

Authorised Version

**Prevention of Cruelty to Animals Amendment
(Electronic Collars) Regulations 2018**

S.R. No. 144/2018

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Authorised Version

STATUTORY RULES 2018

S.R. No. 144/2018

Prevention of Cruelty to Animals Act 1986

Prevention of Cruelty to Animals Amendment (Electronic Collars) Regulations 2018

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council, makes the following Regulations:

Dated: 2 October 2018

Responsible Minister:

JAALA PULFORD
Minister for Agriculture

ANDREW ROBINSON
Clerk of the Executive Council

1 Objective

The objective of these Regulations is to amend the Prevention of Cruelty to Animals Regulations 2008—

- (a) to enable the use of electronic collars on livestock in certain circumstances; and
- (b) to clarify the intended operation of regulation 24 of those Regulations.

2 Authorising provision

These Regulations are made under section 42 of the **Prevention of Cruelty to Animals Act 1986**.

3 Commencement

These Regulations come into operation on 3 October 2018.

4 Principal Regulations

In these Regulations, the Prevention of Cruelty to Animals Regulations 2008¹ are called the Principal Regulations.

5 Regulation 17 substituted

For regulation 17 of the Principal Regulations substitute—

"17 Use of electronic collars

A person must not use an electronic collar on an animal unless—

- (a) the electronic collar is an authorised electronic collar and is used on a dog or cat in accordance with regulations 18 to 21; or
- (b) the electronic collar is used on cattle, sheep, goats, pigs, camels, alpacas or llamas as part of a scientific procedure or program of scientific procedures approved under a licence granted under Part 3 of the Act."

6 Regulation 24 substituted

For regulation 24 of the Principal Regulations substitute—

"24 Sale, hire or supply of electronic collars

- (1) A person must not sell, hire or supply an electronic collar other than one manufactured for use on cats, dogs or livestock.

Penalty: 10 penalty units.

- (2) A person must not sell, hire or supply an electronic collar for use on a cat or dog unless the person—

- (a) maintains a record of the following for a period of 7 years—
 - (i) the full name of the purchaser, hirer or recipient;
 - (ii) the street address of the purchaser, hirer or recipient;
 - (iii) a contact telephone number or email address (if any) for the purchaser, hirer or recipient;
 - (iv) the date of sale, hire or supply of the electronic collar; and
 - (b) advises the purchaser, hirer or recipient of the relevant conditions of use, as set out in regulations 17 to 21, in writing at the time of the sale, hire or supply.
- Penalty: 10 penalty units.
- (3) A person must not sell, hire or supply an electronic collar for use on livestock unless the person—
- (a) maintains a record of the following for a period of 7 years—
 - (i) the full name of the purchaser, hirer or recipient;
 - (ii) the street address of the property where the electronic collar is to be used;
 - (iii) a contact telephone number or email address (if any) for the purchaser, hirer or recipient;
 - (iv) the date of sale, hire or supply of the electronic collar; and

- (b) if the street address referred to in subparagraph (a)(ii) is in Victoria—
- (i) obtains written evidence from the purchaser, hirer or recipient that the electronic collar will be used in accordance with regulation 17(b); and
 - (ii) maintains a record of that written evidence for a period of 7 years.

Penalty: 10 penalty units.

- (4) A person must not provide any false or misleading information in relation to the details or evidence to be recorded under subregulation (2) or (3).

Penalty: 10 penalty units."

7 Schedule 6—Infringement penalties

- (1) In Schedule 6 to the Principal Regulations, in the item relating to regulation 24(1), for the description in column 2 **substitute**—
- "Sale, hire or supply of an electronic collar other than one manufactured for use on cats, dogs or livestock".
- (2) In Schedule 6 to the Principal Regulations, after the item relating to regulation 24(1) **insert**—

"Regulation 24(2)	Sale, hire or supply of an electronic collar for use on a cat or dog without recording the required information and providing advice on conditions of use	2 penalty units".
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- (3) In Schedule 6 to the Principal Regulations, in the item relating to regulation 24(3), for the description in column 2 **substitute**—
- "Sale, hire or supply of an electronic collar for use on livestock without recording the required information and obtaining and recording the required evidence".
- (4) In Schedule 6 to the Principal Regulations, the item relating to regulation 24(4) is **revoked**.
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Endnotes

Endnotes

¹ Reg. 4: S.R. No. 162/2008 as amended by S.R. Nos 162/2008, 157/2011, 37/2013, 135/2014, 184/2014 and 127/2016.