolation facilities

There are no guidelines for this area.

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## **Division 2 Management of animal housing**

### **20 Animals in group housing**

There are no guidelines for this area.

### **21 Special housing requirements**

There are no guidelines for this area.

### **22 Sleeping area requirements**

There are no guidelines for this area.

## **Division 3 Security of animal housing**

### **23 Design of animal housing for security purposes**

- (1) Facilities should take all reasonable measures to prevent animal theft from enclosures.
- (2) Every effort should be made to recover escaped animals.

### **24 Emergency management**

There are no guidelines for this area.

## **Part 5 Management of pet shops**

### **25 General standards for the care of animals**

- (1) All equipment that may affect the welfare of animals should be designed and maintained to minimise the risk of illness or injury.
- (2) When grooming an animal, particular attention should be given to their eyes, nose, ears, breech, claws, teeth and anal glands.
- (3) Animals that are well socialised to human adults, children and other animals are more likely to become well-adjusted companions.

### **26 Food and water requirements**

- (1) Food should be served in non spillable containers.
- (2) Food should be given to pups and kittens under four months of age with a maximum interval of 12 hours between feeds. (For example, a

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puppy that receives its third feed, and final feed, for the day at 5pm should receive its first feed for the next day no later than 5am the following morning).

- (3) For dogs and weaned puppies, one feeding bowl should be provided per individual dog or puppy. For cats, there should be one feeding bowl per adult cat and one feeding bowl per three kittens.

## 27 Cleanliness and hygiene requirements

- (1) Some disinfectants are toxic to some species, for example some common disinfectants containing coal and wood tar products such as pine oil, phenol, cresol and chloroxylenols, are toxic to cats. Tea tree oil is toxic to both cats and dogs. Staff should be familiar with these matters and avoid the use of inappropriate products.
- (2) Chemicals used for pest control should be registered by the Australian Pesticides and Veterinary Medicines Authority under the *Agricultural and Veterinary Chemical Code Act 1994* (Commonwealth) and only used in accordance with the manufacturers' instructions.
- (3) Staff should be aware of the risks of transfer of infectious diseases and microbial contamination when handling animals or cleaning enclosures, as well as the practices that will reduce these risks.
- (4) Provision of personal protective equipment, such as disposable gloves, is recommended.

## 28 Requirements when transporting animals

- (1) Transport may cause distress to some animals and should be kept to a minimum.
- (2) The transport of unaccompanied animals should be avoided where possible.
- (3) All consignments of animals should comply with the recommendations and requirements for animal behaviour and containers of the current IATA Live Animal Regulations. For more information about the IATA Live Animal Regulations, see: [www.iata.org/whatwedo/cargo/live-animals/Pages/index.aspx](http://www.iata.org/whatwedo/cargo/live-animals/Pages/index.aspx)
- (4) For more information about the standards for animal transport, refer to the NSW Animal Welfare Code of Practice No 1 - Companion Animal Transport Agencies.
- (5) Any vehicle especially designed or regularly used for transporting animals should:
  - (a) provide easy access and safe access for handlers;
  - (b) be air conditioned to protect against extremes of temperature even when stationary;

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- (c) protect against unauthorised release or escape of the animals; and
  - (d) be easy to clean and disinfect.
- (6) The driver of a transport vehicle is the person in charge, and therefore responsible for the welfare of animals in the vehicle during transportation.

## Part 6 Health standards for animals

### 29 Monitoring health status of animals

There are no guidelines for this area.

### 30 Arrangements with veterinary practitioner

There are no guidelines for this area.

### 31 Veterinary treatment of animals

- (1) Where possible, newly introduced animals should not be mixed with existing stock until they have been health-checked by a veterinarian.

### 32 Vaccination

There are no guidelines for this area.

### 33 Control of parasites

- (1) Parasites include fleas, lice, mites, ticks and gastrointestinal or heart worms.

### 34 Isolation of infectious animals

There are no guidelines for this area.

## Part 7 Transfer of ownership

### 35 Requirements for animals to be sold

- (1) The active promotion of desexing for cats and dogs at the point of sale is strongly encouraged.
- (2) All efforts should be made to home physically healthy and behaviourally sound dogs and cats.

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- (3) The person in charge of a pet shop is encouraged to develop relationships with pounds and shelters to broker the sale of these animals through pet shops. This could be through the provision of noticeboards, posters or interactive displays, or the hosting of events at which shelter animals visit the business.
- (4) All pet shops which sell dogs and cats should assist in promoting socially responsible pet ownership in the community.
- (5) All advertisements for dogs and cats for sale should include the vaccination status of the animal.

## **36 Guarantee and returns**

- (1) If within seven days an animal is not acceptable to the purchaser due to health reasons, excluding injury, and the complaint is supported by a veterinary practitioner, the pet shop proprietor and the owner should negotiate in good faith to achieve an equitable outcome.

## **37 Consideration of conditions at proposed new home**

- (1) Matching of buyers to suitable animals should consider the characteristics and lifestyle of the buyer, the type and behavioural attributes of the animal including exercise requirements, and the environment of the new home, including yard size and presence of children and other animals.
- (2) Animals should not be sold to inappropriate purchasers.
- (3) The person in charge of a facility is reminded of the provisions of the *Companion Animals Act 1998* concerning menacing dogs, dangerous dogs and restricted breeds and concerning notification of change in registration information.

## **38 Information and advice to new owners**

- (1) New owners should be encouraged to seek advice about care, management and training issues from veterinary practitioners or other people with appropriate expertise.

## **Part 8 Special requirements on the care of animals**

### **39 Special requirements for dogs and cats**

There are no guidelines for this area.

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## 40 Special requirements for rabbits, rats, mice and guinea pigs

- (1) Litters under 1 week of age should be disturbed as little as possible and be kept in special maternity cages.

## 41 Special requirements for fish

- (1) All electrical equipment such as lights and thermostats should be regularly checked for correct performance.
- (2) It is recommended that retailers encourage their customers to advise them of any unwanted aquatic animals with a view to 're-homing' them, preventing those same aquatic animals from being dumped into natural waterways and therefore adversely affecting our natural biodiversity. There is no obligation to purchase or refund or take unquarantined animals into the shop/aquarium. This same policy should be applied to aquatic plants in order to protect our waterways from weed incursions.
- (3) The most effective and humane method of euthanasia for fish is to add an anaesthetic or euthanasia agent to the water that the fish is held in.
- (4) Fish tanks should be cleaned to remove excess algal build-up from the tank walls.

## 42 Special requirements for birds

- (1) Care should be taken with new equipment. New galvanised wire may be toxic, especially for parrots. The risk of 'new wire disease' can be reduced by allowing the wire to be weathered for 4 to 8 weeks or by washing with a mild acidic solution, e.g. vinegar, and rinsing with water.
- (2) Retailers and/or their staff should be aware of their responsibilities under the wildlife licencing system that operates within NSW.
- (3) To maintain hygiene standards where cages and aviaries have solid floors, the floor should be covered with a suitable non-toxic disposable material.
- (4) Grit and other vitamin/mineral supplements should be available to reduce the potential for nutrient deficiencies.
- (5) Other than in exceptional circumstances, pools and ponds should be avoided in sales cages/aviaries.
- (6) Enclosures should provide freedom of movement and capacity for exercise or flight, as appropriate to the species.
- (7) Adequate food suitable for the needs of the particular species of birds should be readily available. Most species of birds should have access to food at all times.

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- (8) Food should be placed where it is least likely to be spoiled or contaminated. Open containers should not be located below perches.
- (9) Each species should be accommodated according to its need; this includes the provision of nesting sites and materials appropriate to the species for breeding purposes where intended.
- (10) Outdoor cages and aviaries should be designed and constructed so as to minimise the threat posed to birds by predators. Many species of birds, animals and reptiles are predators of, or cause distress to, aviary birds by day or by night. These include cats, dogs, foxes, birds of prey including owls, butcherbirds and currawongs, snakes and even children.
- (11) Birds traded should not be incorrectly identified as to sex, age, origin, species or breeding history and soundness.
- (12) The application of rings for identification purposes requires care for selection of the appropriate ring and its application. Some species, especially as adults, should not be ringed because of the risk of self-mutilation. Special care is needed should a ring require removal, for example, to attend to a leg injury.
- (13) Overgrown beaks should be carefully trimmed. Unless the overgrowth is due to a curable disease or nutritional problem, birds with overgrown beaks should not be used for breeding.
- (14) Excessively long nails should be trimmed without drawing blood, but toes should not be cut with the intent of preventing nail growth. Nail overgrowth may be indicative of inadequate conditions, particularly in small cages.
- (15) Birds should be housed in a bird room that is in a separate part of the shop with an extraction fan system. This is to remove as much feather dander and dust as possible from the premises and thus reduce the potential for the zoonotic diseases, including avian chlamydiosis.

## **43 Special requirements for reptiles**

- (1) A daytime temperature gradient of 26-32°C, would accommodate the thermal requirements for the majority of species, but appropriate texts must be consulted for individual species requirements. Natural daily and seasonal variations should be provided.
- (2) Heating sources should be thermostatically controlled to remove the potential for overheating.

## **Part 9 Humane destruction**

### **44 Separate area required for humane destruction**



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There are no guidelines for this area.

**45 Method of humane destruction**

There are no guidelines for this area.

**46 Who may perform humane destruction**

There are no guidelines for this area.

**47 Humane destruction recommended by a veterinary practitioner**

There are no guidelines for this area.

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