

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

Commercial Dog Breeders

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 amended 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:

- **Breeders who wish to keep more than 10 fertile female dogs can apply to the Minister for a Commercial Dog Breeder approval.**
- **Approved Commercial Breeders can be granted approval to have up to 50 fertile female dogs following an audit and recommendation by Victoria's Chief Veterinary Officer.**
- Breeders with over 50 fertile female dogs must reduce numbers to 10 or less (or up to 50, if an Approved Commercial Breeder) through not replacing retiring dogs by 10 April 2020.
- The Bill has been amended following a Parliamentary Inquiry and further consultation with stakeholders.

What is a commercial dog breeder?

Changes introduced through the Bill limit the number of dogs allowed on a single rateable property. Breeders are only able to have up to 10 fertile females with council approval alone.

To hold 11 to 50 fertile female dogs, breeders must also attain approval from the Minister for Agriculture. Those with this approval are defined as an 'approved commercial dog breeder'.

How do I become an approved commercial dog breeder?

Businesses must first apply to their local council for registration as a Domestic Animal Business (DAB). To be a DAB a business must:

- satisfy planning permit requirements and receive a planning permit if required
- receive an excess animal permit from their local council, if required
- register as a DAB with their local council in accordance with the Act and local council requirements
- comply with the Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (updated 2015).

Following registration as a DAB, businesses must apply to the Minister for Agriculture to obtain commercial dog breeding approval. Applications must be in the required form, and accompanied by the application fee.

Businesses will then be subject to an additional audit and inspection by Victoria's Chief Veterinary Officer. On recommendation from the Chief Veterinary Officer, the Minister may then give approval to operate.

Businesses with more than 50 fertile female dogs will not be allowed to operate after 10 April 2020.

How long does commercial breeding approval last?

Commercial dog breeding approval may be granted for one year in the first year of operation, and for up to three years every subsequent request for approval.

What extra mechanisms are in place to ensure the welfare of dogs in an approved commercial breeding establishment?

Amongst other things, commercial breeding establishments will be required to:

- undergo increased audits from the Chief Veterinary Officer
- provide annual reports to the Minister for Agriculture
- ensure all staff have the appropriate qualifications.

Will approved commercial dog breeders be on the new Pet Exchange Register?

Yes. The Bill will establish a new register, to be known as the Pet Exchange Register. All DABs will automatically be included on the new Pet Exchange Register.

Commercial breeders will be supplied with a source number from the Register that will be required in all advertisements.

Members of the public will be able to access limited information on the Register, regarding advertisers of cats and dogs. This will enable prospective purchasers to determine if a seller is legitimate and a responsible breeder.

As a commercial breeder, do I use my source number or my DAB number in online advertisements of pet sales?

From 10 April 2018 to 30 June 2019, commercial breeders must include the dog's microchip number, DAB number and council name in all advertisements.

After 1 July 2019, it will be an offence to advertise a dog or cat for sale unless the advert includes its microchip number and the source number generated by the Register.

Offences apply to both the person selling the pet, along with the publisher that publishes a non-compliant advertisement.

I am an approved commercial breeder, will I be able to sell dogs to pet shops?

The Bill creates an offence for a breeder to sell cats or dogs to, or through, a pet shop.

Pet shops will only be able to sell dogs over six months of age and cats over eight weeks of age, which have been sourced from a registered pound, animal shelter or voluntarily enrolled foster carer.

Pet Shops have until the end of June 2018 to adjust to the new requirements, with offences commencing on 1 July 2018.

Can I be both a commercial breeder and own a pet shop?

The Bill prohibits the co-registration of breeding, shelter, pound and pet shop DAB on a single rateable property or by the same person in Victoria.

This prevents illegal breeders establishing a supply chain to funnel puppies and kittens into a pet shop. It stops an illegal breeder setting up a breeding establishment in one municipality, an illegitimate shelter in a second, and a pet shop (to on-sell animals from the shelter) in a third.

Timeframes

Existing dog breeding businesses will have until 10 April 2020 to reduce their fertile female dog numbers to 10 or less (or 50 or less, if an Approved Commercial Breeder) by not replacing retiring dogs.

The Pet Exchange Register, and associated advertising requirements, will become mandatory from 1 July 2019.

For more information

Visit www.vic.gov.au/pets or call 136 186.

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ISBN 978-1-925733-33-4 (pdf/online)