CONTRIBUTOS TÉCNICOS E PROPOSTA ESTRUTURAL

SOS Animal Portugal

Projeto de Lei n.º 130/XVII/1.ª – Plano Nacional de Resgate Animal

Lisboa, 23 de Março de 2026.

Documento elaborado por:

Sandra Duarte Cardoso
Presidente da Direção – SOS Animal Portugal
Médica Veterinária, DVM, MSc & PhD Student

Clarisse Cerdeira
Vice-Presidente da Direção – SOS Animal Portugal
Engenheira Civil
Mestre em Risco e Proteção Civil
Pós-Graduada em Coordenação de Segurança em Obra

Contributos:
Harry Eckman
Especialista em Bem-Estar Animal
Consultor Global para Gestão de Populações Felinas
Consultor – Resposta a Catástrofes e Resiliência
International Cat Care

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

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21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

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21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
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CONTRIBUTOS TÉCNICOS E PROPOSTA ESTRUTURAL

SOS Animal Portugal
Projeto de Lei n.º 130/XVII/1.ª – Plano Nacional de Resgate Animal

1. RESUMO EXECUTIVO

Portugal apresenta, de forma estrutural, uma **ausência de integração da proteção animal nos sistemas de gestão de emergência e proteção civil**, o que compromete:

- a segurança das populações
- a eficácia das operações de evacuação
- a saúde pública e veterinária
- a eficiência económica da resposta a catástrofes

A evidência científica demonstra que a exclusão dos animais dos planos de emergência resulta em **falhas operacionais críticas**, nomeadamente:

- recusa de evacuação por parte dos cidadãos
- aumento do risco para agentes de proteção civil
- retorno ilegal a zonas de risco
- agravamento do impacto psicológico pós-catástrofe

O relatório *No Animal Left Behind* demonstra que **a relação humano-animal é um fator determinante na falha de evacuação**, sendo possível mitigar este risco através de planeamento adequado

De igual forma, as orientações da Organização Mundial de Saúde Animal estabelecem que a gestão de catástrofes deve integrar obrigatoriamente:

- saúde animal
- bem-estar animal
- saúde pública veterinária
- coordenação multissetorial

Resumo institucional – Diligências SOS Animal (2016–2018)

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

Resumo institucional – Diligências da SOS Animal (2016–2018)

1. Intervenção institucional contínua

Desde 2016, a SOS Animal tem vindo a alertar entidades públicas para a necessidade de integração da proteção animal nos instrumentos de planeamento e resposta em cenário de emergência, nomeadamente quanto a:

- Inclusão da componente animal nos planos nacionais e municipais de emergência;
- Criação de mecanismos operacionais de resposta em cenário de catástrofe;
- Articulação entre entidades públicas, privadas e do setor social.

2. Ações desenvolvidas

No âmbito desta intervenção, foram desenvolvidas diversas iniciativas, designadamente:

- Comunicações formais a autarquias e entidades públicas;
- Participação em processos de consulta e articulação institucional;
- Reuniões com entidades como a ANEPC, forças de segurança e outras autoridades competentes;
- Desenvolvimento de projetos técnicos de intervenção em cenário de catástrofe;
- Promoção e participação em ações de formação dirigidas a agentes operacionais.

3. Propostas apresentadas

Foram igualmente apresentadas propostas estruturantes, incluindo:

- Criação de um Plano Nacional de Resgate Animal;
- Integração da proteção animal no Sistema Nacional de Proteção Civil;
- Desenvolvimento de uma estrutura legal específica para resposta em emergência envolvendo animais.

4. Conclusão

A problemática da proteção animal em contexto de catástrofe é conhecida há vários anos, tendo sido:

- Identificada;
- Documentada;
- Objeto de propostas técnicas concretas.

Não obstante, não foi ainda assegurada uma resposta estrutural, integrada e operacional por parte do Estado.

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

PROPOSTA ESTRUTURAL

Criação do:

Sistema Nacional de Resposta Animal em Emergência (SNRAE)

Estruturado em quatro pilares operacionais:

1. Plano Nacional de Resgate Animal (PNRA)
2. Rede Nacional de Resposta Médico-Veterinária
3. Fundo Nacional de Emergência Animal (com pagamento em 24 horas)
4. Integração obrigatória nos sistemas de Proteção Civil
5. Obrigatoriedade de Planos de Autoproteção em Explorações com Animais

MEDIDA ESTRUTURAL CRÍTICA

Criação de um mecanismo de financiamento com as seguintes características:

- ativação automática em situação de alerta, contingência ou calamidade
- candidatura simplificada em plataforma digital já existente
- decisão automatizada com validação mínima
- **transferência financeira em prazo máximo de 24 horas**

Sem este mecanismo, a resposta continuará dependente de voluntariado não financiado, o que é incompatível com um sistema público funcional.

2. ENQUADRAMENTO LEGAL E NECESSIDADE DE INTERVENÇÃO

O próprio Projeto de Lei reconhece que a ausência de remoção e assistência a animais contribuiu diretamente para tragédias como Santo Tirso

Apesar de já existirem referências à temática:

- não existe plano nacional operacional
- não existe obrigação legal efetiva

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

- não existe financiamento
- não existe cadeia de comando definida

Adicionalmente, a legislação atual:

- não prevê explicitamente o resgate animal como função operacional
- não integra os serviços veterinários de forma estruturada
- não assegura financiamento de resposta

3. ARQUITETURA OPERACIONAL DO SISTEMA

3.1 Modelo de governação

O sistema deverá assentar numa estrutura multinível:

Nível nacional

- Autoridade Nacional de Emergência e Proteção Civil (coordenação)
- Direção-Geral de Alimentação e Veterinária (coordenação técnica)

Nível regional

- Comandos Distritais de Operações de Socorro

Nível municipal

- Serviços Municipais de Proteção Civil
- Médico Veterinário Municipal (obrigatoriamente integrado)

Nível operacional

- ONGs acreditadas
- Rede médico-veterinária
- Bombeiros e forças de segurança

3.2 Integração no ciclo de gestão de catástrofes

De acordo com a OIE, o sistema deve abranger todas as fases:

- mitigação
- prevenção
- preparação

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

- resposta
- recuperação

Atualmente, Portugal foca-se quase exclusivamente na resposta, o que constitui uma falha estrutural.

No âmbito da fase de prevenção e preparação, deverá ser assegurada a realização de levantamentos territoriais sistemáticos, incluindo a identificação de zonas de risco e a caracterização das populações animais, com recurso a metodologias normalizadas (checklists operacionais) e sistemas de informação geográfica (SIG), permitindo a georreferenciação de dados e a atualização periódica da informação relevante para a resposta em cenário de catástrofe.

4. REDE NACIONAL DE RESPOSTA MÉDICO-VETERINÁRIA

4.1 Estrutura

Rede formal e contratualizada que integra:

- clínicas e hospitais veterinários privados
- faculdades de medicina veterinária
- centros de recolha oficial
- hospitais e estruturas de ONGs
- equipas móveis de emergência

4.2 Funcionamento operacional

Em situação de emergência:

1. Ativação automática pela ANEPC
2. Encaminhamento de animais através de centro de coordenação
3. Distribuição por capacidade clínica
4. Registo centralizado de cada animal

4.3 Modelo clínico por níveis

- Nível I – triagem (ZCAA e campo)
- Nível II – estabilização (clínicas)
- Nível III – cuidados intensivos (hospitais)
- Nível IV – recuperação e reabilitação

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

4.4 Integração científica e académica

As faculdades deverão:

- integrar equipas de resposta
- desenvolver protocolos clínicos
- participar em investigação aplicada

A operacionalização desta rede deverá assentar em planeamento prévio, com identificação e caracterização territorial da capacidade instalada.

5. LOGÍSTICA E INFRAESTRUTURAS

5.1 Zonas de Concentração Animal (ZCAA)

Devem ser criadas em cada teatro de operações para:

- triagem
- identificação
- estabilização inicial
- encaminhamento

5.2 Rede nacional de acolhimento temporário

Identificação prévia de:

- pavilhões
- escolas
- infraestruturas agrícolas
- centros municipais
- Associações de proteção animal
- Canis Municipais - CROAS

5.3 Transporte

Protocolos obrigatórios com:

- Forças Armadas
- operadores logísticos

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 - Loja A. 1600-545 Lisboa

- empresas privadas

5.3 Comunicações e sistemas de informação

Deverá ainda ser assegurada a existência de sistemas redundantes de comunicação, nomeadamente através de redes de rádio amador, garantindo a coordenação das equipas em cenários de falha das infraestruturas de telecomunicações.

Recomenda-se igualmente a criação de bases de dados nacionais de operadores de transporte de animais, previamente protocolados e mobilizáveis em situação de emergência.

6.FUNDO NACIONAL DE EMERGÊNCIA ANIMAL

6.1 Estrutura financeira

O fundo deverá ser financiado através de:

- Orçamento do Estado
- Fundo Ambiental
- PRR (componentes de resiliência e adaptação climática)
- fundos europeus (ex: LIFE, Horizon Europe)

6.2 Mecanismo operacional

- integração com plataformas existentes (ex: SIAC)
- candidatura simplificada
- validação automática
- **pagamento em 24 horas**

6.3 Despesas elegíveis

- serviços médico-veterinários
- medicamentos e dispositivos médicos
- transporte
- alimentação
- contratação de serviços especializados
- reconstrução de infraestruturas

6.4 Justificação económica

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

O relatório internacional demonstra que a ausência de financiamento:

- transfere custos para organizações
- reduz capacidade de resposta
- aumenta custos globais do Estado

7. INTEGRAÇÃO DE ONGs

As ONGs devem ser:

- reconhecidas como entidades operacionais
- integradas formalmente na cadeia de comando
- financiadas por via direta

Portugal possui capacidade instalada no setor não-governamental que está atualmente subutilizada.

8. FORMAÇÃO E CAPACITAÇÃO

Formação obrigatória para:

- proteção civil
- GNR/SEPNA
- bombeiros
- Deve ainda ser promovida a sensibilização e capacitação das populações, nomeadamente dos detentores de animais, para a adoção de medidas preventivas, incluindo a identificação e registo dos animais, bem como a definição de planos individuais de emergência.

Conteúdos:

- comportamento animal
- resgate
- biossegurança
- contenção

9. FINANCIAMENTO ESTRATÉGICO (PRR E OUTROS)

O sistema pode ser implementado através de:

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

PRR

- adaptação climática
- resiliência territorial
- infraestruturas

Fundo Ambiental

- projetos de proteção animal e biodiversidade

Programas europeus

- LIFE
- Horizon Europe

10 . Obrigatoriedade de Planos de Autoproteção em Explorações com Animais

Deve ser estabelecida a obrigatoriedade legal de todas as explorações pecuárias, centros hípicos, canis, gatis, explorações agrícolas com animais e outras entidades detentoras de animais elaborarem e manterem atualizadas Medidas de Autoproteção específicas para os animais, devidamente fiscalizadas pelas entidades competentes.

Estas medidas devem garantir a capacidade de resposta imediata em cenário de emergência, nomeadamente:

- evacuação e contenção segura dos animais
- disponibilidade de água, alimentação e abrigo em situação de crise
- identificação e acesso a meios de contenção e transporte
- definição de responsáveis e procedimentos internos

O incumprimento destas obrigações deve constituir contraordenação grave.

CONCLUSÃO

A proteção animal em contexto de catástrofe não constitui uma dimensão acessória da resposta pública.

Trata-se de uma matéria diretamente relacionada com:

- a segurança das populações;
- a eficácia das operações de proteção civil;

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

- a saúde pública e veterinária;
- a responsabilidade do Estado na prevenção de sofrimento evitável.
- responsabilidade dos detentores e explorações com animais, através da obrigatoriedade de Medidas de Autoproteção devidamente fiscalizadas

Portugal dispõe atualmente de conhecimento técnico, capacidade instalada e experiência operacional suficientes para implementar um sistema estruturado e eficaz de resposta nesta área.

Importa, contudo, salientar que esta necessidade tem vindo a ser identificada, documentada e comunicada ao longo dos últimos anos por diversas entidades, nomeadamente pela SOS Animal Portugal, que desde 2016 tem desenvolvido propostas técnicas, participado em processos institucionais e disponibilizado contributos concretos para a integração da proteção animal nos sistemas de emergência.

Apesar destes esforços, persiste a ausência de enquadramento legal e operacional adequado, mantendo-se uma lacuna estrutural que compromete a resposta em cenário de catástrofe.

O presente contributo demonstra que existem soluções técnicas, operacionais e financeiramente viáveis, sendo a sua implementação dependente, essencialmente, de decisão política e de integração efetiva no quadro normativo nacional.

A não adoção destas medidas continuará a traduzir-se em falhas previsíveis e evitáveis, com impacto direto na proteção dos animais, na segurança das populações e na eficiência da resposta pública.

A prevenção começa na origem, sendo essencial garantir que todas as entidades com animais asseguram capacidade de resposta imediata em cenário de emergência.

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

ANEXO 1

EXPOSIÇÃO DE MOTIVOS

Portugal tem vindo a enfrentar, com crescente frequência e intensidade, fenómenos extremos associados às alterações climáticas, designadamente incêndios rurais, cheias, tempestades e outros eventos que configuram situações de emergência ou calamidade.

Estes eventos têm evidenciado de forma clara uma lacuna estrutural no sistema nacional de resposta: a ausência de um modelo integrado, coordenado e operacional para a proteção e resgate de animais em contexto de emergência.

Apesar da existência de um enquadramento legal robusto em matéria de proteção civil, bem-estar animal e sanidade animal, a dimensão da proteção animal em cenários de catástrofe permanece insuficientemente integrada nos instrumentos de planeamento e resposta existentes. Na prática, a resposta tem dependido, em larga medida, da atuação de organizações não governamentais, médicos veterinários e voluntários, frequentemente sem enquadramento formal, coordenação institucional ou acesso a financiamento adequado.

Esta realidade tem consequências diretas ao nível do bem-estar animal, mas também impactos relevantes na segurança pública, na saúde pública e na eficiência operacional das operações de proteção civil. A ausência de mecanismos estruturados de resposta animal pode comprometer evacuações, gerar riscos sanitários, dificultar a gestão de recursos e agravar situações de sofrimento evitável.

Simultaneamente, verifica-se a inexistência de instrumentos eficazes de financiamento imediato que permitam responder, em tempo útil, às necessidades decorrentes de situações de emergência, nomeadamente no que respeita a assistência médico-veterinária, transporte, alojamento e recuperação de infraestruturas.

Importa ainda reconhecer que a prevenção constitui um pilar essencial de qualquer sistema de proteção civil. Neste contexto, a ausência de obrigatoriedade de Medidas de Autoproteção específicas para explorações e entidades detentoras de animais representa uma falha crítica, transferindo integralmente para o Estado a responsabilidade por uma primeira resposta que deve ser partilhada.

A presente proposta visa, assim, colmatar estas lacunas através da criação do Sistema Nacional de Resposta Animal em Emergência (SNRAE), assegurando:

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

- A integração efetiva da proteção animal no Sistema Nacional de Proteção Civil;
- A definição de um Plano Nacional de Resgate Animal, articulado com os instrumentos existentes;
- A criação de uma Rede Nacional de Resposta Médico-Veterinária, mobilizável em situação de emergência;
- O estabelecimento de um Fundo Nacional de Emergência Animal, com mecanismos de financiamento simplificado e imediato;
- A integração obrigatória da componente animal nos planos municipais de emergência;
- A definição de obrigações de prevenção, designadamente através da implementação de Medidas de Autoproteção em entidades detentoras de animais.

A proposta assenta numa lógica de articulação institucional, não criando estruturas paralelas, mas antes reforçando e operacionalizando os mecanismos existentes, promovendo a coordenação entre entidades públicas, privadas e do setor social.

Adicionalmente, valoriza o papel das organizações não governamentais de proteção animal, reconhecendo a sua experiência operacional e assegurando a sua integração formal no sistema, com acesso a mecanismos de financiamento e participação no planeamento.

Com esta iniciativa, pretende-se dotar o país de um instrumento moderno, eficaz e alinhado com as melhores práticas internacionais, capaz de responder de forma estruturada aos desafios emergentes associados às alterações climáticas e à crescente exigência ética e social em matéria de proteção animal.

A proteção animal em contexto de emergência não é apenas uma questão de bem-estar animal — é uma questão de responsabilidade pública, de eficiência do sistema de proteção civil e de respeito pelos valores fundamentais de uma sociedade que se pretende mais justa, resiliente e preparada.

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

PROPOSTA DE ARTICULADO LEGAL CONSOLIDADO
Criação do Sistema Nacional de Resposta Animal em Emergência

Artigo 1.º

Objeto

A presente lei cria o Sistema Nacional de Resposta Animal em Emergência (SNRAE), integrado no Sistema Nacional de Proteção Civil, estabelecendo os mecanismos de prevenção, preparação, resposta e recuperação em situações de emergência que envolvam animais, designadamente:

a) O Plano Nacional de Resgate Animal;
b) A Rede Nacional de Resposta Médico-Veterinária;
c) O Fundo Nacional de Emergência Animal;
d) A integração da proteção e bem-estar animal nos instrumentos de planeamento e resposta da proteção civil.

Artigo 2.º

Definições

Para efeitos da presente lei, entende-se por:

a) "Animal" – qualquer animal nos termos da legislação de proteção e bem-estar animal em vigor;
b) "Animais de companhia" – os animais mantidos pelo ser humano com fins de companhia;
c) "Situação de emergência" – qualquer situação declarada nos termos da legislação de proteção civil, incluindo estados de alerta, contingência ou calamidade;
d) "Resgate animal" – o conjunto de operações destinadas à localização, remoção, transporte, tratamento e acolhimento de animais em risco;
e) "Zonas de Concentração e Apoio Animal (ZCAA)" – áreas operacionais destinadas à triagem, estabilização e encaminhamento de animais.

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

Artigo 3.º

Sistema Nacional de Resposta Animal em Emergência

1. O Sistema Nacional de Resposta Animal em Emergência funciona no âmbito do Sistema Nacional de Proteção Civil, assegurando a articulação entre as entidades com competências em matéria de proteção civil, sanidade animal e bem-estar animal.
2. O SNRAE assenta numa estrutura multinível, compreendendo:
   a) Coordenação nacional;
   b) Coordenação regional;
   c) Execução municipal;
   d) Execução operacional por entidades públicas, privadas e do setor social.
3. O SNRAE rege-se pelos princípios da prevenção, preparação, resposta e recuperação, garantindo uma atuação integrada, coordenada e multissetorial.

Artigo 4.º

Plano Nacional de Resgate Animal

1. O Plano Nacional de Resgate Animal integra o Plano Nacional de Emergência e Proteção Civil.
2. O plano define, designadamente:
   a) Cadeia de comando e coordenação, em articulação com as estruturas da proteção civil;
   b) Procedimentos de evacuação, resgate e transporte de animais;
   c) Protocolos de assistência médico-veterinária;
   d) Inventário nacional de recursos;
   e) Identificação de infraestruturas de acolhimento;
   f) Procedimentos de reunificação animal-detentor.
3. O plano é vinculativo para as entidades públicas e para as entidades privadas que nele participem mediante protocolo.

Artigo 5.º

Integração nos planos municipais

1. Os Planos Municipais de Emergência de Proteção Civil devem incluir um módulo específico de proteção e resgate animal.
2. O módulo referido no número anterior deve prever:
   a) Identificação de zonas seguras para acolhimento;

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

b) Recursos humanos e logísticos disponíveis;
c) Protocolos com entidades locais;
d) Planos de evacuação animal.

3. O médico veterinário municipal integra as estruturas de planeamento e decisão sempre que estejam em causa matérias relacionadas com animais.

Artigo 5.º-A

Medidas de Autoproteção em explorações com animais

1. As explorações pecuárias, centros hípicos, canis, gatis, explorações agrícolas com animais e quaisquer outras entidades detentoras de animais são obrigadas a dispor de Medidas de Autoproteção específicas para os animais, adequadas à natureza da atividade e aos riscos existentes.
2. As Medidas de Autoproteção devem ser formalizadas por escrito, mantidas permanentemente atualizadas e disponibilizadas às entidades competentes para efeitos de fiscalização.
3. As Medidas de Autoproteção devem assegurar, nomeadamente:
   a) Procedimentos de evacuação e contenção segura dos animais em situação de emergência;
   b) Garantia de acesso a água, alimentação e abrigo durante a ocorrência de eventos adversos;
   c) Identificação dos meios e recursos disponíveis para contenção, transporte e assistência aos animais;
   d) Definição de responsáveis e cadeia interna de atuação em situação de emergência;
   e) Articulação com os Planos Municipais de Emergência de Proteção Civil.
4. As Medidas de Autoproteção devem ser objeto de verificação periódica pelas entidades competentes, nos termos a definir por regulamentação própria.
5. A inexistência, insuficiência ou incumprimento das Medidas de Autoproteção constitui contraordenação grave.

Artigo 6.º

Rede Nacional de Resposta Médico-Veterinária

1. É criada a Rede Nacional de Resposta Médico-Veterinária, funcionando em articulação com as entidades competentes em matéria de sanidade e bem-estar animal.
2. A rede integra, mediante protocolo com o Estado:
   a) Clínicas e hospitais veterinários privados;
   b) Hospitais e estruturas de organizações não governamentais;

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c) Faculdades de medicina veterinária;
d) Centros de recolha oficial;
e) Equipas móveis de emergência.

3. A rede funciona em níveis de resposta, compreendendo:
   a) Triagem;
   b) Estabilização;
   c) Cuidados intensivos;
   d) Recuperação e reabilitação.
4. A ativação da rede ocorre no âmbito dos mecanismos do Sistema Nacional de Proteção Civil.
5. As entidades integradas têm direito a compensação financeira pelos serviços prestados, nos termos a definir por regulamentação própria.

Artigo 7.º

Zonas de Concentração e Apoio Animal

1. Devem ser criadas Zonas de Concentração e Apoio Animal em cada teatro de operações.
2. As ZCAA destinam-se a:
   a) Receção e triagem de animais;
   b) Identificação e registo;
   c) Estabilização clínica inicial;
   d) Encaminhamento para unidades adequadas.

Artigo 8.º

Transporte e logística

1. O Estado assegura, no âmbito do Sistema Nacional de Proteção Civil, a existência de capacidade logística adequada para o transporte de animais em situação de emergência.
2. Para efeitos do número anterior, podem ser celebrados protocolos com:
   a) Forças Armadas;
   b) Operadores logísticos;
   c) Entidades privadas;
   d) Organizações da sociedade civil.

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Artigo 9.º

Fundo Nacional de Emergência Animal

1. É criado o Fundo Nacional de Emergência Animal.
2. O fundo destina-se a financiar:
   a) Operações de resgate;
   b) Assistência médico-veterinária;
   c) Transporte e alojamento;
   d) Aquisição de medicamentos e consumíveis;
   e) Recuperação de infraestruturas.
3. O financiamento é atribuído a:
   a) Organizações não governamentais;
   b) Entidades públicas;
   c) Entidades privadas integradas no sistema.

Artigo 10.º

Mecanismo de financiamento imediato

1. O financiamento previsto no artigo anterior é atribuído mediante procedimento simplificado.
2. O pedido é submetido através de plataforma digital existente na Administração Pública.
3. A decisão deve ocorrer no prazo máximo de 24 horas.
4. O pagamento é efetuado no prazo máximo de 24 horas após validação.
5. A ativação do mecanismo é automática sempre que seja declarada situação de emergência.

Artigo 11.º

Fontes de financiamento

O Fundo Nacional de Emergência Animal é financiado através de:
a) Orçamento do Estado;
b) Fundo Ambiental;
c) Plano de Recuperação e Resiliência;
d) Fundos europeus;
e) Outras fontes de financiamento público ou privado.

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Artigo 12.º

Integração de organizações não governamentais

1. As organizações de proteção animal podem ser reconhecidas e acreditadas como entidades operacionais do SNRAE.
2. As entidades acreditadas:
   a) Integram o sistema de resposta;
   b) Participam no planeamento;
   c) Têm acesso a financiamento.
3. O processo de acreditação é definido por regulamentação própria.

Artigo 13.º

Formação

1. Os agentes de proteção civil devem receber formação obrigatória em:
   a) Resgate animal;
   b) Comportamento animal;
   c) Biossegurança;
   d) Segurança operacional.
2. A formação é integrada nos programas nacionais de capacitação.

Artigo 14.º

Sistemas de informação

1. Deve ser criado um sistema nacional de registo e monitorização de animais em situação de emergência.
2. O sistema deve permitir:
   a) Identificação e rastreabilidade;
   b) Reunificação com detentores;
   c) Partilha de dados entre entidades.

Artigo 15.º

Norma transitória

O Governo regulamenta a presente lei no prazo máximo de 90 dias.

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Artigo 16.º

Entrada em vigor

A presente lei entra em vigor no dia seguinte ao da sua publicação

Anexo 2

Resumo técnico – OIE (2016)

Guidelines on Disaster Management and Risk Reduction in relation to Animal Health and Welfare and Veterinary Public Health

1. Enquadramento geral

O documento da Organização Mundial de Saúde Animal estabelece um **quadro internacional de referência para a integração dos serviços veterinários na gestão de catástrofes**, com o objetivo de:

- proteger a saúde e bem-estar animal
- salvaguardar a saúde pública
- reduzir impactos económicos e sociais
- reforçar a resiliência dos países

Estas orientações destinam-se aos Estados-Membros e devem ser adaptadas aos contextos nacionais

2. Princípios estruturais

O documento assenta em três princípios fundamentais:

2.1 Abordagem multissetorial

A resposta a catástrofes deve envolver:

- governo
- serviços veterinários
- setor privado
- organizações não governamentais

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2.2 Integração institucional

Os planos veterinários devem estar integrados nos:

- planos nacionais de gestão de catástrofes
- estruturas de proteção civil

2.3 Abordagem "all-hazards"

Os sistemas devem estar preparados para:

- desastres naturais
- desastres tecnológicos
- crises sanitárias

3. Ciclo de gestão de catástrofes

O documento define que a gestão deve abranger **todas as fases do ciclo**, e não apenas a resposta:

3.1 Mitigação e prevenção

- análise de risco
- redução de vulnerabilidades
- planeamento estratégico

3.2 Preparação

- planos de contingência
- formação
- sistemas de alerta precoce

3.3 Resposta

- intervenção imediata
- triagem e cuidados veterinários
- coordenação operacional

3.4 Recuperação

- reabilitação
- reconstrução
- avaliação e melhoria

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O documento alerta que a maioria dos países falha por focar apenas a resposta

4. Papel dos serviços veterinários

Os serviços veterinários têm um papel central e devem:

- liderar a componente animal da resposta
- aconselhar autoridades públicas
- coordenar com outros setores
- garantir vigilância sanitária
- assegurar bem-estar animal

Devem ainda integrar:

- veterinários privados
- produtores
- indústria
- ONGs

5. Elementos obrigatórios de um sistema eficaz

O documento identifica componentes essenciais:

5.1 Estrutura de comando clara

- cadeia hierárquica definida
- responsabilidades atribuídas

5.2 Comunicação

- interna e externa
- com a população
- com operadores no terreno

5.3 Financiamento

- disponibilidade imediata de recursos
- fundos de contingência
- planeamento financeiro prévio

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5.4 Recursos humanos

- equipas treinadas
- formação contínua

5.5 Sistemas de informação

- vigilância
- partilha de dados
- sistemas digitais

6. Planeamento e contingência

Os planos devem incluir:

- identificação de riscos
- mapeamento de populações animais
- planos específicos por tipo de desastre
- protocolos operacionais (SOPs)

Devem ser regularmente:

- testados
- atualizados
- avaliados

7. Integração legal e institucional

O documento sublinha que:

- a ação dos serviços veterinários deve estar suportada por legislação
- devem existir mecanismos de articulação entre entidades
- lacunas legais devem ser identificadas e corrigidas

8. Financiamento e resposta rápida

Um ponto crítico identificado é:

- necessidade de financiamento imediato
- existência de fundos de emergência

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- planeamento orçamental prévio

Sem financiamento, a resposta torna-se ineficaz

9. Conclusão do documento

A OIE conclui que:

- a integração dos animais na gestão de catástrofes é essencial
- a coordenação interinstitucional é determinante
- a preparação prévia reduz significativamente o impacto

O documento reforça ainda a importância de:

- formação
- comunicação
- avaliação contínua
- aprendizagem pós-evento

ANEXO 3

Resumo técnico – Proposta SOS Animal (2026)
Mecanismos nacionais de proteção animal em catástrofe

1. Problema identificado

Portugal apresenta falhas graves:

- inexistência de plano nacional
- ausência de financiamento
- falta de coordenação
- ausência de infraestruturas

As ONGs assumem funções do Estado sem apoio

2. Enquadramento europeu

A União Europeia recomenda:

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- integração dos animais nos planos de emergência
- inclusão das organizações
- planeamento preventivo

3. Exemplos internacionais

O documento identifica boas práticas em:

- Alemanha – integração de voluntários
- Itália – equipas veterinárias na proteção civil
- França – responsabilidade agrícola
- Espanha – protocolos regionais

4. Propostas principais

4.1 Plano nacional
4.2 Financiamento de emergência
4.3 Planos obrigatórios para explorações
4.4 Infraestruturas e logística
4.5 Integração climática

5. Medidas imediatas

- criação de grupo de trabalho
- fundo piloto
- protocolos municipais

6. Conclusão

A ausência de ação:

- agrava catástrofes
- aumenta custos
- coloca vidas em risco

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sosanimal@sosanimal.com
www.sosanimal.com
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ANEXO 4

Bibliografia para consulta

21 820 54 52
sosanimal@sosanimal.com
www.sosanimal.com
Estrada Paço do Lumiar Lote R4 -
Loja A. 1600-545 Lisboa

Disaster Management Planning - Portugal

In 2005, America was struck by Hurricane Katrina. The deadliest natural disaster in their history at that time. Over 1,800 people died in that disaster, millions of animals also perished. 44% of those who failed to evacuate did so in part because they could not take their pets [1]. At the time, government policy was to leave pets behind. Within a year of this tragedy, the US government realising the intrinsic link between people and animals, passed the Pets Emergency & Transportation Standards Act 2006.

In the tragic aftermath of fires in Santo Tirso, it is clear that Portugal's disaster planning for individuals, for communities and for many businesses must also include animals.

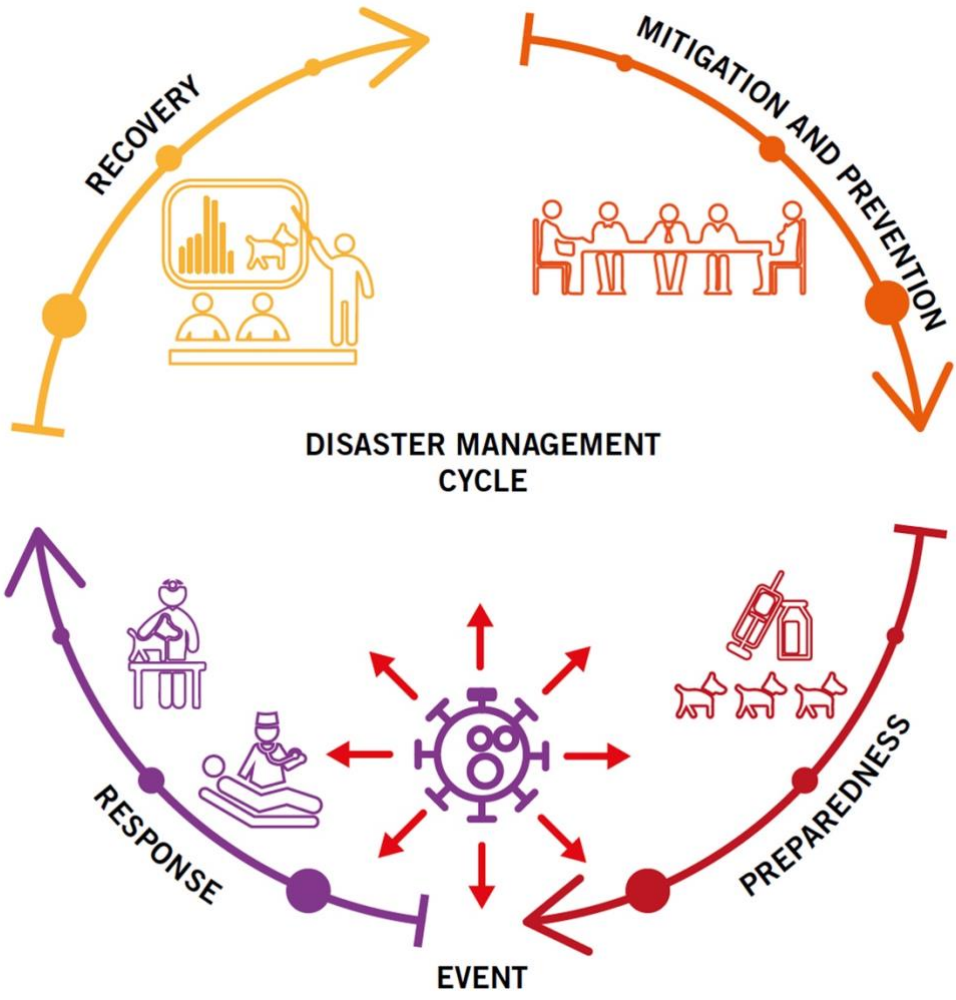
Animals, both domestic and wild, are exposed to the effects of natural and man-made disasters. It is necessary to devise appropriate measures to protect animals and find means to shelter and feed them during disasters and their aftermath, through a community effort, to the extent possible. It is pertinent to note that many communities have shown compassion to animal during disasters, and these efforts need to be formalized in the preparedness plans. The Departments and Municipalities across Portugal should devise such measures at all levels.

A Disaster Management Plan must emphasise various preventive measures to protect animals along with a detailed consideration of all other elements of the disaster management cycle – safeguarding human and environmental health. It should define the actions and roles necessary to prepare for and respond to any disaster situation in a coordinated manner.

A Disaster Management Plan should be dynamic and in a continual process of development as hazards, technologies, legislation and standards evolve. These plans should cover public health, animal health and animal welfare aspects during all stages of the disaster - applying internationally accepted guidelines and standards. Critical to success will be risk analysis; planning; training; resource allocation; communication, integration and coordination with government; cooperation with private-sector and non-governmental stakeholders; and disaster simulation exercises. Prioritising risk reduction is vital to avoiding or successfully responding to future disasters.

The OIE Guidelines on Disaster Management and Risk Reduction in Relation to Animal Health and Welfare and Veterinary Public Health provide a legislative framework that includes communication between all stakeholders, training and education, and integration and coordination of Disaster Management Plans into existing legislative frameworks.

A Disaster Management Plan should recognise and include the 4 phases in a Disaster Management Cycle - mitigation and prevention, preparedness, response, and recovery. Disaster management plans often focus on response, but effective disaster management includes activities in all four phases.



MITIGATION means 'the lessening or limitation of the adverse impacts of hazards and related disasters'. (UNISDR, 2015) and PREVENTION means 'any action aimed at reducing risks or mitigating adverse consequences of a disaster for people, animals, the environment and property, including cultural heritage'. (EU Civil Protection Mechanism, 2013)

PREPAREDNESS means 'a state of readiness and capability of human and material means, structures, communities and organisations enabling them to ensure an effective rapid response to a disaster, obtained as a result of action taken in advance'. (EU Civil Protection Mechanism, 2013)

RESPONSE means 'the provision of emergency services and public assistance during or immediately after a disaster in order to save human and animal lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people or animals affected'. (UNISDR, 2015)

RECOVERY means 'the restoration, and improvement where appropriate, of facilities, livelihoods and living conditions of disaster-affected communities, including efforts to reduce disaster risk factors'. (UNISDR, 2015)

Bill

Framework

On the night of 18 to 19 July 2020, as is public knowledge, at least 73 animals died charred and many others were seriously injured in allegedly illegal kennels in Santo Tirso.
Without prejudice to the existence of complaints about serious irregularities that have persisted for several years in the spaces in question and the necessary determination of the responsibilities of the owners and the forces of authority for the fatal outcome of the event, it is a fact that, between the two episodes of fire that hit the shelters, the removal of the animals did not occur, not even after the numerous attempts of popular and rescue organizations and the provision of veterinary medical assistance to animals.

Explanatory memorandum

Events such as those described highlight the need to create a National Animal Rescue Plan to be included in the national emergency plan in force, offering a cohesive response procedure, with a multidisciplinary approach, in order to achieve optimal efficiency and effectiveness.
It is understood, therefore, that there is a pressing legislative change to prevent a repeat of tragedies such as the one that happened in Santo Tirso..
Through this initiative, it is intended to transpose the guidelines of the World Organization of Animal Health *(OIE)*for the creation of an emergency plan and risk reduction in relation to animal health and welfare and Public Health, with the objective of strengthening the capacity of veterinary services and the mitigation and response capacity of all Civil Protection agents.
It is proposed to introduce measures of protection, rescue and animal relief in the National Plan of Civil Protection Emergency inforce, with application and implementation at the municipal level, in order to ensure antefficient and timely action in emergency situations and natural disasters and to reduce the risks arising from disasters, safeguarding the international and national precepts of risk analysis and rescue hierarchy.
A National Animal Rescue Plan shouldrá be dynamic,in constant development as the risks, technologies, legislation and standards of our society evolve, incorporating aspects of Health And Veterinary Public Health as well as the protection of animal welfare during all

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phases of an emergency,namelyand inthe mitigation and prevention, preparation, response and recoveryphases. .
Implementation at municipal level should be regulated,, deixaleaving for each responsible entity the adaptation to local needs based on its specific context, in a m intersectorial and multidisciplinary approach,in particular through municipal civil protection plans.

The essential principles of G Gare Emergência and Catástrofes, as well as plans for rescue, rescue and assistance to animals should be included in the Naciona l Emergency and Civil Protection Plan.l de Emergência e Proteção Civil.

The Municipal Veterinary Doctor mustrábe involved in the preparation or review of these Municipal Emergency Plans.

On the basis of the success of any measure will be risk analysis, planning, training forcivil protection agents, a communication strategy, integration and interdisciplinary coordination, simulations, as well as effective cooperation with private and non-governmental stakeholders.

Prioritizing risk reduction and having an efficient and cohesive response is vital to successfully avoid and respond to future disasters.

Article 1

(Object)

This Law introduces the obligation to create de a National Animal Rescue Plan and mandatory training forcivil protection agents inthis area, carrying out, for this purpose::

a) the third amendment to Law No. 27/2006 of July 3, which approves the Basic Law of Civil Protection, as amended by Organic Law No. 1/2011 of November 30, and Law No. 80/2015 of August 3;

b) the third amendment of Decree-Law No. 134/2006 of July 25,in its current wording, which creates the Integrated System of Protection and Relief Operations (SIOPS).

c) the third amendment to Law No. 65/2007 of 12 November,which defines the institutional and operational framework of civil protection at the municipal level, establishes the organization of municipal civil protection services and determines the powers of the municipal operational commander;

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d) amendment to Decree-Law No. 247/2007, which providesthe legal regime applicable to theestablishment, organization, operation and extinction of fire brigades on the continental territory;;

e) the first amendment to Decree-Law No. 45/2019 of April 1, which approves the organic of the National Authority of Emergency and Civil Protection.

f) amendment to Decree-Law No. 116/98 of 5 May, which establishes the general principles of the career of a municipal veterinarian.

Article 2

(Theamendment to Law No. 27/2006 of 3 July)

Point d) is added toArticle4 of Law No. 27/2006 of 3 July, in its current wording, and has the following wording:

"Article 4

Objectives and areas of action

1. (...)
   a) (...)
   b) (...)
   c) (...)
   d) (...).
2. (...)
   a) (...)
   b) (...)
   c) (...)
   d) Planning of emergency solutions, aimed at search, rescue, provision of relief and assistance, as well as evacuation, accommodation and supply to animals.
   e) Preceding point d);
   f) Preceding point (e);
   g) Preceding point (f);
   h) Preceding point g);

Article 3.º

(Amendment and Addition to Decree-Law No. 134/2006 of 25 July))

1. The numbers ares changed. 2 of Articles s 3 and 4 dthe Decreto-Law No. 134/2006 of 25 July,in its currentwording, and will have the following wording::

"Article 3National Operational Coordination Center

1 - (...) . 2 - The CCON includes representatives of the National Civil Protection Authority, the Armed Forces, the Republican National Guard, the Public Security Police, the National Institute of Medical Emergency, I.P., the Institute Portuguese of the Sea and Atmosphere, I.P., and the Institute for Conservation of Nature and Forests, I.P., The General Directorate of Food and Veterinary and other entities that each specific occurrence will justify. 3 - [Revoked]. (...) . 5 - (...) : a) (...) ; b) (...) ; c) (...) ; d) (...) ; e) (...) ; f) (...) ; g) (...) . 6 - (...) .

"Article 4 District operational coordination centres

1 - (...) . 2 - The CCOD are necessarily members of representatives of the National Civil Protection Authority, the Armed Forces, the Republican National Guard, the Public Security Police, the National Institute of Medical Emergency, I.P., and the Institute for Conservation of Nature and Forests, I.P., the General Directorate of Food and Veterinary and the other entities that each specific occurrence will justify. 3 – (...) . 4 - (...) . 5 - (...) . 6 - (...) : a) (...) ; b) (...) ; c) (...) ; d(...) ; e) (...) . 7 - (...) . "

2 - Article 21a is added tothe Decreto-Law No. 134/2006 of 25 July,in its currentwording, and will have the following wording:

Article 21-The
animal reception concentration area

The animal reception concentration zone (ZCAA) is an area of the theatre of operations where available resources and resources are temporarily located and where a logistical support system for the accommodation, rescue and sorting of animals is maintained."

Article 4.º

(Addition to Law No. 27/2006 of 3 July)

Article 37(1) (f) of Paragraph 37(i) of paragraph 1 shall be issued. Article 39(39) and points (k) and (l) of Article 41 of Law No. 27/2006 of 3 July, in its current wording, will now have the following wording:

"Article 37Composition of the National Commission for Civil Protection

1- The National Civil Protection Commission is chaired by the Minister of Internal Affairs and the parties are: a) (...); b) (...); c) (...); d) (...); e) (...);

f) Animal health and welfare representative appointed by the Directorate General for Food andVeterinary .

2. (...).

3. Revoked.

4. (...).

5. (...).

6. (...).

Article 39Composition of district committees

1 - The respective district committee: a) (Revoked.) b) (...) ; c) (...) ;

d) (...) ;

e) (...) ; f) (...) ;

g) (...) ; h) (...) ;

i) Animal health and welfare representative appointed by the Directorate General for Food and Veterinary ..

2 - (...) . 3 - (...) .

"Article 41

Composition of municipal commissions

a) (...);

b) (...);

c) (...);

d) (...);

e) (...);

f) (...);

g) (...);

h) (...);

i) (...);

j) (...);

(k)municipal veterinarians and, in their inability, a veterinarian who serves in the area of the municipality to be appointed by the Mayor;

l) Representatives of entities legally constituted in the field of animal protection and rescue, such as associations, foundations or initiatives of citizens recognized bythe Municipality, the Instituto of Conservation of Nature and Forests, the Order of Veterinary Physicians, and, when applicable to the reality of each Município, providers, educational institutions of Veterinary Medicine, representatives of Zoos and Aquariums and civil protection volunteer organizations..

Article 5.º

(Theamendment and amendment to Law **No. 65/2007 of 12 November))**

1. Article 2(e) is added. law no. 65/2007, of November 12, in its current wording, and has the following wording:

"Article 2Objectives and areas of action

1 – (...).

2 – (...)

a) (...)

b) (...)

c) (...)

d) (...)

e) Planning of emergency solutions, aimed at the search, rescue the provision of relief and assistance, as well as the evacuation, accommodation and supply of animals present in the municipality, including the realization of simulacrums.

f) *Preceding point (e);*

g) *Preceding point (f);*

h) *Preceding point g);*

2. Article 18(3) of Law No. 65/2007 of November 12, as a whole, is added in its current wording, and has the following wording:

"Article 18So municipal civil protection emergency plans

1-(...) .

2nd . (...)

3. The Municipal Civil Protection Emergency Plan shall include a section for strategies tobe adopted for rescue, rescue, rescueo and replacement of animals in a situation of serious accident or catastrophe.

4 - *Previous paragraph 3;*

5 - *Previous paragraph 4;*

6 - *Previous no. 5;*

7 - *Previous No. 6 [Revoked.]*

8 - *Previous paragraph 7 [Revoked.]*

Article 6.º

(Addition to Decree-Law No. 247/2007))

Article 3 to Decree-Law No. 247/2007 is added topoint (c) d,and will have the following wording:

Article 3

Fire brigades mission

1 - It is the mission of the fire brigades:

a) (...) ;

b) (...) ;

(c) animal aid aos animaisin the eventof fires, floods, landslides and, in general, in all accidents;

(d) *preceding point (c)*;

(e) *preceding point (d) d)*;

(f) *preceding point (e) e)*;

(g) *preceding point (f) f)*;

(h) preceding point *(g);)*;

(i) *preceding point (h) h)*;

(j) *previous point (i) i)*.

2 - (...) .

Article 7.º

(Amendment and Addition to Decree-Law No. 45/2019 of April 1)

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Paragraph 2 (i) is ad-a-change and paragraphf) (f) addedto Article 4 to Decree-Law No. 45/2019 of April 1, in its current wording, and will have the following wording:

"Article 4Attributions

1 - (...)

2 - ANEPC continues the following tasks in the context of risk forecasting and risk management and civil protection emergency planning: a) (...) ; b) (...) ; c) (...) ; d) (...) ; e) (...) ; f) (...) ;

g) (...) ; h)

(...) ;

i) Create programs or actions to protect population clusters and forest protection, establishing structural measures for the protection of people, animals and property, and those built at the urban-forestry interface;

j) (...) ; k) (...) . 3 - (...) P: 4 - (...); 5 - ANEPC continues the following duties in the scope of the activities of firefighters: a) (...) ; b) (...) ; c) (...) ; d) (...) ; e) (...) ;

(f) regulate the training activity, with a view to the protection and rescue of animals, in particular in the prevention and response to emergencies and serious accidents and disasters, mandatory for the various civil protection officers.

(g) *(g)* (f) ; h)

preceding point (g); (i)

preceding point (h). 6 - (...).

<u>Article 8.º</u>

(Addition to Decree-Law No. 116/98 of May 5))

Article 3(2) is addeds to a Decree-Law No. 116/98 of May 5, in its current wording, paragraphs h) and (i), and will have the following wording:

"Article 3

1 – (...).

2 – It is the responsibility of municipal veterinarians, in the exercise of the collaboration referred to in the preceding paragraph:

a) (...);

b) (...);

c) (...);

d) (...);

e) (...);

f) (...);

g) (...);

h) Collaborate with the Municipality and the Municipal Civil Protection Service in the preparation and implementation, in accordance with and in harmony with the Municipal Emergency and Civil Protection Plans in force, a Municipal Animal Rescue Plan.

i) Integrate the animal rescue and rescue teams provided for in the Municipal Emergency and Civil Protection Plans.

Article 9.º

(Entry into force)

This law shall enter into force one day after its publication in the journal of the Republic.

Lisbon, 27 July 2020,

The Representative Committee of Citizens,

GUIDELINES ON DISASTER MANAGEMENT AND RISK REDUCTION IN RELATION TO ANIMAL HEALTH AND WELFARE AND VETERINARY PUBLIC HEALTH

(GUIDELINES FOR NATIONAL VETERINARY SERVICES)

WORLD ORGANISATION FOR ANIMAL HEALTH
Protecting animals, preserving our future

MAY 2016

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INTRODUCTION

The World Organisation for Animal Health (OIE) has developed these guidelines for disaster management and risk reduction in relation to animal health, animal welfare and veterinary public health with the goal of strengthening the capacity of Veterinary Services in Member Countries.

Recent disaster events highlight the need to bring all components of disaster management together in cohesive response plans at both national and international levels using a multidisciplinary approach to achieve optimal efficiency and effectiveness.

The OIE guidelines use an all-hazards approach to the management of natural and man-made and technological disasters and suggest that a wide range of stakeholders from both government and society take action, adapting their interventions to meet local and regional needs.

They advocate the integration of disaster management and risk reduction measures relevant to national Veterinary Services into broader resilience and disaster management and response networks and policies, i.e. those that promote the health and welfare of animals, safeguard human and environmental health and assist Member Countries to restore and enhance economic and societal conditions in the aftermath of a disaster.

SCOPE

These guidelines reflect the need for Veterinary Services to implement disaster management and disaster risk reduction measures with the objective of protecting animal health, animal welfare and veterinary public health during disaster events in their respective countries.

The document is aligned with OIE standards for Veterinary Services and animal welfare.

These guidelines provide a framework that veterinary professionals can use to develop processes and procedures for managing the veterinary sector's actions to reduce the adverse consequences of disasters. They outline guiding principles and the roles that Veterinary Services play in reducing the impact of disasters in all phases of the Disaster Management Cycle (DMC). They also highlight the importance of intra- and inter-institutional coordination and emphasise that the mandate of Veterinary Services falls within the larger national legal framework.

These guidelines complement existing technical and legal instruments for disaster management, both those at international and regional levels and those adopted in each Member Country, all of which specify the mandate of relevant actors in disaster situations. They are meant to be applied in conjunction with these existing tools.

The document does not prescribe how Veterinary Services should act, but leaves it to each OIE Member Country to adapt to local needs based on their context. It identifies inter-sectoral and multi-disciplinary approaches as essential principles in disaster management and stresses that the plans of Veterinary Services should be included in the National Disaster Management and Risk Reduction Plans.

DEFINITIONS

There are many variations of definitions in the field of disaster management and risk reduction. The *ad hoc* Group of experts formed by the OIE to draft these guidelines has selected the following working definitions with the intent of following as closely as possible standard international definitions.

Additional definitions on specific topics are included within the text of the guidelines. Individual countries and organisations may have different variations that they are required to use.

DISASTER means 'a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources'. (United Nations Office for Disaster Risk Reduction – UNISDR, 2015)

HAZARD means 'a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage'.

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THE DISASTER MANAGEMENT CYCLE

The objectives for Veterinary Services in disaster management are to protect animal health and welfare, safeguard human and environmental health and assist Member Countries in restoring and enhancing economic and societal conditions.

Various disaster management models are available to provide a framework to develop disaster management plans, actions, and activities. A simple, commonly used DMC model has been selected in order to illustrate the phases of disease that must be addressed.

The DMC phases include: mitigation and prevention, preparedness, response, and recovery. Disaster management plans often focus on response, but effective disaster management includes activities in all four phases.

MITIGATION means 'the lessening or limitation of the adverse impacts of hazards and related disasters'. (UNISDR, 2015) and **PREVENTION** means 'any action aimed at reducing risks or mitigating adverse consequences of a disaster for people, animals, the environment and property, including cultural heritage'. (EU Civil Protection Mechanism, 2013)

PREPAREDNESS means 'a state of readiness and capability of human and material means, structures, communities and organisations enabling them to ensure an effective rapid response to a disaster, obtained as a result of action taken in advance'. (EU Civil Protection Mechanism, 2013)

RESPONSE means 'the provision of emergency services and public assistance during or immediately after a disaster in order to save human and animal lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people or animals affected'. (UNISDR, 2015)

RECOVERY means 'the restoration, and improvement where appropriate, of facilities, livelihoods and living conditions of disaster-affected communities, including efforts to reduce disaster risk factors'. (UNISDR, 2015)

The four phases of the DMC are used as a framework to plan and organise the processes, policies and procedures involved in disaster management, including disaster risk reduction. The phases are not always distinct, but flow into one another in a continuous cycle. In a specific disaster event, different agencies may be in different phases of the DMC. Using this common framework will assist Veterinary Services to align their activities with other governmental and non-governmental actors.

There are certain elements that should always be considered as they are common to all four phases of the DMC (Fig. 1). These include: legislation and regulatory authority, budgeting and resourcing, internal and external communications (processes and infrastructure), training and education, information technology and knowledge management, and integration and coordination with other agencies, organisations and stakeholders.

TECHNOLOGICAL/ MAN-MADE DISASTER means 'a hazard originating from technological or industrial conditions or caused by man, including complex emergencies, conflicts, famine, displaced populations, industrial accidents, terrorist attacks and transport accidents. These are events that are caused by humans and occur in or close to human settlements. This can include environmental degradation, pollution and accidents'. (International Federation of Red Cross and Red Crescent Societies – IFRC, 2015)

NATURAL HAZARD means 'the naturally occurring physical phenomena caused either by rapid or slow onset events which can be geophysical (earthquakes, landslides, tsunamis and volcanic activity), hydrological (avalanches and floods), climatological (extreme temperatures, drought and wildfires), meteorological (cyclones and storms/wave surges) or biological (disease epidemics and insect/animal plagues)'. (IFRC, 2015)

RESILIENCE means 'the ability of a system, community or society exposed to hazards to resist, absorb, accommodate to and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions. It is determined by the degree to which the community has the necessary resources and is capable of organising itself both prior to and during times of need'. (UNISDR, 2015).

The Disaster Management Cycle is shown below.

MITIGATION AND PREVENTION

Mitigation and prevention activities occur prior to disaster events and they incorporate lessons learned from the response and recovery phases of previous disasters.

Most countries already have a National Disaster Management and Risk Reduction Plan which has been developed at central level and which explains the roles and responsibilities of all government and non-government services in the case of disasters. Veterinary Services should be involved in the preparation or review of these National Disaster Management and Risk Reduction Plans. Veterinary Services should involve all internal units in the preparation and review of the plan and consider the roles and responsibilities of actors such as farmers, animal owners and keepers, private veterinarians, pharmaceutical industries, the food industry, feed producers, traders, slaughterhouses, laboratories, transportation and border control authorities, national governments, intergovernmental bodies, non-governmental organisations and private voluntary associations.

Veterinary Services should establish their own National Veterinary Service Disaster Management and Risk Reduction Plan. These plans should encourage and support the private sector.

Figure 2 illustrates how Veterinary Services Disaster Management and Risk Reduction Plans are nested within international and national guidelines and plans and how they are linked to private-sector plans.

The National Veterinary Services Disaster and Risk Reduction Plan, which should be developed during the mitigation and prevention phase, should cover all four phases of the DMC. The plan will include the following chapters:

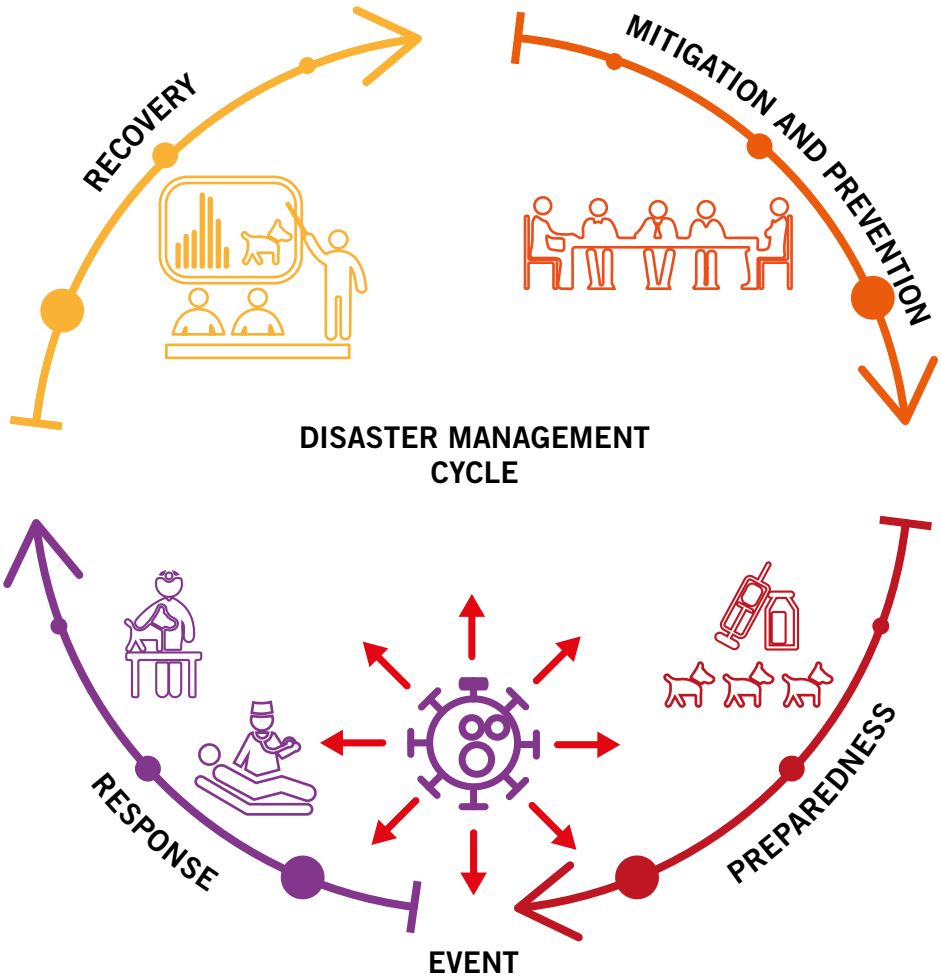

Figure 1. Phases of the Disaster Management Cycle

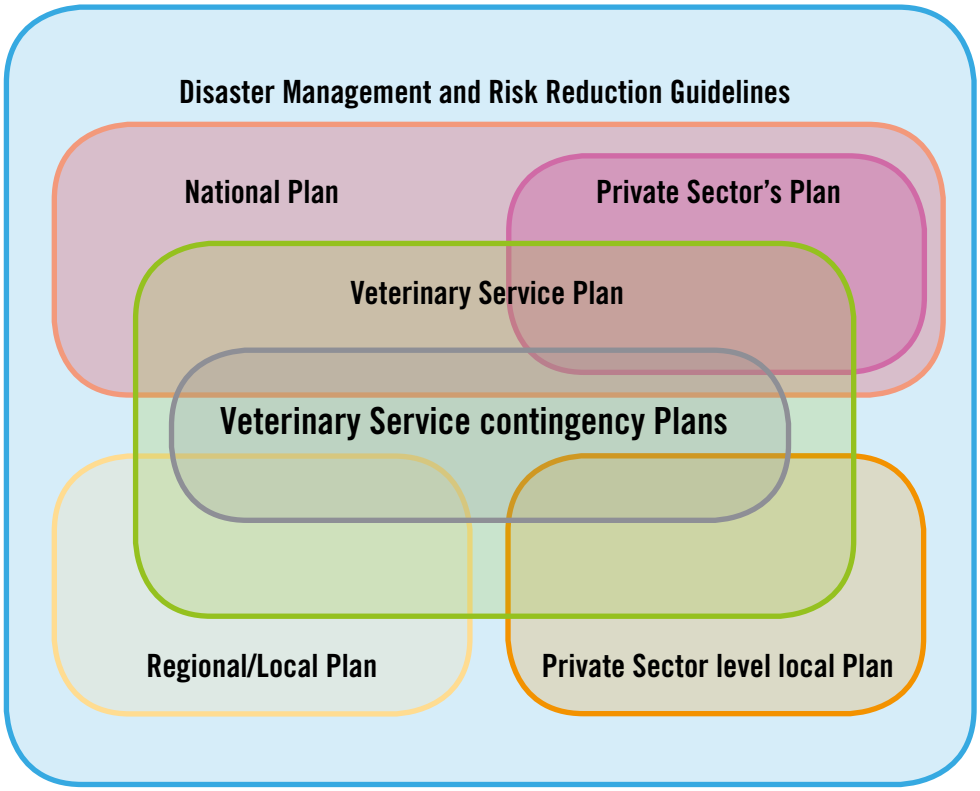

Figure 2. Relationship of Multi-Sectoral Disaster Management and Risk Reduction Plans and Guidelines

VETERINARY SERVICES AND OTHER STAKEHOLDERS: ROLES, RESPONSIBILITIES, COOPERATION AND COLLABORATION

Central Government and civil defence typically play the lead role in preparing for and responding to disasters. The roles and responsibilities of the Veterinary Services should be clearly laid out and mechanisms for interaction with other Services and Ministries should be described.

Veterinary Services will play a leadership role in advising the authorities on animal health, welfare and veterinary public health in disaster situations. Veterinary Services should provide sufficient and appropriate input to ensure policies governing support for animals in disaster situations are effective.

The involvement of private veterinarians in all phases of the disaster management cycle is important as a primary link for producers and other animal owners. The roles and responsibilities of private veterinarians, livestock owners and keepers, producers, and other animal owners should also be described in the plan and, where relevant, they should receive appropriate training from Veterinary Services or other appropriate entities. Veterinary Services should support the development of disaster management plans by consulting with and advising other actors as appropriate.

Where appropriate, Veterinary Services should consider incorporating policies and procedures regarding the use of search and rescue animals in their plans.

LEGAL FRAMEWORK, LEGISLATION

The plan should follow existing international frameworks where appropriate, such as the Sendai Framework for Action 2015–2030 and the International Strategy for Disaster Reduction of the United Nations. The plan should be harmonised with the national legislation for disaster management and make provision for interaction between official and private institutions and organisations. Veterinary Services should include their mitigation and prevention activities in national and regional plans and harmonise them with those of other sectors and the government. When Veterinary Services lack established legal authority for action in disaster situations, specific requirements should be identified and new legislation developed to address the gaps.

COMMUNICATION AND PUBLIC AWARENESS

A clear communication strategy is central to the plan. The strategy should involve communication at all levels from government level to the general public. Prior agreements on communication responsibilities are essential to avoid any conflicting information. Communication should focus on transparency, listening, and responding, and will aim to build trust and distribute appropriate messages in a timely manner.

Communication is a two-way process, so communication tools, technologies, procedures and templates should be available for communication between central units and the field operational level, including field-based veterinarians, animal owners, and the general public. Communication should take into consideration the social and cultural aspects of content delivery to maximise effectiveness.

Public awareness campaigns in the mitigation and prevention phase help to maintain vigilance against disaster risks and improve the self-preparedness of animal owners. Making animal owners aware of their options in the case of disaster is a vital part of efficient disaster cycle management.

RISK ANALYSES

Risk analysis means the overall cross-sectoral process of hazard identification, risk assessment, risk management and risk communication undertaken at national or appropriate sub-national level. Conducting a risk analysis prior to a disaster will enable stakeholders to prioritise investments for disaster risk-reduction activities and facilitate the decision process within the whole disaster management cycle. The risk analysis should include hazard identification and hazard mapping, risk assessment, vulnerability analysis, capacity analysis, risk evaluation, and risk communication.

STRUCTURE OF VETERINARY SERVICES

The structure of Veterinary Services varies from one country to another and risks will vary from one region to another within the country. The plan should address regional specificities and address whether or not capacities are available for response within regions.

Response to disasters requires the ability to make quick evidence-based decisions and to convert those decisions into clear orders which can be conveyed down a very clear chain of command to those who are charged with the responsibility to carry them out. This requires the Veterinary Services in a country to be part of a well-defined command structure or line management system, at least for the duration of the emergency. This command system may differ from the structure in place for routine work and should be described in the National Disaster Management and Risk Reduction Plan.

All key staff in both central and decentralised offices should have a detailed job description defining their roles and responsibilities during all phases of the DMC, including mitigation and prevention.

HUMAN RESOURCES

Different skills will be required during all phases of the DMC. It is important to provide on-the-job training, invest in early warning activities, and to provide for increasing the capacity of Veterinary Services for emergency responses.

FINANCING

Finances should be available without delay during the preparedness and response phases. Budgeting for interventions and identifying sources of funding in advance will allow for rapid action. Budgets should include both contingency funds and funds for ongoing risk-reduction activities (such as education/training, biosecurity, surveillance activities, maintenance of early warning systems).

EARLY WARNING SYSTEMS, SURVEILLANCE SYSTEMS

Veterinary Services have the duty and responsibility to ensure that disease surveillance and information related to livestock and other kinds of animals are integrated into early warning systems and they should be actively engaged in their development. Veterinary Services need to engage with other governmental agencies so that any warning information regarding all types of hazards can be received and effectively disseminated.

CONTINGENCY PLANS AND STANDARD OPERATING PROCEDURES

Contingency planning means a management process that analyses specific potential events or emerging situations that might threaten society or the environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events and situations. (EU Civil Protection Mechanism, 2013)

Veterinary Services should develop one or more contingency plans which can cover each type of event identified during risk assessment exercises using an all-hazards approach. The plans should cover natural disasters (e.g. flooding, hurricanes, wind storms, drought, earthquakes, extreme cold, volcano eruptions, transboundary epizootics and pandemics) and man-made or technological disasters (e.g. chemical release, radiologic accidents, oil spills, loss of power or technological failure, transport problems, explosions, conflict and bioterrorism). Contingency plans cover sets of activities carried out as part of the response and recovery phases of the DMC. They comprise both long-term measures and measures implemented in the immediate aftermath of the disaster. There should be contingency plans for responding to animal health, animal welfare and veterinary public health needs during natural and man-made disasters, including disease outbreaks. These contingency plans will be specific to each type of event: a flood, for example, will require a different contingency plan from a disease outbreak. Moreover, different disease types may require different contingency plans.

The process of developing a contingency plan provides valuable learning that helps successful implementation of the plan when a disaster occurs. It involves organising a team representing relevant authorities and stakeholders, identifying critical resources and functions, and establishing a plan for recovery beyond response (see Preparedness hereafter).

To ensure the quality of the contingency plans, Veterinary Services should develop Standard Operating Procedures (SOPs) for interventions that regularly recur during the preparedness and response phases.

The mitigation and prevention phase includes much more than just contingency plans. Mitigation and prevention require ongoing capacity development, continuous monitoring and surveillance, simulation exercises and regular updating of risk analyses and risk reduction activities.

All activities included in the Veterinary Services Disaster and Risk Reduction Plan should be periodically reviewed and updated.

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PREPAREDNESS

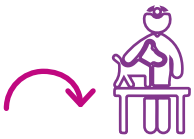
The preparedness phase often begins when warning of an impending disaster is received. Veterinary Services should get ready to activate their relevant contingency plans so that they are prepared for the forseeable consequences as the disaster progresses. The implementation of contingency plans requires flexibility and adjustments according to the magnitude and circumstances of the disaster.

Relevant contingency plans should be put together by the Veterinary Authority in conjunction with representatives from the national and local governments, non-governmental organisations and relevant private-sector stakeholders. The contingency plans should take into account previous gap analysis and should include:

- Details of the types of disaster covered by the plan
- Information on animal populations
- Systems for rapid assessment and situation awareness
- Legislation
- Established chain of command system
- Plans for coordination with other relevant governmental agencies, inter-governmental agencies, NGOs and private sector
- Finance arrangements (including compensation policy)
- Human resource plan
- Communication plan and public awareness measures
- Established sustainable continuity plan and recovery plan.

During the preparedness phase, Veterinary Services will switch to emergency mode and start implementing the relevant command system, as described in the Disaster Management and Risk Reduction Plan, to maximise the response capacity and use early warning systems to communicate with relevant parties. Early in the preparedness phase, Veterinary Services will review the availability of human and financial resources as well as tailor the communication strategy to the specific disaster event.

RESPONSE



IMPLEMENTATION OF NATIONAL VETERINARY SERVICES' CONTINGENCY PLANS

Impact assessment and situation awareness are the first steps to be taken following the activation of any contingency plan. The impact of the disaster on the Veterinary Services themselves and their capacity to implement the plan should be assessed. Veterinary Services need to prioritise activities in conjunction with key stakeholders. They must remain flexible and undertake appropriate action after an assessment of the impact on the health and welfare of animals, human safety and the environment. If there is no specific contingency plan for the type of disaster that is taking place, Veterinary Services should take a step-by-step approach to decision-making and refer to the contents described in the mitigation and prevention and preparedness phases of the contingency plans they have developed for generic guidance.

GOVERNANCE

Each contingency plan (developed in the mitigation/prevention phase) will determine governance and the chain of command. Cooperation and coordination with stakeholders under clear lines of responsibility will be important to expand the capacity of Veterinary Services. Adaptability, efficiency, and continuity of support are critical to effective response.

LEGISLATION ACTIVITY

Contingency plans will be based on existing legislation that will enable immediate action. Emergency management ordinances and specific regulations may be issued when required.

COMMUNICATION

Appropriate communication is critical for good governance, knowledge management and contingency planning. Veterinary Services should have detailed internal and external communication plans within their contingency plans.

GAP ANALYSIS

Following an assessment of the impact of the disaster on the Veterinary Services themselves, a gap analysis should be carried out to identify Veterinary Services' needs. All relevant stakeholders must be included so that all significant issues are identified and addressed. Gap analysis should also take into account what will be required during the recovery phase and consider whether some earlier risk mitigation actions could avoid some of those recovery needs.

RECOVERY

RECOVERY PLAN

Following gap analysis during the response phase, a recovery plan should be developed in order to detail human and material resource requirements, and the related budget. After identifying gaps within Veterinary Services, and after further consultation with key stakeholders, Veterinary Services should evaluate the efficiency and effectiveness of their response to the disaster. The development of a recovery plan should include opportunities to '*build back better*' (i.e. provide greater resilience) and should be multi-sectoral and multidisciplinary where applicable. The plan should include monitoring and evaluation.

GOVERNANCE

In the recovery phase, consideration should also be given as to how Veterinary Services will continue to undertake their ongoing operations or 'business as usual'. This may require areas of governance to be reconsidered dependent upon current resources, and may even require changes to some aspects of legislation.

COMMUNICATION

High-quality communication is necessary to keep all relevant stakeholders aware of developments. Failures in communication may result in stakeholders not giving input to vital areas of recovery and reconstruction, and may result in a lack of adequate resourcing and funding to ensure a successful recovery phase. The most significant stakeholders to be considered throughout both the response and recovery phases are the affected community. Community engagement will increase buy-in and speed up recovery from the disaster.

GAP ANALYSIS

The recovery plan should identify the most probable recovery needs of the disaster and these should inform subsequent contingency plans. Veterinary Services should consider the different needs of both rural and urban communities, which are likely to include support for managing the consequences of livestock and production losses, companion animal displacement, and infrastructure loss. Veterinary Services should also consider how severely their buildings and facilities have been impacted and plan for their replacement during the recovery phase. These plans should take into account lag times for construction materials to be available and for key services, such as water and electricity supplies, to be reconnected.

Monitoring and evaluating the successes and failures of the recovery plan will identify both resource and process gaps. Like gap analysis from the response phase, gap analysis of the recovery phase may also identify areas for improvement in the mitigation phase.

TOPICS RELEVANT TO ALL DISASTER MANAGEMENT CYCLE PHASES

LEGISLATIVE FRAMEWORK The National Disaster Management and Risk Reduction Plan should be supported by effective legislation at each level of government. Member Countries are encouraged to follow the OIE standards on veterinary legislation as described in Chapter 3.4. of the *Terrestrial Animal Health Code*. It is recommended that Veterinary Services review and analyse current legislation and engage in developing appropriate legislation to support animal health, animal welfare, and veterinary public health activities in disasters within the framework of disaster management and disaster risk reduction contingency plans.

COMMUNICATIONS Effective communication is essential throughout the DMC. There must be effective communication both within the Veterinary Services and between Veterinary Services and other stakeholders, i.e. other government departments, non-government stakeholders and the public. Communication plans should suggest alternative pathways for communication as telephone or electricity supply may fail. Veterinary Services should consider developing pre-scripted communications that can be modified for use in the preparedness and response phases. Veterinary Services are encouraged to incorporate disaster management communications in accordance with Chapter 3.3 'Communication' of the *Terrestrial Code*.

TRAINING AND EDUCATION Training and education are necessary to prepare Veterinary Services to execute their responsibilities during disasters. Technical training is essential, and should be supplemented with training on organisational and operational aspects of disaster management, including inter-agency (inter-ministry) and inter-sectoral collaboration. Disaster management training should be included in veterinary education and in training courses for private-sector stakeholders.

INFORMATION TECHNOLOGY AND KNOWLEDGE MANAGEMENT Information technology and knowledge management capacity should be developed in order to maintain awareness of the activities of Veterinary Services and to facilitate information sharing with other government and non-government stakeholders throughout the DMC.

INTEGRATION AND COORDINATION For nearly all disasters, Veterinary Service disaster plans will have to be incorporated into higher-level governmental frameworks for national disaster response. In addition, Veterinary Services should establish plans and processes to coordinate their activities with non-governmental and public stakeholders.

LESSON LEARNT To enable post-incident evaluation, it is important that issues are recorded at all the stages of the disaster. Enabling a systematic recording of incidents will maximise the benefits of lessons learnt.

CONCLUSION

Disaster Management and Disaster Risk Reduction plans should be dynamic and in a continual process of development as hazards, technologies, legislation and standards evolve. These plans should cover public health, animal health and animal welfare aspects during all stages of the disaster. Applying internationally accepted guidelines and standards will allow Veterinary Services to provide efficient and effective plans. Critical to success will be risk analysis; planning; training; resource allocation; communication, integration and coordination with government; cooperation with private-sector and non-governmental stakeholders; and disaster simulation exercises. Prioritising risk reduction is vital to avoiding or successfully responding to future disasters.

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No animal left behind:

A report on animal inclusive emergency management law reform.

By Steve Glassey MEmergMgt CertAWI CEM®

January 2019

ISBN 978-0-473-45108-0

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Warning: Some images in this document may be disturbing to some viewers, as pictures of disaster related neglect of animals are used.

Acknowledgments

The author wishes to thank Gareth Hughes MP, Margaret Nixon, Theresa Parkin, Rachel Stedman and anonymous reviewers who have provided support, review and/or feedback on this report. This report is also comprised of research funded by the University of Otago Doctoral Scholarship programme.

This report is published by Animal Evac New Zealand Trust and as partial contribution to the author's doctoral thesis and therefore is protected by academic freedom pursuant to section 161 of the Education Act 1989.

Embargo

This report is subject to embargo and not for public release until January 22, 2019.

BY NC SA

Foreword by Gareth Hughes MP

Whakapūpūtia mai ō mānuka, kia kore ai e whati. Ki te kotahi te kakaho ka whati, Ki te kapuia e kore e whati — *Cluster the branches of the manuka so they will not break. Alone we can be broken. Standing together, we are invincible.*

When disaster strikes, the most important thing is keeping your loved ones safe. That's why emergency management planning is so important. We can stay safe by being prepared.

But there is a focus missing from our current emergency management arrangements, we don't have fit for purpose laws to protect animals who play an important part in our society and economy.

Can you imagine a disaster causing your family to be instructed to evacuate, only to be told to leave your pets behind? Or to flee to a shelter, only to have civil defence authorities tell you that there are no plans in place to help you care for your animals? Around the world there are countless examples where human and animal lives have been put at risk by ignoring animals in emergencies.

In this important report, Steve Glassey, proposes how we can modernise our existing emergency plans and laws to take account of animals in homes, farms and our communities.

This is not just an issue for animals, when separated from their animals, people will risk their own lives in animal rescue attempts. Steve reveals that in many disasters, including the earthquakes that devastated Christchurch, a common reason for people breaching cordons was to go rescue the furry members of their families. This makes the job of our emergency responders much harder.

This can be avoided. But it takes planning and a modernisation of our laws. It takes our government stepping up to improve our animal emergency management arrangements and laws so that agencies take a more animal inclusive approach during disaster response. It will not only keep our animals safe, it will keep us safe, and it will improve our overall response when disaster strikes.

Steve has comprehensively researched the issue and put forward a number of practical recommendations to make sure our emergency laws and plans include all the members of our families. In the end, it'll make us all safer.

Gareth Hughes

Member of Parliament

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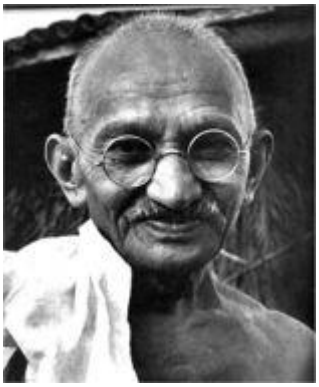

"The great ness of a nation and its moral progress can be judged by the way its animals are treated."

– Mahatma Gandhi

Introduction

In 2005, America was struck by Hurricane Katrina. The deadliest natural disaster in their history at that time. Over 1,800 people died in that disaster, millions of animals also perished. 44% of those who failed to evacuate did so in part because they could not take their pets [1]. At the time, government policy was to leave pets behind [2]. Within a year of this tragedy, the US government realising the intrinsic link between people and animals, passed the Pets Emergency & Transportation Standards Act 2006 [3]–[6].

New Zealand has made little effort to learn from the grave mistakes of the USA [7]–[9]. The US government mandated funding, planning and capability for animal disaster management. By contrast, New Zealand still does not mandate responsibility for animal emergency management plans, fails to provide for the reimbursement of response costs incurred by animal charities, and laws continue to fail to sufficiently recognise animals require protection in disasters. In 2010, I completed my Masters in Emergency Management and made recommendations to government including MPI and the Ministry of Civil Defence & Emergency Management (MCDEM), noting significant deficiencies in our arrangements to protect animals from disaster [8]. None of the 60 recommendations have been implemented.

Seven years later, the Edgecumbe Floods struck and over 1,000 animals were left behind in the town and the fire service wouldn't go back in because there were no people left in the town [9], [10]. Many animals died needlessly. If it wasn't for the massive efforts by the animal rescue volunteers, more would have died [11]. One story was that of a woman who wanted to return to rescue her horse was refused entry at the cordon. As a result, she swam across the flooded Rangitāiki river with some ropes to rescue her horses [11]. Simply put, saving animals in disasters saves human lives. Indeed, leading scholars in this area have stated "**Pet ownership is the single most common factor associated with human evacuation failure that can be positively affected when the threat of disaster is imminent**" [12]. Studies have also found that the phycological impact of pet loss can be just as traumatic as losing one's home or even another family member [13]–[16].

This paper is intended to assist the drafting of a private members bill for Gareth Hughes MP, to enhance New Zealand's animal welfare emergency management arrangements. This may require amendments to existing legislation such as the Animal Welfare Act 1999, Dog Control Act 1990, Residential Tenancies Act 1986, Human Rights Act 1993, Civil Defence Emergency Management Act 2002 (as well as associated Codes or Orders), and/or passage of new statutes.

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Legend

To assist with the identification of changes/additions to the various statues and other legal instruments, recommendations as well as case studies have been colour coded as follows:

Dog Control Act 1996	Human Rights Act 1993
Animal Welfare Act 1999	Residential Tenancies Act 1984
Civil Defence Emergency Management Act 2002	National Civil Defence Emergency Management Plan Order 2015
Case study	

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Lead Agency

The historic failures of MPI in coordinating animal welfare emergency management need to be considered given that animal welfare, let alone animal welfare emergency management is not a core function of the Ministry. This has been raised on numerous occasions as a result of MPI failing to meet basic requirements under the Coordinated Incident Management System (CIMS) and there may be low confidence in MPI to perform all of this function [9], [10]. It is recommended that MPI lead non-companion animal emergency management, however companion animal emergency management becoming a core welfare function within civil defence emergency management as the needs of companion animals and owners are intrinsically linked and an integrated approach for rescue, housing, psychosocial needs response. This would mean, the Ministry of Civil Defence and Emergency Management would be responsible for coordinating companion animal emergency management, the CDEM Group responsible for coordinating companion animal emergency management, supported by local authority animal control. This also ensures group level companion animal plans should be incorporated by referenced into the group emergency management plan. Fire & Emergency NZ assumes responsibility for coordinating companion animal rescue operations and companion animal decontamination to ensure an integrated approach. This does not prevent teams such as the SPCA National Rescue Unit or Massey University Veterinary Response Team from being deployed, however it ensures such and similar teams are coordinated effectively alongside any human or property protection response [10]. Simply put, more power and responsibility should be placed on local authorities for companion animal emergency management as they have more capacity in this area, and dog control registration could be amended to allow for such revenue to fund related activities (i.e. in Wellington City alone, a 5% increase in dog registration would net an additional >$50,000 for animal emergency management (reduction and readiness only as response and recovery costs are covered under proposed changes in this document) and knowing this may help save their animal, ratepayers may find this palatable. There are also over 1,600 registered charities that benefit animals in New Zealand – it is important that an inclusive forum is used to engage as many players as possible to improve pre-incident preparedness and creating a clear understanding of roles and responsibilities. In the US, there is the National Alliance of State Animal and Agricultural Emergency Programs (NASAAEP) which is comprised of government, not for profit, and private organisations. This inclusive model is lacking in New Zealand.

Amendment to the National Civil Defence Emergency Management Plan Order 2015

s.46 Role of fire service during response and recovery

Add: Fire & Emergency New Zealand is responsible for the coordination of search/rescue and decontamination activities relating to companion animals during a major incident or state of emergency, with the support of Approved Organisations, other such organisations included in s.75 (Animal Welfare) of the National Civil Defence Emergency Management Plan Order or as specified in CDEM Group Plans or FENZ local plans. Nothing in this plan, requires Fire & Emergency New Zealand to deliver animal related search, rescue or decontamination services.

S.75 Animal Welfare

Add: At the national, the Ministry of Civil Defence & Emergency Management is responsible for -

(d) facilitating inclusive collaboration across companion animal welfare interest groups to enhance companion animal welfare arrangements through periodic hui, forums, workshops, conferences, and meetings.

(e) leading the development, implementation and review of a companion animal emergency management plan as part of the national civil defence emergency management plan in consultation with the *search and rescue* and *welfare services clusters* (s.33, National Civil Defence Emergency Management Plan order 2015).

At the national, CDEM Group and local level, the Ministry for Primary Industries is responsible for - coordinating and developing plans for non-companion animals.

Amendment to the Dog Control Act 1996

s.37(4) Local authority to set fees

Amend: In prescribing fees under this section, the territorial authority shall have regard to the relative costs of the registration and control of dogs in the various categories described in paragraphs (a) to (e) of subsection (2)*, obligations under the National Civil Defence Emergency Management Plan Order (excluding response and recovery costs)*; and such other matters as the territorial authority considers relevant.

Mandatory Planning

Nothing in the Civil Defence Emergency Management Act 2002 gives authority to set animal welfare emergency plans (M. Nixon, personal communication, 2018). The National Civil Defence Emergency Management Plan Order 2015, however tasks MPI to *coordinate* animal welfare planning, but no one is accountable for such a plan – there is also no 'stick' if this is not done either (nor is there any 'carrot'). This is not consistent with lessons from international experiences such as those from Hurricane Katrina [8], [9], [17], [18] or the Victorian Bush Fires [19]. The *Ministerial Review of Civil Defence*, also recommended the term "major incident" to be included in future emergencies for significant events that fall below the threshold for declaring a state of emergency. Such plans need to be "incorporated by reference" pursuant to sections 41 (national level) and 51 (group/regional level) - so it would be an offence under section 95 to fail to comply with such plans.

Amendment to Civil Defence Emergency Management Act 2002

Add: In approving Civil Defence Emergency Management plans, the Director shall ensure that such plans take into account the needs of individuals with companion animals prior to, during, and following a major incident or state of emergency.

Amendment to the National Civil Defence Emergency Management Plan Order 2015

Add: That Civil Defence Emergency Management Group is responsible and accountable for the development, approval and maintenance of emergency management plans in reach region for the protection of companion animals prior to, during, and following a major incident or state of emergency. Such a plan shall be compatible with regional animal emergency management plan covering non-companion animals, which MPI is responsible for developing for each CDEM Group.

That MPI is responsible for the development and maintenance of a National Non-Companion Animal Welfare Emergency Management Plan. The Minister for Primary Industries on the advice of NAWAC and Director of Civil Defence, is responsible for approving the National Non-Companion Animal Welfare Emergency Management Plan.

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Source: Daily Mail UK (2009). "Sam" the Koala Bear was injured by the 2009 Victoria Bushfires. He was rescued by David Tree, a firefighter. Sam became a symbol of hope and human kindness.

Definitions

Companion animal and disability assist dog.

Amendment to the Civil Defence Emergency Management Act 2002

Section 2: Interpretation

Add:

companion animals are domesticated or domestic-bred animals whose physical, emotional, behavioural and social needs can be readily met as companions in the home, or in close daily relationship with humans, and includes cats, dogs (including disability assist dogs), rodents, reptiles, fish, horses, and birds; but not does include pigs, sheep, emu, ostrich, or cows. (Adapted from the ASPCA definition [20])

Animal an animal having the same meaning pursuant to the Animal Welfare Act 1999.

Animal marking having the same meaning as marking in the Animal Welfare Act 1999.

Major Incident – refer to Ministerial Review recommendations.

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Operational Response Costs

Currently, central government under the National Civil Defence Emergency Management Plan Order 2015 reimburses local authorities 100% for emergency welfare costs, except for animal welfare despite it being a specified sub-function of the emergency welfare arrangements. Costs incurred by animal charities and other supporting organisations (i.e. veterinary practices) are not eligible for reimbursement by government. The direct cost of approximately $6,000 by the SPCA's National Rescue Unit deploying to Edgecumbe and leading such a massive rescue operation was not even reimbursed. Without the goodwill of animal charities and other supporting organisations, government is unable to meet the expectations of citizens in animal emergency response. The PETS Act 2006 made funding available not just for response costs but also for preparedness activities within the US. Further guidance can be found within FEMA Policy DAP9523.19 [21]. Examples of specific funding for animal disaster response can be found in State Laws, such as those in Maine [22].

The unique relationship between animals and humans in New Zealand is intrinsic and is not merely a property relationship. Animal organisations operate in the interests of public and human welfare and wellbeing. The Animal Welfare Act 1999 deals directly with the relationship between animals and their owners which is an indication that ensuring the welfare of an owned animal correlates directly to the welfare of its owner. The purpose of emergency defence management is to ensure that the welfare of citizens is maintained which must include providing for the welfare of animals (R. Stedman, personal communication, September 10, 2018).

Amendment to the National Civil Defence Emergency Management Plan Order 2015

S. 162 Government financial support to local authorities during response

Government financial support for response activities focuses on costs incurred by local authorities to— care for directly affected companion animals, including the costs of accommodating, transporting, registering, animal marking, rescuing, feeding, preventative immunization, disease testing, decontamination, disposal, and emergency veterinary treatment to companion animals as a result of an emergency; and recommissioning, cleaning and disinfection of facilities and other resources used for such emergency response purposes.

This amendment would also need to be adapted for s.163 Government financial support to local authorities during recovery.

Volunteer Training

For over three years now, civil defence volunteers have been able to access zero fee training through TEC ACE funding. However, this has not been extended to those in civil defence animal welfare roles which adds further *salt to injury* given that civil defence animal welfare response costs borne by animal charities are not eligible for reimbursement by government, yet civil defence human welfare services are able to be reimbursed 100% (and access zero fee training for volunteers). Private Training Establishments who provide volunteer training have raised this concern for over three years with no traction from the Ministry of Civil Defence & Emergency Management. The national arrangements need to provide assurances that animal volunteers have equal access to such training, especially activities that enhance health and safety. This will improve responses to future emergencies, through physical capability, and also broader understanding of the human-animal bond that results in failure to evacuate.

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Amendment to the National Civil Defence Emergency Management Plan Order 2015

S. 102 Capability development activities

Add: Volunteers from organisations who undertake an animal welfare emergency management function, through agreement with Fire & Emergency New Zealand, a Civil Defence Emergency Management Group, the Ministry for Primary Industries, or being mandated in the National Civil Defence Emergency Management Plan shall be afforded the same access to civil defence volunteer training as funded by government as those civil defence volunteers in a non-animal related function or role.

Christchurch Earthquake 2011: The situation for animals has been "deteriorating because of time issues" and is forcing concerned animal owners to break police cordons to search for their pets.

"That is really one of the common problems of why people break the cordon. It's not to go and do burglaries . . . it's to go and retrieve their pets." [23].

Blair Hillyard, Rescue Officer
SPCA National Rescue Unit

General Emergency Powers

The current Civil Defence Emergency Management Act 2002 does not have an animal inclusive structure to allow for rescue, care, shelter, and essential needs for companion animals. This provision also ensures public transport can be directed to take companion animals to improve evacuation compliance.

It is important to the note that section 6 of the Civil Defence Emergency Management Act 2002, states that the act does not affect the powers, duties or functions of other acts. This includes not affecting the duties and powers that inspectors have under the Animal Welfare Act 1999, including the power to enter property (s.127), power to mitigate suffering including giving notice to animal owners or those in charge of such animals (s.130(1)(b)) and the power to take animals at risk of imminent harm into possession (s.127(5(c)). Furthermore, the obstruction or hindering of an inspector (s.159) or failing to comply with requirements made by an inspector (s.130(2)) is an offence.

The Civil Defence Emergency Management Act 2002 has the purpose (s.3) to

(a) improve and promote the sustainable management of hazards (as that term is defined in this Act) in a way that contributes to the social, economic, cultural, and environmental well-being and safety of the public <u>and also to the protection of property;</u> and,
(c) provide for planning and preparation for emergencies and for response and recovery in the event of an emergency; and

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As animals are legally considered as property, they should be afforded protection consistent to the act's purpose.

Amendment to the Civil Defence Emergency Management Act 2002

s.85 Emergency Powers

Civil Defence Emergency Management Groups may:

Add: Provide for the rescue, care, treatment, shelter, transport, and essential needs of animals, and carry out animal marking.

Evacuation

As per above. The current p*rinciples* of evacuation as provided for in the National Civil Defence Emergency Management Plan (s.140). The vagueness of principles gives good reason for specific statute law for protection of animals as implemented in the US through the passage of the PETS Act 2006. Recommended amendments are based on US laws [24].

Amendment to the Civil Defence Emergency Management Act 2002

s.86 Evacuation

Change: evacuation requirements for preservation of "human or animal life".

Amendment to the National Civil Defence Emergency Management Plan Order 2015

s.140

Add: Principles (mass evacuation)

(iv) Where companion animals are left behind in evacuation area, that efforts to rescue such animals and reunify them with their owners, shall be a priority to prevent the illegal return of owners to the evacuated area.

(v) every effort must be made to keep disability assist dogs and their owners together in cases of emergency. Those who rely on disability assist dogs must be evacuated, transported, and sheltered together with their service animal. Facilities that provide shelter to people with disabilities are obligated to provide shelter to both the disabled person and the disability assistance dog.

"**No more should you ever hear evacuate and leave your animals behind**. You got a plan for it. And if you go through our preparedness information, you're going to find, we made that a big deal. You got pets, they're in the family plan. If you evacuate, take your pets with you" [25]

Craig Fugate, FEMA Administrator

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Entry onto premises

As per above.

Amendment to the Civil Defence Emergency Management Act 2002

s.87 Entry onto premises

(a) saving life, preventing injury, or rescuing and removing injured or endangered persons or *animals*; or

(b) permitting or facilitating the carrying out of any urgent measure for the relief of suffering or distress to people or *animals*.

Amendment to the Animal Welfare Act 1999

s.127(3) Dwelling: No inspector may, under subsection (1), enter in or on any dwelling or marae unless he or she is authorised to do so by a search warrant issued under section 131.

Add (3)(a) A dwelling may be entered without a search warrant for civil defence purposes, when during a state of emergency that property has been subject to direction to evacuate by a controller or constable.

Source: Steve Apps, The Post-Crescent, Appleton: Weyauwega, Wisconsin.

In 1996, a dangerous goods train derailed and forced the evacuation of the entire township of Weyauwega (above). About half the households left their pets behind. Half the owners attempted to breach the cordon to rescue their pets, and only after a bomb threat was made to the emergency operations centre, the state governor became involved and ordered the National Guard with armoured personnel carriers to effect an animal rescue [6], [26].

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Requisitioning powers

As above

Amendment to Civil Defence Emergency Management Act 2002

Section 91 Requisitioning Powers

Change: This section applies if a state of emergency is in force and, in the opinion of a Controller or a constable, the action authorised by this section is necessary for the preservation of human and *animal* life.

Microchip Databases

Currently, there are two national databases for microchip records in NZ. The NZ Companion Animal Register (owned by the NZ Companion Animal Trust) and the National Dog Database operated by the Department of Internal Affairs, the later established under the Dog Control Act. However, despite lobbying by the NZCAR and the Institute of Animal Control Officers NZ, DIA has refused to allow the sharing of information between these systems which results in delays in reuniting and duplication of services. These databases need to be able to share information in the interest of animal welfare and improve government electronic services to citizens. The rapid and effective -reuniting of animals with their owners, in particular disability assist dogs is critical to preventing owners returning to disaster affected areas and minimising negative psycho-social impacts on people.

There has also been concern raised by animal welfare and care professionals, that it is common that they observe cases where companion animals (but not dogs due to mandatory registration) have been microchipped, but registration (with the NZ Companion Animal Register) has not been completed, leaving an animal with an electronic number and no record to reconcile with. This further reduces the effectiveness of reuniting of animals in emergencies and it is recommended that for non-dog companion animals.

Amendment to the Dog Control Act 1996

s.35 Supply of information

Any *approved organisation* should be included in the list of organisations who can access dog registration information.

A *Controller*, during a state of emergency should be included in the list of organisations who can access dog registration information.

And any other organisation or person gazetted by the Minister.

New section

s.35A A organisation gazetted by the Minister (i.e. NZCAR) may be granted access to data contained on the National Dog Database as such conditions the Minister imposes for the reuniting and welfare of animals. Where such access is granted, the Secretary of Department of Internal Affairs may cover such costs in doing so from levies collected under section 35B.

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Amendment to the Animal Welfare Act 1999

Add: A person commits an offence who, implants a microchip into a companion animal (not being a dog) and fails to register the animal on the gazetted microchip register (i.e. NZCAR). This section does not apply to

(a) animals being used for research, teaching and training, under an approved code of ethics.

(b) any person or organisation that has a written notice of exemption issued by the Director-General.

Personation of disability assist dogs

There is a global trend of dog owners impersonating that their dog is a disability assist dog to allow them to access public places and transport. This also has occurred in NZ emergencies with owners attempting to bring their dogs inside human evacuation shelters inappropriately [7]. This undermines the legitimacy of genuine disability assist dogs [27]–[29]. To help minimise this, a civil defence dog tag was introduced to help civil defence workers easily identify legitimate service dogs given there is no standardised identification system for such animals [29]. The Human Rights Act has provisions for Guide Dogs, but this is inconsistent to the wider application of "disability assist dog" as contained in the Dog Control Act.

Amendment to Human Rights Act 1993

S.21 Prohibited grounds of discrimination

Change: Substitute *guide dog* for *disability assist dog*, having the same meaning under the Dog Control Act 1996.

Amendment to Dog Control Act 1996

New section: 75A Impersonation of disability assist dog (new)

A person commits an offence who intentionally personates or falsely represents or identifies their dog to be a disability assist dog (and add to Schedule 1: Infringeable Offences). For the purposes of this act, any use of a similar term such as service dog shall also be considered as personating a disability assistance dog.

New section: 75B Identification of disability assist dogs (new)

The Minister may gazette a form of identification to identify disability assist dogs, in consultation with certifying organisations at that time.

In respect to the Canterbury earthquakes: "Christchurch didn't go smoothly from what I saw and heard. More animals than resources. People turned up to the welfare centre with animals and were told to take them to SPCA, but had no transport to get them there, and were more or less just turned away. At one stage when I was manager at a welfare centre I had to do battle as there was a woman with a hearing dog, not only that the woman had mental health issues. I had to fight to get the staff to let them in, then the other staff kept trying to remove her. They had all never heard of a hearing dog before, great learning for them, however extremely traumatic for the woman who spent hours in tears" (confidential personal communication, 2010) [7].

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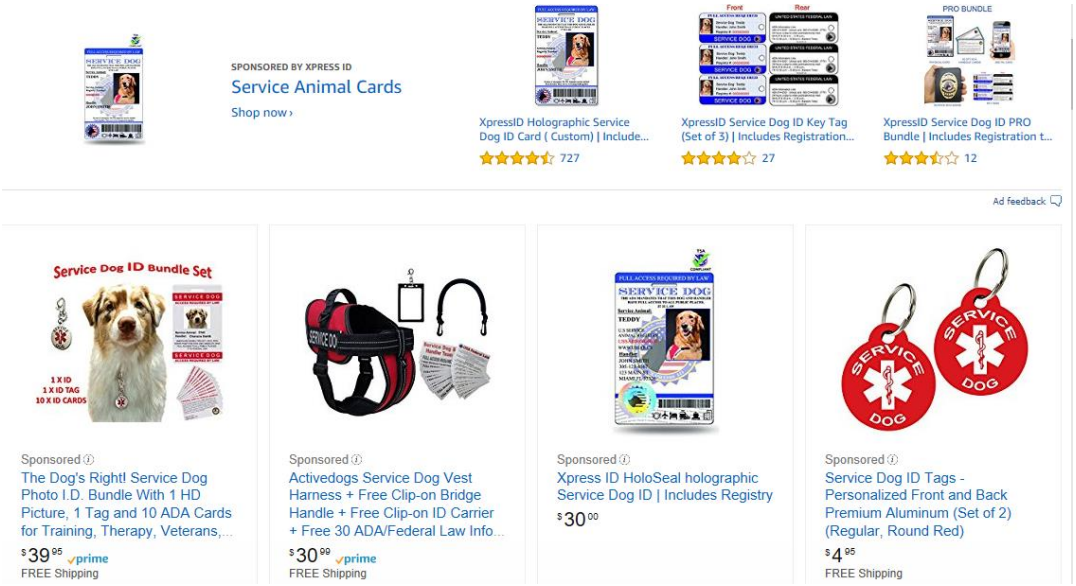
Service dog identification is easily available online to purchase and contributes to personification of legitimate disability assistance dogs.



Source: Amazon website (2018).

Failing to prevent harm and protect animals from hazards

The majority of animal welfare laws have a statutory defence under codes of welfares or in times of emergency or stress. Emergency is not defined in the Animal Welfare Act 1999. It is important that owner responsibility during an emergency does not necessarily stop where there are reasonable opportunities to prevent harm. In Texas, their state law makes it an offence to tether a dog during extreme weather and where weather warnings are in place [30] – this is one of the best animal disaster laws noted.

Amendment to the Animal Welfare Act 1999

Add: s.14A Duty to protect companion animals in emergencies

(1) A person commits an offence who, being the owner of, or a person in charge of, a companion animal, without reasonable excuse or having taken reasonable steps, fails to protect a companion animal from harm, caused by or likely to be caused by extreme weather conditions or an emergency.

(2) In a prosecution for an offence against section 14A(1) committed after the commencement of this subsection, evidence that a relevant code of emergency welfare was in existence at the time of the alleged offence and that a relevant minimum standard established by that code was not complied with is rebuttable evidence that the person charged with the offence failed to comply with, or contravened, the provision of this Act to which the offence relates.

(3) Subject to subsection (4), it is a defence in any prosecution for an offence against section 14A(1) if the defendant proves—

(a) that, in relation to the animal to which the prosecution relates, the defendant took all reasonable steps to comply with section 14A(1); or

(b) that there was in existence at the time of the alleged offence a relevant code of emergency welfare and that the minimum standards established by the code of emergency welfare were in all respects equalled or exceeded.

(4) Except with the leave of the court, subsection (3) does not apply unless, within 7 days after the service of the summons, or within such further time as the court may allow, the defendant has delivered to the prosecutor a written notice—

(a) stating that the defendant intends to rely on subsection (3); and

(b) specifying—

(i) where the defendant intends to rely on subsection (3)(a), the reasonable steps that the defendant will claim to have taken; or

(ii) where the defendant intends to rely on subsection (3)(b), the code of emergency welfare that was in existence at the time of the alleged offence, and the facts that show that the minimum standards established by that code of emergency welfare were in all respects equalled or exceeded.

(5). Nothing in this section requires the owner or person in charge of a companion animal to return to an evacuated area to retrieve their animal where such an area remains under the control of a constable or controller or the area remains unsafe to do so.

Add definition in section 2. Interpretation

Extreme weather includes but not limited to conditions in which:

(a) the actual or effective outdoor temperature is below freezing point; or

(b) an actual storm, flood or tornado or such an event where a weather warning has been issued.

Amendment to Dog Control Act 1996

s.54A Obligations of dog owner during extreme weather (new)

Add: (1) A person commits an offence who, being the owner of, or a person in charge of, a dog, without reasonable excuse or having taken reasonable steps, leaves a dog outside unattended by use of a restraint including a tether or cage, that unreasonably limits the dog's movement and to access a place of safety:

(a) in the case of extreme weather conditions, or

(b) in an area that has been required to evacuate during an emergency

(2) Nothing in this section requires the owner or person in charge of a dog to return to an evacuated area to retrieve their dog where such an area remains under the control of a constable or controller or the area remains unsafe to do so.

Add to schedule 1 (Infringeable offences)

Add definition: *Extreme weather* includes but not limited to conditions in which

(a) the actual or effective outdoor temperature is below freezing point;

(b) an actual storm, flood or tornado or such an event where a warning has been issued

Add definition: *Controller* means a controller appointed under sections 10, 26 or 27 of the Civil Defence Emergency Management Act 2002.

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Tethering of dogs during extreme weather such as flooding is illegal in the State of Texas. With no means to escape, these dogs are prone to drowning as this dog did during Hurricane Katrina in 2005.

Codes of Ethics

Laboratory animals in particular are particularly vulnerable to disaster, often relying on automated environmental, food and water systems [6], [31]. If such facilities are disaster affected, it is common that those in charge of the animals are unable to access them.

S.88(2)(h) new section for code of ethics contents

Add: Specify emergency management arrangements to protect animals from the impacts of natural and technological hazards appropriate to the research and facilities.

Dog Control Bylaws

The Dog Control Act 1996 provides for local authorities to set bylaws mainly for matters pertaining to exercise areas and the like. However, in a state of emergency it would be appropriate to allow the Controller the power to make temporary variations to allow for traditional dog free areas such as sports fields or other public places, to be used for emergency exercise and/or accommodation areas. If off-leash bylaws were ignored during an emergency, it may create legal and political liability around any damage caused by dogs that would normally be banned in such areas [11].

Amendment to Dog Control Act 1996

s.20 (2A) Emergency bylaws (new)

Add: During a state of emergency or major incident under the Civil Defence Emergency Management Act 2002, the Controller may pass, cease, suspend or modify bylaws under this section if required for the control and welfare of dogs and these shall only have effect while the state of emergency is in effect.

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Dog Control Jurisdiction

Dog Control Officers and Dog Rangers may only exercise their powers within their respective local authority boundary. There is provision to allow for councils to allow other council officers to exercise powers in their area [11]. This is suitable for day to day contractual arrangements for cover, but cumbersome in an emergency where establishing such agreements may not expedient.

Amendment to Dog Control Act 1996

s.16(3) Districts in which dog control officer or dog ranger may exercise powers

Add: During a state of emergency or major incident under the Civil Defence Emergency Management Act 2002, the powers of any dog control officer and dog ranger shall extend to local authority or authorities to which the declaration applies to.

Power to seize

The power to take into possession an animal at risk from imminent harm is provided for under section 127(5)(c) of the Animal Welfare Act 1999, however it is limited to inspectors and requires a notice of entry to be left which during a major incident or emergency may not be practical. The Civil Defence Emergency Management Act 2002 has provisions to seize an animal, by anyone directed by the Controller or Constable, but no disposal provisions have been made in the act causing a significant legal issue [11].

Amendment to Dog Control Act 1996

Section: 15A Emergency powers of dog control officers and dog rangers (new)

Add: During a state of emergency or major incident under the Civil Defence Emergency Management Act 2002, a dog control officer or dog ranger may enter upon any property including any dwelling house for the purposes of seizing a dog that is at risk of imminent harm.

Holding periods

The American Bar Association as a result of the issues following Hurricane Katrina developed a model law for states to adopt, that clarified the provisions for disposal of disaster displaced animals [32]. The key element of the law is that stray hold periods were extended to 30 days. Many states have adopted the model law including the state of Oklahoma [33].

Amendment to Dog Control Act 1996

S69 Impounding, s15(1)(c) Dogs Seized and 15A Emergency Powers (new)

Where a dog is impounded or seized within the area declared under a state of emergency or major incident under the Civil Defence Emergency Management Act 2002, the holding period shall be extended from 7 days to 30 days; and the dog shall also be advertised on a lost and found database as gazetted by the Minister of Civil Defence.

Amendment to the Animal Welfare Act 1999

S.141 Duties of approved organisations

Add: Where an animal is taken into custody of an approved organisation and that animal is believed to come from within the area declared under a state of emergency or major incident under the Civil

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Defence Emergency Management Act 2002, the holding period shall be extended from 7 days to 30 days; and the animal shall also be advertised on a lost and found database as gazetted by the Minister of Civil Defence.

Amendment to Civil Defence Emergency Management Act 2002

S.92A Disposal of property seized (new)

Where property or another other thing excluding an animal is seized under section 92, the Civil Defence Emergency Management Group may dispose of it as deemed fit upon termination of the emergency. Where an animal is seized under section 92, is shall be delivered to an approved organisation (Animal Welfare Act 1999) and disposed of under the provisions of section 141 (noting the 30 day hold period would apply).

Humane Trapping

Following evacuations in particular, it is common for some animals to be left behind for various reasons. Given these areas are often cordoned off to the public, these animals can stray and are exposed to many hazards without any monitoring of their health or wellbeing. Leaving animals in-situ and feeding them creates numerous challenges such as blurring of who become the legal person in charge, encourages rodents and other vermin. Feeding in-situ may also become a public health issue. Currently, there are no laws to provide for humane trapping which expedites reuniting of pets with their owners, prevents owners from returning (often illegally) to rescue their pets and ensures owners remain responsible for the ongoing care of their animals [11]. Feeding in-situ is also very time and resource intensive, and best left for special circumstances such as aggressive dogs or large numbers of caged animals (large aviaries etc). In a world first, we can provide for post-disaster humane trapping.

Amendment to Civil Defence Emergency Management Act 2002

s.92B Emergency humane trapping (new)

During a state of emergency, the Controller may direct suitably qualified or experienced persons to undertake the humane trapping of disaster displaced animals within the affected area. Animals caught in such traps, shall be delivered to the custody of an approved organisation.

Such direction does not limit the obligations under section 36 (Inspection of traps) of the Animal Welfare Act 1999.

Section 94N would also need to be amended to reflect this power during the transition period and authorise the Recovery Manager similar power.

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Animal Establishment Emergency Plans

Animal establishments as defined in the Animal Welfare Act means a place at which animals are used or held in the charge of any person, and which has, as its principal purpose, the using or holding of animals for display, sport, entertainment, temporary care, sale, conservation, scientific study, or other activity. Currently there is no obligation to ensure plans are in place to afford them protection. In mandating such plans, this will remove a large burden from government and the community should these establishments be unprepared and become impacted from disaster [11]. Specific laws to mandate animal establishment emergency planning are currently before US Congress [34] and already in place in some states such as Louisiana (RS 29:726):

"Require animal shelters, humane societies, veterinary offices, boarding kennels, breeders, grooming facilities, hospitals, schools, animal testing facilities, and any other businesses or not-for-profit agencies that normally house household pets or service animals to create evacuation plans for such animals consistent with the provisions of this Paragraph. Such plans shall be made available to the public upon request and shall be filed annually with the Louisiana Department of Agriculture and Forestry, office of animal health and food safety, and with their respective parish office of homeland security and emergency preparedness".

Amendment to the Animal Welfare Act 1999

New section. s.29A Emergency Plans. Every animal establishment shall develop and maintain an emergency management plan that:

(1) Identifies the hazards that may threaten or impact the establishment
(2) Provides for the reasonable mitigation of such hazards
(3) Specifies actions and responsibilities in the event of an emergency arising from such hazards
(4) Is appropriate to the size and scale of the establishment
(5) Details how the welfare of animals within the establishment is provided for
(6) Specifies the training, exercising and review requirements to ensure the plan is effective and maintained.
(7) Meets the requirements prescribed by a standard for such plans, as set by the Director-General.

Each plan shall be available for inspection at any reasonable time, by an Inspector or Auditor appointed under the act.

The Director-General may exempt types or individual animal establishments, after consulting NAWAC.

The Director-General may develop a standard for animal establishment emergency plans, after consulting with NAWAC.

Amendment to the Animal Welfare (Care & Procedures) Regulations 2018

Add 49A Emergency Plans

The owner of, and every person in charge of an animal establishment must provide request a copy of the establishment's emergency plan for inspection by an Inspector or Auditor, unless an exemption is in place.

A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding $1,500.

The offence in subclause is an infringement offence with an infringement fee of $500.

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Source: Sunday Star-Times (12 September 2010):

Around 3,000 birds were killed or required to be destroyed after caging stacks at the Weedon Poultry Farm failed during the September 2010 (Darfield) earthquake. The Army were called into assist. This is often the case where producers do not have confidence in animal rights groups to assist in emergency response. In 2000, several tornadoes struck layer hen sheds at the Buck Eye Egg farm in Ohio. Over million hens became injured or trapped in storm damaged cages. Many were buried injured and alive, despite crude attempts at euthanasia [6]. It was clear this major facility had little emergency management plans including mitigation in place.

NAWAC membership

The Animal Welfare Act 1999 specifies the requirements for membership of the National Animal Welfare Advisory Committee. Should this mechanism be continued under the new coalition government, then there are some deficiencies that should be. Given climate change, it is likely there will be more climatic events like Edgecumbe. With intensification of farming practices, more animals will be vulnerable to disaster. It is likely that more animals will suffer from these events, than from neglect or cruelty meaning the Minister's advisory panel needs to have the expertise to advise the Minister on such matters [11]. Additionally, given the need to encourage more animal shelters to be compliant with disposal laws, there should be an increase in approved organisations (not necessarily with enforcement powers) and these should be fairly represented and not purely the domain of a single animal welfare charity. NAWAC should be solely an animal advocacy voice and leaving the remit of other considerations such as cultural practices, rural communities with other advocacy processes.

Amendment to the Animal Welfare Act 1999

s.58 NAWAC Membership

Change: s.58(1) National Animal Welfare Advisory Committee consists of not more than 14 (increased from 11).

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(3) The Minister must, in making appointments under subsection (2)(b), have regard to the need for the Committee to possess knowledge and experience in the following areas:

(j) Animal disaster management

(k) Operation as an Approved Organisation

Mandated Organisations

Under the National Civil Defence Emergency Management Plan Order 2015, the SPCA is only mandated to assist the owners of companion animals to mitigate suffering. The CDEM Act 2002 does not define the mitigation of suffering. The legislative term mitigation of suffering is found within the Animal Welfare Act 1999 and provides inspectors the power to undertake or direct the humane destruction of animals that are sick or injured under section 130. This function as per the National CDEM Plan Order 2015, could continue given under the plan the SPCA's only mandated function is to assist owners of companion animals to mitigate suffering. There is no other mandated function upon the SPCA such as temporary accommodation of companion animals. The mandated function of companion animal care, relocation and accommodation is bestowed upon the local authority through their animal control service. The SPCA has no mandated function for reuniting companion animals, nor any function for non-companion animals such as laboratory animals or livestock under current civil defence arrangements [11]. Should the SPCA not guarantee a response capability or is overwhelmed, which the latter is more likely, government has an obligation to ensure the legislative framework has contingencies and encourages all relevant community groups to be part of disaster resilience in accordance with its national civil defence emergency management strategy. Given that more animal welfare groups should be encouraged to improve their compliance with the Animal Welfare Act in regard to rehoming of abandoned animals in particular, the National CDEM Plan Order should take an inclusive approach and not be charity specific. The exclusion of other animal groups will likely result in major fragmentation such as in Hurricane Katrina where over 120 charities descended into the affected area, with over 50 temporary shelters being set up without any integration or information sharing [2], [35]– ultimately leading to reuniting failure and reduced animal welfare outcomes.

The proposed arrangement future proofs the legislative framework for changes in participating organisations and sets expectations for all approved organisations to have responsibilities during an emergency. At the National Hui on Animal Welfare held in Auckland on 8th of June 2018, many other charities raised their concerns of the lack of collaboration and engagement by the SPCA as well as animal welfare advice concerns given by the society [36]. The SPCA Chief Executive has also made comment in the media that centres around the country were about to reach crisis point and "we can't take in any more animals" [37], highlighting a significant risk for the government to rely on an already overburdened on a day to day basis, let alone an emergency.

Amendment to National Civil Defence Emergency Management Plan Order 2015

S.75(3) Animal Welfare (amend)

Approved Organisations ~~(RNZSPCA)~~ under the Animal Welfare Act 1999, to provide direct support and co-ordination services to companion animal owners to assist in mitigating animal suffering as a result of an emergency OR If RNZSPCA to remain then ADD Animal Evac New Zealand Trust may provide assistance to any civil defence emergency management group, local authority or any other agency in the National CDEM Plan Order in the interest of animal welfare, in particular the evacuation, temporary sheltering and reuniting of animals.

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Registration of displaced dogs

The Dog Control Act 1996 has been written with only reference to the "Societies for the Prevention of Cruelty to Animals", which is somewhat outdated given some of the largest animal shelters are now run by other charities such as HUHA. In line with previous recommendations to move to neutral terminology and create redundancy in animal disaster care capacity, the Dog Control Act 1999 should be modernised to refer only to "approved organisations". This would then allow other organisations to hold disaster displaced dogs, without an obligation to have them registered whilst in custody. To some degree, where such organisations are operating under local authority dog control during an emergency to operate an animal shelter, they are not obligated to have all dogs within their care registered. However, to avoid any ambiguity, section 42 (offence for failing to register dog) of the Dog Control Act 1996 should be updated. The section also requires dogs to be registered at the time of release or before being returned to the owner, however this may not be appropriate during an emergency and an exemption is sought.

Amendment to Dog Control Act 1996

s.42 Offence of failing to register dog

(3)(c) keeping the dog in the custody of an approved organisation under the Animal Welfare Act 2002 pending the dog's—

(i) recovery by its owner; or

(ii) disposal to a new owner.

(4) However,—

(b) Except during a state of emergency, a person to whom subsection (3)(b) or subsection (3)(c) applies must not dispose of a dog (other than by destroying it), unless the dog is first registered under this Act.

Animal Population Data/Census

Effective emergency planning requires animal population data to underpin assumptions in planning and response, as recommended by the OIE emergency management guideline [38]. Currently, animal population data is fragmented and no organisation taking the lead to collate such information from the range of sources including MPI, Statistics NZ, National Dog Database, NZ Companion Animal Register, and the NZ Companion Animal Council Census. It is recommended that MPI (or statistics NZ) is responsible for provide animal census data for emergency management purposes and collating such data from the range of sources.

Amendment to National Civil Defence Emergency Management Plan Order 2015

S.75(3) Animal Welfare (amend)

The Ministry for Primary Industries is responsible for the periodic publication of local, regional and national animal population statistics. The Ministry is also responsible for the supply of data for emergency management purposes to Civil Defence Emergency Management Groups.

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Destruction of Animals

The destruction of animals during emergencies is highly emotional and fraught with political risk. An example of this was St Bernard Parish during Hurricane Katrina where two Sherriff Deputies shot and maimed numerous pets that were told to be left behind at a community assembly point. The shooting was allegedly done inhumanely, and photographs of the crime scene painted a horrific blood bath. The Deputies were indicted on serious animal cruelty charges; however, the case was withdrawn due a technicality [8], [35], [39]. The provisions with the Civil Defence Emergency Management Act 2002 provide out-dated and draconian powers for the unbridled destruction of animals. Should there be grounds to destroy animals due to sickness or injury, such provisions already exist under the Animal Welfare Act 1999. It would be appropriate to only provide powers to electively destroy animals under strict conditions, such as limiting this power to the Controller (not any constable) and in consultation with an Animal Welfare Inspector.

Amendment to Civil Defence Emergency Management Act 2002

S.92 Power to inspect

No animal shall be destroyed under this enactment, unless authorised by a Controller who has consulted an Inspector appointed under section 124(2) of the Animal Welfare Act 1999 or veterinarian.

"I promise you, that I will hold anyone accountable that unlawfully restrains their dog in extreme weather conditions," "Dogs are your family members too." [40]
Roman Forest City Chief Stephen Carlisle

"Animal abuse in Texas will be met with harsher punishment starting in September. A law was passed that will hold abusers accountable for up to a decade in prison if found guilty. That means that if the

Texans that **chained their animals up in Hurricane Harvey** are found, they could fall under this law and spend **ten years in prison**" [41].

Deceased companion animals

In Hurricane Katrina more than 90% of animals left behind died. In the Edgecumbe 2017 flood, the SPCA's protocol was to recover deceased companion animals where possible at the time of the search to reduce the degradation of the body and to expedite the closure of the loss for the owner. This in turn, created significant goodwill with the community and removed, in many cases, the desire to breach the cordons to find their animal. This best practice should be should be included into the legislative arrangements to improve future responses [11].

Amendment to National Civil Defence Emergency Management Plan Order 2015

S.75(3) Animal Welfare (amend)

Notwithstanding section 85(1)(g), the local authority shall be responsible for the collection of deceased companion animals and in doing so should check for animal markings to enable notification to the owner or an approved organisation.

Removal of dog collars

During Hurricane Katrina it was observed that some volunteers involved in searching for and rescuing animals left behind, intentionally removed collars and other identification in an attempt to reduce the likelihood of reuniting with the owner, as they believed the owners were of bad character to have abandoned their animals in the first place [2]. Though the Dog Control Act has provisions for the prohibiting the removal of collars to deceive, it may not be sufficient to cover the intent to minimise reuniting, nor does it prevent removal of collars that do not bear a registration disc (i.e. a dog collar without a registration disc but has a phone number tag could be removed currently without offence). This offence also only applies to dogs and cats may be subject to the indirect abuse of having their identification removed.

Amendment to the Animal Welfare Act 1999

s.29 Further offences

A person commits an offence who—

Add: (i) removes any collar, disc or animal marking from an animal during a major incident or state of emergency, with the wilful intent to hindering the reuniting of that animal to its owner.

Emergency Accommodation

In the recovery phase after an emergency, experience has shown nationally [42] and internationally [43] that rental accommodation availability reduces in disaster affected areas due to damage of homes and dwellings. The lack of pet-friendly rental accommodation associated with this contributes to unnecessary euthanasia of companion animals, adding to the trauma (and guilt) of those already affected by disaster and removes an often trusted and existing source of psychosocial support [42]. New Zealand has been proactive in being more pet-inclusive in our society with recent changes to Housing New Zealand policies and companion animals able to be taken on public transport (in Wellington). New Zealand has an opportunity to create world leading animal emergency management laws that protect the family unit following a disaster. This would be achieved by making it illegal to

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discriminate against a tenant for rental properties, based on companion animal ownership during a recovery transition period. This will lead to better mental health and animal welfare outcomes.

Amendment to Residential Tenancies Act 1986

S.12 Discrimination to be an unlawful act

A landlord shall not, in respect of the grant, continuance, extension, variation, termination, or renewal of a tenancy agreement,—

Add: (c) Discriminate against any person on the basis of companion animal ownership while a transition period is in effect under the Civil Defence Emergency Management Act 2002; and where the owner has as written certificate or statement issued by a veterinarian that confirms the animal's suitability to reside in the property being tenanted.

Add: (5) Nothing in section 12 (1)(d) shall apply tenancies involving dogs classified as menacing or dangerous under the Dog Control Act 1996.

Political Leadership

Under the National Civil Defence Emergency Management Plan Order, the government's high-level crisis coordination mechanisms are explained including the National Security Committee (NSC), Officials Domestic & External Security Committee (ODESC) and Watch Groups. The vagueness may be well placed, however it was clear in events such as Edgecumbe that animal welfare which a major issue for government, did not have sufficient representation at these meetings [10]. The Minister responsible for animal welfare should by default be invited to NSC, and the Director General of MPI should be attending ODESC. It would be appropriate to clarify the expected membership for civil defence emergencies on these groups, especially given all significant emergencies in the past decade have had major animal related issues that went largely unresolved and have a negative impact on animal welfare and community wellbeing. The absence of robust review, debriefing and after action reporting within MPI's animal emergency management processes also draws concern [9], [10], [44], despite obligations under section 158 of the National Civil Defence Emergency Management Plan Order 2015.

Credit: Associated Press. Case Study: The 2016 Kaikoura Earthquake made news headlines with the world more concerned about the fate of the three cows stuck on a landslide island, than the impact on the human population. The way we treat and respond to animals in disaster is a reflection on our society and reputation.

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Other Socio-Zoologically Vulnerable Animals

Following the 2016 Kaikoura earthquake, GNS Scientist Kevin Berryman observed the seabed was vertically displaced some 6 metres along the coastline, rendering trapped crabs, fish and paua unable to return to the water [45]. Other media reports corroborated these observations with crayfish and lobster also being observed as stranded by the uplift and despite public officials warnings not to, community members returned to relocate the sea life back into water [46]. There was significant backlash by the public to the government direction to stop the sea life rescue attempts. A Ministry for Primary Industries fisheries officer threatening to arrest the paua rescue volunteers [47]. With hundreds if not thousands of crabs, lobsters, fish and crayfish stranded and dying, no government agency took responsibility for the welfare of these animals, despite them being afforded the same protections under the Animal Welfare Act 1999 as companion animals (acknowledging that paua are not classified as animals and therefore not protected under the Animal Welfare Act 1999). Simplistically, the government sets the maximum number of fish that can be legally taken from the sea through a quota system or *allowable catch*. The efforts by the public to rescue the fish where treated as breaches of fishing quota by officials, whereas in many cases, people were acting in the interests of animal welfare. It is unclear whether the provisions of section 16 (emergency measures) would be effective in enabling rescue of fish, those protected under the Animal Welfare Act 1999 or otherwise. In effect, there is no agency or body responsible for the welfare of these animals during an emergency and this legislative gap needs to be addressed.

Amendment to National Civil Defence Emergency Management Plan Order 2015

S.75(3) Animal Welfare (amend)

The Ministry of Primary Industries is responsible for the welfare of fish, lobster, octopus, squid and crayfish found in a natural state or any other species that the Minister directs, where such animal's welfare is compromised during a state of emergency or major incident.

MPI shall include such responsibilities in the National Animal Welfare Emergency Management Plan they will be responsible for.

Code of Emergency Animal Welfare

The Animal Welfare Act 1999 allows for Codes of Welfare to be set that set minimum standards for animals. However, a person where prosecuted under section 12 or 29(a) of the Animal Welfare Act (where most offences fall) has a defence to these section's statutory liability, should "the act or omission constituting the offence took place in circumstances of stress or emergency, and was necessary for the preservation, protection, or maintenance of human life".

The terms stress and emergency are not defined in the Animal Welfare Act 1999. This means, the Codes are ineffective in setting minimum standards for emergency situations. There is also significant research to suggest that in reality, protecting animals leads to protecting humans, so the clause around necessary for the protection of human life may be conflicted.

Therefore, it is recommended that the Minister may issue a Code of Emergency Animal Welfare, that sits outside the strict liability and statutory defence provisions [11].

A new Code of Welfare (Temporary Housing of Animals) was issued in September 2018. The code states the code does not apply "temporary housing of companion animals in temporary emergency shelters during civil defence and other emergency situations" [48, p. 5], yet it sets a minimum standard (#15: Contingency Planning) "Staff must be suitably trained to respond to an emergency that could

have a detrimental effect on the animals in the temporary housing facility" [48]. In effect failing to provide this renders the standard invalid.

Without the Animal Welfare Act 1999 providing an offence for failing to have a contingency plan (as recommended in this report under *Animal Establishment Emergency Plans*), the minimum standard is benign and unenforceable.

It would appear the consultation process and legal review of the Code has been sub-optimal, and the drafting of the code has been done as if it's legislation without providing for situations of emergency under the Animal Welfare Act 1999. Such processes require further attention.

Amendment to the Animal Welfare Act 1999

s.79A Codes of Emergency Welfare (new)

The Minister may issue a Code of Emergency Welfare (using the same process as that specified for a Code of Welfare) to establish minimum standards of animal welfare during emergency situations.

Sponsorship restrictions

Some major animal charities have commercial agreements around brand association, which may become restrictive in an emergency and prevent other suppliers from actively participating in emergency response in the interest of animal welfare. It is important that expectations on such suppliers are managed, in that any such agreement should not impeded the provision of relief during a state of emergency. This issue may extend to non-animal relief provision in an emergency also.

Amendment to Civil Defence Emergency Management Act 2002

S.92C Contracts not to affect relief (new)

No contract or agreement shall impede the effective provision of functions, powers, or duties under this enactment.

Local authority to be an approved organisation in an emergency

The National Civil Defence Emergency Management Plan Order 2015 places responsibility for companion animal emergency care, transportation and accommodation on local authorities. However, unlike an approved organisation they do not have any legal provisions for the disposal of animals other than dogs, and even then, only for dogs that have been impounded for being stray or seized due to offences under the act. This is a major oversight by the responsible departments [11]. Though any organisation including local authorities could apply to the Minister to become an Approved Organisation, this would be cumbersome given the large number of authorities and not all may want to have the wider scope of duties associated with being an approved organisation on a day to day basis. Therefore, it is recommended that during a state of emergency or major incident, that the local authority is by default an approved organisation for the purposes of carrying out their mandated function under the National CDEM Plan Order; and that Dog Control Officers and Dog Ranges are by office, deemed Auxiliary Officers under the Animal Welfare Act to allow for compliance associated with disposal of animals.

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Amendment to the Animal Welfare Act 1999

s.121 (1A) Approved Organisations

Add: The local authority shall be deemed an Approved Organisation during a major incident, state of emergency or transition period as defined by the Civil Defence Emergency Management Act 2002, for the sole purpose of carrying out their function specified in the National Civil Defence Emergency Management Plan Order, unless the Minister approves otherwise through an application received under section 122.

S.2 Interpretation

Auxiliary Officer includes by virtue of appointment under the Dog Control Act 1996 any Dog Control Officer or Dog Ranger during a major incident, state of emergency or transition period as defined by the Civil Defence Emergency Management Act 2002.

Reinforcing existing powers of Inspectors not affected

During the Christchurch quake and Edgecumbe Flood events, it was evident that response agencies had little to no knowledge of the powers of an inspector, pursuant to the Animal Welfare Act [10] and in several cases, government officials hindered or obstructed them in their duty and power to enter premises to take into possession animals at risk of imminent harm (s.127(5)(C)). Under the Civil Defence Emergency Management Act 2002, it is made very clear in section 6, the CDEM act does not limit the powers under other enactment.

Amendment to National Civil Defence Emergency Management Plan Order 2015

S.75 Animal Welfare

Add: Nothing in this plan shall limit the powers, duties or functions of Inspectors or Auxiliaries appointed under the Animal Welfare Act 1999, or Dog Control Officers or Dog Rangers appointed under the Dog Control Act 199.

Notice of entry requirement during an emergency

Animal Welfare Inspectors on a day to day basis, exercise significant powers similar that to a Constable (only minus the power to arrest or detain a vehicle). They are however required to leave a notice of entry where they enter upon a property, including for taking an animal into possession where it is at risk of imminent harm. In large scale disasters, this administrative requirement may impede the expeditious rescue of animals. Though there are some provisions under section 131(4)(b) of the Search and Surveillance Act 2012 for such notices to be given to occupiers within 7 days if not practical to serve at the time of entry, during a large-scale event, this administrative obligation may become burdensome and not appropriate for non-compliance “rescue” activities. The removal of such an obligation would be consistent to the Fire & Emergency Management Act 2017 and Civil Defence Emergency Management Act 2002, that both do not mandate notices of entry to be served for similar lifesaving powers. It is recommended that during a state of emergency, this mandatory requirement be relaxed. With the increased requirements recommended under this report, any animal rescued will be required to be recorded on one central/national database to make reuniting efficient.

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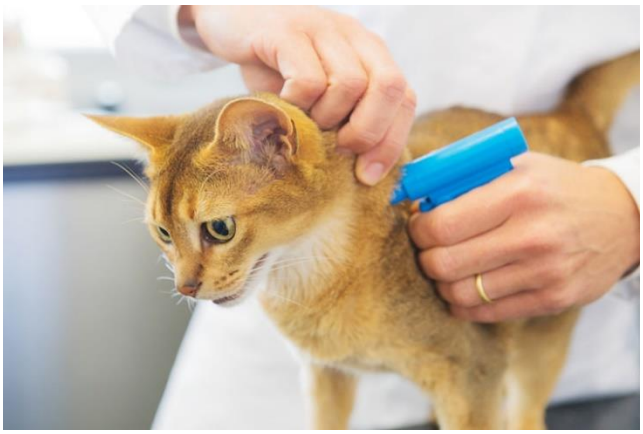
Amendment to the Animal Welfare Act 1999

s.129 Notice of Entry

Change: *Except for during a state of emergency*, if the person in charge of the land, premises, or place or the vehicle, aircraft, or ship, as the case may be, is not present at the time at which a power of entry is exercised, without warrant, under section 127, the inspector must leave in a prominent place on the land, premises, or place or in or on the vehicle, aircraft, or ship a written statement…

Power to microchip during an emergency



"**Following the 2011 quake the NZCAR provided support services to SPCA Canterbury**. In a 12 week period we dealt with over 24,000 phone calls and faxes and placed over 800 ads for chipped and non-chipped pets. Of the hundreds of animals we dealt with we managed to get 25% of non-chipped pets home within 2 to 3 days. However **we managed to get over 85% of microchipped pets home in under 3 hours**." [49]

Amendment to the Civil Defence Emergency Management Act 2002

s.92D Power to mark animal (new)

During a state of emergency, an Inspector or Auxiliary Officer may cause an animal to be marked (refer definition: animal marking).

Public transportation of companion animals

As a result of the experiences of Hurricane Katrina, the Pet Emergency & Transportation Standards Act 2006 introduced the requirement that the transportation of pets be included in emergency arrangements. Hunt et. al. (2011) found that an "inability to transport a pet during an emergency and lack of knowledge of pet-friendly emergency shelters were popular explanations for pet evacuation failure" during Hurricane Irene [50]. Examples of state laws giving effect to this requirement can be exemplified in the New Jersey state law [51].

Amendment to the Civil Defence Emergency Management Act 2002

s.92E Emergency transport of companion animals (new)

During a state of emergency, and when evacuation has been directed by a controller or constable, the owner of a companion animal shall be permitted to board any public transportation or public transportation service with the domestic companion animal so long as that animal is under the owner's control by use of a leash or tether or is properly confined in an appropriate container or by other suitable means.

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Credit: Tony Alsup. Case Study: While fleeing the effects of Hurricane Florence, South Carolina resident Tony Alsup rescues and evacuates 64 animals using a school bus. This "selfie" went viral and was covered by major news channels including Washington Post, MSN News, CNN and the Daily Mail UK. During Hurricane Katrina, pets were not allowed on public transport, yet Limousines were used to transport animals to safety [52].

Protection of animals during biosecurity incidents

The current incursion of *Mycoplasma bovis* across New Zealand had led to over 37,524 cattle being culled [53]. As part of control measures pursuant to the Biosecurity Act 1993, Restricted Place Notices and Notices of Direction can be issued. These can prohibit the movement of animals (in this case cattle) unless a permit is issued. The Civil Defence Emergency Management Act 2002 does not affect the powers of the Biosecurity Act 1993, therefore even during a state of emergency (civil defence), the requirement to move cattle under such notices without a permit is illegal. The permit is issued to specific persons under the Biosecurity Act 1993, and such permitting function is not a default power upon a constable or controller. This means, in the case of *Mycoplasma bovis* (and other similar incursions affecting animals), that the safe evacuation of animals during a natural disaster event is conflicted. It is recommended that the National CDEM Plan Order mandates MPI to ensure arrangements are in place for animals under a biosecurity notice that may also be affected by a civil defence emergency. By codifying this arrangement, this ensures vulnerable stock are not put at risk during disasters.

Amendment to the National Civil Defence Emergency Management Plan Order 2015

S.75 Animal Welfare

Add: At the national, the Ministry for Primary Industries is responsible for:

Ensuring adequate arrangements are made for animals placed a notice issued under the Biosecurity Act 1993 to ensure such animals are protected in the event of a state of emergency under the Civil Defence Emergency Management Act 2002. This may include providing information to owners or persons in charge of such animals, to ensure they have adequate arrangements for the evacuation or

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culling if required, and/or the provision of emergency movement conditions as outlined in a permit issued under section 134(1)(b) of the Biosecurity Act 1993.

Conclusion

In New Zealand the existing national arrangements and framework for companion animal emergency management do not currently meet international best practice. While effort is being made within the sector to address the issue, it is often ad hoc and accomplished through the sheer good will and personal interest of individuals with little or no financial and technical support. It is not appropriate to assume that charities will carry out the necessary companion animal emergency planning which is a statutory responsibility of the territorial authority, especially when national instruments do not provide for the reimbursement of their operational response costs – this makes them financially vulnerable for simply trying to help during a disaster.

The United States has implemented specific federal legislation and provided significant funding for companion animal emergency management as a result of the lessons learned following Hurricane Katrina.

New Zealand has the opportunity to mitigate the same risks and prevent similar catastrophes including the loss of human life, providing strong leadership and commitment can be exemplified by central government. We have a once in a lifetime opportunity to create world leading animal disaster laws that will enhance our vision for a resilient New Zealand.

Steve Glassey
Founder | Animal Evac New Zealand Trust
& Doctoral Candidate| University of Otago

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Summary of changes

Change	Comparative Laws
1. MCDEM specifically mandated to develop and maintain National Companion Animal Emergency Management Plan.	Pet Emergency & Transportation Standards Act 2006 [USA] New Jersey State Law [54] Refer also to Annex A.
2. MPI responsible for National Non-Companion Animal Emergency Management Plan.	
3. CDEM Groups responsible for regional companion animal emergency plan, supported by local authority animal control.	Pet Emergency & Transportation Standards Act 2006 [USA] New Jersey State Law [54] Refer also to Annex A.
4. Fire & Emergency NZ responsible for coordinating and directing large scale animal rescue and animal decontamination at major incidents and during states of emergency.	
5. Dog Control registration fees may be used towards local authority animal welfare related civil defence functions (reduction and readiness activities).	
6. Definitions of companion animal, animal marking added to legislation.	
7. Dwellings may be entered without warrant by Animal Welfare Inspectors, during state of emergency and where dwelling subject to evacuation order, for civil defence purposes.	

8. Operational costs for animal welfare emergency management now reimbursed by central government (for response and recovery activities).	Pet Emergency & Transportation Standards Act 2006 [USA] Maine State Law [22]
9. Animal welfare civil defence volunteers equally able to access civil defence volunteer training funding schemes.	Pet Emergency & Transportation Standards Act 2006 [USA]
10. Powers to rescue, shelter, transport, care, treat, decontaminate, and microchip animals during emergencies.	Pet Emergency & Transportation Standards Act 2006 [USA]
11. Powers to evacuate, enter on property and requisition now are animal-inclusive.	Pet Emergency & Transportation Standards Act 2006 [USA]
12. Companion animals left behind during evacuation now to be treated as a priority for rescue and reuniting.	Pet Emergency & Transportation Standards Act 2006 [USA]
13. Offence created for impersonating the use of a disability assist dog.	New York State Law [55]. Colorado, Maine, Michigan, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Texas, Utah, and Virginia have similar laws or regulations prohibiting the misrepresentation of service animals.
14. National identification tag may be mandated for disability assist dogs.	
15. NZCAR/LostPets and National Dog Database mandated to share information, with existing levy able to be used for civil defence functionality.	State of Louisiana (RS 29:726) section (E)(a)(iii)(bb). [56]
16. Displaced animals in an emergency must be entered into onto the NZCAR/LostPets database.	State of Louisiana (RS 29:726) section (E)(a)(iii)(bb). [56]

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17. Offence created for failing to protect companion animals from extreme weather and during emergencies, without reasonable excuse.	State of Texas, *Texas Health & Safety Code*. 2007. [30]
18. Code of Ethics (research, testing, teaching) now require measure to protect animals from impacts of natural and technological hazards.	Animal Emergency Planning Act (Bill) 2015, US Congress. [34]
19. Controller may amend, suspend, change, create temporary emergency dog control bylaws, i.e. emergency exercise areas for dogs near evacuation centres.	
20. Dog Control Officer and Dog Rangers able to carry out function, duties and powers in any area subject to state of emergency.	
21. Dog Control Officer and Dog Ranger may seize a dog that is at risk of imminent harm.	
22. Stray holding periods under dog control and animal welfare acts, increased from 7 days to 30 days for displaced animals during emergency.	American Bar Association, 'Model Act Governing Standards for the Care and Disposition of Disaster Animals (2/10)'. [32] Oklahoma State Law (Care and Disposition of Disaster Animals,2015) Act4 Okl. St. Ann. § 701 – 707. [33]
23. Power for humane trapping operations to be undertaken including during recovery transition period.	
24. Approved organisations (not just specific charity) embedded in national animal welfare sub-function to promote inclusiveness.	

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25. MPI responsible for protected animals under the animal welfare act, found in a natural state and impacted by disaster i.e. crayfish, lobster, squid and octopus.	
26. Animal establishments required to have an emergency management plan, and offence for failing to provide for inspection by Inspector or Auditor.	Animal Emergency Planning Act (Bill) 2015, US Congress. [34] State of Louisiana (RS 29:726) section (E)(a)(v). [56]
27. NAWAC to have "approved organisation" and "animal emergency management" experience as part of its composition.	
28. Local authorities become approved organisations for civil defence purposes during an emergency and recovery transition period, with dog control officers and rangers becoming auxiliary officers by default during such time.	
29. MPI responsible for collation of national, regional and local animal census/population data and supply of such data to CDEM groups.	
30. Power to destroy animals under civil defence arrangements, now subject to approval by animal welfare inspector or veterinarian.	
31. Dead displaced companion animals should be delivered to an approved organisation, checked for animal markings and entered onto the NZCAR/LostPets database.	
32. Offence created to make it illegal to discriminate tenancy applicants based on companion animal ownership during recovery transition period.	

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33. Code of Emergency Welfare able to be developed that applies during times of emergency.	
34. Sponsorship arrangements may not hinder relief of animal welfare aid during an emergency.	
35. Inspectors may enter to rescue animals from imminent harm without notice of entry in a state of emergency.	
36. Inspectors, Auxiliary Officers, Dog Control Officers and Dog Rangers able to microchip animals during a state of emergency.	
37. Public transportation of confined or restrained companion animals permitted during an emergency.	Pet Emergency & Transportation Act 2006. New Jersey state law [51]. See also Annex A.
38. Offence to microchip companion animal and fail to register it on the National Dog Database or NZCAR/Gazetted database.	
39. MPI to work with affected owners of animals under a biosecurity notice to ensure adequate arrangements are made for their protection during emergencies, given the movement restrictions may prevent evacuation.	

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Annex A: US State Laws (2011)

Emergency Plans for Household Pets and Service Animals- State Statutes February 2010		
State	**Statute**	**Description**
Connecticut	Conn. Gen. Stat § 28-1 (4) (D)(ii)	Definition of civil preparedness includes providing for the non-military evacuation of the civilian population, pets and service animals
District of Columbia	D.C. Code § 8-1861.01 (2009)	The Mayor shall establish an emergency preparedness plan for the protection, sheltering and evacuation of domestic animals during and following a major disaster or emergency.
Florida	Fla. Stat. § 252.3568 (2009) Fla. Stat. § 252.355 (2009)	§ 252.3568 - Emergency Sheltering of persons with pets. Strategies for emergency evacuation of persons with pets shall be addressed in the shelter component of the state comprehensive emergency management plan. § 252.355 Registry of persons with special needs – (3) - person with special needs is allowed to bring service animal into a special needs shelter.
Illiniois	20 ILSC §3305/4 (2010)	Definition of Emergency Operations Plan means the written plan.... for responding to and recovering from disasters and shall include plans that take into account the needs of those individuals with household pets and service animals
Louisiana	La. R.S. § 29:726 (E)(20) (2010)	Very extensive statute, mandates planning, education, evacuation programs.
Nevada	Nev. Rev. Stat. Ann. § 414.095 (2009)	Emergency Management Plan must address needs of persons with pets, service animals or service animals in training.
New Hampshire	N.H. RSA § 21-P:37 (VI)	Preprare a plan and program for evacuation of hearing ear dogs, guide dogs, search and rescue dogs, and other service animals as defined in RSA 167-D.
New Jersey	N.J. Stat. § App. A:9-43.1 (2010): State Emergency Operations Plan N.J. Stat. § App. A A:9:943.2 (2010): County and municiapl emergency operations plans	Each county and municipality shall prepare a written Emergency Operations Plan. Plans shall include provisions, developed in support with the Dept. of Ag. To support the needs of animals and individuals with an animal under their care, including service animal in a major disaster or emergency.
New York	NY CLS Exec § 22(3)(b)(16) (2010)	Disaster response plans shall include utilization and coordination of programs to assist individuals with household pets and service animals following a disaster, with attention to means of evacuation, shelter and transportation.
Oregon	ORS § 401.272 (2007) (pets and service animal plans): ORS § 401.274 (2007) (livestock plans): amended by HB 3021 § 3031 (2009)	Office of Emergency Management in cooperation with State Department of Agriculture shall prepare a written plan for evacuation, transport and sheltering of household pets and service animals. Section 401.274 requries preparation of plans for livestock.
Texas	Tex. Gov't Code §418.043(11) (2009)	The Texas Division of Emergency Management shall assist political subdivisions in developing plans for the humane evacuation, transport, and temporary sheltering of service animals and houshold pets in a disaster..
Virginia	Va. Code Ann. § 44-146.18 (B)(19) (2009)	State Department of Emergency Management shall: Develop an emergency response plan to address the needs of individuals with household pets and service animals in the event of a disaster and assist the coordinate with local agencies in developing an emergency response plan for household pets and service animals.

Source: Iowa State University, 2011 [57].

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Annex B: Entry, Seizure & Disposal Matrix (Draft)

Acts	Power bestowed upon	Power to enter onto Property	Power to enter dwelling	Power to take possession of animal for safety	Notice of Entry required	Disposal of animals taken into possession	Disposal of animals presented	Disposal meets ABA model law (30-day hold)
CDEM Act 2002	Controller or any Constable	Conditional to declared state of emergency only [s.87]	Conditional to declared state of emergency only [s.87]	Yes [s.92]	No	No provisions for *things* seized	No provisions	No
AWA 1999	Animal Welfare Inspector, including Any Constable	Yes, power to inspect any animal. [s.127]	No, unless Search Warrant issued. [s.127(3)]	Yes [s.127(5)(b/c)]	Yes [s.129]	Where taken into possession, by court order if not returned. [s.127(6)]	After 7 days excluding stock [s.141]	No
DCA 1996	Dog Control Officer or Ranger, or any constable	Conditional to situations involving dogs [s.15(1)(c)]	No, unless Search Warrant issued.	If limited access to food, water or shelter [s.15(1)(c)]	Yes [s.15(3)]	After 7 days from notice being issued to owner [s.71A]	Dogs only after 7 days [s.69]	No
FENZ 2017	Authorised person under Act	Yes, to protect life or property [s.42]	Yes, to protect life or property	Yes, implied by Act. [s.40(a)]	No	No provisions but may transfer to AO/TLA as not seized.	No Provisions	No

Source: Glassey, 2018 [11].

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