



Animal Protection and Related Legislation Amendment Bill 2025

Submission of the
Australian Veterinary Association Ltd
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About the Australian Veterinary Association (AVA)

The AVA is the peak professional body representing veterinary professionals and students across Australia. For more than 100 years we have been the united voice of the veterinary profession.

Veterinarians are among Australia's most trusted and respected professionals, dedicated to safeguarding animal health and welfare and supporting the communities they live in.

Our vision and purpose

Vision *A thriving veterinary profession*

Purpose *Building a vibrant future for veterinary professionals.*

At the AVA we champion the veterinary community, advance professional excellence, foster connectivity, and deliver exceptional member experiences to achieve our vision of a thriving profession.

Essential role of the veterinary profession

Veterinary services are essential to Australia's animal health, food security, and economy. They help secure Australia's animal health and livestock supply chain, protecting hundreds of thousands of jobs and easing cost of living pressures through a safe and reliable food supply.

Beyond agriculture, veterinarians support companion animals and their owners, strengthening the human-animal bond and promoting the associated mental and physical health benefits of pet ownership. Animals are not just a part of the Australian way of life; they are deeply embedded in it - socially, culturally, environmentally, and economically, and veterinarians are an essential part of every vibrant Australian community.

Veterinarians play a pivotal role in maintaining the social licence of animal industries, ensuring animal health and welfare meets community expectations. Like human healthcare and education, veterinary services provide both private benefits to individuals and critical public benefits to society, in areas like biosecurity surveillance, wildlife treatment and health and emergency animal disease management.

Recognised among Australia's most ethical and trusted professionals, veterinarians are highly respected and trusted members of their communities. The Governance Institute of Australia's 2023 Ethics Index ranked veterinarians among the nation's top 10 ethical occupations¹.

1. Governance Institute 2023
(<https://governanceinstitute.com.au/app/uploads/2023/11/2023-ethics-index-report.pdf>)

AVA Statement of principles with respect to Animal Welfare

Animals are sentient beings that are conscious, feel pain, and experience emotions. Animals and people have established relationships for mutual benefit for thousands of years.

Humans have a duty of care to protect animals. Where a person does not meet his or her obligations to animals in his or her care, animals may suffer. When this happens, the law must be able to adequately intervene to enforce compliance and prevent suffering.

Animals have intrinsic value and should be treated humanely by the people who benefit from them. Owned animals should be safe from physical and psychological harm. They need access to water and species-appropriate food and shelter and should be able to fulfil their important behavioural and social needs. They must receive prompt veterinary care when required and have as painless and stress-free a death as possible.

Animals can be used to benefit humans if they are humanely treated, but the benefit to people should be balanced against the cost to the animal. They should not be used in direct combat or for purposes where suffering, injury or distress is likely to be caused.

Humans should strive to provide positive experiences to promote a life worth living for the animals in their care. We should strive for continuous and incremental improvement in the treatment and welfare of animals.

Humans have a responsibility to care for the natural environment of free-living native animals. People should take steps to preserve endangered species and protect native animals from disease where possible.

Executive Summary

The Australian Veterinary Association (AVA) welcomes the progress made in the Animal Protection and Related Legislation Amendment Bill 2025, particularly new care obligations, clearer inspection powers, and updated transport provisions. These changes are important steps towards modernising the Northern Territory's animal protection framework.

However, the Bill stops short of fully aligning with contemporary animal welfare science and community expectations. It fails to recognise animal sentience, does not establish an explicit duty-of-care objective aligned to the Five Domains, and maintains a narrow definition of "animal" that excludes fish and Malacostraca outside scientific contexts. Critical opportunities to embed proactive compliance monitoring and provide practical guidance for transport standards have also been missed.

To deliver a truly modern and proactive animal welfare framework, the AVA urges the NT Government to address these gaps as a priority in the next stage of reform. Our key outstanding recommendations include:

- Retitling the Act to the *Animal Welfare Act* to reflect its purpose.
- Recognising animal sentience in the Act's objectives.
- Establishing a clear, overarching duty of care aligned to the Five Domains.
- Broadening the definition of "animal" to include all non-human vertebrates (including fish), cephalopods, and Malacostraca.
- Issuing practical transport guidance and implementing proactive monitoring programmes to support compliance.

Assessment of the Bill against AVA's 2024 recommendations

1) Title of the principal Act

AVA (2024): Retitle to Animal Welfare Act to reflect a modern, proactive welfare framework.

Bill (2025): No retitling proposed.

Assessment: Not adopted.

2) Recognition of animal sentience

AVA (2024): Insert recognition of sentience and a clear definition in the Act's objectives.

Bill (2025): No sentience recognition included.

Assessment: Not adopted.

3) Duty of care (Five Domains)

AVA (2024): Insert an overarching duty-of-care objective, aligned to the Five Domains; design care requirements to be proactive, clear and enforceable.

Bill (2025): Introduces specific strict-liability care offences (access to water and shelter; hygienic environment; timely treatment; appropriate movement; non-abandonment). No explicit duty-of-care objective.

Assessment: Partially adopted. AVA welcomes clearer care duties but maintains the need for an explicit duty-of-care objective to guide interpretation and enforcement.

4) Meaning of "animal"

AVA (2024): Define "animal" as all non-human vertebrates (including fish), plus cephalopods and Malacostraca crustaceans.

Bill (2025): For the general parts of the Act, "animal" excludes fish. For Part 4 (scientific use), the definition is expanded to include cephalopods and captures wild animals for research. Malacostraca are not included.

Assessment: Partially adopted (limited to Part 4). AVA maintains its broader definition recommendation.

5) Powers of entry and notice period

AVA (2024): Support emergency entry where warranted; remove the 48-hour notice period; clarify the residential/commercial boundary.

Bill (2025): Replaces the 48-hour requirement with reasonable notice; confirms emergency entry; clarifies routine inspections for racing/business premises and excludes residential parts absent consent/warrant/emergency

Assessment: Adopted/Addressed.

6) Transport of dogs and animals locked in vehicles

AVA (2024): Strengthen transport provisions so dogs are properly secured; provide clearer guidance; support emergency entry to vehicles to assist animals.

Bill (2025): Recasts transport provisions for dogs on trays/trailers, requiring secure restraint to prevent falls or injury and creating an offence where restraint causes unjustifiable suffering; retains stock-work defence; includes emergency entry examples.

Assessment: Partially adopted. Substance addressed; further practical guidance on acceptable restraint methods would be useful.

7) Compliance and monitoring programmes

AVA (2024): Encourage proactive monitoring programmes to support compliance with adopted codes and ensure appropriate resourcing.

Bill (2025): Expands adoption of codes via regulation, but does not establish monitoring programmes.

Assessment: Not adopted.

Summary table

AVA 2024 key recommendations	Bill 2025 outcome	Status
Retitle to Animal Welfare Act	No change to title	Not adopted
Recognise sentience in objectives	No sentience clause	Not adopted
Insert explicit duty-of-care objective (Five Domains)	New care-related strict-liability offences; no overarching duty-of-care objective	Partially adopted
Broaden meaning of “animal” (incl. fish; cephalopods; Malacostraca)	Part 4 includes cephalopods; general definition excludes fish; Malacostraca not included	Partially adopted (Part 4 only)

Remove 48-hour notice; clarify residential/commercial	Reasonable notice; residential parts excluded from routine inspections	Adopted/Addressed
Strengthen transport of dogs; enable vehicle entry	Transport modernised; offence for suffering; emergency entry examples included	Partially adopted
Monitoring programmes for proactive compliance	Codes expanded; no monitoring programme mechanism	Not adopted

Forward recommendations

The AVA respectfully reiterates the following priorities for future reform and implementation guidance:

1. Retitle the Act to *Animal Welfare Act* to reflect contemporary objectives.
2. Recognise sentience in the Act’s objectives with a clear definition.
3. Insert an explicit duty-of-care objective aligned to the Five Domains to guide interpretation and enforcement.
4. Broaden the animal definition across the Act to include all non-human vertebrates (including fish), cephalopods and Malacostraca.
5. Develop practical guidance to accompany transport provisions (e.g., acceptable restraint methods, including in-cabin restraint).
6. Consider proactive monitoring programmes to support compliance with adopted codes.

Conclusion

The Animal Protection and Related Legislation Amendment Bill 2025 represents meaningful progress towards stronger animal welfare protections in the Northern Territory. The AVA welcomes the inclusion of clearer care obligations, modernised inspection powers, and updated transport provisions.

Yet, the Bill falls short of delivering a truly contemporary, science-based welfare framework. Without recognising sentience, establishing an explicit duty of care, and broadening the definition of “animal” to reflect current scientific understanding, the legislation risks lagging behind both community expectations and best practice across Australia.

We urge the NT Government to address these gaps in the next stage of reform and to work with the veterinary profession to ensure the Act is proactive, enforceable, and fit for purpose for decades to come.

Contact

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