



New South Wales

Companion Animals Amendment Regulation 2019

under the

Companion Animals Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Companion Animals Act 1998*.

SHELLEY HANCOCK, MP
Minister for Local Government

Explanatory note

The objects of this Regulation are:

- (a) to establish transitional arrangements consequent on the commencement of provisions requiring owners of certain companion animals to hold annual permits to keep those animals (the provisions imposing those requirements commence on 1 July 2019) and to provide exemptions from those requirements in respect of certain companion animals until 1 July 2020, and
- (b) to limit the circumstances in which a greyhound that is registered as a companion animal is required to have a muzzle securely fixed.

This Regulation is made under the *Companion Animals Act 1998*, including section 96 (the general regulation-making power) and clause 1 of Schedule 3.

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1 Name of Regulation

This Regulation is the *Companion Animals Amendment Regulation 2019*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Companion Animals Regulation 2018

[1] Clause 42 Muzzling requirements

Omit clause 42 (2) and (3). Insert instead:

- (2) However, a greyhound is exempt from the requirement under section 15 of the Act to have a muzzle securely fixed on its mouth if:
 - (a) the greyhound is registered, and
 - (b) in addition, if the greyhound is in a declared off-leash area (under section 13 (6) of the Act)—the greyhound has successfully completed an approved greyhound re-training program and either:
 - (i) the greyhound is wearing an approved collar, or
 - (ii) the person in charge of the greyhound is in possession of a proof of completion card certifying that the greyhound has successfully completed the program.
- (3) Despite subclause (2), the exemption from section 15 of the Act does not apply to a greyhound that is a dangerous dog, a menacing dog or a restricted dog.

[2] Clause 42 (4)

Insert in alphabetical order:

proof of completion card means a card, of a kind approved by the Departmental Chief Executive for the purposes of this clause, certifying the successful completion of an approved greyhound re-training program.

[3] Schedule 3

Insert after Schedule 2:

Schedule 3 Savings and transitional provisions

1 Definition

In this Schedule:

2018 amending Act means the *Companion Animals and Other Legislation Amendment Act 2018*.

2 Permit for cats that are not desexed before permit requirement imposed by 2018 amending Act

- (1) For the purposes of clause 9 (2) of Schedule 3 to the Act, the period of 12 months after the commencement of section 11B (as inserted by the 2018 amending Act) is prescribed.
- (2) A cat that was born after the commencement of section 11B, but before 1 July 2020, is exempt from the requirement imposed by that section until 1 July 2020.

3 Permit for dogs declared dangerous before permit requirement imposed by 2018 amending Act

- (1) For the purposes of clause 10 (2) of Schedule 3 to the Act, the period of 12 months after the commencement of section 11C (as inserted by the 2018 amending Act) is prescribed.

- (2) A dog declared to be a dangerous dog after the commencement of section 11C, but before 1 July 2020, is exempt from the requirement imposed by that section until the later of:
 - (a) 1 July 2020, or
 - (b) the date that is 7 days after the declaration that the dog is a dangerous dog takes effect.

4 Permit for dogs declared restricted before permit requirement imposed by 2018 amending Act

- (1) For the purposes of clause 11 (2) of Schedule 3 to the Act, the period of 12 months after the commencement of section 11D (as inserted by the 2018 amending Act) is prescribed.
- (2) A dog declared to be a restricted dog after the commencement of section 11D, but before 1 July 2020, is exempt from the requirement imposed by that section until 1 July 2020.