

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016

Declared Bird Organisations

What is the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016?

The Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016 (Bill) introduces a range of amendments to the *Domestic Animals Act 1994* (Act). These amendments deliver on the Government's election commitment to reform the dog breeding and pet shop industries in Victoria and better regulate the sale of dogs and cats.

Under the amendment Act:

- there are limits on the number of fertile female dogs breeders can keep
- pet shops are only able to sell dogs and cats sourced from shelters, pounds or enrolled foster carers
- the role of foster carers is clearer
- there are new definitions for 'recreational breeders' and 'microbreeders'
- the definition of 'farm working dogs' is clarified
- the animal sale permit system is simplified
- traceability of cats and dogs is improved through the establishment of the Pet Exchange Register
- offences apply for publishing non-compliant pet sale advertisements.

Key changes:

- **A new scheme has been developed for caged bird sales in Victoria.**
- **The scheme allows a club to become a 'declared bird organisation' and conduct bird sales outside of registered premises.**
- The Bill has been amended following a Parliamentary Inquiry and additional consultation with stakeholders.

How does the Bill relate to bird sales?

Currently, under the Act, caged birds can only be sold from a private residence or a registered pet shop. The Act requires that a pet shop must be located in a permanent location, and open not less than five days a week (excluding public holidays).

The Bill introduces a new scheme, specifically designed for the bird clubs of Victoria, to allow for bird sales to occur where animal welfare and consumer protections are in place.

Who can apply to be a declared bird organisation?

To be eligible to apply, an organisation must represent members with an interest in:

- birds and bird keeping
- the promotion of aviculture
- the well-being of birds, whether in captivity or in the wild.

What is the process to become a declared bird organisation?

Bird clubs must apply to the Minister for Agriculture (Minister) to request declaration.

If the Minister is satisfied that the bird club has processes in place to require its members comply with the Code of Practice for the Housing of Caged Birds or another similar code of practice, the Minister will publish a notice in the Government Gazette declaring the bird club, a “declared bird organisation”.

For a declared bird organisation application form, and further details on the application process, call 136 186 or email pet.welfare@ecodev.vic.gov.au.

How do declared bird organisations hold sale events?

Once a bird club has its declaration in place, it is entitled to hold sales, without the need to be in a registered pet shop or use an animal sales permit.

However, prior to any sale, the bird club must inform the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) of its intentions. This notification must be given at least 14 days before the sale commences, and include:

- the date of the sale
- the address of the sale
- contact details for the person in charge
- possible species of birds
- estimated number of attendees.

How will the welfare of the birds being sold be protected?

When applying to the Minister, bird clubs must enclose evidence of how members are educated in, and comply with, either the Code of Practice for the Housing of Caged Birds made under the *Prevention of Cruelty to Animals Act 1986* or another code of practice relating to caged birds that has been approved.

Is a declared bird organisation legally responsible for enforcing the code of practice?

No. Declared bird organisations must educate their members about, and have processes in place to require their members to comply with, the relevant code but they are not legally responsible.

Local council authorised officers, DEDJTR authorised officers, and RSPCA (Victoria) officers are responsible for enforcing the law.

If a bird club isn't declared by the Minister, can they still hold sale events?

Yes. Clubs are able to apply for individual animal sale permits to hold one-off events if they choose not to become a declared bird organisation.

For a template animal sale permit application, and further details on the application process, call 136 186 or email pet.welfare@ecodev.vic.gov.au.

For more information

Visit www.vic.gov.au/pets email pet.welfare@ecodev.vic.gov.au or call 136 186.

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