

Western Australia

Cat Act 2011

Cat Regulations 2012

As at 17 Nov 2012

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Extract from www.slp.wa.gov.au, see that website for further information

Cat Regulations 2012

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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).

- (2) When a certificate is described as being issued by a local 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 —

- (a) Cat Welfare Society Inc., trading as “Cat Haven”;
- (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 —

- (a) AS 5018 — 2001 Electronic Animal Identification — National coding scheme, published 29 June 2001;
- (b) AS 5019 — 2001 Electronic Animal Identification — Radiofrequency methods, published 7 June 2001.

- (2) A person must not sell, supply or provide a microchip for 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 —

- (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*².]

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 —

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- (a) unless sooner cancelled, remains in force from the date specified in the certificate until 31 October either —
 - (i) next ensuing; or
 - (ii) where an extended registration period has been elected by the owner, ensuing in the last registration year of that period;
- and
- (b) may be renewed to take effect as from 1 November in 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 —
 - (a) marked with a registration number issued by the relevant local government; and
 - (b) marked with the name of the local government and its contact number; and
 - (c) 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 —

- (a) 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);
- (d) the cat owner's date of birth;
- (e) the cat owner's contact telephone numbers — home, work and mobile;
- (f) the cat owner's email address;
- (g) details of an alternative contact (*i.e. if the owner cannot be contacted*);
- (h) the address at which the cat is normally kept;
- (i) the cat's name;
- (j) the cat's registration number;
- (k) the cat's sterilisation status;
- (l) the cat's microchip number;
- (m) the breed (*if known*), colour and gender of the cat.

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

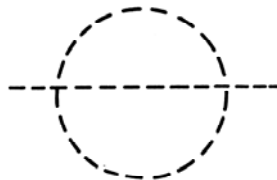
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- (e) full contact details for the microchip implanter's company or organisation (*if applicable*);
- (f) the date the cat was microchipped;
- (g) the cat owner's full name;
- (h) the cat owner's residential address;
- (i) the cat owner's contact telephone 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.

Specimen:



[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 resolved 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 operation².]*

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]

Part A — Owner details

Cat owner's full name _____

Residential address _____

Postal address
(if different from above) _____

Age (dd/mm/yy) ____/____/_____
(Owner must be 18 years or older)

Contact telephone number
(home, work, mobile) (H) _____

(W) _____

(M) _____

Email address (if available) _____

Can your local government to use this email address to issue renewal notices and other relevant information? **Yes/No**
(delete one)

Alternative contact details (optional)

Name of alternative _____

Residential address _____

Postal address
(if different from above) _____

Age (dd/mm/yy) _____ / _____ / _____
(Must be 18 years or older)

Contact telephone number

(home, work, mobile) (H) _____

(W) _____

(M) _____

Part B — Cat details

Address where cat is normally kept

(if different from above) _____

Number of cats to be located 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 exemption including details of issuing veterinarian

Is the custodian a member of
a prescribed exempt organisation **Yes/No**
(delete one)

Please give details of the prescribed exempt 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 numbers

(home, work, mobile) (H) _____

(W) _____

(M) _____

Part D — Registration

Application or renewal for —

a period of 1 year (✓):

a period of 3 years (✓):

Application for lifetime registration (✓):

Prescribed fee for —

a period of 1 year (✓):

a period of 3 years (✓):

Prescribed lifetime fee (✓):

Previous local government where cat was registered
(if known) _____

Registration number

(to be issued by local government) _____

Part E — Application for approved breeder

Application to be an approved breeder (✓):

Breed of cats to be bred _____

Number of breeding cats to be kept at the property _____

Description of facilities _____

Membership of prescribed organisation _____

Part F — Previous convictions

Do you have any convictions for offences against this Act, *Dog Act 1976* or *Animal Welfare Act 2002* in past 3 years? **Yes/No**
(delete one)

If yes, please give details, specifying the date of the conviction(s),
nature of the offence and the legislation involved

Part G — Declaration

The local government may refuse an application if any or all of the required information is not provided within the time period specified in the legislation.

I, _____
(person's full name or organisation/company name)

of _____
(address)

_____ *(postcode)*

declare that the information I have provided is true and correct.

I am aware that it 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 a local government internet site.]

[Local government details and logo here]

Payment options:

[Each local government is to detail their payment options here]

Further details required by local government

Part H — Local government use only

Registration approved (✓):

- Assigned registration number _____

Approved breeder (✓):

- Conditions of approval

Form 2 — Certificate of registration

Cat Act 2011 s. 11(1)

[r. 14]

This is to certify that —

Name of cat _____

Description of cat _____
(gender, age, sterilisation status, breed (if known), colour.)

Has been registered by —

Name _____
(person's full name or organisation/company name)

Street Address _____

Suburb/Town _____ Postcode _____

By *(insert name of local government)*

Registration number of cat _____

This registration expires 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/company name)*

Street Address

Suburb/Town

Postcode

Date and time of incident ____ / ____ / ____ a.m./p.m.

Cat Act 2011 s. _____

(state relevant provision)

_____ *(description of offence)*

Cat Regulations 2012 r. _____

(state relevant provision)

_____ *(description of offence)*

Local law provision _____

(state relevant provision)

_____ *(description of offence)*

Location of cat/sighting of cat/premises where cat confined —

Street Address

Suburb/Town

Postcode

Description of cat —

(distinguishing features, collar, tag, breed, gender)

ACTION TO BE TAKEN

Time to complete the action _____
(if more time is needed contact the local government)

Local government details _____

Authorised person _____
(name)

(signature)

Form 4 — Certificate of approved cat breeder

Cat Act 2011 s. 39(1)

[r. 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 approval to breed cats at the following location —

Street Address

Suburb/Town

_____ Postcode _____

By *(insert name of local government)*

This certificate is given subject to the following conditions

(insert conditions, if any)

This certificate is valid until ____ / ____ / ____

Form 5 — Warrant to enter, search and seize

Cat Act 2011 s. 58

[r. 26]

THIS IS A WARRANT authorising an authorised person under the *Cat Act 2011* to enter 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 following types of cat —

any cats in the following circumstances —

any items that may afford evidence of the commission of an offence under the *Cat Act 2011*.

THIS WARRANT CEASES to have effect —

Date _____

Time _____

I, _____ Justice of the Peace of _____

_____ am satisfied,

by an application 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 *Cat Act 2011*;

OR

entry onto the place is reasonably required to investigate a suspected offence against the *Cat Act 2011*;

OR

there are reasonable grounds for suspecting that an offence under the *Cat Act 2011* is likely to be committed in respect of the cat if it is not seized.

I authorise _____, an authorised person under Part 4 Division 3 of the *Cat Act 2011*, to exercise the entry, search and seizure powers set out in that Act in relation to the premises set out in this warrant, with such assistance, and using such force, as is reasonably necessary during the time referred to in this warrant.

Signed. _____
(Justice of the Peace)

Dated _____

Form 6 — Infringement notice

[r. 27]

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

Notice to alleged offender	<p>It is alleged that you have committed the above offence.</p> <p>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.</p> <p>How to pay</p> <p>By post Send a cheque or money order (payable to ‘CEO [<i>Relevant local government</i>] — <i>Cat Act 2011</i>’) to — CEO [<i>Relevant local government and address</i>]</p> <p>In person Pay the cashier at — [<i>Relevant local government and address</i>]</p> <p>If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act your driver’s licence and/or vehicle licence may be suspended.</p> <p>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.</p> <p>If you want this matter to be dealt with by prosecution in court, sign here —</p> <p>_____</p> <p>and post this notice to the CEO [<i>Relevant local government</i>] at the above postal address within 28 days after the date of this notice.</p>
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Form 7 — Withdrawal of infringement notice

[r. 28]

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

<p>of infringement notice</p> <p>[*delete whichever is not applicable]</p>	<p>been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence you are entitled to a refund.</p> <p>* Your refund is enclosed.</p> <p>or</p> <p>* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to —</p> <p>CEO <i>[Relevant local government]</i> — <i>Cat Act 2011</i> <i>[Relevant local government and address]</i></p> <p>Signature _____ / ____ /20</p>
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Form 8 — Objection

Cat Act 2011 s. 69

[r. 29]

To the CEO (*Relevant local government*):

I, _____

of _____

object to the decision of _____
(date)

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 the local
government may allow.

Schedule 2 — Modified penalties

[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

Notes

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

Compilation table

Citation	Gazettal	Commencement
<i>Cat Regulations 2012</i> 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))

^{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
<i>Cat Regulations 2012</i> 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 Amendment Regulations (No. 3) 2012</i> r. 4 (see r. 2(c)); r. 9, 10, 19, 20 and 26: 1 Nov 2013 (see r. 2(d))

² On the date as at which this compilation was prepared, the *Cat Regulations 2012* r. 7, 9, 10, 19, 20 and 26 had not come into operation. They read as follows:

7. 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) a veterinarian;
 - (b) a veterinary nurse, as defined in the *Veterinary Surgeons Act 1960* section 2.
- (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.