

# Offences under the *Prevention of Cruelty to Animals Act 1986*

In Victoria, there are many pieces of legislation that govern how we look after our animals – the two main ones that relate to the keeping of dogs are the [Domestic Animals Act 1994](#) and the [Prevention of Cruelty to Animals Act 1986](#).

These **Acts** have associated *Regulations* and *Codes of Practice* that further outline expected minimum standards of care and activities that are prohibited or only allowed under certain conditions.

Dogs Victoria, as an Applicable Organisation, is expected to regularly educate their members about the laws that apply to dog owners across the state and to promote best practice across its membership.



## Prohibited Procedures

Under the [\*\*Prevention of Cruelty to Animals Act 1986\*\*](#), there are several procedures relating to dogs that are listed as 'prohibited':

- » **Ear Cropping** - the removal of part of the ear flap in order to have the ear flap stand erect.
- » **De-barking** - surgical cutting of the vocal cords.
- » **Tail Docking** - full or partial amputation of the tail.

The [Department of Agriculture](#) website explains:

*Prohibited procedures can only be performed in Victoria by a registered veterinary practitioner for therapeutic reasons or, in the case of debarking, in line with the [Code of Practice for the Debarking of Dogs](#).*

*It is an offence for any other person to conduct a prohibited procedure on an animal.*

*In addition, the owner or person in charge of an animal:*

- » *must not allow a prohibited procedure to be conducted on an animal, and*
- » *cannot show or exhibit an animal or allow an animal to be shown or exhibited where the animal has had a prohibited procedure conducted illegally on it.*

*Provisions have been built into the offence for showing or exhibiting an animal to take into consideration animals brought in from other Australian states and territories or imported animals that have had the procedure legally performed.*

*However, these provisions do not allow an animal born or residing in Victoria to be taken into another state or territory to have a prohibited procedure conducted on them and then be brought back into Victoria and shown or exhibited.*

There are heavy fines and potential imprisonment for **both** the person in charge of an animal that allows these prohibited procedures to be done by another person and the person performing them.

There are also fines for people who show or exhibit a dog in Victoria that has been illegally tail-docked, debarked, or ear cropped.

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## Training Collars

There are also laws relating to the use of certain kinds of training collars.

Our scientific understanding of how animals learn and the consequences of different training techniques have progressed significantly over the last few decades.

Some of the harsher, punishment-based training methods promoted in the 1950s and '60s (and even by some more modern-day trainers) are now considered outdated, unnecessary, and even 'cruel' under the definitions of the **Act**.

The wider community now expects that anyone training an animal should have a good basic knowledge of how animals learn and that the training should not have adverse welfare outcomes for the animal. This is reflected in Victorian legislation.

### Pronged Collars



Since 2004, the use of Pronged Collars on dogs has been illegal in Victoria.

### 11 Pronged collars prohibited

A person must not use a pronged collar on any animal.

*Part 2 - Protection of Animals, Division 1*

Pronged collars are defined as:

*Pronged collar ....means a collar designed for use on dogs that consists of a series of links or segments with prongs, teeth or blunted open ends turned towards the dog's neck so that, when the collar is tightened, it pinches the skin around the dog's neck.*

Anyone found using a pronged collar on a dog in Victoria is committing an offence under the *Prevention of Cruelty to Animals Act* and is subject to a fine of up to \$3000.

### Electronic Collars



There are also very strict rules concerning the use of electronic collars (sometimes called 'shock' collars) – whether these are used for remote training, to address barking issues (anti-barking collars), or to contain animals to a property (invisible fencing).

The [Prevention of Cruelty to Animals Regulations 2019](#) set out a number of requirements for the use of electronic collars on animals. Unless those conditions are met, electronic collars cannot be used on animals in Victoria.

You can read more about the requirements or download a copy of the [Code of Practice for Training Dogs and Cats to wear Electronic Collars \(Revision 1\)](#) at the Department of Agriculture website.

### Consequences of breaching these rules

The welfare of all animals in Victoria is an area of great concern to the general public. Work is currently underway to reform Victoria's animal care and protection laws so that animals are better protected – [you can read more about this here](#).

Any breaches of the current *Acts*, *Regulations* or mandatory *Codes of Practice* already carry heavy fines, possible imprisonment, and provision for a convicted person to be banned from owning or caring for animals.

In line with this, any Dogs Victoria member found guilty of a **cruelty offence** is subject to being expelled from the organisation for life under the [Dogs Victoria Penalty Guidelines](#).