



# Understanding Codes of Practice

## What is a Code of Practice?

The Collins Dictionary defines a Code of Practice as 'a written set of rules that outlines how people working in a particular profession should behave'. Most commonly, Codes of Practice are government documents that are linked to a piece of legislation (law) and apply across the entire country or state.

These Codes of Practice are intended to help the general public understand the minimum standards that are expected in relation to a specific activity – for example, workplace health and safety requirements, or the proper handling of hazardous waste.

There are also Codes of Practice that may be developed and put in place by individual businesses or organisations. Agreeing to follow or abide by these may be a condition of employment or membership. These are called 'Voluntary' Codes of Practice because they are not part of government legislation. However, they usually ask for higher standards of behaviour than the Government minimums.

## Who writes a Code of Practice?

In Victoria, Codes of Practice are developed by the Government Department responsible for the piece of legislation the Code relates to. The Department staff are joined by an advisory committee and, with the input of a wide variety of stakeholders, a draft Code is written.

The draft Code is then put out for community consultation and comment before the final document is sent to the relevant Minister to present to the Victorian Government for endorsement and release. All Victorian Government Codes of Practice are reviewed at intervals to ensure that they reflect current knowledge and opinion, and incorporate any changes that have been made to the legislation over time.

Although they are often quite complex documents, they are far easier to understand and interpret than reading legislation and regulations, and often provide guidance on topics that are not specifically addressed by the wording of the laws.

Some Codes of Practice are 'mandatory', meaning that they are fully enforceable by law. With a mandatory Code you 'must' or 'must not' do certain things.

Codes of Practice that are not mandatory are called 'Advisory Codes'. These act as guidelines of expected behaviour and provide an outline of a minimum standard that 'should' be achieved.

## What Codes of Practice apply to me as a Victorian dog owner?

There are Codes of Practice that have been developed under both the **Domestic Animals Act 1994** and the **Prevention of Cruelty to Animals Act 1986** that may apply to you as a dog owner – some are mandatory codes, others are advisory. Some apply to all dog owners; others apply only to those who undertake certain activities or meet specific criteria.

Below is a list of the Codes of Practice that may apply to you, and for the more relevant ones, the government description of what the Code relates to.

### Important!

You can access the most up-to-date copy of each of the Codes of Practice listed below from the [Animal Welfare Victoria website](#).

These Codes apply to ALL DOG OWNERS:

#### » **Code of Practice for the Private Keeping of Dogs**

'This Code of Practice is intended to provide the minimum standards of accommodation, management and care appropriate to the physical and behavioural requirements of dogs.'

#### » **Code of Practice for the Debarking of Dogs**

'This Code aims to protect the welfare of dogs from indiscriminate debarking and to encourage considerate management of debarked dogs.'

#### » **Code of Practice for the Tethering of Animals**

'This Code has been developed to assist people to tether animals correctly when circumstances make it a necessary method of confining and protecting animals. The Code specifies the requirements for tethering dogs, sheep, goats, cattle, donkeys and horses.'



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## » **Code of Practice for the Training of Dogs and Cats to Wear Electronic Collars**

'The *Prevention of Cruelty to Animals Regulations 2019* sets out the legal requirements for the use of electronic collars on animals. This Code specifies the minimum standards required when training a dog or cat to the use of an electronic collar.'

These Codes may apply if you are a **BREEDER**:

## » **Code of Practice for the Responsible Breeding of Animals with Heritable Defects that Cause Disease**

'This Code aims to educate animal breeders how to best minimise or avoid the development of heritable disease in progeny caused by inappropriate selection and mating of animals with heritable (genetic) defects. It also outlines breeding practices that will assist the reduction of the prevalence of the heritable defect in the animal population.'

This Code of Practice gives advice to ALL breeders on preventing heritable defects, but is considered **MANDATORY** for those breeders who have breeds affected by the following diseases:

- Von Willebrand's Disease (VWD)
- Progressive Retinal Atrophy (PRA)
- Neuronal Ceroid Lipofuscinosis (NCL)
- Collie Eye Anomaly (CEA/CH)
- Hereditary Cataract (HC)

## » **Code of Practice for the Operation of Breeding and Rearing Businesses**

'This Code outlines minimum welfare standards for the housing and management of dogs and cats in breeding and rearing businesses.'

This Code separates breeders into a number of categories:

- **Microbreeders** - 1 or 2 fertile females
  - **Recreational Breeders** - Breeder members of an Applicable Organisation such as Dogs Victoria with up to 10 fertile females
  - **Domestic Breeding Businesses** - 3-10 fertile females but **not a breeder member** of an Applicable Organisation
  - **Commercial Breeders** - more than 10 fertile breeding animals
- \*Can only be approved by the Minister of Agriculture\**

Microbreeders and Recreational Breeders are exempt from registering with their local council as a Domestic Animals Business (Breeding) and are not required to comply with this mandatory Code.

However, Recreational Breeders who have this exemption due to their membership of an Applicable Organisation **ARE** required to comply with their organisation's Code of Ethics and rules.

It is expected that the standards that the organisation set will be equal to or higher than those outlined in the Code – so the Code is still very relevant and breeders should be familiar with its contents.

Codes of Practice that Apply to **CERTAIN BREEDS or ACTIVITIES**:

- » **Standard for Restricted Breed Dogs in Victoria**
- » **Code of Practice for the Keeping of Racing Greyhounds**
- » **Code of Practice for the Welfare of Animals in Hunting (Revision 1)**
- » **Code of Practice for the Welfare of Film Animals**

Codes of Practice that Apply to **DOG RELATED BUSINESSES**:

- » **Code of Practice for the Operation of Boarding Establishments**
- » **Code of Practice for the Operation of Pet Shops**
- » **Code of Practice for the Operation of Dog Training Establishments**
- » **Code of Practice for the Management of Dogs and Cats in Shelters and Pounds**





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## How do I know which 'Minimum Standard' applies in my case?

As you can see, there are a LOT of different Codes of Practice, and it can be a bit confusing as to which ones are relevant, and which ones apply in your own individual case.

As each Code is revised and updated, there is a concerted effort to make sure none of them have conflicting information, but there have been cases where requirements have changed, and older Codes of Practice do not necessarily align with the new ones.

Being a member of an Applicable Organisation such as Dogs Victoria gives members significant exemptions, but can make the situation even a little more confusing. Dogs Victoria has its own Code of Ethics, Rules and Regulations that apply to all members and their dogs.

The government expects that the Dogs Victoria standards will be the same as the relevant Code or may require members to uphold a higher standard. They also expect that when those standards are not met, Dogs Victoria will address the issue through their compliance process.



As a rough guide:

The **Code of Practice for the Private Keeping of Dogs** is the absolute minimum standard that applies to all dog owners, carers and custodians across the state of Victoria.

If you are a Dogs Victoria Member, you must also abide by all of their Rules, Regulations and Code of Ethics Requirements.

If you are a Dogs Victoria member who breeds their dogs, you should also be familiar with the **Code of Practice for the Breeding of Animals with Heritable Defects that Cause Disease** and have at least read the **Code of Practice for Breeding and Rearing Businesses**.

Although you will be exempt from this Code as a Recreational Breeder, there is an expectation by the government that your breeding practices will be in line with or exceed the minimum standards outlined.

Where the Dogs Victoria standard and the standard outlined in the government Code of Practice differ, you should work to the higher of the two. If there is no Dogs Victoria standard/rule in place, then the government Code of Practice standard is the default.

Dogs Victoria is producing a series of Fact Sheets to help members better understand the various Legislative, Code of Practice and Regulation requirements of Dog Ownership and Dog Breeding.

If you still have questions after reading these, please don't hesitate to contact the Dogs Victoria Compliance Team for assistance by calling (03) 9788 2500