

Gladstone Regional Council Animal Management (Amendment) Local Law (No. 1) 2017

Contents

Part 1	Preliminary.....	1
1	Short title.....	1
2	Local law amended.....	1
Part 2	Amendments to local law	1
3	Amendment of s6 (Requirement for approval).....	1
4	Insertion of new pt 2A (Regulation of the supply of cats)	1
5	Amendment of s43 (Subordinate local laws)	3
6	Amendment of sch (Dictionary).....	4

Part 1 Preliminary

1 Short title

This local law may be cited as *Animal Management (Amendment) Local Law (No. 1) 2017*.

2 Local law amended

This local law amends *Local Law No. 2 (Animal Management) 2011*.

Part 2 Amendments to local law

3 Amendment of s6 (Requirement for approval)

(1) Section 6(2)(g), ‘.’—

omit, insert—

‘.’.

(2) After section 6(2)(g) —

insert—

‘(h) the purpose for which the animal is to be kept;

(i) the ability of the animal to breed;

(j) the number of litters that the animal may produce in a specified period;

(k) whether the animal is entire or not.’.

4 Insertion of new pt 2A (Regulation of the supply of cats)

After part 2—

insert—

‘Part 2A Regulation of the supply of cats

9A What is a cat’s relevant supply number

(1) The *relevant supply number*, for a cat, is—

(a) for a cat bred by a person who is the holder of a cat breeder approval—the number of the person’s cat breeder approval; or

(b) for a cat bred by a person who applies for a cat breeder approval within 28 days after the day the cat is born and who is granted the cat breeder approval—the number of the person’s cat breeder approval.

(2) However, if the cat is bred by the holder of a cat breeder approval while the approval is suspended or cancelled under *Local Law No. 1 (Administration) 2011*, the cat is taken not to have a relevant supply number.

(3) The relevant supply number for a cat bred by a person who is a recognised

J. A. J.
7/6/17

interstate breeder is the unique number that identifies the person as a recognised interstate breeder.

- (4) If a cat is impounded, or being provided shelter, at a pound or shelter, the relevant supply number for the cat is—
- (a) the relevant supply number for the cat when the cat entered the pound or shelter; or
 - (b) if there was no relevant supply number for the cat when the cat entered the pound or shelter — the relevant supply number of the operator of the pound or shelter.

- (5) In this section—

recognised interstate breeder means a person registered, or approved, however described, under a corresponding law to breed cats.

9B Supplier must know cat has relevant supply number

A person must not, without reasonable excuse, supply a cat to another person unless the person knows there is a relevant supply number for the cat.

Maximum penalty — 50 penalty units.

9C Exceptions for supply of cat

A person does not commit an offence against section 9B if the cat is supplied in any of the following circumstances—

- (a) the cat is supplied by a member of a class of persons prescribed by subordinate local law;
- (b) the cat is supplied to a pound or shelter.

9D Advertiser must know cat has relevant supply number

A person must not, without reasonable excuse, advertise a cat for supply unless the person knows there is a relevant supply number for the cat.

Maximum penalty — 50 penalty units.

9E Advertisement must include relevant supply number

A person who advertises a cat for supply must include the relevant supply number for the cat in the advertisement unless the person has a reasonable excuse.

Maximum penalty — 50 penalty units.

9F Exceptions for advertising supply of cat

A person does not commit an offence against section 9D or 9E if the cat is advertised for supply by a member of a class of persons prescribed by subordinate local law.

9G Printer or publisher not liable in particular circumstances

A person does not commit an offence against section 9D or 9E merely because the person, as part of the person's printing or publishing business, prints or publishes an advertisement for another person.

9H Supplier of cat must give particular details

(1) A person who supplies a cat to another person must give the other person a notice stating—

- (a) the name of the supplier of the cat; and
- (b) the relevant supply number for the cat.

Maximum penalty—50 penalty units.

(2) However, a person does not commit an offence against subsection (1) only because the person fails to comply with subsection (1)(b) if the cat is supplied in any of the following circumstances—

- (a) the cat is supplied by a member of a class of persons prescribed by subordinate local law;
- (b) the cat is supplied to a pound or shelter.

(3) In this section—

supplier, of a cat, means—

- (a) if the cat is supplied as part of a business activity that includes the supply of cats—the person who conducts the business activity; or
- (b) otherwise—the person who supplies the cat.'

5 Amendment of s43 (Subordinate local laws)

(1) After section 43(i)—

insert—

- '(ia) a class of persons prescribed for the purposes of section 9C(a) (Exceptions for supply of cat) of this local law;^{34A} or
- (ib) a class of persons prescribed for the purposes of section 9F(1) (Exceptions for advertising supply of cat) of this local law;^{34B} or
- (ic) a class of persons prescribed for the purposes of section 9H(2)(a) (Supplier of cat must give particular details) of this local law;^{34C} or

(2) section 43—

- (a) paragraphs (ia) to (w)—
renumber as paragraphs (j) to (z);
- (b) footnotes 34A to 49—
renumber as footnotes 44 to 52.

^{34A} See section 9C(a).

^{34B} See section 9F(1).

^{34C} See section 9H(2)(a).

6 Amendment of sch (Dictionary)

- (1) Schedule, definition **pound**, ‘division 4A, means’—
omit, insert—

‘division 4A and part 2A, means’.

- (2) Schedule, definition **shelter**, ‘division 4A, means’—
omit, insert—

‘division 4A and part 2A, means’.

- (3) Schedule—
insert—

‘corresponding law means a law, or former law, of another State or the Commonwealth that provides, or provided, for the same, or substantially the same, matter as part 2A of this local law or a provision of part 2A of this local law.


breed, for part 2A, has the meaning prescribed by subordinate local law.

cat breeder approval, for part 2A, means an approval prescribed by subordinate local law.

supply includes doing any of the following things if doing the thing affects possession of a cat, dog or PPID, other than the mere temporary custody of it—

- (a) exchange, give or sell;
- (b) offer or agree to supply;
- (c) cause or permit a supply;
- (d) possess for supply.’.

This and the preceding 4 pages bearing my initials is a certified copy of *Animal Management (Amendment) Local Law (No. 1) 2017* made in accordance with the provisions of the *Local Government Act 2009* by Gladstone Regional Council by resolution dated the 7th day of
June 2017.


.....
Chief Executive Officer