

Animal Welfare (Advisory Committee) Establishment 2026

Disallowable instrument DI2026-190

made under the

Animal Welfare Act 1992, s 109 (Establishment and functions)

1 Name of instrument

This instrument is the *Animal Welfare (Advisory Committee) Establishment 2026*.

2 Commencement

This instrument commences on the day after its notification day.

3 Establishment of committee

The Animal Welfare Advisory Committee (the *committee*) is established.

4 Appointment of committee members

- (1) The Minister must appoint the committee members.
- (2) The term of an appointment under this section must not be longer than 3 years.
- (3) A member must not participate in a meeting of the committee unless the member has signed a deed of confidentiality and conflict of interest in relation to their membership of the committee.

5 Committee members

The committee is comprised of up to 7 members and must be made up of the following:

- (a) an independent chair who is not affiliated with an animal welfare or animal user group; and
- (b) a representative of the RSPCA ACT; and
- (c) a representative of the Australian Veterinary Association ACT; and
- (d) a representative of the Animal Defenders Office ACT, who is a registered legal practitioner; and
- (e) at least 2 members who have expertise and knowledge in animal welfare and represent at least 1 of the following areas:

- (i) commercial or recreational use of companion animals; or
- (ii) agricultural or commercial use of non-companion animals; or
- (iii) a community-based organisation focused on the rehabilitation of native wildlife; or
- (iv) a community-based organisation (located and registered in the ACT) focused on animal welfare, other than the RSPCA ACT.

Examples—sub-par (i)

breeding, sales, sport, boarding

6 Deputy chair

The members of the committee must elect a member to be the deputy chair of the committee.

7 Presiding at meetings

- (1) The chair presides at all meetings of the committee at which the chair is present.
- (2) If the chair is absent, the deputy chair presides at meetings of the committee.
- (3) If both the chair and the deputy chair are absent, the member chosen by the members present presides at meetings of the committee.

8 Quorum for meetings

Business may be carried on at a committee meeting only if at least half of the members are present.

9 Voting at meetings

- (1) At a meeting of the committee, each member has a vote on each question to be decided.
- (2) A question is decided by a majority of the votes of the members present and voting, but if the votes are equal—
 - (a) the chair has a casting vote; or
 - (b) if the chair is not present at the meeting, the deputy chair has a casting vote; or
 - (c) if neither the chair nor the deputy chair are present at the meeting, the member presiding has a casting vote.

10 General procedure

- (1) Meetings of the committee may be held when and where the committee decides.
- (2) Meetings of the committee must be held at least 4 times per calendar year and may consider other matters out of session.

- (3) The chair must give the other members of the committee at least 5 working days' written notice of a meeting.
- (4) The committee must keep minutes of its meetings.
- (5) The committee may otherwise conduct its proceedings as it considers appropriate.

11 Committee may form subcommittees

- (1) The committee may form subcommittees.
- (2) The formation, and membership of, a subcommittee must be decided by the committee.
- (3) A recommendation of a subcommittee may only be taken to be a recommendation of the committee if the recommendation is endorsed by the committee.

12 Secretariat services

The committee may request secretariat services from the administrative unit with responsibility for the *Animal Welfare Act 1992*.

13 Ending appointment of members

- (1) The Minister must end the appointment of a committee member if the Minister—
 - (a) becomes aware that the member:
 - (i) has failed to sign a deed mentioned in section 4; or
 - (ii) has been declared bankrupt; or
 - (iii) has been convicted, in Australia, of an offence punishable by imprisonment for at least 12 months; or
 - (iv) has been convicted, outside Australia, of an offence that, if it had been committed in the ACT, would be punishable by imprisonment for at least 12 months; or
 - (b) is satisfied that the member is no longer qualified to be appointed to the member's position.
- (2) The Minister may end the appointment of a committee member—
 - (a) if the member is absent from 3 consecutive meetings of the committee other than on approved leave; or
 - (b) if the member contravenes a territory law; or
 - (c) for misbehaviour; or
 - (d) for physical or mental incapacity, if the incapacity substantially affects the exercise of the member's functions.

14 Transitional

The following appointments to the committee made under the *Animal Welfare (Advisory Committee) Establishment 2020* (DI2020-147) are taken to have been appointed under this instrument, section 4 and the appointments continue in force until the end of the term of the appointment unless ended earlier:

- *Animal Welfare (Advisory Committee Member) Appointment 2024 (No 3)* (DI2024-238)
- *Animal Welfare (Advisory Committee Member) Appointment 2024 (No 4)* (DI2024-239)
- *Animal Welfare (Advisory Committee Member) Appointment 2025 (No 1)* (DI2025-29)
- *Animal Welfare (Advisory Committee Member) Appointment 2025 (No 3)* (DI2025-71)
- *Animal Welfare (Advisory Committee Member) Appointment 2026 (No 1)* (DI2026-80).

15 Revocation

- (1) This instrument revokes the *Animal Welfare (Advisory Committee) Establishment 2020* (DI2020-147).
- (2) The following instruments are revoked:
 - *Animal Welfare (Advisory Committee Member) Appointment 2024 (No 2)* (DI2020-237)
 - *Animal Welfare (Advisory Committee Member) Appointment 2024 (No 5)* (NI2024-413)
 - *Animal Welfare (Advisory Committee Member) Appointment 2024 (No 6)* (NI2024-712).

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20 August 2026