

Cat Regulations 2012

Compare between:

[17 Nov 2012, 00-a0-01] and [08 Dec 2012, 00-b0-02]

Western Australia

Cat Act 2011

Cat Regulations 2012

1. Citation

These regulations are the *Cat Regulations 2012* ¹.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 on the day on which these regulations are published in the *Gazette*;
- (b) the remaining regulations, other than regulations 7, 9, 10, 19, 20 and 26 on the day after that day;
- (c) regulation 7— on the day on which the *Veterinary Surgeons Amendment Regulations (No. 3) 2012* regulation 4 comes into operation;
- (d) regulations 9, 10, 19, 20 and 26 on 1 November 2013.

3. Terms used

(1) In these regulations —

Form refers to a Form prescribed under these regulations and set out in Schedule 1;

registered training provider has the meaning given by the *Vocational Education and Training Act 1996* section 5(1).

When a certificate is described as being issued by a local (2) government, that certificate may be issued over the counter, by mail or by electronic means.

4. Cat management facility operators (s. 3(1))

For the purposes of the definition of *cat management facility* paragraph (b) in section 3(1) of the Act, each of the following bodies are prescribed as operators of a facility for keeping cats —

- Cat Welfare Society Inc., trading as "Cat Haven"; (a)
- (b) Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia.

5. Microchip devices (s. 3(1))

- (1) For the purposes of the definition of *microchip* in section 3(1) of the Act, an identification device must be of a type that complies with both of the following Australian Standards —
 - AS 5018 2001 Electronic Animal Identification (a) National coding scheme, published 29 June 2001;
 - AS 5019 2001 Electronic Animal Identification (b) Radiofrequency methods, published 7 June 2001.
- A person must not sell, supply or provide a microchip for (2) microchipping a cat, unless the microchip complies with subregulation (1).

Penalty: a fine of \$5 000.

(3) A microchip implanter must not implant a microchip in a cat, unless the microchip complies with subregulation (1). Penalty: a fine of \$5 000.

6. Microchip database companies (s. 3(1))

For the purposes of the definition of *microchip database* company paragraph (a)(ii) in section 3(1) of the Act, each of the following bodies is a microchip database company —

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- (a) Central Animal Records (Aust) Pty Ltd;
- (b) HomeSafeID;
- (c) PetBase Pty Ltd, trading as "Petsafe";
- (d) Royal Agricultural Society of NSW (ABN 69 793 644 351), trading as "Australasian Animal Registry";
- (e) The Lost Dogs Home Inc., trading as "National Pet Register".

[7. Has not come into operation Microchip implanters (s. 3(1))

- (1) For the purposes of the definition of *microchip implanter* paragraph (a) in section 3(1) of the Act, each of the following persons is prescribed
 - (a) <u>a veterinarian;</u>
 - (b) a veterinary nurse, as defined in the *Veterinary Surgeons*<u>Act 1960 section 2-1.</u>
- (2) For the purposes of the definition of *microchip implanter*paragraph (b) in section 3(1) of the Act, a unit of competency in microchip implantation of cats and dogs entitled

 "ACMMIC401A Implant microchip in cats and dogs" (provided by a registered training provider) together with one or more of the following courses (also provided by a registered training provider)
 - (a) Advanced Certificate in Veterinary Nursing;
 - (b) Certificate IV in Veterinary Nursing;
 - (c) Certificate III in Animal Technology;
 - (d) Certificate III in Companion Animal Services;
 - (e) Certificate III in Local Government (Animal Management);
 - (f) Certificate IV in Animal Control and Regulation;
 - (g) Certificate IV in Animal Welfare (Regulation);
 - (h) Certificate IV in Captive Animals;

(i) Certificate IV in Companion Animal Services,

is a prescribed qualification.

8. Microchipping a cat (s. 3(1))

For the purposes of the definition of *microchipped* in section 3(1) of the Act, a microchip is implanted in the prescribed manner if it is implanted by a microchip implanter.

[9, 10. Have not come into operation 2 .]

11. Manner of application for registration (s. 8(2))

- (1) To apply to register a cat, the owner of the cat must supply the details required in Form 1 Parts A, B, D, F and G to the local government.
- (2) The details required may be supplied by completing the relevant provisions of Form 1 using a hard copy of an application provided by the local government or by using an electronic online system provided for that purpose by the local government.
- (3) If the relevant details are supplied by using an electronic online system provided for that purpose, the signature of the applicant is not required.

12. Period of registration (s. 9(7))

- (1) Registration of a cat may be for
 - (a) either one year or 3 years; or
 - (b) for the life of the cat.
- (2) Registration of a cat
 - (a) unless sooner cancelled, remains in force from the date specified in the certificate until 31 October either
 - (i) next ensuing; or

where an extended registration period has been elected by the owner, ensuing in the last registration year of that period;

and

may be renewed to take effect as from 1 November in (b) any year, within the preceding period of 21 days.

13. **Changes in registration**

Where a cat is registered with a local government and the owner moves to another local government area, the owner may notify both the former and the new local government to continue that period of registration with the new local government.

14. **Registration certificate (s. 11(1)(b))**

A registration certificate issued by a local government is to be in the form of Form 2.

15. Registration tags (s. 76(2))

- (1) A registration tag is to be
 - marked with a registration number issued by the relevant local government; and
 - marked with the name of the local government and its (b) contact number; and
 - coloured in the colour representing the year of expiry of the registration to which it relates.
- (2) A lifetime registration tag is to be coloured orange.
- (3) The Minister may from time to time designate, by notice published in the Gazette, the colours that represent the years on which registration expires.

16. Information to be recorded in local government cat register (s. 12(3))

The information to be recorded by a local government, in its register, in respect of each cat registered by it is as follows —

- the cat owner's full name:
- (b) the cat owner's residential address;
- (c) the cat owner's postal address (if different from the residential address);
- the cat owner's date of birth; (d)
- the cat owner's contact telephone numbers home, (e) work and mobile:
- the cat owner's email address; (f)
- details of an alternative contact (i.e. if the owner cannot (g) be contacted);
- the address at which the cat is normally kept; (h)
- (i) the cat's name;
- the cat's registration number; (i)
- (k) the cat's sterilisation status;
- (1) the cat's microchip number;
- the breed (if known), colour and gender of the cat. (m)

17. Information to be given by microchip implanter to microchip database company (s. 15)

The information to be given, by a microchip implanter, to the microchip database company in relation to a cat he or she has microchipped is as follows —

- (a) the microchip barcode information or sticker;
- (b) the microchip number;
- the microchip implanter's full name; (c)
- (d) if the microchip implanter is a part of a company or organisation, the name of that company or organisation;

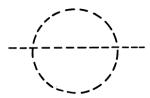
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- (e) full contact details for the microchip implanter's company or organisation (*if applicable*);
- (f) the date the cat was microchipped;
- (g) the cat owner's full name;
- (h) the cat owner's residential address;
- (i) the cat owner's contact telephone numbers home, work and mobile;
- (j) the cat owner's email address;
- (k) the address at which the cat is normally kept;
- (l) the cat's name;
- (m) the age, breed (*if known*), colour, gender and sterilisation status of the cat.

18. Manner in which a cat is identified as sterilised (s. 19)

- (1) A cat is identified as sterilised by a sterilisation certificate given in relation to that cat under section 21 of the Act or a sterilisation tattoo on the cat's ear.
- (2) A sterilisation tattoo is to consist of a broken circle with a bisecting broken line.





[19, 20. Have not come into operation 2 .]

21. Manner and form of application to breed cats (s. 36(2))

An application for the grant or renewal of approval to breed cats under section 36 of the Act is to contain the details required in Form 1 Parts A, B, E, F and G.

22. Other circumstances leading to refusal of approval to breed cats (s. 37(2)(f))

- (1) A local government may refuse an application for the grant or renewal of an approval to breed cats, if the local government is satisfied that an infringement notice under the Act has been issued to, and paid by, the applicant within the 12 months prior to the application.
- (2) Where a local government is satisfied that an infringement notice under the Act has been issued to the applicant within the 12 months prior to the application, but the matter has not been resolve by either payment or court proceedings, the local government may defer consideration of an application for the grant or renewal of an approval to breed cats until the matter is resolved.

23. Person who may not be refused approval to breed cats (s. 37(5))

A local government is not to refuse an application for the grant or renewal of an approval to breed cats, if the applicant —

- (a) has attained the age of 18 years; and
- (b) has not been convicted within the previous 3 years of an offence against
 - (i) the *Cat Act 2011*; or
 - (ii) the *Dog Act 1976*; or
 - (iii) the Animal Welfare Act 2002;

and

- (c) is a current member of one of the following organisations and associations
 - (i) the Cat Owners Association of Western Australia (COAWA);
 - (ii) the Feline Control Council of Western Australia (FCCWA);

(iii) the Australian National Cats (ANCATS).

24. Duration of approval to breed cats (s. 37(6))

An approval to breed cats, or a renewal of approval, granted under section 37 of the Act has effect for one year.

25. Certificate given to approved cat breeder (s. 39(1))

The certificate to be given by a local government to an approved cat breeder is to be in the form of Form 4.

[26. Has not come into operation 2 .]

27. Infringement notice (s. 63(1))

The form of an infringement notice is Form 6.

28. Withdrawal of infringement notice (s. 65(1))

The form of withdrawal of an infringement notice is Form 7.

29. **Objection** (s. 69(2))

The form of an objection is Form 8.

30. Modified penalties (s. 63(2))

The penalties set out in Schedule 2 column 4 are the prescribed modified penalties for the offences in columns 2 and 3 to which the penalties correspond, for the purposes of section 63(2) of the Act.

Schedule 1 — Forms

Form 1 — Details to be provided under various provisions $Cat\ Act\ 2011\ s.\ 8$

[r. 11, 14, 21 and 25]

[1. 11, 14, 21 and 2.
//
er (H)
(W)
(M)
le)
nt to use this email address to issue renewal tinformation? Yes/No (delete one)
ils (optional)

	Age (dd/mm/yy)/_ (Must be 18 years or older)	/
	Contact telephone number (home, work, mobile)	(H)
	(nome, work, moone)	· /————————————————————————————————————
		(W)
ant D	— Cat details	(M)
art D -	Address where cat is norma	ally kept
	Number of cats to be locate	ed at these premises
	Cat details	
	Cat's name	
	Age (dd/mm/yy)/	/
	Breed (if known)	
	Colour	
	Gender	
	Microchip number	
	Is the cat sterilised?	Yes/No (delete one)
	If No : Is the exemption	granted by a veterinarian? Yes/No (delete one)
	Please give details of the veterinarian	e exemption including details of issuing

	Is the custodian a member of a prescribed exempt organism		Yes/No (delete one)	
	Please give details of the pre	escribed exen	npt organisation	
	Approved breeder?	Yes/No (delete one)		
	Any distinguishing features or marks?			
Part C —	- Notification of new owner			
	New cat owner's name			
	New owner's address			
	New owner's contact number (home, work, mobile)			
		(W)		
D (D	D	(M)		
	- Registration			
App	plication or renewal for —			
	a period of 1 year (✓): □			
	a period of 3 years (✓): □			
App	plication for lifetime registrat	tion (✓): □		
Pre	scribed fee for —			
	a period of 1 year (✓): □			

Registration numb (to be issued by local goven to be an application of cats to be application of breeding Description of factors application of pro- Membership of pro- Part F — Previous convicted Do you have any convicted to be applied to be ap	rernment where cat was registered over the remnent of the results
Registration numb (to be issued by local goven to be an application to be an application for a series of cats to be a series of cats to	er pernment) approved breeder pproved breeder (✓): □
Part E — Application for a Application to be an a Breed of cats to be Number of breedin Description of fact Membership of pre- Part F — Previous convict Do you have any of	pproved breeder pproved breeder (✓): □
Application to be an approach and Breed of cats to be a not be a n	pproved breeder (✓): □
Breed of cats to be Number of breedin Description of face Membership of pre- Part F — Previous convict Do you have any of	
Number of breeding Description of factors Membership of pro- Part F — Previous convictors Do you have any of	e bred
Description of factors Membership of pro- Part F — Previous convictors Do you have any of	
Membership of property of prop	ng cats to be kept at the property
Part F — Previous convict Do you have any o	ilities
Do you have any o	escribed organisation
•	<u>ions</u>
Act 19/6 or Anima	convictions for offences against this Act, <i>Dog</i> all Welfare Act 2002 in past 3 years? Yes/No (delete one)
• •	details, specifying the date of the conviction(s), ce and the legislation involved

	ment may refuse an application if any or all of the required of provided within the time period specified in the legislation.
I, (person's full name	e or organisation/company name)
of	(address)
	(postcode)
declare that the i	nformation I have provided is true and correct.
I am aware that	t is an offence to provide false and misleading information.
Signature	
[A signature is	not required to effect the form when the form is lodged through local government internet site.]
	[Local government details and logo here]
Payment options	:

Further details required by local government	
	
— Local government use only	
stration approved (✓): □	
Assigned registration number	
roved breeder (✓): □	
Conditions of approval	
r	— Local government use only stration approved (✓): □ Assigned registration number roved breeder (✓): □

Form 2 — Certificate of registration

Cat Act 2011 s. 11(1)

[r. 14]

Name of cat	
ivallie of cat	
Description of cat	
	(gender, age, sterilisation status, breed (if known), colour.)
Has been registere	ed by —
Name	
	(person's full name or organisation/company name)
Street Address	
Suburb/Town	Postcode
By (insert name of loca	l government)
•	
Registration numb	per of cat
This registration e	xpires on / /

Form 3 — Cat control notice

Cat Act 2011 s. 26(2)

[r. 20]

THIS IS A NOTICE to advise and inform and is NOT an infringement notice. At this stage there are no associated penalties or fines. Any further, similar incidents may result in an infringement notice and other enforcement measures with associated penalties and fines.

To —			
Name			
	(person's full name or	organisation/compan	y name)
Street Address			
Suburb/Town			Postcode
Date and time of	f incident/_	/	a.m./p.m.
Cat Act 2011 s.			
(state relevant provis	ion)	(description	of offence)
Cat Regulations			
(state relevant provis	ion)	(description	of offence)
Local law provi	sion		
(state relevant provise	ion)	(description	of offence)
Location of cat/	sighting of cat/pr	remises where c	at confined —
Street Address			
Suburb/Town			Postcode
Description of o			

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Cat Regulations 2012 Schedule 1 Forms

distinguishing features, collar, tag, bred	ed, gender)
AC	CTION TO BE TAKEN
Sime to complete the action	
-	(if more time is needed contact the local government)
Locai government details	
Authorised person	(name)
	(signature)

Form 4 — Certificate of approved cat breeder

Cat Act 2011 s. 39(1)

[r. 25]

	[1. 25
This is to certify that —	
Name	(person's full name or organisation/company name)
Street Address	
Suburb/Town	Postcode
Who is a member of	(insert name of any prescribed organisation(s))
has been granted an appro	oval to breed cats at the following location —
Street Address	
Suburb/Town	Postcode
By (insert name of local government)	nent)
This certificate is given s (insert conditions, if any)	ubject to the following conditions
This certificate is valid un	ntil/

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Form 5 — Warrant to enter, search and seize

Cat Act 2011 s. 58

[r. 26]

	ARRANT authorising an authorised person under the <i>Cat</i> nter and search —
Place	
Date	(this can include a period of time)
Time	(specific hours or at any time)
and to seize -	
☐ any cats	
any of the	e following types of cat —
-	
any cats i	n the following circumstances —
any items the Cat A	that may afford evidence of the commission of an offence under ct 2011.
THIS WARR	ANT CEASES to have effect —
Date	
Time	
I,	Justice of the Peace of
	am satisfied,
by an applica	tion supported by evidence on oath, that —

	there are reasonable grounds for suspecting that there is, at the place something that may afford evidence of the commission of an offence under the <i>Cat Act 2011</i> ;
	OR
	entry onto the place is reasonably required to investigate a suspected offence against the <i>Cat Act 2011</i> ;
	OR
	there are reasonable grounds for suspecting that an offence under the <i>Cat Act 2011</i> is likely to be committed in respect of the cat if it is not seized.
Div set assi	thorise, an authorised person under Part 4 vision 3 of the <i>Cat Act 2011</i> , to exercise the entry, search and seizure powers out in that Act in relation to the premises set out in this warrant, with such istance, and using such force, as is reasonably necessary during the time erred to in this warrant.
Sig	ned
Dat	red

Form 6 — Infringement notice

[r. 27]

Cat Act 2011					Infringement
Infringement notice					notice no.
Alleged	Name	Family	y name		
offender		Given	names		
	or	Comp	any name		
					ACN
	Address	Address			
	Postcode				Postcode
Alleged offence	Description of offence				
	Cat Act 2011 s.				
	or				
	Cat Regulations 2012 r.				
	or				
	Local Law provision				
	Date / /20 Time a.m./p.m.				
	Modified penalty \$				
Officer Name					
issuing notice	Signatu	re			
Office					
Date	Date of	notice	/	/20	

Notice to alleged offender

It is alleged that you have committed the above offence.

If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.

How to pay

By post Send a cheque or money order (payable to

'CEO [Relevant local government] —

Cat Act 2011') to —

CEO [Relevant local government and

address]

In person Pay the cashier at —

[Relevant local government and address]

If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the *Fines, Penalties and Infringement Notices Enforcement Act 1994*. Under that Act your driver's licence and/or vehicle licence may be suspended.

If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address.

If you want this matter to be dealt with by prosecution in court, sign here —

and post this notice to the CEO [Relevant local government] at the above postal address within 28 days after the date of this notice.

Form 7 — Withdrawal of infringement notice

[r. 28]

		[r. 28]
Cat Act 2011		Withdrawal no.
Withdrawal	of infringement notice	
Alleged	Name Family name	
offender	Given names	
	or Company name	
		ACN
	Address	
		Postcode
Infringement	Infringement notice no.	
notice	Date of issue / /20	
Alleged offence	Description of offence	
offence		
	Cat Act 2011 s.	
	or	
	Cat Regulations 2012 r.	
	or	
	Date / /20 Time	a.m./p.m.
CEO	Name	
withdrawing notice	Signature	
notice	[Relevant local government]	
Date	Date of withdrawal /	/20
Withdrawal	The above infringement notice is	sued against you has

of	been withdrawn.			
infringement notice	If you have already paid the modified penalty for the alleged offence you are entitled to a refund.			
[*delete	* Your refund is enclosed.			
whichever is not applicable]	or			
	* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to —			
	CEO [Relevant local government] — Cat Act 2011			
	[Relevant local government and address]			
	Signature / /20			

Form 8 — Objection

Cat Act 2011 s. 69

[r. 29]

	[1. 29]
To the CEO (Relevant local government):	
I,	
of	
object to the decision of	
The details of that decision are	
The grounds of my objection are (details of grounds)	
In support of my objection I attach the following information (list attachments) —	
Dated the day of 20	
(signature of person objecting)	
Contact phone no	
Note: Section 69(2) of the Act requires an objection to be made within 28 days after the right to object arose or such further time as th government may allow.	

[r. 30]

Item	Section	Matter to which section relates	Penalty
1.	5(1)	Unregistered cat	\$200
2.	6(1)	Failure to ensure cat is wearing its registration tag in public	\$200
3.	7	Removing, or interfering with, a cat's registration tag	\$200
4.	14(1)	Failure to ensure cat is microchipped	\$200
5.	17	Removing, or interfering with, a cat's microchip	\$200
6.	18(1)	Failure to ensure cat is sterilised	\$200
7.	19	Identifying a cat as sterilised that is not	\$200
8.	23(1)	Transfer of a cat that is not microchipped (and is not exempt)	\$200
9.	23(2)	Transfer of a cat that is not sterilised (and is not exempt)	\$200
10.	24	Failure to notify local government or microchip database company of a new owner	\$200
11.	25	Failure to notify local government or microchip database company of a change of details	\$200
12.	35(1)	Breeding cats, not being an approved cat breeder	\$200
13.	41	Cats not to be offered as prizes	\$200
14.	50(2)	Refusal by alleged offender to give information on request	\$200

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Notes

This is a compilation of the Cat Regulations 2012. The following table contains information about those regulations ^{1a}.

Compilation table

Citation	Gazettal	Commencement
Cat Regulations 2012 r. 1, 2, 3-6, 8, 11-18, 21-25 and 27-30	16 Nov 2012 p. 5537-69	r. 1 and 2: 16 Nov 2012 (see r. 2(a)); Regulations other than r. 1, 2, 7, 9, 10, 19, 20 & 26: 17 Nov 2012 (see r. 2(b))): r. 7: 8 Dec 2012 (see r. 2(c) and Gazette 7 Dec 2012 p. 5963-4)

¹a On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Citation	Gazettal	Commencement
Cat Regulations 2012 r. 7,-9, 10, 19, 20 and 26 ²	16 Nov 2012 p. 5537-69	r. 7: operative on commencement of the <i>Veterinary Surgeons</i> Amendment Regulations (No. 3) 2012 r. 4 (see r. 2(e)); r. 9, 10, 19, 20 and 26: 1 Nov 2013 (see r. 2(d))

On the date as at which this compilation was prepared, the Cat Regulations 2012 r. $\frac{7}{10}$, 10, 19, 20 and 26 had not come into operation. They read as follows:

Microchip implanters (s. 3(1)) For the purposes of the definition of *microchip implanter* paragraph (a) in section 3(1) of the Act, each of the following persons is prescribed (a) a veterinarian; a veterinary nurse, as defined in the Veterinary Surgeons Act 1960 section 2. For the purposes of the definition of microchip implanter paragraph (b) in section 3(1) of the Act, a unit of competency in microchip implantation of cats and dogs entitled "ACMMIC401A

Implant microchip in cats and dogs" (provided by a registered training provider) together with one or more of the following courses (also provided by a registered training provider)

- (a) Advanced Certificate in Veterinary Nursing;
- (b) Certificate IV in Veterinary Nursing;
- (c) Certificate III in Animal Technology;
 - (d) Certificate III in Companion Animal Services;
- (e) Certificate III in Local Government (Animal Management);
- (f) Certificate IV in Animal Control and Regulation;
- (g) Certificate IV in Animal Welfare (Regulation);
- (h) Certificate IV in Captive Animals;
 - (i) Certificate IV in Companion Animal Services,

is a prescribed qualification.

9. Cats exempt from registration (s. 5(2)(c) and 9(2))

A cat that is in the custody of one of the following organisations is exempt from the registration requirements in section 5(1) of the Act and will be refused registration under section 9(2) of the Act —

- (a) Cat Welfare Society Inc., trading as "Cat Haven";
- (b) Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia:
- (c) Australian Customs and Border Protection Service;
- (d) a cat management facility;
- (e) a veterinary clinic or veterinary hospital as defined in the *Veterinary Surgeons Act 1960* section 2.

10. Cats exempt from wearing a tag (s. 6(2))

The owner of a cat that is being exhibited is exempt from the requirement to ensure the cat wears its registration tag in a public place in section 6(1) of the Act, but only while that cat is being exhibited.

19. Transfer of exempt cats (s. 23(3))

The provisions of section 23(1) and (2) of the Act do not apply if a cat is being transferred to an organisation or person set out in regulation 9.

20. Cat control notice (s. **26**(2)(a))

A cat control notice under section 26 of the Act is to be in the form of Form 3.

26. Warrant (s. 58)

The form of a warrant is Form 5.