



New South Wales

Animal Research Amendment (Reduction in Deaths of Dogs and Cats Used for Research) Bill 2018

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Animal Research Act 1985* to require a person, as a condition of the person's accreditation as a research establishment or the person's animal research authority, to take all reasonable steps to home a dog or cat that is no longer required by the person for animal research purposes unless a vet has determined that the dog or cat is not suitable to be homed. Such reasonable steps include:

- (a) socialising or training the dog or cat to ensure that the dog or cat is suitable for homing, or
- (b) causing the dog or cat to be given to a person or animal homing organisation, or
- (c) any other action taken in accordance with the Code of Practice under that Act.

The Bill provides that a dog or cat is taken to be no longer required by a person for animal research purposes if the dog or cat has been kept by the person for more than 6 months.

Failure to comply with the proposed requirement is grounds for a complaint under Part 4 of the *Animal Research Act 1985* and may result in the cancellation or suspension of the person's accreditation or authority.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 amends the *Animal Research Act 1985* to give effect to the object set out in the Overview.

Schedule 2 makes a consequential amendment to the *Animal Research Regulation 2010*.



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New South Wales

Animal Research Amendment (Reduction in Deaths of Dogs and Cats Used for Research) Bill 2018

No. , 2018

A Bill for

An Act to amend the *Animal Research Act 1985* to reduce the number of deaths of dogs and cats used in connection with animal research by making provision with respect to the homing of those animals.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Animal Research Amendment (Reduction in Deaths of Dogs and Cats Used for Research) Act 2018*.

2 Commencement

This Act commences on the date of assent to this Act.

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Schedule 1 Amendment of Animal Research Act 1985 No 123

[1] Section 22 Complaints

Insert “, including the condition taken to be imposed under section 56B” after “subject” in section 22 (1) (d).

[2] Section 28 Complaints

Insert “, including the condition taken to be imposed under section 56B” after “subject” in section 28 (1) (c).

[3] Section 56B

Insert after section 56A:

56B Requirement to home dogs and cats no longer used for animal research

(1) In this section:

animal homing organisation means any of the following:

- (a) the Animal Welfare League NSW,
- (b) the Cat Protection Society of NSW,
- (c) the Royal Society for the Prevention of Cruelty to Animals, New South Wales,
- (d) an organisation that has custody of animals that are exempt from the registration requirements under the *Companion Animals Act 1998*.

authorised person means an accredited research establishment or the holder of an animal research authority.

reasonable steps, in relation to the homing of a dog or cat, includes, but is not limited to, such action of the following kinds, and within such time, as is reasonable in the circumstances:

- (a) socialising or training the dog or cat to ensure that the dog or cat is suitable for homing,
- (b) causing the dog or cat to be bought or adopted by, or given to, a person or animal homing organisation,
- (c) notifying the Panel that the dog or cat is available to be given to an animal homing organisation for adoption,
- (d) any other action taken in accordance with the Code of Practice.

(2) An authorised person must take all reasonable steps to home a dog or cat kept by the authorised person for animal research purposes that is no longer required by the authorised person for such purposes.

(3) Without limiting the grounds on which a dog or cat may no longer be required for animal research purposes, a dog or cat is taken to be no longer required once the dog or cat has been kept by the authorised person for more than 6 months or, with the approval of the Panel, 12 months.

(4) If the Panel is notified by the authorised person that a dog or cat is available, the Panel is required to notify each animal homing organisation.

(5) Any notification under this section may be done by way of a publicly accessible database maintained by the Panel.

(6) The requirement under subsection (2) is taken to be a condition of the person’s accreditation as a research establishment or the person’s animal research

- authority, including any accreditation or authority in force immediately before
the commencement of this section. 1
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- (7) A dog or cat is not required to be homed under subsection (2) if a veterinary 3
practitioner within the meaning of the *Veterinary Practice Act 2003*, or a 4
person with such relevant qualifications as may be prescribed by the 5
regulations, and who is not associated with an authorised person or licensed 6
animal supplier, has determined that the dog or cat is not suitable to be homed. 7
- (8) If a dog or cat is determined to be unsuitable for homing by a veterinary 8
practitioner or other person under subsection (7), the authorised person is not 9
to cause the dog or cat to be killed or otherwise disposed of without the 10
approval of: 11
- (a) the animal care and ethics committee, being the committee specified in 12
the authorised person's accreditation or authority, or 13
- (b) a subcommittee of that committee. 14
- (9) This section does not apply to any animal seized under section 51A that is in 15
the possession of an inspector. 16

Schedule 2 Amendment of Animal Research Regulation 2010 1

Schedule 1 Supplementary provisions of Code of Practice 2

Omit clause 10. Insert instead: 3

10 Application of Part 4

This Part applies to dogs and cats only, but does not apply to a dog or cat
previously used for animal research purposes and that has been homed under
section 56B of the Act. 5
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