

## 1. INTRODUCTION

This Code of Practice for the Australian Capital Territory (ACT) has been prepared by the ACT Animal Welfare Advisory Committee (AWAC) from a consideration of the welfare of animals such as cats and dogs trapped on private premises. Its purpose is to provide the minimum standards of care for a trapped domestic animal that a trapper should undertake when setting an allowable trap for the purpose of catching a domestic animal. This Code of Practice provides minimum standards of care for trapped animals up until the time the animal is delivered to:

- its lawful owner;
- a veterinarian; or
- an animal shelter.

Animal welfare considerations are becoming increasingly important in today's society. Practices once considered acceptable are now being reassessed and modified according to new knowledge and changing attitudes.

Society is increasingly of the view that it is unacceptable to disregard the welfare of any domestic animal, no matter whether it is a perceived "nuisance", "pest" "feral", or known-owned animal. Animals commonly kept as pets include dogs, cats, birds, ferrets, and guinea pigs and may include rats, mice and rabbits. An ethical approach to trapping requires attention to the welfare of all animals' potentially trapped on private premises. Trappers should take into consideration the welfare of animals that have sustained injuries prior or during the trapping process and the welfare of animals that have become distressed from being contained within the trap.

## 2. LEGISLATION

Under the *Animal Welfare Act 1992*, an owner or occupier of a premise is allowed to set a trap to catch an animal on their premises. The trap can be set directly by the occupier, or by a person who has the express permission of the occupier. However, the trapping of native animals in the ACT is prohibited under the *Nature Conservation Act 1980*. Only people who have received appropriate permits under the *Nature Conservation Act 1980* are authorised to trap and remove native animals, including possums and magpies.

The *Animal Welfare Act 1992* restricts the use of certain types of traps. A steel-jawed trap is a prohibited trap and penalties apply if a person sets a steel-jawed trap to catch an animal. Any trap that physically holds part of an animal should not be used. A leg hold trap for the purposes of ensnaring a domestic animal should not be used. Any trap which holds part of an animal, such as a leg hold trap, should not be used.

A person in charge of a trapped animal has a legal liability under the *Animal Welfare Act 1992* to ensure that each animal receives appropriate and adequate food, water and shelter. Trappers should be prepared to deal with, and provide for, the needs of all species that may be trapped. Information concerning species care can be obtained from the relevant Code of Practice for the Welfare of Animals gazetted under the *Animal Welfare Act 1992*. These Codes of Practice are available from Environment ACT.

The *Animal Welfare Act 1992* also states that a person is required to take reasonable steps (including, where appropriate, seeking veterinary treatment) to alleviate any pain suffered by an animal. A person shall not, without reasonable excuse, confine an animal in a manner that causes injury, pain or undue distress to an animal. A breach of either of these requirements of the *Animal Welfare Act 1992* may render the trapper liable to a \$10,000 fine.

### **3. TRAPS**

Traps that may cause pain or injury to an animal due to the design, damage, wear, or lack of maintenance must not be used. Any trap that physically holds a part of an animal should not be used.

Fresh water should be available at all times within the trap. The container to hold the water should be secured to the side of the trap to ensure that the trapped animal is unable to overturn the container.

Traps should be of such a size to allow the target species to turn around and be capable of adopting a normal standing and a normal recumbent position when trapped. Traps should be stabilised so the trapped animal can not overturn them.

#### **4. PURPOSE OF TRAPPING**

Anyone considering trapping a domestic animal on private premises should be aware that the confinement of any animal is likely to cause it distress. The trapper should

- have a valid reason for setting a trap; and
- take all reasonable efforts to avoid and/or minimise such distress.

A trapper should only consider laying a trap to catch a domestic animal:

- to enable its treatment, rehoming or removal from risk
- if the animal poses a risk to humans or other animals by virtue of passing on a disease or causing physical injury, and/or
- if the animal is responsible for significant damage to property.

## **5. OWNERSHIP OF TRAPPED ANIMAL**

The guidelines indicate what is required to meet the minimum requirements under the Animal Welfare Act 1992 in respect to trapping domestic animals. The guidelines also address ownership issues, should the trapped animal be able to be identified as being owned.

A trapped domestic animal whose owner can be established should be immediately returned to that owner.

Ownership of domestic animals can be established by:

- Details recorded on a collar or tag;
- Details imprinted by tattoo in one or both ears (reference should be made to appropriate breed societies who maintain a register of tattoo numbers); and
- Reading of a microchip implanted under the skin. Microchips can only be read by specific microchip reading equipment. This equipment can be accessed by contacting Veterinarians, animal shelters (RSPCA and Pound), and some animal societies (eg ACT Canine Association). Reference can then be made by the reader of the microchip to computerised databases to retrieve ownership details.

## **6. Placement of Traps**

Traps must be located in an area such that the trapped animal is sheltered from sun, rain and extremes of temperature within the boundary of the trapper's property, or the property where permission has been given by the property owner to set the trap.

If the trap cannot be located in a sheltered area then the trap must be fitted with a covering that adequately meets these requirements.

Set traps must be checked once in each 12-hour period for any caught animal.

A trapped animal, other than a domestic animal, should be immediately released from the trap unless there is evidence that the animal is injured. Injured non-domestic animals must be assessed for rehabilitation by a qualified person. The trapper must contact either a Wildlife Ranger, the Wildlife Branch of the RSPCA, or a Veterinary Surgeon to arrange for the animal to be assessed immediately.

An unidentified domestic animal, or an identified animal whose owner cannot be contacted, must be surrendered to a recognized animal shelter, breed rescue society or veterinary surgeon within 18 hours of capture. If the captured animal is injured, ill or distressed arrangements for its care and treatment must be in place within 3 hours.

The Animal Welfare Advisory Committee considers that a person trapping an animal is ethically and financially responsible for its care. The trapper is responsible for the costs of transport, assessment and immediate first aid or emergency treatment, unless previously arranged with an animal care provider.

## **7. RESPONSIBILITIES OF PERSONS AND ORGANISATIONS OFFERING TRAPS FOR HIRE**

A person or organisation offering Traps for Hire is responsible for:

- Maintaining traps in good working order and in hygienic condition;
- Maintaining a register of people who rent traps including;
  - i. Name
  - ii. Address (proof of identity and address to be sighted)
  - iii. The address where the trap will be set
  - iv. Dates of rental and return
  - v. The purpose for which the trap is to be rented
  - vi. The renter's signature
  - vii. Provide a copy of the Code of Practice to the hirer.