

Exemption holder notification form: Cancellation or expiry of exemption

General information

This form must be completed to notify the Office of Local Government's Departmental Chief Executive of expiry of an exemption under Part 2AA of the *Prevention of Cruelty to Animals Act 1979* due to death or incapacity or an animal cruelty conviction, or to request a cancellation of an exemption.

No fee is required when submitting this form.

Section 307A of the *Crimes Act 1900* makes it an offence to provide false or misleading information in this notification. The maximum penalty is 200 units, or 2 years imprisonment, or both.

A. In the event of an exemption holder's death or incapacity

The information requested in this form will enable the Office of Local Government to process the notification, as prescribed in the *Prevention of Cruelty to Animals Act 1979*.

The legal representative of the exemption holder must give the Departmental Chief Executive written notice as soon as practicable after becoming aware of the following:

- The exemption holder's death. Evidence in the form of a death certificate must be provided with this form.
- The exemption holder becomes a mentally incapacitated person who is unable to comply with the conditions of the exemption. Evidence in the form of a medical report from a registered medical practitioner with sufficient detail to satisfy the Departmental Chief Executive that the exemption holder is a mentally incapacitated person must be provided.

In the event of an exemption holder's death, the exemption expires. The Departmental Chief Executive must cancel the exemption if satisfied the exemption holder is a mentally capacitated person who is unable to comply with the conditions of the exemption.

Exemptions are taken to continue in force until:

- (a) 28 days after notice is given by the legal personal representative under this section, or
- (b) if an application is made for a new exemption for the dog premises before the end of the period in paragraph (a) — the application is determined.

If more than 20 un-desexed adult female dogs remain on the premises after 28 days, and an exemption application has not been submitted, the premises will be in breach of the legislation and the owner of the premises may be at risk of enforcement action.

Persons who will take over ownership and care of the dogs covered by the exemption, must make an application for a new exemption for the dog premises. Further details on applying for an exemption can be found on the NSW Pet Registry website at: <https://www.petregistry.olg.nsw.gov.au/breeders/>

B. In the event of an exemption holder being convicted of an animal cruelty offence

The Departmental Chief Executive must cancel an exemption if they become aware that the exemption holder has been convicted of an animal cruelty offence. Persons convicted of such an offence must notify the Departmental Chief Executive, using this form, within 28 days of the conviction.

C. In the event of an exemption holder requesting cancellation of their exemption

Breeders with an exemption to the maximum number of female adult dogs on a dog premises, are required to comply with the conditions provided to them at the time of the granting of the exemption. This includes an annual report to the Departmental Chief Executive, and an audit and inspection of their premises every 2 years.

Exemption holder's can request cancellation of their exemption at any time, by notifying the Departmental Chief Executive using this form.

How to submit this form

1. Present this completed form along with two forms of identification to a Justice of the Peace (JP)
2. The JP must verify your identification as outlined below and complete the verification section of this form.
3. Email the completed form along with relevant documents to the Office of Local Government at exemption@olg.nsw.gov.au

Accepted proof of identity

You must present **two** forms of identification, including at least **one** form of photo ID. Identification numbers will not be recorded.

- Australian driver licence
- Medicare card
- Australian passport
- Foreign passport (Australian Visa)
- Australian birth certificate
- Centrelink cards (Pensioner Concession Card, Health Care Card, Commonwealth Seniors Health Card)
- Veteran Card
- Australian citizenship certificate
- ImmiCard
- Aviation and Maritime Security Identification Card

Privacy notice

The Office of Local Government (OLG) adheres to the *Privacy and Personal Information Protection Act 1998*, and the Department of Planning, Housing and Infrastructure (DPHI) Privacy Management Plan (<https://www.nsw.gov.au/sites/default/files/2024-03/dphi-privacy-management-plan.pdf>).

OLG will collect your personal information through you completing and submitting this form. The information we collect will be used to process your notification regarding the cancellation or expiry of an exemption to the maximum number of female adult dogs that can be kept on a dog premises, and will be used and retained for the purpose of administering OLG's functions under the *Companion Animals Act 1998* and the *Prevention of Cruelty to Animals Act 1979* (POCTAA).

Information collected may be disclosed to other government agencies, or Approved Charitable Organisations under the POCTAA, if it is reasonably necessary for the purposes of administering or enforcing POCTAA or the *Companion Animals Act 1998*, Part 9.

You are legally required to provide us with this information in order to obtain an exemption to the maximum number of female adult dogs that can be kept on a premises. If you chose not to provide this information, you will be ineligible for an exemption, and will be required to reduce the number of animals kept to comply with the legislation.

Your personal information will be stored in accordance with the DPHI Privacy Management Plan. You have the right to access and correct the information if you believe that it is incorrect.

Notification form

Please select the event that you wish to notify the Office of Local Government of:

An exemption holder's death or mental incapacitation (please complete Part A only)

An exemption holder being convicted of an animal cruelty offence (please complete Part B only)

An exemption holder requesting cancellation of exemption (e.g. exemption no longer required) (please complete Part C only)

Details of person completing the form / notifying the Office of Local Government

Exemption number relevant to notification (if known)

Name that exemption has been issued to

Name of person completing this notification

Phone number of person completing this notification

Email address of person completing this notification

Relationship of person to exemption holder (if not exemption holder)

Part A - In the event of an exemption holder's death or incapacity

What is the change in circumstances you are notifying of?

An exemption holder's death

An exemption holder becoming mentally incapacitated and unable to comply with the conditions of the exemption

Evidence of exemption holders' death or incapacity must be provided with this form.

Declaration:

I declare that the information provided above is true and correct to the best of my knowledge, and am the legal representative with authorisation to act on behalf of the exemption holder.

Name of person completing the declaration

Signature

Date

Part B – Exemption holder convicted of an animal cruelty offence

Location of court that matter was heard in

Name of person convicted

Date of conviction

Nature of offence

Details of penalty/court orders

Declaration:

I declare that I have been convicted of an animal cruelty offence as detailed above, and understand I am required to disclose this information to the Office of Local Government in accordance with the *Prevention of Cruelty to Animals Act 1979*.

OR

I declare I am the legal representative authorised to complete this notification on behalf of the exemption holder and disclose information regarding their animal cruelty conviction to the Office of Local Government in accordance with the *Prevention of Cruelty to Animals Act 1979*.

AND

I declare that the information provided above is true and correct to the best of my knowledge.

Name of person completing the declaration

Signature

Date

Part C – Exemption holder requesting cancellation of exemption

Reason for cancelling exemption

I no longer keep more than 20 female adult dogs on my premises

Other. Please provide

Declaration:

I confirm that as the exemption holder, I request my exemption to the maximum number of female adult dogs be cancelled.

Name of person completing the declaration

Signature

Date

Verification

This section must be completed by an authorised Justice of the Peace and submitted with the completed form to the Office of Local Government.

JUSTICE OF THE PEACE (JP) USE ONLY

Mandatory checklist for JP

- **Two** forms of ID sighted, including **one** photo ID
- Information checked for accuracy and completeness
- Form completed, signed and dated

ID1. Type of identification – Photo ID (Do not record ID numbers)

Verified Yes No

ID2. Type of identification

Verified Yes No

Signature/stamp of JP

Name of the JP

Date