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## ANIMAL MANAGEMENT – SURRENDERED AND UNCLAIMED DOG POLICY

### APPROVALS

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<b>POLICY NUMBER</b>	PECS-POL-074	<b>DOC.ID</b>	4873994
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<b>CATEGORY</b>	Community Policy
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<b>POLICY OWNER</b>	Community Education & Compliance
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<b>APPROVAL DATE</b>	25 January 2022	<b>RESOLUTION NUMBER</b>	7661
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## OBJECTIVE

To establish guidelines rehoming, transfer to welfare agencies, or other disposal of surrendered and unclaimed impounded dogs.

## SCOPE

This policy applies to surrendered and impounded dogs which have not been reclaimed by their owner within the statutory prescribed periods.

## DEFINITIONS

### TERM / ACRONYM

### MEANING

Animal Welfare Agency

Animal Welfare Agency means:

- a. The Royal Society for the Prevention of Cruelty to Animals (Queensland);
- b. The Animal Welfare League of Queensland;
- c. another incorporated association which:
  - i. has objectives similar to the corporation referred to in paragraph (a).
  - ii. or the incorporated association referred to in paragraph (b); and
  - iii. is recognised as an animal welfare agency by the local government.

Animal Welfare Charity

The Royal Society for the Prevention of Cruelty to Animals Queensland (RSPCA Qld) or an organisation that has the following characteristics:

- a. It is a charity that is registered with the Australian Charities and Not-for-profit Commission; and
- b. It is an institution whose principal activity is one or both of the following:
  - i. Providing short-term direct care to animals (but not only native wildlife) that have been lost, mistreated or are without owners; or
  - ii. Rehabilitating orphaned, sick or injured animals (but not only native wildlife) that have been lost, mistreated or are without owners.

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	Unlike Animal Welfare Agencies, Animal Welfare Charities do not need to be incorporated associations.
Council	Isaac Regional Council.
Direct adoption	Adoption of a domestic dog from the Council Animal Management Centre.
Identifiable Animal	As defined in <i>Subordinate Local Law No. 2 (Animal Management) 2011</i> , an animal: <ul style="list-style-type: none"><li>a. wearing an identifying tag issued by the local government; or</li><li>b. otherwise identified so that the local government is able to ascertain the owner of the animal.</li></ul>
Owner	As defined in <i>Local Law No. 2 (Animal Management) 2011</i> , owner of an animal means: <ul style="list-style-type: none"><li>a. Its registered owner;</li><li>b. A person who owns the animal, in the sense of it being the person's personal property;</li><li>c. A person who usually keeps the animal, including through an agent, employee or anyone else; or</li><li>d. If a person mentioned in paragraphs (a) to (c) is a minor – a parent or guardian of the minor.</li></ul>
PPID	As defined in the <i>Animal Management (Cats and Dogs) Act 2008</i> , a prescribed permanent identification device is a microchip or other electronic device that: <ul style="list-style-type: none"><li>a. Is capable of being permanently implanted in a cat or dog;</li><li>b. Is designed to record information in a way that can be electronically retrieved; and</li><li>c. Complies with the requirements prescribed by regulation for the device.</li></ul>

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Prescribed Period	Commences on the day a notice of impounding is given to a person, or if no notice is given to a person, on the day of the seizure and as defined in <i>Subordinate Local Law No. 2 (Animal Management) 2011</i> : <ul style="list-style-type: none"><li>a. if the animal is registered with the local government – 5 days; or</li><li>b. if the animal is not registered with the local government – 3 days.</li></ul>
Region	Isaac Regional Council Area defined by the Local Government Areas of Queensland.

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## POLICY STATEMENT

### COUNCIL'S / MANAGEMENT'S POSITION ON MATTER

Council is committed to minimising euthanasia rates and reducing the number of impounded dogs within the Region.

Surrendered and unclaimed dogs which have not been reclaimed within the prescribed period may be suitable for adoption or be transferred to an Animal Welfare Agency or Animal Welfare Charity that has entered into a formal memorandum of understanding with Council.

### GUIDING PRINCIPLES

The compliance actions are guided by the following principles:

**Risk-based** – operational activities that are based on the likelihood of harm towards the community and environment.

**Safe** – ensure that compliance activities are undertaken in a manner that is safe for our staff and the community.

**Outcomes-focused** – compliance and enforcement activities are focussed on the desired result that a regulation intends to achieve.

### Transfer of Dogs

Surrendered and unclaimed dogs are checked to determine their suitability for transfer, having regard to:

- a. Breed;
- b. Size;
- c. Age;
- d. Health observations;
- e. Behavioural and temperament observations;

- f. Likelihood of rehoming;
- g. Likelihood of surviving surgery to desex; and
- h. Any other factors as applicable to a specific animal or breed.

Once the prescribed period has lapsed, registrations of surrendered and unclaimed dogs are transferred to Council.

Dogs passing their behavioural, temperament and health checks will be available for direct adoption from the Council Animal Management Centre or transferred to an Animal Welfare Agency or Animal Welfare Charity with conditions.

If the dog is not directly adopted from the Council Animal Management Centre or transferred to an Animal Welfare Agency or Animal Welfare Charity, the dog may be humanely euthanised.

### **Direct adoption from Council's Animal Management Centre**

All dogs adopted from Council's Animal Management Centre will be:

- i. micro-chipped;
- ii. desexed; and
- iii. provided with free registration to the end of the current registration period.

Members of the public may adopt dogs from the Council's Animal Management Centre under the following conditions:

- i. adoption fees to the public will be in accordance with Council's annual Schedule of Fees and Charges;
- ii. prior to taking possession of a dog for adoption from Council's Animal Management Centre, the adoptee must:
  - a. make payment in full for the adoption; and
  - b. ensure the keeping of the dog will comply with the local law, in particular, enclosure requirements.
- iii. if within 14 days of adoption the adoptee finds the dog is unsuitable:
  - a. a full refund will be provided to the adoptee provided the dog is in the same condition as at the original point of transfer; or
  - b. the adoptee may exchange the dog for another more suitable dog, provided the dog is in the same condition as at the original point of transfer.

### **Transfer of dogs to Animal Welfare Agency or Animal Welfare Charity**

All dogs suitable for transfer to an Animal Welfare Agency or Animal Welfare Charity will be:

- a. Implanted with a PPID; and

- b. Provided with dog free registration to the end of the current registration period.

Animal welfare agencies that are not in receipt of government funding may be eligible for a cash donation of \$100 per for each transferred dog that has been successfully rehomed. To qualify, applicants must complete a **Cash Donation for Rehoming Impounded Animals Application Form** and submit to Council together with the following mandatory documentation:

- i. Desexing certificate or written confirmation of desexing from a veterinary surgery;
- ii. Completed Change of Animal Registration and/or Ownership Details Form; and
- iii. Affirmation that the applicant is not currently receiving government funding.

## **General Conditions for the transfer of dogs to approved Animal Welfare Agencies or Animal Welfare Charities**

Animal welfare agencies who have entered into a formal memorandum of understanding with Council must submit a written expression of interest if they wish to claim a surrendered or unclaimed animal. The memorandum of understanding will detail the general conditions for the transfer, as outlined below.

The animal welfare agency will:

- a. Treat all animals received from Council humanely;
- b. Desex entire dogs before rehoming the animal, unless otherwise approved by Council; and
- c. Adhere to all relevant legislation including Local Laws and Planning Schemes.

Council:

- Is the sole arbitrator in all rehoming matters (all decisions made by Council are final).
- Accepts no liability concerning the health or behavioural status of animals transferred to an animal welfare agency.

## **Approval and Formal Memorandum of Understanding with Council**

Applications in writing will be accepted for memorandum of understanding consideration and must include:

- a. the name, address and telephone number of the organisation and the primary contact member;
- b. a copy of the aims and objectives of the organisation;
  - i. a copy of the organisation's Certificate of Incorporation and registration as a charity;
  - ii. the name and business address of the veterinary surgeon providing health care services to animals transferred by the Council; and
  - iii. any other information considered relevant.

## *Withdrawal of an approval:*

The Director Planning Environment & Community Services or the Manager Community Education and Compliance may withdraw the approval of an approved recipient by giving five (5) business days notice of the intended withdrawal in writing.

## **Euthanasia**

Circumstances where euthanasia may be considered acceptable include, but are not limited to, the following:

- a. Dogs that are surrendered for the purposes of euthanasia;
- b. Where people or animals in the community are placed at undue risk;
- c. Where the dog is of a restricted breed type or has been declared to be a menacing or dangerous dog under the *Animal Management (Cats and Dogs) Act 2008*;
- d. Where the dog is diseased, infant and/or feral as determined by a veterinarian; or
- e. Unclaimed impounded dogs unable to be adopted out or transferred to an Animal Welfare Agency or Animal Welfare Charity.

Euthanasia is undertaken by an approved veterinarian in line with the Australian Veterinary Association – Code of Professional Conduct. The veterinarian determines the most appropriate method of euthanasia.

## **LEGISLATIONS AND RELATED GUIDELINES**

- *Animal Management (Cats and Dogs) Act 2008*
- Local Law No. 2 (Animal Management) 2011
- Subordinate Local Law No. 2 (Animal Management) 2011
- Australian Veterinary Association – Code of Professional Conduct
- IRC Fees and Charges Schedule

## **REFERENCES**

ID	NAME
PECS-POL-113	Community Education & Compliance Policy
PECS-PRO-101	Community Education and Compliance Procedure
PECS-FRM-097	Change of Animal Registration and/or Ownership Details Form
PECS-FRM-478	Cash Donation for Rehoming Impounded Animals Application Form