

The Code of Practice for the Sale of Animals in the ACT



The Sales Code

The Code of Practice for the Sale of Animals in the ACT (the Sales Code) sets standards for the care and management of animals for sale. The standards apply to companion animals, produce animals such as backyard poultry and food animals such as fish and rabbits, for sale through all avenues of exchange, including restaurants.

The Sales Code addresses concerns regarding the sale of companion animals in the ACT, in particular, the over-supply of pets. The Sales Code sets out requirements governing sale processes, such as the information that must be supplied by the seller to the buyer; the records that must be kept; and the minimum housing and care conditions under which an animal can be sold.

The Sales Code also contains standards around the transport of animals for sale purposes, killing of food animals, commercial establishments offering animals for sale, and fish offered for sale.

To view the full Sales Code visit www.tams.act.gov.au

Frequently Asked Questions

Who does the new Sales Code apply to?

The Sales Code applies to anyone that sells animals (other than stock and commercial scale poultry). It covers sales occurring in or through, but not limited to, pet shops, private backyards, fetes, markets, schools, newspapers, internet sales and car-boot sales.

When does the Sales Code commence?

The Sales Code is enforceable from Monday 21 October 2013.

What accommodation and environmental requirements are stipulated in the Sales Code?

Temporary accommodation for animals must be secure, protected, stress-free, hygienic and provide sufficient space for exercise and rest. While it is acceptable for temporary accommodation to be smaller and less well equipped than permanent accommodation, the time under which an animal is kept in temporary accommodation is strictly limited. The Sales Code considers a number of factors including lighting, temperature, noise, stress and ventilation in order to determine suitable accommodation.

What care requirements are stipulated in the Sales Code?

Animals offered for sale must be provided with appropriate food sufficient to maintain good health for their species and age requirements. Feed and water containers must be accessible, stable, non-toxic, easily cleaned and positioned to minimise risk to the animal (i.e. contamination or drowning).

Animals must be protected from disease, distress, pain and injury. Owners and sellers should be familiar with the signs of disease and must monitor each animal's health on a daily basis. Daily inspections should note habits including eating, drinking, defecating and urinating, behaviour, appearance and movement. Animals must be vaccinated and sold with proof of vaccination where necessary.

Veterinary advice must be sought when an animal is unhealthy and no animal should be sold if it is injured or diseased. The Sales Code also dictates that puppies and kittens should not be removed from their



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mother earlier than eight weeks of age (or until they are able to self-feed) and mothers must be provided with additional feed and water to meet nutritional requirements.

How will this impact on me as a seller?

The Sales Code requires sellers to take reasonable steps to protect the welfare of animals they have for sale, including physical, social and emotional needs, both during and after the sale. Sellers are responsible for the welfare of animals and those who breach the Sales Code by providing unsuitable management and care of animals may be penalised.

It is the responsibility of the seller to make the buyer aware of the requirements for the care and welfare of animals including any legislative requirements relevant to the keeping of the animal. Animals should only be sold to an adult, or to a child accompanied by an adult responsible for that child.

Sellers must provide buyers with accurate information including identification methods and requirements, registration methods, desexing requirements, dietary and housing needs, health care, vaccinations, health records, parasite control and grooming advice (where appropriate).

What elements of the Sales Code are mandatory and enforceable?

The Sales Code contains mandatory provisions around the sale process, care of animals, transport of animals for sale, killing of food animals, commercial establishments offering animals of sale, and fish and crustaceans offered for sale.

What are the penalties?

Penalties for failure to comply with an approved code of practice are listed under the *Animal Welfare Act 1992*. Penalties range from a written caution to on the spot fine or court imposed penalty.

How will the Sales Code be enforced?

Authorised inspectors from TAMS, ACT RSPCA and all sworn AFP Officers are empowered to enforce provisions within the Sales Code.

Does the Sales Code address the issues of dog breeding and puppy farms?

The ACT Government is undertaking further work on dog and cat breeding issues including breeding regulations under the *Domestic Animals Act 2000*.

What animals are exempted by the Sales Code?

The Sales Code does not include stock animals such as cattle, sheep, goats or pigs. It also does not cover commercial-scale poultry which is poultry sold or offered for sale as part of an operation involving more than 1,000 poultry in total.

Checklist of key requirements



Temporary accommodation must be secure, protected, stress-free, hygienic and provide sufficient space for rest and exercise.



Provide sufficient **food and water** to maintain good health.



Ensure **food and water containers** are accessible, stable, non-toxic, easily cleaned and positioned to minimise risk to the animal (i.e. drowning).



Check **comfort and health** of animals daily and seek treatment for any illness or injury.



Do not sell animals below the **minimum age**.



Ensure buyer is aware of **care requirements** including legislative requirements relevant to the keeping of the animal.



Do not sell animals to anyone **under the age of 16**.



Provide appropriate **information to purchasers**.



Vaccinate animals if necessary.