

## **Executive Summary**

### **Australian Animal Welfare Strategy Animals in Work Sport Recreation and on Display Review of Existing Animal Welfare Arrangements**

The Australian Animal Welfare Strategy (AAWS) is an agreed blueprint for animal welfare in Australia that aims to enhance welfare outcomes for all animals. It has been developed with extensive stakeholder consultation and has been endorsed by the Primary Industries Ministerial Council (PIMC). Implementation of the strategy through comprehensive action plans will help improve the provision of more effective communication, education and training across the whole community as well as improve the general level of understanding of animal welfare. It will identify the best ways of continuing to improve animal welfare outcomes in Australia.

Six broad working groups have been established as part of the implementation strategy, covering all animal use sectors. One of these, the Animals in Work Sport Recreation and on Display Working Group (WSRDWG) has the responsibility to develop and implement the action plan for the animals used in Work Sport Recreation and on Display (WSRD) sector. The first step identified within the AAWS Implementation Plan to support sustainable improvement in animal welfare policies and programs in Australia is to review the current '*state of play*' and to detail the systems currently in place. This document reports on the outcomes of that process for the WSRD sector.

There is no Commonwealth Legislation specifically covering the use of animals used in Work Sport Recreation and on Display. Each of the States and Territories has developed its own form of Legislation in this area. Other State/Territory Legislation, Commonwealth/State/Territory Codes of Practice and Guidelines also apply.

WSRD Working Group members have identified that the Sector has some well structured groups with strong capacity to manage animal welfare, but at the same time there are many poorly structured groups with activities across all States of Australia. It can be difficult to successfully ensure that the welfare of all animals in some areas is adequately monitored

The use of animals used in Work Sport Recreation and on Display is covered by State and Territory legislation. However there is a lack of consistency across jurisdictions. Significant Legislative and other controls are currently in place in some sections of industries within the working group. In other industries examined only basic animal welfare legislation applies. As a result the outcomes in welfare for animals involved cannot be said to be consistent. This was recognised by members of WSRDWG as a potential risk to the welfare of animals involved. The working group did identify that processes are in place in some of the States and Territories and within some of the parts of the Sector to ensure compliance with Codes and State Legislation.

This stocktake has clearly identified, that the legislative processes of the States and Territories fail to provide specific controls for much of this Sector and WSRDWG members have identified that animal welfare improvements can be difficult to achieve as a result. While State Authorities do have specific Codes and in some cases Laws

this is not consistent across all parts of the Sector. Working Group members also identified that the nature of some of the activity involved made the development and monitoring of Rules and Codes developed by Groups very difficult to achieve.

Many of the animal species considered by this Working Group are also covered by other working groups. This was considered a potential risk if all groups measured the welfare outcomes from a different perspective

# Australian Animal Welfare Strategy

## Animals in Work Sport Recreation and on Display

### Review of Existing Animal Welfare Arrangements

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# **Australian Animal Welfare Strategy**

## **Working Group for Animals Used for Work, Sport, Recreation or on Display**

### **Review of Existing Animal Welfare Arrangements**

#### **1. Introduction**

The Australian Animal Welfare Strategy (AAWS) is an agreed blueprint for animal welfare in Australia that aims to enhance welfare outcomes for all animals. It has been developed with extensive stakeholder consultation and has been endorsed by the Primary Industries Ministerial Council (PIMC).

Implementation of the strategy through comprehensive action plans will help improve animal welfare, provide for more effective communication, education and training across the whole community as well as improve the general level of understanding of animal welfare. It will also identify the best ways of continuing to improve animal welfare outcomes in Australia.

Six broad working groups have been established as part of the strategy, covering all animal use sectors. One of these, the Working Group for Animals Used for Work, Sport, Recreation or on Display (WSRD WG) has the responsibility to develop and implement the action plan for the work, sport, recreation and display animal sector. At a meeting of the WSRD WG on 6 & 7 February 2006, it was agreed that members of the working group would conduct an inventory of relevant animal welfare arrangements within the various sectors that the Working Group members represent. This is a large and diverse sector (see Appendix X – [old figures 1])

The first step towards sustainable improvement in animal welfare in Australia is to review the current ‘*state of play*’ and to detail the policies, programs systems currently in place. It is also important to review the adequacy and content of animal welfare training in existing and proposed training programs relevant to this area of animal use. This information will enable improvements to be made by building on the strengths of the current system and will importantly identify areas where further improvements can be made. While the emphasis is on programs within Australia lessons from relevant overseas programs also needs to be considered.

This report outlines the current state of play in the WSRD WG for the areas of:

- Horse Racing (flat Racing and Jumps Racing)
- Harness Racing
- Greyhound Racing
- Circuses
- Rodeos
- Recreational horses
- Assistance and government working dogs
- Hunting
- Zoos

The report identifies current animal welfare arrangements including:

- animal welfare policies, programs, protocols and procedures as expressed in legislation, Codes of Practice, Standards, Guidelines, position statements or any other relevant documents or practices;
- Areas where policy/processes/planning/operational practices do not exist or where improvements would be beneficial
- Any recognised overseas arrangements and affiliations that maybe pertinent to advancing local policies/processes/planning/operational practices
- Training programs, current and proposed

## **2. Methodology**

A template was developed by the Working Group (see appendix x). The group used the template to describe the various animal industry sectors that appear to come under the WSRD sector. The information provided is used in this report. Additional information has been gathered from State and Commonwealth Agencies and web sites.

## **3. Sectoral reports**

The following is a brief summary of the description and position for protection of the welfare of the animals involved as described in the material submitted by the WSRDWG for those animal use activities for which information could be provided. A summary of the sectoral findings is shown in appendix 3 [table showing comparisons].

### Horse Racing (flat Racing and Jumps Racing)

The horse racing industry in Australia is a very large industry as indicated in the table below. The industry is highly regulated Legislatively in every State and the industry has very detailed and well considered Rules governing the functioning of the industry. The information on these controls is readily available and compliance with all parts of the requirements is managed by a strong system of supervision and monitoring by stewards appointed by the industry. The strong structure of the industry allows it to address many of the most significant problems and perceptions relating to the treatment of horses. Foremost amongst these is the use of illegal substances and identification of animal welfare statements as addressed in the Equine Welfare Inventory released in 2006.

### Harness Racing

Harness racing is not as large an industry as the horse racing industry. This industry also comes under some of the same Legislative frameworks as the horse racing industry. There is a major difference identified in the industry information relating to the more “amateur” approach by many of the participants. Many of the owners and trainers are associated with very small numbers of animals. The industry has also developed some specific rules and policies relating to the care and management of

horses. Again compliance with these rules and aspects of the legislation is supervised by Stewards appointed within the industry.

### Greyhound Racing

Again greyhound racing is a specifically regulated industry and has developed many processes to assist the running and governance of the industry. This industry identifies the “hobby” nature of this sport as the greatest difficulty in addressing animal welfare in the industry. There are well developed rules and mechanisms to monitor owners and trainers and considerable effort is put into ensuring compliance.

The Greyhound Racing industry has identified issues such as illegal drug use in dogs, perceptions of problems at retirement of dogs (whether dogs are re-homed, euthanased or killed in other ways) and the perception of dog treatment because of their use to generate profits. An active campaign is being carried out by the industry to address these problems. There are few other examples of similar pro-active procedures in other parts of the Sector.

### Circuses

The WSRDWG identified that in Australia, circuses where animals are used routinely are owned by a small number of family businesses. These families have been associated with this form of entertainment for many years (in some cases for centuries). Most States have specific legislative conditions for the use of animals in this industry, or sets guidelines or standards. The ACT has banned the use of animals in circuses. Animal training techniques have adopted modern concepts of best practice for training of animals. While all the circuses in Australia are in regular communication with each other, regular communication is difficult because of the nomadic nature of the business. The development of standardised processes therefore is difficult.

### Rodeos

Most rodeos are run under the terms of one of the Codes of Practice developed in recent years. There are a number of organisations under whose auspices rodeo events are run. Most events in Australia are run under the rules of one of these organisations. The APRA organisation has developed a training package for their officials and judges that includes aspects relating to the welfare of the animals used in events.

### Recreational horses

This is a very diverse and dispersed group of animal use activities. Some recent evidence suggests that over 100 different organisations provide leadership and guidance for the use of horses in a very large range of activities. These activities range from Dressage to Pony Camps to trail riding to riding for the disabled. Apart from those organisations that have adopted the FEI rules and processes few groups have any common policies and procedures for addressing the welfare of the animals involved. In some cases such as the Endurance Horse events, stringently applied rules for the welfare of the competing horses have been adopted internationally.

## Assistance and government working dogs

This is again a very diverse group of animal use activities ranging from the training of dogs in parks to the training of dogs to assist people in various ways to the training of dogs to identify various substances or diseases through the use of their acute sense of smell. In 2006, the various parts of the government working dog sector have agreed to join forces under a common organisation. This will enable national standards for dog training and care to be standardised.

## Hunting

Hunting of animals with or without the use of other animals is a very popular activity across Australia. It would seem that there are some hundreds of different organisations to which hunters belong as part of their activity, or because of requirements of various State Legislation or Codes of Conduct. In some jurisdictions there is now a requirement for prospective hunters to demonstrate competency with the use of weapons to include a degree of proficiency in hitting the target. Some of the Codes and Legislation does refer to the importance of the welfare of the hunted animals and any animals used in the process.

## Zoos

In all Australian States there are some Regulatory mechanisms in place covering the operation of collections of animals whether these be Australian native animals or exotic animals. There are Codes of Practice for various aspects of the care and keeping of these animals. All the principal State Zoos and many of the other large enterprises and wildlife parks are members of ARAZPA the national body covering animal use for these purposes. Regular review of the standards of care and facilities is undertaken in most States under their regulatory requirements.

## 4. Common Gaps, Weaknesses and Risks

- Most responses identified the almost complete lack of specific legislation pertaining to animals used in activities covered by the WSRDWG. The existing Animal Welfare Legislation was considered by some to be relatively ineffective for maintaining or improving the welfare of animals within the Sector.
- Most responses also suggested that the dispersed nature of most of the groups involved make the monitoring of Rules and Codes where developed by “peak industry bodies” difficult to undertake. As a result the assurance of animal welfare outcomes can be limited in some areas.
- Some industry sectors in WSRD consider that there appears to be a major concern in some sections of the community about certain activities covered by those industries. Many of these concerns flow from the fact that many of the activities are carried out with obvious public scrutiny. Working Group members questioned the “real” welfare position in relation to the level of scrutiny.

- It might be assumed that a measurable level of poor welfare in any situation could be related to a number of measures such as the numbers of people involved in an activity, the numbers of animals involved or the pressure to achieve performance by the animals involved. There is no readily available information on the accuracy of these perceptions for any of these issues.
- Some parts of activity groups have no information available for this report, e.g. Security Dogs and Detector Dogs other than those managed under the AQIS program.
- There are no National Standards covering all activities for animals in this Sector.
- The physical structure of some of the industries considered by WSRDWG lacks organisation and the capacity to achieve a high level of monitoring or even communication with members is limited to recommend improvements or to provide mechanisms for education of participants.
- Information provided by the WSRDWG members indicated that there was little formal training across all the sectors.

## 5 Other issues

- It can be demonstrated that a particular species of animal could be considered under a number of different Working Group Sectors. Each group might place different emphasis on the measures for welfare outcomes for the animals considered within their area. For example:
  - Dogs – will be dealt with as companion animals
  - Horses will be dealt with as companion animals
  - Wildlife will be dealt with by Animals in the Wild (Under the definition developed by the Animals in the Wild Working Group for an animal to be included in their consideration it must not be “dependent on humans for its survival”. In other respects any animals that would be part of a Zoo or Wildlife Park collection would be considered by another group.
- Some working group members indicated that within some industry sectors there is a perception that because many of the animal use activities in these sectors are in the public view therefore the welfare of those animals is readily on display. This is suggested as a mechanism for protecting the welfare of animals in such industries, There were suggestions also that many animals in other industry groups within the WSRDWG sector would never necessarily be seen outside their home properties. The opportunity for scrutiny of the welfare of such animals might be seen as less significant
- Some Sectors included under WSRDWG consideration face some risk by reason that their animals are deliberately brought to the attention of the public. In most cases, animals in these sectors are used in public, e.g. zoo animals are displayed to the general public, animals in sporting events often perform in public. The nature of this public exposure means that any animal welfare deficiencies can be readily visible, including to those people who may oppose such use of animals, and also those members of the public with an interest in animal welfare
- Members of WSRDWG have identified a number of animal use activities about which there is no available information for this report. Such activities include:

- Pigeon Racing
- Dog Sled racing
- Jack Russell Dog racing
- Camel Racing
- Riding Schools
- Cow and other novelty racing events
- Pig (Hog) Racing
- Dog agility and endurance
- Companion dog training
- Security dog care and training
- Endurance horse racing
- Use of animals in Film, TV and other Entertainment
- Pony Club
- Riding for Disabled
- Show Horses
- Shearing competitions
- Animals used for hunting

## **6 Discussion**

The information provided by members of the WSRDWG has identified that this Sector of animal use is very diverse. From the information available, it is also clear that information on only a small part of the Sector has been identified. As indicated in the summary in Section 3, Where there appear to be a hundred or more different organisations involved in some way with activities under the broader description of animal use, it will be difficult to fully understand any common purpose or procedures that all these groups might have adopted.

## **7 Conclusion**

Before a complete and detailed reporting on the welfare arrangements can be developed for this Sector, it will be necessary to more completely describe the nature of the WSRD Sector. There is a demonstrated need to try to identify from all the groups involved especially in the activities involving dogs, horses in recreation, Rodeos and Zoos, areas of commonality and differences, so that future planning might be undertaken to best advance the care and welfare of the animals involved in all these very different activities.

## **8 Recommendations**

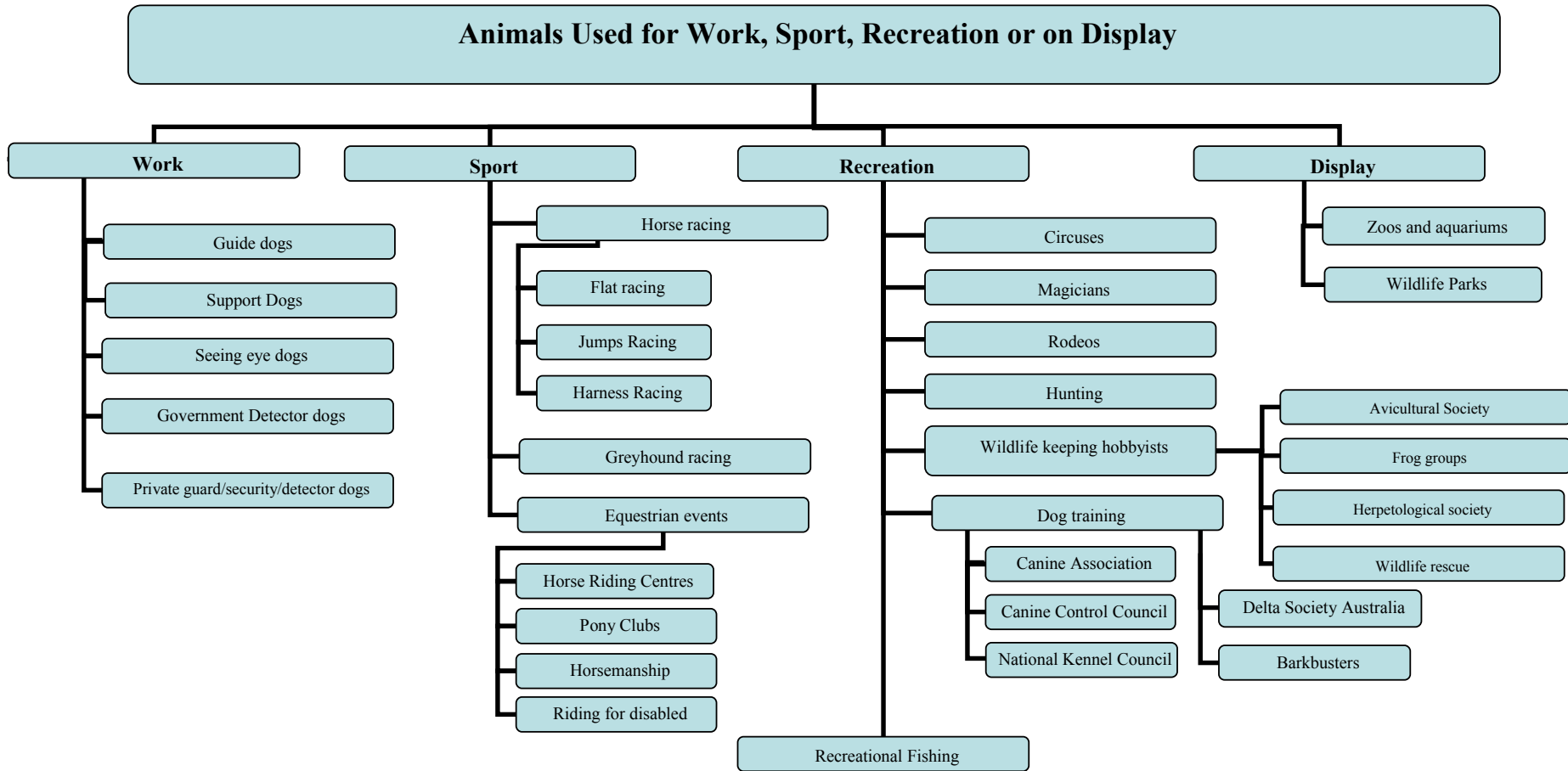
(a) A Project should be undertaken to provide information to allow a better description of all the animal use activities covered by the WSRDWG. This will require the identification of some of the groups and activities for which information was not available for this report. There will need to be some comparative analysis carried out to determine any similarities in purpose and policies between groups providing for similar animal use activities. This is needed for the development of future processes to ensure the best welfare outcomes for animals used in these types of activities.

(b) Once the various groups are more adequately identified, it would be appropriate to try to bring similar largely unorganised groups together (such as recreational and / or sporting horse groups). The concept would be to facilitate action to address common welfare issues and to assist the development of strategies and standards that can improve / ensure animal welfare outcomes for the animals under their care.

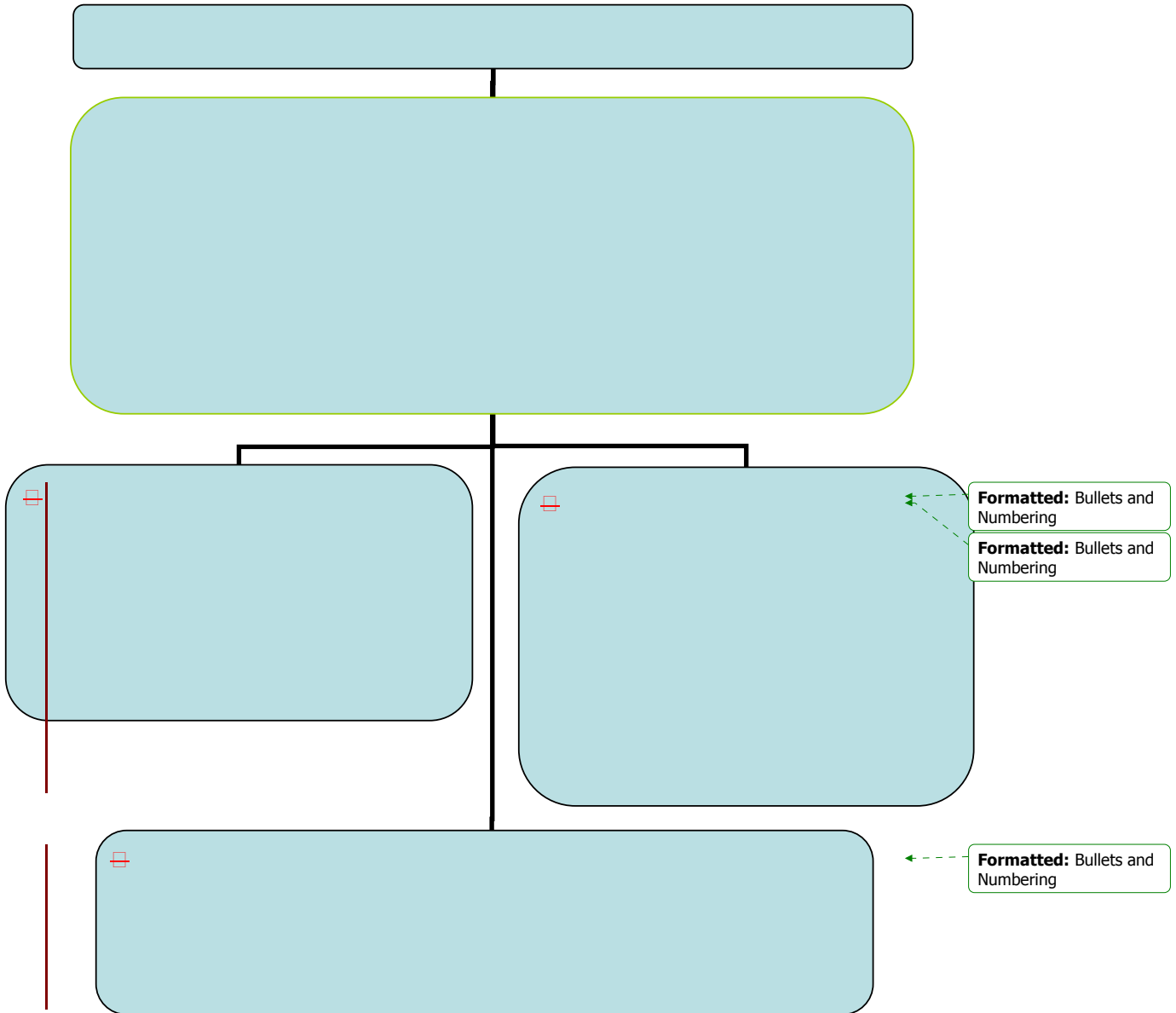
## **9 Appendices**

The Charts below attempt to summarise some of the information common to many of the groups identified within this Sector. This information was collated from the templates completed by working group members or by representatives of stakeholders identified by members. A copy of the Template used follows at appendix 3

**Appendix 1.** Outline of the structure of the WSRD Sector



Appendix 2. Outline of the information identified from some of the industry sectors



### Appendix 3. Template to assess current situation, gaps and issues

#### **Sectoral Working Group on Animals Used For Work, Sport, Recreation or on Display**

#### **Template to assess current situation, gaps and issues**

##### **Industry**

(Complete for each industry body)

1. Industry body:

- Is this the peak industry body
- Industry coverage (national / state / regional):
- Membership
  - Compulsory / Voluntary:
- Rules
- Legally enforceable:
  - Covering animal welfare:
  - Actively enforced:
  - Transparency of
  - Consequences – penalties for non-compliance
  - Disciplinary procedures
- Guidelines
- Codes of practice
  - Code of conduct
  - Code of ethics

2. Quality Assurance Plans/Programs in place:

3. Risk management reviews

- Continuous improvement process
- Standard Operating Procedures in place
- Other

4. Training

- Accreditation
- Licensing of personnel
- Competency based training
- Other

5. Audit

- internal / independent
  - type (paper based / outcome based)
  - Promotion of standards to industry, community and others
- Awareness of international trends and standards  
What is the consultation process  
Relevant issues within the industry body

Animal welfare laws and regulations

- National / state / local:
  - Actively enforced:
  - Consequences – penalties for non-compliance

6. Animal welfare standards / codes / guidelines

7. Audit

- type (paper based / outcome based)

8. Promotion of standards to industry, community and others

9. Training

- Accreditation
- Licensing of personnel
- Competency based training
- Other

10. Awareness of international trends and standards

**General**

11. What is the size of the industry

- Animals
- Money

12. Issues for the industry

- Transport
- Housing
- Food and water
- Humane destruction
- Animal health
- Animal behaviour issues
- Issues with “Unaffiliated” groups and individuals of animal users

13. Gaps in the industry:

- is this across the whole industry
- are the consequences serious

14. Research

- Key Research Centres
- Major gaps in the animal welfare research

15. Consultation process with whole industry

Industry Group	Size of industry People - Animals	Value of industry	Peak Body Compulsory - Voluntary membership	Legislation relating to activity	Rules/ Codes / Guidelines of industry bodies	Level of imposition (Enforcement)	Accreditation Organisation - People	Training Availability/ Compulsory/ Voluntary	Audit Internal - External	Issues
<b>Racing – Flat and Jumps</b>	P 12600 A 31037	Prize \$362mil Betting \$11,700mil Sales \$369mil	ARB Comp	Y all States	Y ARB Codes and Guidelines Welfare Guidelines for Aust Thoroughbred Racing Qld / SA An Welf Policy	High	Y	Y	Y Internal	Transport National Codes for welfare of horses Statistics on incidents at events Compulsory Vet attendance
<b>Harness Racing</b>	P 8200 + A 5637	Stakes \$82.5mil	AHRC	Y all States	Y National Rules adopted by States	High	Y	Y	Y	
<b>Greyhound Racing</b>	P 24100 A 35000	Stakes \$50mil Bets \$1912mil Litters \$32.5mil	Greyhounds Australasia Voluntary	?	Y Rules - National (State Administer) Codes – States Animal Welfare Policy (2005)	High	Y	Y	Y Internal	Hobby Sport (95%) Activity of Animal Rights Groups
<b>Assistance Dogs</b>			N	N	Internal Rules	Internal	N	N	?	Abuse of animals and clients Lack of enforceable standards for training Animal Behaviour issues
<b>Lions Hearing Dogs</b>	P A 415	Costs \$500,000 pa	Y (National)		?	?	Dogs accredited	Some ?	Internal	Working in isolation Differing State Legislations
<b>Guide Dogs</b>	50 dogs		Peak State bodies	State Dog Laws	Local Rules Contract between Carer and Org	?	N	Y Staff to have formal Quals	Internal	Transport Housine Behaviour
<b>Assoc Aust assist Dogs</b>	53 dogs	volunteers	Peak State Body	?	COP / CoEthics	?	?	Trainers must be trained	Internal	No Legislation for industry No control of unqualified groups Need national body
<b>Assistance Dogs Aust</b>			N	?	Rules – non-compliance means surrender of dog	?	5 year Accred of operators	?	Independent	No Legislation / No Accreditation of trainers
<b>Industry</b>	<b>Size of</b>	<b>Value of</b>	<b>Peak Body</b>	<b>Legislation</b>	<b>Rules/ Codes /</b>	<b>Level of</b>	<b>Accreditation</b>	<b>Training</b>	<b>Audit</b>	<b>Issues</b>

Group	industry People - Animals	industry	Compulsory - Voluntary membership	relating to activity	Guidelines of industry bodies	imposition (Enforcement)	n Organisation - People	Availability/ Compulsory/ Voluntary	Internal - External	
<b>Aust Support Dogs inc</b>			Y Voluntary	?	Code of Conduct – manual to carer	? Confiscate dog?	Assiatance Dogs International Stds	Y Minimum Delta CGC	Internal	No Uniform stds for training No National Association
<b>Disability Aid Dogs</b>	About 6 other small groups	?	N Membership?	?	Code of Practice (internal)	?	Personnel licensed by organisation	Basic handlers course Professional trainers Course	Internal Annual	Need for Peak National Body
<b>Government Working Dogs</b>	120 Dogs	?	Y Under AQIS - compulsory	Quarantine Act 1908	Rules enforceable (no specific animal welfare) SOPs	Legal	Licensed Handlers	Specific Training courses	Internal	
<b>Circuses</b>	350 people  200 animals	\$14 million entrance tickets.	Y Circus Federation of Australia	State Laws and Specific Codes	NCCAW Recommended Stds CoPs Guidelines	Legal	State Licences	On-the Job TAFE Courses – hundreds of years experience	State Govt / RSPCA Inspection	Communication with moving groups
<b>Rodeos</b>			Several Representativ e Groups	State Animal Welfare Acts	Draft National COP Victorian COP	Legal?	Refer to Codes	APRA “Animal Welfare in Rodeo Course	Constant review by public and Animal Welfare Groups	
<b>Group Riding Programs</b>	?	?	?	State Acts / Regs	?Standards for Accommodation Stds for health and humane care of horses	?	? AHSE Accred	Training in Instruction	?	
<b>Industry</b>	<b>Size of</b>	<b>Value of</b>	<b>Peak Body</b>	<b>Legislation</b>	<b>Rules/ Codes /</b>	<b>Level of</b>	<b>Accreditatio</b>	<b>Training</b>	<b>Audit</b>	<b>Issues</b>

Group	industry People - Animals	industry	Compulsory - Voluntary membership	relating to activity	Guidelines of industry bodies	imposition (Enforcement)	n Organisation - People	Availability/ Compulsory/ Voluntary	Internal - External	
<b>Equestrian Federation of Australia Ltd</b>	1.2mil Horses (Estim)	? \$8bil pa	Y for Equestrian Sport in Aust State and Local Branches <b>Compulsory</b> for official competition	?	- EFA Rules and FEI Rules and Guidelines - FEI Code of Conduct for the Welfare of the Horse - SOPs for events	BY EFA and Officials (Disciplinary By-Laws)	EFA Accred for all Coaches and Officials	Competency Based Training for Several Programs	N Each event is assessed under EFA Rules	- No useful regulations / Guidelines for Transport / Housing / Food and water - Unaffiliated Groups or individuals – risk due to ignorance and lack of scrutiny
<b>Australian Equine Welfare Association</b>	?	?	?	?	Equine Draft Code of Practice (Tasmania)					
<b>Hunting</b>	?	?	Various State Governing Bodies (hundreds of small Groups) <b>(Voluntary)</b>	Specific State Legislation in some States	Guidelines and Codes of Practice	Legal	? State Gun Licenses	?	Some annual returns	?
<b>Australasian zoo and aquarium association (ARAZPA)</b>	60 institutions 13.5mil visitors 3000 staff 2000 volunteers 67,800 animals 3000 species	Assessment of the value of industry not undertaken.  Combined operating budgets: ~\$200mil pa	Voluntary	Legislation in all States; varying levels of prescription	Guidelines and Codes of Practice  Accreditation Standards covering all areas of zoo and aquarium operation	Compliance a condition of membership	ARAZPA accreditation program being implemented over a 5 year period.  Accreditation a condition of membership.	National Animal Care and Management Training Package - voluntary, but required by some zoos and aquariums for animal keeping staff	ARAZPA Accreditation - audit of welfare standards by industry partners, but external to the institution being assessed.  Government audit processes in some States	A number of small wildlife parks are not ARAZPA members, and therefore not subject to ARAZPA Accreditation.  Significant variation in relevant State regulation.  Some overlap with Federal regulation.

## **10. Australian and State Legislative Processes**

In order to fully understand the regulatory and animal welfare control situation for an animal use sector such as the WSRD Sector, some explanation of the legislative structure regarding animal welfare in Australia could be of use.

Within the Australian context, consideration must be given to the nature of government responsibilities within our Commonwealth structure. The Federal Government, six State Governments, and two Territory Governments form the basic structure with a further tier of Local Government authorities. The Australian Constitution defines the powers of the Australian Government. The States and Territories have exclusive authority in areas that the Constitution does not define as being within the authority of the Commonwealth. The Commonwealth Government controls matters relating to quarantine and international trade, whilst all matters relating to animal welfare come under State/Territory responsibility. There is an identified risk for animal welfare if the Commonwealth Government becomes embroiled in certain situations in these areas of Trade and Quarantine. The lack of specific Commonwealth Animal Welfare Legislation could be seen as a weakness in the system. It should be noted that the States do have the capacity under terms of the Constitution to cede various powers (including those relating to animal welfare) to the Commonwealth. To date this is not a process considered acceptable by the States.

At the same time within the structures, there are mechanisms in place to try to standardise many processes relating to animal welfare within Australia. The Primary Industry Ministerial Council (PIMC) brings together the different constitutional responsibilities of the Australian Government and the States/Territories for the agricultural sector. PIMC membership consists of the Australian and State/Territory Ministers and the New Zealand Minister with agricultural responsibilities. In practice, PIMC is the forum for the development of agricultural policies that are consistent with the objectives of the Australian Government, State/Territory Governments of Australia, and the New Zealand Government. Coordination of all achieved nationally consistent animal welfare processes is achieved through PIMC. A Committee with wide membership the national Consultative Committee on Animal Welfare (NCCAW) provides some advice to PIMC. NCCAW is appointed by the Federal Minister for Agriculture, Fisheries and Forestry to provide advice to him on animal welfare issues and to assist the development of National Codes of Practice and National Standards for Animal Welfare.

PIMC is supported by a permanent committee, the Primary Industry Standing Committee (PISC). PISC consists of the heads of the Australian Department of Agriculture, Forestry and Fisheries; the State/Territory Departments of Agriculture, and representatives of the Commonwealth Scientific and Industrial Research Organisation (CSIRO), the Australian Department of Finance, the Australian Department of Foreign Affairs and Trade, and representatives from New Zealand. PISC is informed and advised on animal welfare issues through a subsidiary Committee of its Primary Industries Health Committee (PIHC) the Animal Welfare Working Group (AWWG). All these bodies are responsible for attempting to achieve cross-jurisdictional harmonisation. An identified weakness in this process is the difficulty in achieving reciprocal recognition across jurisdictions. There is possible evidence to suggest that this hampers collaborative national work.

As indicated above, the State and Territory governments have the principal responsibility for animal welfare. State and Territory governments have Legislation in place covering aspects of animal welfare. Most States have an appointed Animal Welfare Advisory Committee (AWAC) that provides advice on animal welfare issues and on associated legislation. In several states there can also be specific Legislation pertaining to activities covered within this report, and several jurisdictions have developed Codes of Practice and guidelines related to other activities.

The Federal Department of Agriculture, Fisheries and Forestry has an Animal Welfare Unit responsible for providing the Federal Minister with advice on animal welfare matters. All State and Territory governments have designated Sections or Units within one of their Departments to carry the responsibility for the Legislation with officers responsible for implementation and policing of the provisions of their welfare legislation. Designated officers of the Royal Society for the Prevention of Cruelty to Animals (RSPCA) or in some States the Animal Welfare League are also given authority within the Legislation to prosecute offenders. Police Officers within the States also have power to enforce animal welfare legislation. Inspectors from State Government authorities also review/inspect/audit processes covered by their specific animal welfare legislation relating to the welfare of animals used in work, sport recreation or on display.

It has been suggested within the Working Group that this structure poses a number of difficulties for standardisation of process and practices in this Sector. It is also possible that carriage of a relevant State Act or Code can reside with one Department while those officers responsible for the policing of Animal Welfare Legislation overall might be under the control of a different department. Such situations clearly indicate a risk to the system. At the Commonwealth level, a number of Ministerial Councils can be identified as having responsibility for animals used in activities covered by the WSRDWG. Again the lack of standardisation with such arrangements means that the protection of the welfare of the animals may not be consistent.

## 8. List of Various Legislation that might pertain to this Sector

Not all the listed Legislation will specifically address animal welfare issues, but included within the various parts of the documents there may be reference to

### (a) Federal Government Legislation

Environmental Protection and Biodiversity Conservation Act 1999	<p>Relevant sections of the act gives the Australian Federal Government a role in oversight of:</p> <ul style="list-style-type: none"> <li>▪ welfare standards with respect to wildlife imports and exports</li> <li>▪ welfare standards with respect to the on-going management of species protected under the Convention for International Trade in Endangered Species (CITES) Appendix I</li> </ul>
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### (b) Federal Government Codes of Practice / Standards

<b>Code of Practice</b>	
<p><b>The following are the technical reports, codes of practice and standards written by the Primary Industries Standing Committee (PISC). These are the relevant Codes of Practice at the Commonwealth level and can be found at:</b>  <a href="http://www.publish.csiro.au/nid/22/sid/11.htm">http://www.publish.csiro.au/nid/22/sid/11.htm</a></p>	
Australian Standard for Hygienic Production of Crocodile Meat for Human Consumption	
Australian Standard for Production of Game Meat for Human Consumption	
Australian Standard for Production of Rabbit Meat for Human Consumption	
Model Code of Practice for the Welfare of Animals: Feral Livestock Animals	

**(c) New South Wales**

Companion Animals Act 1998	An Act to provide for the identification and registration of companion animals and for the duties and responsibilities of their owners; and for other purposes.
Companion Animals Amendment Act 2005	An Act to amend the Companion Animals Act 1998 to make further provision with respect to dangerous and restricted dogs and the duties and responsibilities of their owners; to increase penalties for certain offences under the Act and to consolidate enforcement powers under the Act; and for other purposes.
Exhibited Animals Protection Act 1986	An Act with respect to the exhibition of animals at marine or zoological parks, circuses and other places.
Exotic Diseases of Animals Act 1991	An Act to provide for the detection, containment and eradication of certain diseases affecting livestock and other animals; to amend the Stock Diseases Act 1923 and certain other Acts consequentially; and for other purposes.
Firearms Act 1996	An Act to provide for the regulation, control and registration of firearms; to repeal the <i>Firearms Act 1989</i> ; to amend the <i>Prohibited Weapons Act 1989</i> ; and for related purposes.
Fisheries Act 1935	An Act relating to fisheries and fishing, and to oyster farms; to repeal the <i>Fisheries Act 1902</i> , the <i>Fisheries (Amendment) Act 1910</i> and the <i>Net Fishing (Port Hacking) Act 1901</i> ; to amend the <i>Sydney Corporation Act 1932</i> and certain other Acts; and for the purposes connected therewith.
Fisheries Management Act 1994	An Act relating to the management of fishery resources.
Food Act 2003	

Forestry Act 1916	An Act to consolidate and amend the law relating to forestry; to provide for the dedication, reservation, control, and use of State forests, timber reserves, and Crown lands for forestry and other purposes; to appoint a commission to administer the Act, with power to sell and convert timber and products, and to purchase and sell animals to be depastured on State forests and timber reserves; to repeal the <i>Forestry Act 1909</i> ; to amend the Acts relating to Crown lands, and certain other Acts; and for purposes consequent thereon or incidental thereto.
Forestry and National Park Estate Act 1998	An Act to make provision with respect to forestry operations and the national park estate following regional resource and conservation assessments; to transfer certain State forest and other Crown lands to the national park estate or Aboriginal ownership; to provide for Ministerial agreements and a system of integrated approvals for future forestry operations; to amend the Forestry Act 1916, the <i>Timber Industry (Interim Protection) Act 1992</i> and certain other Acts; and for other purposes.
Forestry Restructuring and Nature Conservation Act 1995	An Act to provide for the payment of expenditure on forest industry restructuring, nature conservation and certain other environmental initiatives from the Environmental Trust, and for other purposes.
Forestry Revocation and National Park Reservation Act 1996 (and earlier)	An Act to revoke the dedication of certain lands as State forest (including national forest) and the status of certain lands as flora reserve; to reserve lands as, or as parts of, national parks and to dedicate lands as, or as parts of, nature reserves; and for other purposes.
Game and Feral Animal Control Act 2002	An Act to manage and regulate the hunting of game; to establish a Game Council; and for other purposes.

Game and Feral Animal Control Act 2002 No. 64	
Greyhound and Harness Racing Administration Act 2004 No. 36	
Greyhound Racing Act 2002	
Hawkesbury Racecourse Act 1996 No. 74	
Local Government Act 1993	An Act to provide for local government in New South Wales.
Marine Parks Act 1997	An Act to provide for the declaration of marine parks; and for other purposes.
National Environment Protection Council (New South Wales) Act 1995	
National Park Estate (Reservations) Act 2005 (and earlier)	An Act to transfer certain State forest lands to the national park estate; and for other purposes.

National Parks and Wildlife (Further Adjustment Areas) Act 2005 No. 60	
National Parks and Wildlife Act 1974 (and amendment Acts)	An Act to consolidate and amend the law relating to the establishment, preservation and management of national parks, historic sites and certain other areas and the protection of certain fauna, native plants and Aboriginal objects; to repeal the <i>Wild Flowers and Native Plants Protection Act 1927</i> , the <i>Fauna Protection Act 1948</i> , the <i>National Parks and Wildlife Act 1967</i> and certain other enactments; to amend the Local Government Act 1919 and certain other Acts in certain respects; and for purposes connected therewith.
Nature Conservation Trust Act 2001	An Act to provide for the establishment, management and functions of the Nature Conservation Trust of New South Wales; to make consequential amendments to other Acts; and for related purposes.
Non-Indigenous Animals Act 1987	An Act to control and regulate the introduction into the State of certain species of animals and the movement and keeping of those animals within the State.
Prevention of Cruelty to Animals Act 1979 (amended 2005)	An Act for the prevention of cruelty to animals.
Public Reserves Management Fund Act 1987	An Act to establish the Public Reserves Management Fund and for other purposes.
Racing Administration Act 1998 No. 114	

Racing Appeals Tribunal Act 1983 No. 199	
Rural Lands Protection Act 1998	An Act to provide for the protection of rural lands; to provide for the constitution and functions of rural lands protection boards and a State Council of Rural Lands Protection Boards; to repeal the Rural Lands Protection Act 1989; to amend the Impounding Act 1993 to provide for the boards to exercise functions as impounding authorities under that Act; to make consequential amendments to various other Acts; and for other purposes.
Stock Diseases Act 1923	An Act relating to diseases in stock; to repeal the <i>Stock Diseases (Tick) Act 1901</i> and the <i>Stock Diseases (Tick) Amendment Act 1915</i> ; and for purposes connected therewith.
Threatened Species Conservation Act 1995 (as amended)	An Act to conserve threatened species, populations and ecological communities of animals and plants; to amend the National Parks and Wildlife Act 1974, the Environmental Planning and Assessment Act 1979 and certain other Acts; to repeal the <i>Endangered Fauna (Interim Protection) Act 1991</i> ; and for other purposes.
Totalizator Act 1997 No. 45	
Totalizator Agency Board Privatisation Act 1997 No. 43	
Veterinary Practice Act 2003	An Act relating to the practice of veterinary science, to repeal the Veterinary Surgeons Act 1986; and for other purposes.
Veterinary Practice Act 2003 No. 87	

Veterinary Surgeons Act 1986 No. 55	
Weapons Prohibition Act 1998	An Act to prohibit and control the possession and use of certain weapons; to repeal the <i>Prohibited Weapons Act 1989</i> ; to amend certain other Acts; and for other purposes.
Wild Dog Destruction Act 1921	An Act to make better provision for the destruction of wild dogs in the Western Division; to provide for the imposition of a rate upon the owners and occupiers of land in the Western Division; to amend certain Acts; and for purposes connected therewith.
Wilderness Act 1987	An Act to provide for the identification of wilderness and the protection and management of wilderness areas in the State; and for other purposes.

**(d) Queensland**

<b>Name of Act</b>	<b>Purpose/Short Title/Objects</b>
Animal Care and Protection Act 2001	An Act to promote the responsible care and use of animals and to protect animals from cruelty, and for other purposes
Currumbin Bird Sanctuary Act 1976	An Act to provide with respect to the control or conduct of the Currumbin bird sanctuary by the National Trust of Queensland and for related purposes
Eagle Farm Racecourse Act 1998 No. 7	
Fisheries Act 1994	An Act for the management, use, development and protection of fisheries resources and fish habitats and the management of aquaculture activities, and for related purposes

Guide Dogs Act 1972	
Local Government Act 1993	An Act to provide for local government, and for related purposes
Marine Parks Act 1982	An Act to provide for the setting apart of tidal lands and tidal waters as marine parks and for related purposes
Marine Parks Act 2004	An Act to provide for marine parks and the conservation of the marine environment, and for other purposes
Nature Conservation Act 1992	An Act to provide for the conservation of nature
Pest Management Act 2001	An Act to provide for the registration of pest control and fumigation activities, and for other purposes
Racing Act 2002 No. 58	
Recreation Areas Management Act 1988	An Act to provide for the setting apart of land and waters throughout Queensland as, and for management of recreational activities in, recreation areas, and for related purposes
Soil Conservation Act 1986	An Act to consolidate and amend the law relating to the conservation of soil resources and to facilitate the implementation of soil conservation measures by landholders for the mitigation of soil erosion
TAB Queensland Limited Privatisation Act 1999 No. 38	

Veterinary Surgeons Act 1936	An Act relating to the qualifications and registration of veterinary surgeons and the regulation and control of the practice of veterinary science, and for other purposes
Wagering Act 1998 No. 15	
Weapons Act 1990	An Act to consolidate and amend the laws regulating or prohibiting the purchase, possession, use, carrying and sale of certain weapons and articles and to provide for the prevention of the misuse of weapons and for related purposes

**(e) South Australia**

<b>Name of Act</b>	<b>Purpose/Short Title/Objects</b>
Deer Keepers Act 1987 No. 52	
Dog and Cat Management Act 1995	An Act to provide for the management of dogs and cats; and for other purposes. The objects of this Act are— (a) to encourage responsible dog and cat ownership; (b) to reduce public and environmental nuisance caused by dogs and cats; (c) to promote the effective management of dogs and cats (including through encouragement of the desexing of dogs and cats).
Firearms Act 1977	An Act to control the possession, use and sale of firearms; and for other purposes
Fisheries Act 1982	An Act to provide for the conservation, enhancement and management of fisheries, the regulation of fishing and the protection of certain fish; to provide for the protection of marine mammals and the aquatic habitat; to provide for the control of exotic fish and disease in fish, and the regulation of fish processing; and for other purposes.

Local Government Act 1999	An Act to provide for local government; and for other purposes.
Local Government Act, 1934	
National Parks and Wildlife Act 1972	An Act to provide for the establishment and management of reserves for public benefit and enjoyment; to provide for the conservation of wildlife in a natural environment; and for other purposes.
Prevention Of Cruelty To Animals Act 1985	An Act to discourage cruelty to animals; and for other purposes
Racing (Proprietary Business Licensing) Act 2000 No. 90	
TAB (Disposal) Act 2000 No. 94	
Veterinary Practice Act 2003	An Act to protect animal health, safety and welfare and the public interest by providing for the registration of veterinary surgeons; to regulate the provision of veterinary treatment for the purposes of maintaining high standards of competence and conduct by veterinary surgeons; to repeal the <i>Veterinary Surgeons Act 1985</i> ; and for other purposes.
Wilderness Protection Act 1992	An Act to provide for the protection of wilderness and the restoration of land to its condition before European colonisation; and for other purposes.

**(f) Tasmania**

<b>Name of Act</b>	<b>Purpose/Short Title/Objects</b>
Animal Welfare Act 1993	An Act to prevent neglect of, and cruelty to, animals, to ensure the welfare of animals, to repeal the Cruelty to Animals Prevention Act 1925 and for related purposes
Dog Control Act 2000	An Act to provide for the control and management of dogs
Firearms Act 1996	An Act to provide for the regulation, registration and control of firearms
Fisheries Rules (Validation) Act 1997	An Act to validate certain rules made under the Living Marine Resources Management Act 1995
Fisheries Rules (Validation) Act 1997 No. 25	
Fishing (Licence Ownership and Interest) Registration Act 2001	An Act to establish a system of registration of ownership and interests in fishing licences
Guide Dogs and Hearing Dogs Act 1967 No. 42	

Inland Fisheries Act 1995	An Act to consolidate the law relating to inland fisheries
Law of Animals Act 1962	An Act to consolidate and reform certain enactments and rules of common law relating to animals
Local Government Act 1993	An Act to provide for local government and establish councils to plan for, develop and manage municipal areas in the interests of their communities
Racing (Totalizator Betting) Act 1952 No. 98	
Racing Regulation (Transitional and Consequential Provisions) Act 2004 No. 64	
Racing Regulation Act 2004 No. 62	
Threatened Species Protection Act 1995	An Act to provide for the protection and management of threatened native flora and fauna and to enable and promote the conservation of native flora and fauna
TOTE Tasmania (Racing Regulation) Act 2004 No. 63	

TOTE Tasmania (Transitional and Consequential Provisions) Act 2000 No. 88	
Vermin Control Act 2000	An Act to provide for the control of vermin and to repeal the Vermin Destruction Act 1950
Veterinary Surgeons Act 1987	An Act to provide for the registration of veterinary surgeons, the regulation of the practice of veterinary surgery, and incidental matters, and to repeal the Veterinary Act 1918

**(g) Victoria**

<b>Name of Act</b>	<b>Purpose/Short Title/Objects</b>
Domestic (Feral and Nuisance) Animals Act 1994	<p>The purpose of this Act is to promote animal welfare, the responsible ownership of dogs and cats and the protection of the environment by providing for—</p> <ul style="list-style-type: none"> <li>(a) a scheme to protect the community and the environment from feral and nuisance dogs and cats; and</li> <li>(b) a registration and identification scheme for dogs and cats which recognises and promotes responsible ownership; and</li> <li>(c) the identification and control of dangerous dogs; and</li> <li>(d) a registration scheme for domestic animal businesses which promotes the maintenance of standards of those businesses; and</li> <li>(e) matters related to the boarding of dogs and cats; and</li> <li>(f) payments to the Treasurer from fees received by Councils under this Act;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>(g) other related matters.</li> </ul>

Firearms Act 1996	<p>The purposes of this Act are—</p> <p>(a) to give effect to the principle that the possession, carriage, use, acquisition and disposal of firearms are conditional on the need to ensure public safety and peace by—</p> <ul style="list-style-type: none"> <li>(i) establishing a system of licensing and regulating the possession,</li> <li>(ii) carriage and use</li> <li>(iii) of firearms and related items which does not allow for self defence to be used as a reason for obtaining a licence to possess, carry or use a firearm;</li> </ul> <p>and</p> <p>(ii) establishing a system of licensing and regulating the carrying on of the business of dealing in firearms; and</p> <p>(iii) establishing a system of permitting and regulating the acquisition and disposal of firearms and related items; and</p> <p>(iv) establishing a system of registering firearms; and</p> <p>(v) establishing requirements for the secure storage and carriage of firearms; and</p> <p>(vi) establishing a Firearms Appeals Committee to hear applications for review of decisions of the Chief Commissioner under the Act; and</p> <p>(vii) making provision for the education of the community in the safe and responsible use of firearms; and</p> <p>(viii) making other related provisions; and</p> <p>(b) to repeal the Firearms Act 1958; and</p> <p>(c) to make various consequential amendments to other Acts.</p>
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Fisheries Act 1995	The purpose of this Act is to— (a) provide a modern legislative framework for the regulation, management and conservation of Victorian fisheries including aquatic habitats; (b) reform the law relating to Victorian fisheries; (c) repeal the Fisheries Act 1968; (d) make consequential amendments to other Acts.
Local Government Act 1989	The purpose of this Act is to establish a legislative scheme that supports the system of local government in accordance with Part IIA of the Constitution Act 1975.
National Parks Act 1975	Whereas it is in the public interest that certain Crown land characterized by its predominantly unspoilt landscape, and its flora, fauna or other features, should be reserved and preserved and protected permanently for the benefit of the public: And whereas it is in the public interest that certain areas of Crown land with landscape or other features of particular interest or suitability for the enjoyment, recreation and education of the public or in matters appertaining to the countryside should be reserved permanently and made available for the benefit of the public ....
Prevention of Cruelty to Animals Act	The purpose of this Act is to-  (a) prevent cruelty to animals; and  (b) to encourage the considerate treatment of animals; and  (c) to improve the level of community awareness about the prevention of cruelty to animals.
Racing Act 1958 No. 6353	
The Victoria Racing Club Act 1871 No. 398	

Veterinary Practice Act 1997	The main purposes of this Act are— (a) to protect the public by providing for the registration of veterinary practitioners and investigations into the professional conduct and fitness to practise of registered veterinary practitioners; and (b) to establish the Veterinary Practitioners Registration Board of Victoria and the Veterinary Practitioners Registration Board Fund; and (c) to repeal the Veterinary Surgeons Act 1958; and (d) to make consequential amendments to other Acts; and (e) to provide for other related matters.
Veterinary Practice Act 1997 No. 58	
Wildlife Act 1975	An Act to re-enact with amendments the provisions of the Game Act 1958 and sections 9 and 10 of the Protection of Animals Act 1966.

**(h) ACT**

<b>Name of Act</b>	<b>Purpose/Short Title/Objectives</b>
Animal Welfare Act 1992	An Act for the promotion of animal welfare, and for related purposes
Domestic Animals Act 2000	An Act to provide for the identification and registration of certain animals and the duties of owners, carers and keepers, and for other purposes
Enclosed Lands Protection Act 1943	

Firearms Act 1996	An Act to provide for the regulation, control and registration of firearms, to repeal the Weapons Act 1991, to make savings and transitional provisions, and to make consequential amendments of other Acts
Fisheries Act 2000	An Act about the management of fisheries
Race and Sports Bookmaking Act 2001 No. 49	
Racing Act 1999	
Veterinary Surgeons Act 1965	An Act to provide for the registration of persons engaged in veterinary surgery, and for other purposes

**(i) Northern Territory**

<b>Name of Act</b>	<b>Purpose/Short Title/Objects</b>
Animal Welfare Act 1999 No. 44	
Animal Welfare Act 2005	An Act to provide for the welfare of animals, prevent cruelty to animals and for related purposes
Firearms Act 2006	An Act to provide for the regulation, control and registration of firearms, and for related purposes
Fisheries Act 1988 No. 58	
Fisheries Act 2005	An Act to provide for the regulation, conservation and management of fisheries and fishery resources so as to maintain their sustainable utilisation, to regulate the sale and processing of fish and aquatic life, and for related purposes

Local Government Act 1993	
Marine Act 2005	An Act to regulate shipping within the Territory and to provide for the application to the Territory of the Uniform Shipping Laws Code and for related matters
Parks and Wildlife Commission Act 1980 No. 13	
Parks And Wildlife Commission Act 2004	An Act to establish a Commission to establish and manage, or assist in the management of, parks, reserves, sanctuaries and other land, to encourage the protection, conservation and sustainable use of wildlife, to establish a land-holding corporation in connection with those purposes, and for related purposes
Racing and Betting Act 1983	
Territory Parks and Wildlife Conservation Act 1976 1977 No. 23	
Territory Parks And Wildlife Conservation Act 2005	An Act to make provision for and in relation to the establishment of Territory Parks and other Parks and Reserves and the study, protection, conservation and sustainable utilisation of wildlife
Totalisator Licensing and Regulation Act 2000 No. 15	
Veterinarians Act 1994 No. 37	

Veterinarians Act 2001	An Act to provide for the registration of veterinarians and veterinary specialists, to regulate the provision of veterinary services, and for related purposes
Weapons Control Act 2006	An Act to regulate weapons (other than firearms) and body armour

**(j) Western Australia**

<b>Name of Act</b>	<b>Purpose / Short Title / Objects</b>
Animal Welfare Act 2002	An Act to provide for the welfare, safety and health of animals, to regulate the use of animals for scientific purposes, and for related purposes.
Dog Act 1976	An Act to amend and consolidate the law relating to the control and registration of dogs, the ownership and keeping of dogs and the obligations and rights of persons in relation thereto, and for incidental and other purposes.
Firearms Act 1973	An Act to make provision for the control and regulation of firearms and ammunition, the licensing of persons possessing, using, dealing with, or manufacturing firearms and ammunition, the repeal of the <i>Firearms and Guns Act 1931</i> <sup>2</sup> , and for incidental and other purposes.
Local Government (Miscellaneous Provisions) Act 1960	
Local Government Act 1995	
Parks and Reserves Act 1895	An Act for the control and management of certain land reserved to the Crown.

Racing and Wagering Western Australia Act 2003 No. 36	
Racing and Wagering Western Australia Tax Act 2003 No. 37	
Racing Penalties (Appeals) Act 1990 No. 46	
Racing Restriction Act 2003	
The Western Australian Turf Club Act 1892	
Veterinary Surgeons Act 1960	An Act to consolidate certain Acts regulating the practice of veterinary surgery, by repealing those Acts <sup>2</sup> and re-enacting them with amendments, and for incidental and other purposes.
Weapons Act 1999	An Act to prohibit the bringing or sending into the State, carriage, possession, purchase, sale, supply and manufacture of certain weapons, to control the carriage and possession of other weapons, to amend the <i>Firearms Act 1973</i> <sup>2</sup> ; and the <i>Police Act 1892</i> <sup>2</sup> , and for related purposes.
Western Australian Greyhound Racing Association Act 1981	

Wildlife Conservation Act 1950	An Act to provide for the conservation and protection of wildlife.
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## **9. Confidentiality**

Several of the submissions received with information to be included in this report contained material which might constitute confidential or copyright material. The material in question has been treated accordingly.