

Tethering Animals

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Policy Statement

The object of this document is to provide guidelines for persons tethering animals in NSW. This document will also provide guidance to NSW enforcement agencies when assessing the welfare of animals that are tethered.

Scope

This policy should be used to inform owners or persons in charge before they tether an animal. It should also be used by all NSW enforcement agencies to assess a tethering case.

Requirements

Requirements for tethering of animals are contained in the *Prevention of Cruelty to Animals Act 1979* ("the Act").

Section 4 of the Act describes the term 'confine' when used in relation to an animal as including to 'tether the animal by means of a rope, chain or cord or by any other means'. Although the Act does not provide a definition for 'tether', for the purposes of this policy 'tether' means 'in relation to an animal, to limit the range of movement of an animal by means of a rope, chain or cord or by any other means'.

Section 5 makes it an offence to commit an act of cruelty upon an animal. It is also an offence for a person in charge of an animal to authorise the commission of an act of cruelty upon an animal. It is incumbent on a person in charge of an animal to exercise reasonable care, control or supervision of an animal to prevent the commission of an act of cruelty to that animal, and to take any reasonable steps to alleviate pain where it is inflicted on an animal. Section 5 also makes it an offence to fail to provide an animal with veterinary treatment where it is necessary. 'Cruelty' is defined in section 4 of the Act.

Section 8 of the Act makes it an offence for a person in charge of an animal to fail to provide proper and sufficient food, drink or shelter which is reasonably practicable for the person to provide in the circumstances. In proceedings for an offence, evidence that an animal was not provided with clean water during a period of 24 hours is evidence that the person accused of the offence has failed to provide the animal with proper and sufficient drink during that period. Also, evidence that an animal was not provided with food or shelter during a period of 24 hours is evidence that the person accused of the offence has failed to provide the animal with proper and sufficient food or shelter during that period (unless the animal is of a class prescribed by the regulations).

Section 9 of the Act makes it an offence for a person in charge of an animal to fail to provide an animal which is confined with adequate exercise (unless it is a stock animal other than a horse, or usually kept in captivity by means of a cage). In proceedings for an offence, evidence that an animal was not released from confinement during a period of 24 hours is evidence that the person accused of the offence has failed to provide the animal with adequate exercise during that period.

Section 10 of the Act makes it an offence for a person to tether, or, where the person is in charge of the animal, authorise the tethering of an animal for an unreasonable length of time, or by means of an unreasonably heavy or unreasonably short, tether.

Compliance with this Policy does not override or remove the need to comply with requirements of the Act and the Regulation, or requirements under any other legislation. For example the *Exhibited Animals*

Protection Regulation 2010 and several of its prescribed Standards contain provisions relating the tethering of exhibited animals.

1. Prohibitions

The following animals must not be tethered (as required by the Act):

- 1.1 A sow in a piggery (section 10(2)).
- 1.2 A bird (section 10(3)). However it is a defence to a prosecution for an offence against subsection (3) if the defendant satisfies the court that the bird to which the offence relates was a raptor and that the tether involved was a jess that was used solely to tether the bird to its handler (section 10(4)).

As part of good animal welfare practice, the following animals should not be tethered:

- 1.3 Horses/ponies less than 2 years old.
- 1.4 Donkeys/goats less than 2 years old.
- 1.5 Any other animal younger than six months old.
- 1.6 Bitches which have not been spayed / neutered.
- 1.7 Horses which are in season.
- 1.8 Females (of any species) which are due to give birth.
- 1.9 Any animals that are known to jump.

2. General Principles

- 2.1 Where owners consider they have a compelling reason to tether their animals, they should ensure that animals are tethered well away from sources of noise or other situations that may be dangerous or distressing to the animal (for example within reach of a footpath or roadway).
- 2.2 A tethering site should have shelter, be reasonably level, be free of rocks or other protruding objects; and should not be prone to flooding, waterlogging, or have any feature that may reasonably pose a risk to the welfare of the animal tethered (for example, proximity to poisonous plants).
- 2.3 Tethering sites for grazing animals should be changed at a frequency that ensures the area has sufficient feed.
- 2.4 Animals should not be tethered by a limb(s).
- 2.5 Hobbles should not be used in conjunction with a tether.
- 2.6 Animals that are tethered should be restrained in such a way that limits their risk of injury, entanglement and strangulation.
- 2.7 Animals that are tethered should be adequately trained to safely and calmly tolerate periods of tethering and preferably be of placid temperament.
- 2.8 Tethered animals should be able to lie, sit, stand, turn around, and fully extend their limbs.

3. Collar/halter/harness

- 3.1 When tethering an animal with a neck collar, head collar (halter) or harness, only varieties that are of a fixed size should be used. "Prong" or "pinch" collars, "choke" or "check" chains, or any other devices that tighten around the neck, face or body of an animal should not be used for tethering.
- 3.2 Collars, halters and harnesses should be securely fitted.
- 3.3 Collars, halters and harnesses should be of an appropriate size and material, and used only for the purpose for which they are designed.
- 3.4 Collars, halters and harnesses should fit comfortably without damaging the skin or restricting breathing.
- 3.5 Collars, halters and harnesses should be checked frequently, particularly for young growing animals.
- 3.6 Collars (if used) should be made from a suitable material, such as leather or textile, rather than metal or chain.
- 3.7 Collars (if used), should be fitted to allow space between the collar and the animal's neck.

4. Tether

- 4.1 Animals should only be tethered to appropriate fixed or stationary objects that will not move if the animal pulls or leans on the tether.
- 4.2 Running tethers should be along a strong wire, which is firmly secured at either end.

- 4.3 Running tethers should have stops at either end, which are well short of the end of the run to prevent tangling.
- 4.4 Fixed tethers should be attached as low as possible to the anchor post.
- 4.5 At least one swivelling device should be fitted to the tether near the head (to prevent twisting and tangling).
- 4.6 Tethers should be three times the length of the animal as measured from the tip of its nose to the base of its tail; or at least three(3) metres in length; whichever is longer.
- 4.7 In order to minimise the risk of tethered animals becoming entangled with one another, the spacing between tethered animals should ensure that the animals cannot come into physical contact with each other.
- 4.8 Tethers should only weigh a maximum of 10% of the weight of the animal tethered.
- 4.9 The area across which the tether may travel should be free from obstructions (including water containers/troughs) that may entangle the tether or which an animal may climb onto.
- 4.10 Nylon ropes should be avoided as a tether in order to eliminate the risk of associated rope 'burn'.
- 4.11 Inappropriate materials (for example baling twine) should not be used as a tether.
- 4.12 Damaged, twisted, tangled, or knotted tethers should be replaced.

Notes:

- Light, strong chain is considered the most appropriate tether as it cannot be chewed through, and does not become entangled as easily as rope.
- A soft rope of at least 25mm diameter or chain of 10mm diameter with 30 mm link length is recommended for horses (see Figure 1.1).

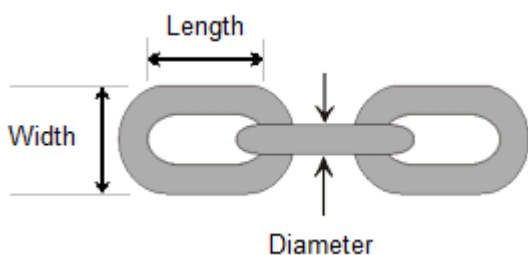


Figure 1.1 Chain terminologies

5. Supervision

- 5.1 Animals that are tethered for the first time should be closely monitored.
- 5.2 Tethered animals should be kept under general surveillance and inspected closely at least twice during daylight hours every 24 hours.
- 5.3 Appropriate action should be taken if the tether is tangled; if an object becomes entangled in the tether; if the collar becomes tight, if any injury is apparent or if there is other cause for concern.
- 5.4 Animals that become distressed should be immediately released from the tether.
- 5.5 Extreme weather conditions may require increased surveillance and inspection of animals on tethers.

Notes:

Animals that have not been tethered previously should not be left unsupervised on the tether for long periods of time. Training an animal to a tether requires a gradual increase in the time an animal is left on a tether and rewarding or releasing them from the tether when they are calm.

6. Time

- 6.1 As part of good animal welfare practices, pet dogs, ponies, horses, and donkeys should be released from tethers for a minimum of 2 hours in every 12 hour period.

Roles and responsibilities

The enforcement agencies of the Act are:

- RSPCA NSW;
- Animal Welfare League NSW; and
- NSW Police.

While the Department of Primary Industries is responsible for administering the Act, officers of the NSW Department of Primary Industries do not have powers of enforcement.

Animal Safety considerations

This policy outlines ways to tether animals that minimise the risk of negative welfare outcomes, both physical and psychological, associated with tethering animals.

Long term confinement with minimal provision for exercise or social interaction can contribute to behaviour problems and stereotypic behaviours that are rhythmic, repetitive and fixed. Examples of such behaviours include pacing, licking and chewing of specific body parts, circling, spinning and self-mutilation,

The physical risks associated with tethering can include injuries, such as rope burns from becoming entangled, lesions, broken legs and wounds relating to attacks from predators. Even death is a risk factor as a result of being attacked, unable to reach water, from strangulation, or exposure to extreme weather.

Definitions

The following defined terms are used in this document:

'animal' has the same meaning as in the Act.

'fixed tether' means the anchor point of the tether is fixed.

'jess' means a short strap fastened round the leg of a raptor and attached to the leash.

'running tether' means a tether that has an anchor point that can move freely along a wire.

'tether', in relation to an animal, means to limit the range of movement of an animal by means of a rope, chain or cord or by any other means.

'the Act' means the *Prevention of Cruelty to Animals Act 1979*.

'the Regulation' means the *Prevention of Cruelty to Animals (General) Regulation 2012*.

Legislation

Prevention of Cruelty to Animals Act 1979.

Prevention of Cruelty to Animals (General) Regulation 2012

Exhibited Animals Protection Regulation 2010

Related policies

None

Other related documents

None

Superseded documents

None

Revision history

Version	Date issued	Notes	By
1	14/08/2017	New Policy	Policy Officer Animal Welfare

Review date

2 years from effective date.

Contact

Policy Officer Animal Welfare
Biosecurity and Food Safety
02 6391 3237