



Jon Stanhope MLA

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MEMBER FOR GINNINDERRA



Ms Mary Porter MLA
Chair
Standing Committee on Planning, Public Works and
Territory and Municipal Services
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601

Dear Ms Porter 

Please find attached responses to questions taken on notice from the Annual Report hearings relating to the Animal Welfare Authority on 5 March 2009.

Yours sincerely



Jon Stanhope MLA
Minister for Territory and Municipal Services

26 MAR 2009

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601

Phone (02) 6205 0104 Fax (02) 6205 0157 Email stanhope@act.gov.au

Planning, Public Works and Territory and Municipal Services Committee
2007-08 Annual Report Estimates
Questions Taken on Notice
Thursday 5 March 2009
Territory and Municipal Services
Animal Welfare Authority

Question: Mr Coe asked in relation to page 218 of the report it states that there are eight current investigations that may lead to prosecution under the Act. I was wondering whether any of those investigations have actually led to a prosecution or are likely to.

Response: Three matters have been accepted by the ACT DPP for prosecution before the ACT Magistrates Court:

1. Breach Nature Conservation Act 1980 - Kill Native Animal - convicted and fined \$400;
2. Breach Tree Protection Act 2005, damage a protected tree - pending before the court; and
3. Breach Tree Protection Act 2005, damage a protected tree - pending before the court.

Question: Ms Le Couteur asked in relation to pig racing: I see pictures in the *Canberra Times* that we are now doing pig racing in the ACT, at the show. Does this need a special permit? I remember that we banned most other forms of circus entertainment with animals. How did pigs get in?

Response: No permit or licence is required or was issued for the activity of pig racing that occurred at the Canberra Show as the pigs are considered domestic animals.

Normal cruelty to animal provisions, under the Animal Welfare Act 1992, do apply to this activity. The ACT Government Vet, (as the authorised animal welfare officer under the Act) visited and inspected the site and the activity, finding that there was no breach of the Animal Welfare Act 1992.

Question: Ms Le Couteur asked why is there such a low number of cautions and prosecutions compared to investigations?

Response: The investigation unit, within Licensing and Compliance comprises officers who take referred investigations from all areas of Environment and Recreation. Not all investigations result in the need for caution or prosecution. Referrals are prioritised and actioned as appropriate.

Question: Ms Le Couteur asked in relation to investigations et cetera do you have those figures for this financial year?

Response: We have three formal investigations current under the Nature Conservation Act 1980 and two current investigations under the Tree Protection Act 2005. These have not as yet been referred for prosecution.

Question: Ms Le Couteur asked do you police the desexing of cats? What work has been done on this, given that there is an ongoing problem with kittens?

Response: Cats must now be desexed at point of sale - i.e pet shops, RSPCA. Cats must also be micro-chipped by the age of three months. Any specific complaint received is investigated.