



Australian Capital Territory

Animal Welfare Regulations 2001

Subordinate Law 2001 No 26

The Australian Capital Territory Executive makes the following regulations under the *Animal Welfare Act 1992*.

Dated 25 July 2001.

BRENDAN SMYTH
Minister

MICHAEL MOORE
Minister



Australian Capital Territory

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1 Name of regulations

These regulations are the *Animal Welfare Regulations 2001*.

2 Commencement

These regulations commence on the day they are notified in the Gazette.

3 Meaning of code

In these regulations:

code means the *Australian code of practice for the care and use of animals for scientific purposes*, 6th Edition, 1997 published by the National Health and Medical Research Council, amended by omitting from the first line of paragraph 2.2.1 (iii) on page 10 ‘approve, subject’ and substituting ‘approve, approve subject’.

4 Notes

A note included in these regulations is explanatory and is not part of these regulations.

Note See *Interpretation Act 1967*, s 12 (1), (4) and (5) for the legal status of notes.

5 Prescribed electrical devices and animals for Act, s 13 (2)

The Act, section 13 (1) does not apply to the use by a person of an electrical device mentioned in an item of schedule 1 on an animal mentioned in the same item of that schedule.

Note The Act, s 13 (1) prohibits the administration of a shock to an animal, except in a manner authorised under a Territory law.

6 Prescribed animals for Act, s 25 (2) (c)

The Act, section 25 does not apply to a person who uses an animal mentioned in schedule 2 for teaching purposes in a preschool or primary school.

Note The Act, s 25 (1) prohibits the use or breeding of an animal for research or teaching.

7 Ethics committees—Act, s 50 and dict

- (1) An animal ethics committee established in accordance with the code is an ethics committee for the Act.
- (2) The constitution and functions of an ethics committee are the constitution and functions set out in the code.

8 Caging egg-producing domestic fowls

- (1) A person who keeps a domestic fowl (*Gallus gallus*) for producing eggs must ensure that the cage in which the fowl is kept has enough floor space.

Maximum penalty: 10 penalty units.

- (2) For subregulation (1), a cage has enough floor space if it provides at least 550 cm² of floor space for each fowl in the cage.
- (3) In calculating floor space for subregulation (2), any space occupied by a baffle is taken to be floor space.

- (4) For subsection (1), a cage that is in use immediately before the commencement of this regulation has enough floor space if it complies with the Animal Welfare Regulations, regulation 31A, as in force immediately before that commencement.

Note The Animal Welfare Regulations, reg 31A, as far as relevant, provided as follows:

- (2) ... the floor space of a cage shall be taken to be adequate if it is not less than—
- (a) in the case of a cage in which 1 fowl is confined—1000 cm²;
 - (b) in the case of a cage in which 2 fowls are confined—1350 cm²; or
 - (c) in any other case—
 - (i) if the average weight of the fowls in the cage is 2.4 kg or less—450 cm² per confined fowl; or
 - (ii) if the average weight of the fowls in the cage is greater than 2.4 kg—600 cm² per confined fowl.
- (5) Subregulation (4) and this regulation expire on 1 January 2008.

9 Repeal of Animal Welfare Regulations

The *Animal Welfare Regulations* SL 1993 No 12 are repealed.

Schedule 1 Permitted uses of electrical devices on animals

(see reg 5)

Column 1 **Column 2** **Column 3**
item **permitted electrical device** **permitted species of animal**

1	electro-ejaculator	cattle and sheep
2	electric stock prod	cattle and pigs
3	electric fence	animals other than poultry or domestic animals
4	electric 'fightback' lure	dogs

Schedule 2 **Animals permitted to be
used for teaching in certain
schools**

(see reg 6)

Part 1 **Amphibians**

axolotl

frog

Part 2 **Birds**

budgerigar

chicken

cockatiel

finch

pigeon

quail

Part 3 **Fish**

goldfish

guppy

platy

silver perch

sword tail

Part 4 **Mammals**

guinea pig

mouse

rabbit

rat

Endnotes

Notification

- 1 Notified in Gazette 2001 No 31 on 2 August 2001.

Penalty units

- 2 The *Interpretation Act 1967*, s 33AA deals with the meaning of offence penalties that are expressed in penalty units.