



NZVA
New Zealand Veterinary Association

Animal Welfare Policy Team
Ministry for Primary Industries
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By Email

Feedback on proposed regulations on prolonged tethering in dogs and subgingival dental procedures

The New Zealand Veterinary Association (NZVA) is the only membership organisation representing veterinarians in New Zealand. It supports members through leadership, education, standard setting, and wellbeing support.

The NZVA and the Companion Animal Veterinarians Branch (CAV) is making this submission on behalf of members in response to the proposed regulations on subgingival dental procedures in dogs and cats and prolonged tethering of dogs. We have collated responses from our members via an online survey to provide these submission documents.

The NZVA and the CAV branch have been working closely with MPI on the development of the subgingival regulation since 2022.

We fully support the proposed wording for the subgingival dental procedures regulation. The aim of developing this regulation has been to get Allied Veterinary Professionals (AVPs) back performing these procedures with urgency, without allowing non-trained people (such as groomers) to carry out the same procedures on dogs and cats. Surveyed respondents have demonstrated overwhelming support across the whole membership for this proposed regulation.

It is clear from our member survey response that the proposed regulation and wording on subgingival dental procedures is well supported, and we are confident that progression of this regulation will have a positive impact on our profession. Therefore, we would ask that this regulation is progressed in an expedient manner for the benefit of our members and the animals they care for.

It is apparent that the proposed suite of regulations on prolonged tethering of dogs is more complex. As previously discussed, we hope that the subgingival regulation will progress alone if the complexities of the prolonged tethering regulations result in any delays.

Thank you for the opportunity for our membership to provide feedback on these proposed regulations, and we look forward to hearing the outcome.

Ngā mihi,

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Feedback on the proposed regulations on prolonged tethering of dogs

The New Zealand Veterinary Association (NZVA) was a key stakeholder in the pre-consultation period for the development of this set of proposed regulations. We sought feedback from members via Survey Monkey and received 55 individual responses from members.

Proposed regulation 1: Prohibiting prolonged tethering that is likely to cause distress to a dog.

Q1. Do you agree with this proposal? Why/why not?

98% of respondents agreed with this proposed regulation.

Q2. Do you have any feedback on the proposed regulation?

Some respondents noted that “unreasonable distress” will be difficult to define.

Proposed regulation 2: Requiring that tethered dogs get one hour off tether each day

Q3. Do you agree with this proposal? Why/why not?

89% of respondents agreed with this proposed regulation.

Q4. Do you have any feedback on the proposed regulation?

Some respondents expressed concerns that two hours off tether a day would not be enough, particularly for farm dogs. While setting a requirement to have time off tether is a good idea in theory, it may be difficult to prove in practice.

One respondent noted that simply letting a dog off tether may not be enough, as it could lead to wandering or other forms of confinement. Although this is an important regulation, the wording may need to be adjusted to ensure that dogs are given opportunities to exercise and show normal behaviours when off tether.

Recommendations:

- Consider increasing the minimum number of hours to four hours day.
- Review the regulation wording to ensure that dogs are given opportunities to exercise and show normal behaviours when off tether.

Proposed regulation 3: Prohibiting tethering to a fixed stationary point

Q5. Do you agree with this proposal? Why/why not?

82% of respondents agreed with this proposal.

Q6. Do you have any feedback on the proposed regulation?

NZVA members raised some queries about wording and definitions.

The NZVA would like clarity about the definition of the term “temporary” to help members better understand the regulations. Members also queried the term “holiday” in exemption 2 and would like to know whether this refers to the dog owner/person in charge being away from home. If so, the NZVA does not believe this is acceptable as the animal would not necessarily have access to water and food.

Some NZVA members questioned the practicality of the proposed regulation, including how the regulation will affect working farm dogs who have a kennel with a chain. Would it be considered a breach to continue to house working farm dogs like this routinely?

Certain wording in the regulation may be impractical (eg constant supervision). One member noted that fixed short-term tethering on farm fence lines is common over lunch, but that it should be unacceptable to leave them in the hot sun without water.

The NZVA recommends the regulation is revised to specify conditions associated with tethering that would minimise stress and suffering (eg continuous access to water, shelter from the elements, appropriate bedding to prevent pressure sores).

Recommendations:

- Define the word “temporary” in the regulation.
- Define the term “holiday” in the regulation.
- Consider how the regulation will affect working farm dogs who have a kennel with a chain.
- Specify conditions that must be met to minimise stress and suffering (ie continuous access to water, shelter from the elements, appropriate bedding to prevent pressure sores).

Proposed regulation 4: Prohibiting the tethering of certain types of dogs

Q7. Do you agree with this proposal?

78% of respondents agreed with this proposal.

Q8. Do you have any feedback on the proposed regulation?

Although members agreed that certain categories of dogs should not be tethered, some noted that the possible exemptions mean that the five categories listed are incomplete.

Members noted that there may be times when tethering a dog in season is preferable to not tethering them, for the safety of that dog and others. Is the alternative to kennel all entire male and female dogs for the duration of every heat?

There is a concern that, if a dog is permitted to be tethered as per the exemptions, delaying training a pup to tether until after six months could cause more stress to the animal than short periods of supervised tethering at a younger age (eg four months), especially for large breed and working dogs. One respondent, however, felt that the minimum age should be at least 12 months to avoid damage to growing dogs.

Members also raised concerns about the pressure this would put on veterinarians from the perspective of dog guardians. There is an opportunity for dog guardians to try to get a letter of exemption from their veterinarian on areas that are difficult to categorically define (eg third trimester of pregnancy, in heat).

Finally, some members feel it would be hard to evidence the risk of danger to human safety.

Recommendations:

- Consider adding an exemption for short periods of supervised tethering at a younger age (eg four-months), especially for large breed and working dogs.
- Consider changing the minimum age to 12 months.

Q9. Would it be possible to identify all the categories of dogs currently in this option? Is it possible to easily identify a dog in the third trimester of pregnancy, or whelping?

43% of respondents said that it would be possible to identify all the categories of dogs currently in this option, while 57% of respondents said “no”.

Although whelping would be fairly easy to identify, some dogs do not show their pregnancy well and guardians can be unaware that their dog is pregnant until they are nearly due.

Without knowing the mating date or having a scan done, it can be hard to prove a dog is in the third trimester. Third trimester can be hard to determine, and different body condition and breeds will carry differently, making it hard to see – especially when observing an animal from a distance.

Education would be needed around the third trimester if this regulation came into effect. A more simplistic view of “pregnant dogs should not be tethered” would be more suitable, with discretionary leeway in the early pregnancy as some dog guardians may not be aware.

Recommendations:

- Amend the wording to “Pregnant dogs should not be tethered”, with discretionary leeway in the early pregnancy when some dog guardians may not be aware.

Q10: Are there any further categories of dog that could be added to this proposal? (eg blind dogs, dogs with entropion, brachycephalic breeds, or dogs under veterinary direction)?

Members identified the following categories of dog that could be added to the proposal:

- Brachycephalic dogs, especially those with tracheal collapse
- Vision-impaired dogs
- Dogs with cardiac conditions
- Dogs with chronic respiratory conditions
- Dogs with skin abrasions due to collars
- Small dogs who are so tiny that the weight of the tether would be too onerous
- Elderly dogs with arthritic problems
- Any dog with a neck or spinal impairment.

The length of the tether should also be addressed, as dogs can injure themselves if the tether is too long.



Proposed regulation 5: Prohibiting the tethering of dogs displaying certain physical signs of distress

Q11. Do you agree with this proposal?

83% of respondents agreed with this proposal.

Q12. Do you have any feedback on the proposed regulation?

Members noted that dogs who are continuously caged could suffer from the same problems (eg callouses and overgrown nails), particularly for large breeds.

The NZVA would like clarification on the threshold for muscle atrophy, which is part of the aging process and can be normal for many stock breeds.

Recommendations:

- Clarify the threshold for the physical signs of distress, including muscle atrophy, callouses and overgrown nails.

Q13. Are there any further physical indicators that could be included in this proposal? (eg stereotypical behaviours, tail-chewing, blindness, or entropion)?

NZVA members identified the following physical indicators that could be included in this proposal:

- Significant dermatological disease, which could relate to hygiene, fleas and chronic inflammatory conditions
- Stereotypical behaviour
- Vision impairment
- Rubbing from the collar or tether
- Signs of pain or behavioural distress
- Signs of heat stress
- Anxiety
- Obsessive behaviours
- Aggression
- Respiratory issues
- Spinal issues
- Neck issues
- Overgrooming
- Tail chewing.

Proposed regulation 6: Requirements on how tethering can happen

Q14. Do you agree with this proposal?

91% of respondents agreed with this proposal



Q15. Do you have any feedback on the proposed regulation?

One member noted that the proposed regulation attempts to set a minimum standard for tethering which is positive.

One respondent expressed concern that a run line could allow for stereotypical barking or running, with higher risks of entanglement and frustration. A run line is suitable for a garden, but not a farm setting.

Recommendations:

- Review the wording of the proposed regulations, considering the differences between working dogs and companion dogs.

General feedback on the proposed regulations

Q16. Would you support a mix of the six proposals being implemented?

96% of respondents would support a mix of the six proposals being implemented.

Q17. Which proposals do you think should be implemented?

98% of respondents agreed with proposal 1 (prohibiting prolonged tethering that is likely to cause distress to a dog)

78% of respondents agreed with proposal 2 (requiring that tethered dogs get one hour off tether each day)

49% of respondents agreed with proposal 3 (prohibiting tethering to a fixed stationary point)

76% of respondents agreed with proposal 4 (prohibiting the tethering of certain types of dogs)

87% of respondents agreed with proposal 5 (prohibiting the tethering of dogs displaying certain physical signs of distress)

84% of respondents agreed with proposal 6 (requirements on how tethering can happen)

Q18: Why do you think these proposals should be implemented?

NZVA members support the proposals for a variety of reasons, including:

- Proposals 1,4 and 5 relate to distress and disease.
- Proposals 3 and 6 attempt to improve conditions.
- Providing guidelines for something that happens routinely is necessary in certain situations, especially for farm or security dogs.
- They would allow enforcement officers the tools to prevent prolonged tethering causing distress and pain to dogs, especially on private property. This is a very important animal welfare regulation for dog welfare.

Q19. What would be the positive impacts of these proposed regulations?

NZVA members identified the following positive impacts of the proposed regulations:



- Improved conditions for tethering with reduced distress and disease states
- Improved welfare of dogs
- Improving the knowledge and understanding of owners regarding the welfare of their dogs
- Greater freedom for dogs to express normal behaviour
- Setting expectations
- Allowing SPCA to enforce restrictions on tethering.

Q20. What would be the negative impacts of the proposed regulations (including costs of complying)?

NZVA members raised concerns about:

- The cost of implementation
- Difficulties with consistent assessment and monitoring
- Concerns from farmers
- More antisocial dogs potentially being loose in inadequately fenced premises, and potentially more roaming dogs.

Q21. Are there any unintended consequences to the proposed regulations?

NZVA members identified the following possible unintended consequences to the proposed regulations:

- More roaming dogs which may lead to more accidents and more accidental matings.
- The regulations may alienate farmers who tether their dogs.

Q22. Do you think the proposed regulations would achieve the aim of improving the welfare of tethered dogs?

80% of respondents believe the proposed regulations would achieve the aim of improving the welfare of tethered dogs.



Feedback on the proposed regulation on subgingival dental procedures

The New Zealand Veterinary Association (NZVA) and the Companion Animal Veterinarians Branch (CAV) surveyed members on the proposed regulation on subgingival dental procedures in dogs and cats to seek feedback on the proposed regulations, their likely impacts and any other issues that may inform the creation of these regulations.

The NZVA received 97 individual responses which have informed this submission.

Q1. Which option do you support - the status quo, or proposed regulation on subgingival dental procedures? Why?

The NZVA and CAV strongly support the proposed regulation (98% support via surveyed members), including the regulation wording and definitions of subgingival dental procedures.

Q2. What would be the positive impacts of this regulation?

Allowing Allied Veterinary Professionals (AVPs) to return to performing subgingival dental procedures with urgency will allow veterinarians to attend to patients with more serious health issues in a shorter frame of time. Veterinary teams can improve animal welfare outcomes for patients with dental disease by attending to these procedures in a more expedient manner.

The regulation would not allow non-trained people such as groomers to carry out the same procedures on dogs and cats.

The regulation would also likely improved job satisfaction for AVPs.

Q3. What would be the negative impacts of this regulation?

We see no negative impacts of this regulation under the proposed wording that animals must be under the influence of general anaesthesia that has been authorised by a veterinarian for the purpose of the procedure.

Q4. Would a transitional or phase-in period be required for this regulation? If so, how long would be appropriate?

We do not believe a transitional or phase-in period is required. AVPs with suitable experience and training are currently available to perform these procedures and have previously carried out these procedures before the introduction of criteria to determine significant surgical procedures under section 16 of the Animal Welfare Act.

Q5. How widespread are these procedures in NZ?

Subgingival dental procedures are performed daily throughout companion animal and mixed veterinary practices in New Zealand.

Q6. What is good practice for these procedures?

Good practice is that the patient is under the influence of general anaesthesia for the purpose of the procedure with an endotracheal tube in place. The veterinarian who authorised the general anaesthetic is satisfied that the person performing subgingival dental procedures has adequate experience or training in the procedure being performed. The veterinarian who authorised the general anaesthetic should also be available to intervene or assist when required.

Q7. Is allowing non-veterinarians to carry out these procedures (with general anaesthesia authorised by a veterinarian for that purpose) good practice?

The NZVA believes that allowing non-veterinarians with appropriate experience and training to carry out these procedures on a patient under the influence of general anaesthesia authorised by a veterinarian for the purpose of the procedure is good practice.

The wording “general anaesthesia” is vital to ensure these procedures are only carried out in the veterinary clinic setting.

93% of surveyed members understood and supported this part of the regulation.

Q8. Are there any unintended consequences?

The NZVA does not foresee any unintended consequences under the proposed regulation wording, which states that the procedure must be performed under the influence of general anaesthesia.

Q9. Do you think the regulation will achieve its aim?

The NZVA is confident that the proposed regulation will achieve its aim to get AVPs back performing these procedures with urgency, without allowing non-trained people (such as groomers) to carry out the same procedures on dogs and cats.

Q10. Are there any religious or cultural practices that would be impacted by the proposal?

We are not aware of any religious or cultural practices that would be impacted by the proposal.

Q11. Do you think the proposed regulation would adequately ensure that subgingival dental procedures in dogs and cats are carried out by an appropriate person, in accordance with good practice? Why or why not?

The NZVA believes the proposed regulation would adequately ensure subgingival procedures in dogs and cats are carried out by an appropriate person, in accordance with good practice, through the addition of the wording “under the influence of general anaesthesia”. Veterinary supervision (per the Veterinary Council of New Zealand’s Code of Professional Conduct for Veterinarians) is a key part of these procedures and ensures they are conducted to an appropriate standard and within a veterinary setting.



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Q12. If you think another option would be more appropriate for subgingival dental procedures, what alternative option would you suggest? Why?

The NZVA and CAV support the current proposed regulation and would like to see this enacted as quickly as possible.