

Companion Animals Regulation 1999

GUIDELINES FOR AUTHORISED IDENTIFIERS

Guideline 2001/ID3

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1. Introduction

- 1.1 These guidelines commence on 1 October 2001.
 - 1.2 These guidelines supersede those issued in June 2000.
 - 1.3 Authorised identifiers are defined in clause 5 of the Companion Animals Regulation 1999 (the Regulation) as:
 - (a) *a person who is a veterinary surgeon, or*
 - (b) *a person who is for the time being accredited under this Part as an authorised identifier of companion animals.*
 - 1.4 Authorised identifiers of companion animals in NSW must abide by, *Companion Animals Act 1998* (the Act), the Companion Animals Regulation 1999 (the Regulation) and these and other relevant guidelines, regardless of whether the animal being microchipped is required by law to be microchipped.
 - 1.5 These guidelines are issued by the Director General of the Department of Local Government (the Director General) under clause 8(2) of the Regulation. They identify the procedures that must be followed by authorised identifiers in addition to those prescribed in the Regulation.
 - 1.6 Under clause 11(1)(c) of the Regulation the Director General may withdraw accreditation of a person if satisfied that the person has failed to comply with these guidelines. The Director General may also withdraw accreditation if satisfied for any of the reasons detailed under clause 11 of the Regulation.
 - 1.7 These Guidelines may be changed from time to time and authorised identifiers will be notified of such a change. Current guidelines, circulars and other information can be found on the Department of Local Government's Companion Animals homepage www.dlg.nsw.gov.au.
 - 1.8 It is the responsibility of the authorised identifier to maintain familiarity with the current provisions of these and any other applicable guidelines as well as the Companion Animals Act 1998 and associated Regulations.
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2. Procedures to be followed when identifying companion animals

2.1 Sterility

2.1.1 Only sterile implantation practices are to be used. This includes ensuring and maintaining the sterility of microchips and implantation equipment, and ensuring only a sterile microchip is inserted into an animal. Should sterility not be maintained, the implantation device is to be discarded. (See *Notes* below for details on sterility standards).

2.1.2 Authorised identifiers other than veterinary surgeons must use single use microchip delivery devices that are pre-packed in a sterile package (see *Notes* below).

2.2 Pre-scanning

2.2.1 Clause 8(1)(a) of the Regulation provides that before a microchip is implanted in an animal, the animal is to be scanned to ensure that the animal does not already have a functioning microchip properly implanted.

2.2.2 If the animal is found to have a microchip the implanter must not implant an additional chip. See section 6.1 of this guideline regarding animals already microchipped.

2.2.3 Authorised identifiers must be able to scan for the presence of all of the microchips commonly in use in NSW before 1 October 1999, as well as approved microchips (see paragraph 2.4.2 of this guideline). As a result, authorised identifiers must have readers capable of reading ISO microchips and of detecting (but not necessarily reading) common non-ISO microchips. The current order can be viewed on the Companion Animals website at www.dlg.nsw.gov.au.

2.2.4 Scanning to ensure that a microchip is not already implanted must include;

- (a) the authorised identifier ensures that the microchip reader is functioning properly;
- (b) the authorised identifier scans with an operating reader held just above the hair line of the animal;
- (c) the entire body of the animal is scanned, including the limbs, lower body and neck;
- (d) a slow, even pace is employed in scanning;
- (e) scanning should not stop if a microchip is found. The entire animal must be scanned to ensure that all microchips are detected (if there is more than one).

2.2.5 Clause 8(1)(b) of the Regulation provides that immediately before a microchip is implanted into an animal, the microchip to be implanted is to be scanned to

ensure that it is functioning properly and to check that its scanned number is as shown on any supporting documentation.

2.2.6 Checking supporting documentation includes checking that the bar codes supplied are of the correct length (15 digits) and the sequence matches that of the microchip.

2.3 Preparation

2.3.1 The authorised identifier must ensure that the area where the microchip is to be inserted is clean, free of excessive dust or dirt, and not infected with any skin condition or wound.

2.3.2 The area of skin is to be prepared to ensure that no foreign material is introduced during implantation of the microchip. This may be achieved, for example, by a thorough wetting of the skin with an alcohol preparation.

2.3.3 The authorised identifier must ensure that the animal is correctly restrained by an assistant while the area is being prepared.

2.4 Implantation

2.4.1 The authorised identifier must ensure that the microchip implanted in a companion animal for the purposes of section 8 of the Act is an approved microchip.

2.4.2 The Director General has ordered that approved microchips are those which comply with ISO:11784 and ISO:11785, and include a manufacturer code granted by the International Committee for Animal Recording (ICAR). Approved microchips contain 15 digits, no letters, and start with a '9'. Chips that start with the code '999' are ISO test chips and should not be inserted in to companion animals.

2.4.3 The authorised identifier must ensure that the animal is correctly restrained by an assistant while the microchip is being inserted.

2.4.4 The authorised identifier must ensure haemostasis should an animal bleed from the insertion of the microchip.

2.4.5 Clause 8(1)(c) of the Regulation provides that immediately after the implantation, the animal is to be scanned to confirm proper implantation and functioning of the microchip.

2.5 Explanations

2.5.1 The authorised identifier must properly explain the functioning of the microchip to the owner of the animal, and explain to the owner the responsibilities of the authorised identifier under the Regulation, the Act and these guidelines. Where applicable, the difference between the NSW Companion Animals Register and other animal registers must be explained.

2.6 Competency

2.6.1 The authorised identifier must maintain a reasonable level of competency by properly inserting a microchip into at least fifteen companion animals for the purposes of section 8 of the Act per year (see *Notes* below).

Notes

If an authorised identifier is uncertain about sterility, either because of excess dirt in the coat of the animal or an infected wound, then implantation should not proceed until the situation is remedied. Similarly, if the tip of the needle accidentally touches a non-sterile environment prior to insertion, the needle must be discarded and a new instrument utilised.

Some manufacturers produce a carton or container of multiple microchips which greatly decreases the cost. Methods where sterility cannot be assured are not acceptable and loose microchips supplied without their own sterile needle must not be used.

Sterility must not be confused with disinfection. For example soaking in disinfectant or disinfecting with alcohol will not ensure sterility. Accepted methods of sterilisation such as by gamma radiation must be used.

The number of microchips that an authorised identifier has inserted into companion animals can be monitored by the Director General via the Register. Withdrawal of authorisation can be recommended by the person who accredited an authorised identifier if that authorised identifier fails to maintain their competence - see clause 11 of the Regulation.

3. Considerations when identifying companion animals

3.1 Identifying and Registering

- 3.1.1 It is important to note that identification and registration are two separate steps. Generally, authorised identifiers will NOT be able to complete registration; ie. they will not be able to register animals under the Companion Animals Act 1998.
- 3.1.2 The function of authorised identifiers under the Act, Regulation and this guideline is solely to permanently identify animals and to enter the identification information associated with those animals onto the Register. Other functions such as searching the Register or changing details are to be carried out by councils.
- 3.1.3 All authorised identifiers have access to the NSW Companion Animals Register for the purpose of entering 'identification information' only. For this purpose authorised identifiers will have been supplied with a username and password to access the Register.
- 3.1.4 At the time of issue of these guidelines the only authorised identifiers able to process registrations are those operating under delegation from a council. The relevant council will have supplied persons operating under delegation with a four digit council code, a council username and a council password in order to complete registrations.
- 3.1.5 Authorisation to list animals with the Australian Animal Registry, Central Animal Records or any other private database is not related in any way to an authority to register animals under the Companion Animals Act or on the NSW Companion Animals Register.
- 3.1.6 The 'identification information' required for each companion animal is provided in clause 9 of the Regulation. All 'identification information' must be provided.
- 3.1.7 Failure to provide complete, accurate and legible 'identification information' is a breach of the Regulation and of these guidelines and may result in the withdrawal of accreditation under clause 11 of the Regulation.
- 3.1.8 This guideline provides a step-by-step explanation of the procedure which authorised identifiers must complete for each animal identified.
- 3.1.9 This guideline also sets out the responsibilities of authorised identifiers in storing and handling 'identification information'.

3.2 Privacy and confidentiality

- 3.2.1 Under section 89 of the Act it is an offence to make an entry on the NSW Companion Animals Register other than in the lawful exercise of functions under the Act. Examples of entries that may be in breach of this provision include false entries, entries containing any false details or entries made by other persons.
- 3.2.2 Under section 89 of the Act it is also an offence to intentionally allow a person to have access to information held by you or on the Register other than in the lawful exercise of functions under the Act, for example by disclosing an access code, password or other information that allows access to the Register. The maximum penalty for these offences is \$2,750.
- 3.2.3 Authorised identifiers will be collecting, recording, storing and disposing of personal information gathered from individuals as part of the identification process. These activities must be undertaken in keeping with the overarching principle of consideration for the privacy of individuals and in keeping with the provisions of this guideline.
- 3.2.4 Authorised identifiers must not collect, access, attempt to access, allow other people to access, record or use personal information except as is necessary for the completion of 'identification information' under the Act, Regulation or guidelines.
- 3.2.5 Authorised identifiers must not offer or represent themselves as being able to do anything prohibited by paragraph 3.2.4 of this guideline.
- 3.2.6 Personal information held by authorised identifiers because of their activities under the Act, Regulation or guidelines must be promptly provided to the individual to whom it relates at their request. Authorised identifiers must require proof of identity to be presented before providing this information.
- 3.2.7 Copies of *NSW Companion Animals Permanent Identification Forms* must not be sent to third parties (including other animal registers) except as required or allowed by the Act, Regulation or guidelines.
- 3.2.8 Section 89 of the Act and clause 34A of the Regulation allow identification information to be disclosed to a third party for the purpose of listing that information on a database which has the primary function of lost animal recovery, but only if the owner of the animal to which the information relates has expressly consented to the information being so listed. Consent is to be provided in writing and with the owner's signature. An unlawful disclosure is an offence with a maximum penalty of \$2,750.
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4. Procedures to be followed when entering identification information onto the NSW Companion Animals Register

4.1 Options

4.1.1 For each animal identified for the purposes of section 8 of the Act, the authorised identifier must follow one of the following procedures:

OPTION A: Enter the 'identification information' directly onto the NSW Companion Animals Register ('the Register') within *seven* days of identification, or

OPTION B: Forward the 'identification information' in the proper hard-copy format to any local council within *three* days of identification (a list of local councils and their contact details is available on the Department's website at www.dlg.nsw.gov.au).

Further information on each of these options is provided below.

4.1.2 The only exception to the requirement under 4.1.1 is if the authorised identifier is also operating under the delegation of registration agent for the purposes of clause 11 of the Regulation (see 3.1 above). In this case a proper application for registration of the animal may be made at the same time as the animal is identified.

4.1.3 Those authorised identifiers to whom 4.1.2 applies should refer to *Guideline 2001/Gen 2 – Guideline on the Exercise of Functions under the Companion Animals Act*.

4.2 OPTION A - Entering identification information onto the Register direct

4.2.1 All authorised identifiers are able to enter 'identification information' directly on to the Register.

4.2.2 Identification information can be entered directly onto the Register via the internet at www.petregistry.nsw.gov.au. When completed, this procedure results in a *Certificate of Identification* for the animal.

4.2.3 The authorised identifier and owner should check the information for errors as authorised identifiers are not able to alter records. Any undetected errors or change of details must be corrected through a local council.

4.2.4 The completed *Certificate of Identification* must be printed out and given to the owner of the animal *within seven days* of identification.

4.2.5 The Register has been set up to allow identification information to be entered directly, removing the requirement for a written copy of the information to be made. This practice is strongly preferred, however it may not always be

possible. If the identification information is entered onto the NSW Companion Animals Register at a time that the owner of the animal is not present, paragraphs 4.2.4 to 4.2.9 of this guideline must be followed at the time of identification.

- 4.2.6 The authorised identifier must retain the yellow copy of the form until the identification information has been entered onto the Register.
- 4.2.7 Once the identification information has been entered on the Register and the Certificate of Identification forwarded to the animal owner, the yellow copy of the Form may be securely disposed of in keeping with section 5.4 of this guideline.
- 4.2.8 The white copy of the Form must be dealt with in keeping with part 5 of this guideline.
- 4.2.9 Once the identification information has been entered onto the Register the animal is NOT now registered under the Companion Animals Act. Registration and identification are separate steps and the identification step only has been completed. The owner must contact any local council in order to pay the registration fee and have their registration completed.

4.3 OPTION B - Forwarding identification information to the council

- 4.3.1 The required 'identification information' must be completed on a *NSW Companion Animals Register Permanent Identification Form* ('the Form'). No other form is acceptable.
- 4.3.2 Submission of information using any format other than the Form may be regarded as a breach of the responsibilities of an authorised identifier under this guideline.
- 4.3.3 The authorised identifier must ensure that the owner understands the privacy information detailed on the Form. This step is essential either before collecting the personal information of the owner, or as soon as possible after collecting the information.
- 4.3.4 The *Microchipping details* section is to be completed and signed by the authorised identifier who implanted the microchip in the animal. All questions in this section are compulsory.
- 4.3.5 The *Animal Details* and *Owner details* sections of the form is to be completed by the owner of the animal and this person *must sign* at the bottom right of the Form. The questions about secondary address and secondary contact person are not compulsory questions and therefore may be left blank if the owner wishes.
- 4.3.6 In completing the *Microchipping details* section of the Form the authorised identifier must supply their Authorised Identifier number, as issued by the Department of Local Government.

- 4.3.7 The authorised identifier must ensure that there is a printed sticker for the microchip number attached to each copy (yellow, pink and white) of the Form and verify that the sticker number exactly matches the microchip number implanted in the animal.
- 4.3.8 The authorised identifier and owner should check the information for errors as authorised identifiers are not able to alter records. Any undetected errors or change of details must be corrected through a local council.
- 4.3.9 The pink copy of the completed Form is to be given *at the time of identification* to the person listed as the owner of the animal.
- 4.3.10 The yellow copy of the completed Form must be forwarded to any local council, *within three days of identification*. The Form must be placed in a sealed envelope marked “Confidential” and to the attention of “animal registration officer”. A list of all NSW local councils and their contact details is available on the companion animals website at www.dlg.nsw.gov.au.
- 4.3.11 In the process of forwarding the ‘identification information’ to a council, the authorised identifier must ensure that the information is protected against loss, unauthorised access, use, modification or disclosure, and against all other misuse.
- 4.3.12 Once the ‘identification information’ has been completed and forwarded to a council, the animal is NOT now registered under the Companion Animals Act. Registration and identification are separate steps and the identification step only has been completed. The owner must contact any local council in order to pay the registration fee and have their registration completed.
- 4.3.13 The white copy of the Form must be dealt with in keeping with part 5 of this guideline.
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5. Use and control of white copy of the Form

5.1 Retention of white copy of the Form

5.1.1 The authorised identifier must retain the white copy of the Form for at least two years and not more than five years from the date of implantation.

5.1.2 The authorised identifier may retain the white copy of the Form in their own possession or custody or in the possession or custody of some other suitable person such as a commercial storage provider.

5.1.3 Whether the records are in the custody of the authorised identifier or of some other person, the authorised identifier must ensure (or to make arrangements to ensure) the confidentiality, safe keeping, proper preservation and due return or destruction of the white copy of the Form.

5.1.4 The authorised identifier must not:

(a) abandon or dispose of the white copy of the form except in keeping with section 5.4 of this guideline;

(b) take or send the white copy of the Form out of New South Wales;

(c) damage or alter the white copy of the Form;

(d) neglect the proper storage of the white copy of the Form in a way that causes or is likely to cause damage to it; or

(e) compromise the confidentiality of personal information contained in the white copy of the Form.

5.2 Transfer of information into authorised identifier's own records

5.2.1 The authorised identifier may transfer the information contained in the white copy of the Form into their own records provided that the confidentiality, retention, access and disposal provisions of this and other relevant guidelines are complied with.

5.2.2 Transfer of information contained in the white copy of the form into the authorised identifier's own records does not remove the requirement to retain the white copy of the form for at least 2 years.

5.3 Records management and access to information

5.3.1 The authorised identifier must establish and maintain a records management program for the white copies of the Form, or the information contained in the Form, that ensures that the confidentiality of the information is maintained.

- 5.3.2 The records management program must be capable of retrieving specified white copies of the Form, or the information contained in the Form, on request. It is recommended that Forms or records be capable of being retrieved based on microchip number or on a description of the animals' species and breed. It is not adequate that Forms or records are accessible only by owner's name.
- 5.3.3 Authorised identifiers must comply with all reasonable requests from the Department of Local Government or authorised officers of a local council for access to individual white copies of the form and/or the information contained in them.
- 5.3.4 Where an authorised identifier has transferred information into their own records and the records management system complies with these requirements, it is no longer necessary to ensure retrieval of physical copies of the Form for the purposes of access to information. However provisions relating to the retention of the form, protection of confidentiality and destruction still apply.
- 5.3.5 A record may be in such a form that information can only be produced or made available from it by means of the use of particular equipment or information technology (such as computer software). In this case the authorised implanter is responsible to ensure that the information remains able to be produced or made available for at least two years from the date of implantation.
- 5.3.6 Paragraph 5.3.5 also applies to record management programs.

5.4 Disposal of information

- 5.4.1 Securely disposing of the yellow copy of the Form, white copy of the Form and/or any other written personal information acquired during the completion of 'identification information', means disposing of the information in a way which protects against loss, unauthorised access, use, modification or disclosure, and against all other misuse. It is suggested that the documents be shredded.

5.5 Loss or destruction of information

- 5.5.1 In the case of suspected loss or unintended destruction *at any time* of the white copy of the Form, yellow copy of the Form and/or any other written personal information acquired during the completion of 'identification information', the authorised implanter must take all reasonable steps to recover the information or to ensure that the information has been properly disposed of in keeping with section 5.4 of this guideline.
- 5.5.2 In the case of loss or unintended destruction of the white copy of the Form *within the 2 year period*, the authorised implanter must immediately notify the Department of Local Government at the earliest opportunity or within 14 days.

5.5.3 In the case of loss or unintended destruction *within the 2 year period* the authorised implanter must comply with all reasonable requests by the Department of Local Government to contact the relevant owners of the animals and to take any other steps necessary to ensure the integrity of the information on the Register.

6. Other requirements

6.1 Animals with existing microchips

- 6.1.1 Animal owners may approach authorised identifiers to scan their animals to check whether or not their animal already has an existing microchip. If so, they will need proof of that microchip in order to register their animal under the Act.
- 6.1.2 In these circumstances, or in any other case where the authorised identifier has not inserted the microchip in the animal, the authorised identifier must NOT complete a *Permanent Identification Form*.
- 6.1.3 Instead, the authorised identifier should use the *Verification of Existing Microchip Form*. The owner is to be provided with the (colour) copy of the Form. The white copy of the Form is to be kept by the authorised identifier in keeping with part 5 of this guideline.
- 6.1.4 The authorised identifier is not required to take any further action with regard to the information obtained.
- 6.1.5 It is recommended that authorised identifiers refer the owner to the relevant council. The council will check that no record of the animal already exists, and where appropriate will enter the 'identification information' on the Register themselves and complete the registration of the animal.

6.2 Listing animals with other registers

- 6.2.1 Copies of *NSW Companion Animals Register Permanent Identification Forms* must not be sent to third parties (including other animal registers) except as required or allowed by the Act, Regulation or guidelines.
- 6.2.2 Where an owner wishes to enter their details onto a commercial register the authorised identifier must ensure that the owner understands the difference between the NSW Companion Animals Register and the commercial register of the owner's choice.
- 6.2.3 Where an owner wishes to enter their details onto a commercial register (ie. any register other than the NSW Companion Animals Register) the information must be provided in keeping with the provisions of paragraph 3.2.8 of this guideline.

6.3 Your contact details

- 6.3.1 It is the responsibility of an authorised identifier to notify the Department of Local Government about any change in address or contact details as soon as possible.
- 6.3.2 Authorised identifiers who are veterinary surgeons are required by clause 13 of the Veterinary Surgeons Regulation 1995 to notify the Veterinary Surgeons Board of a change of details within 14 days of the change. This guideline requires that veterinary surgeons when making this notification also request in writing that the Board notify the Department.
- 6.3.3 Other authorised identifiers must notify the Department direct, by fax on (02) 9793 0899 or by email to pets@dlg.nsw.gov.au, quoting the authorised identifier's name and the number issued by the Department.
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7. Further information

Provisions relating to the responsibilities of authorised identifiers, including authorisation and withdrawal of authorisation, are outlined in Parts One and Two of the Companion Animals Regulation 1999, as amended. Full copies of the Act and the Regulation can be viewed on the companion animals website at www.dlg.nsw.gov.au. Copies of legislation may also be purchased from the Government Information Service, Ground Floor, Goodsell Bldg, 8-12 Chifley Square, Sydney or 130 George St, Parramatta; phone (02) 9743 7200 to order.

The Department of Local Government issues Circulars to Authorised Identifiers from time to time. Topics covered in past circulars include instructions on accessing the NSW Companion Animals Register, issues to do with proof of desexing, dealing with animals with existing microchips, and so on. All authorised identifiers should familiarise themselves with the contents of these circulars, and keep copies handy. All previously issued Circulars may be seen on (and printed from) the Department's companion animals website, at www.dlg.nsw.gov.au.

The website also has copies of various *Frequently Asked Questions* publications, brochures, posters and other information relating to the Act. You may copy any of this information for your clients.

A full list of NSW councils and their contact details is available on the Department's general website at www.dlg.nsw.gov.au.

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