

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

Animal Sale Permits

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:

- **The animal sale permit application process has been clarified and simplified. The animal sale permit scheme will provide flexibility for a variety of events, including adoption days, and will maintain animal welfare standards.**
- The Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016 has been amended following a Parliamentary Inquiry and additional consultation with stakeholders.
- The amended Bill makes compliance clearer for responsible pet owners, and for those who breed and sell pets responsibly.
- Under the changes, Victorian pet owners will be able to tell if their pet has come from a responsible source.

What does the Bill have to do with animal sale permits?

Currently, under the *Domestic Animals Act 1994*, caged birds, cats, dogs, mice, rabbits, guinea pigs, and reptiles 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 will introduce an animal sale permit, approved by the Minister, to allow sales to occur in Victoria where animal welfare and consumer protections are in place.

What is the process to obtain an animal sale permit?

An organisation or person that intends to hold an animal sale will need to apply to the Minister for a permit. The application must be in the form approved by the Minister, and be accompanied by the prescribed application fee.

The application must include a copy of an agreement entered into between a veterinary practitioner and the applicant confirming that the veterinary practitioner will attend the sale if required.

The Minister may issue a permit authorising the applicant to sell animals, specifying the type of animals, the location and time of the sale.

Prior to the event, the Minister must give a copy of the permit, including any conditions imposed on the permit, to the relevant Council.

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.

Can an animal sale permit be refused?

Yes. The Minister can refuse an animal sale permit if:

- the applicant does not meet the prescribed criteria, or
- the Minister believes on reasonable grounds that to issue the permit would be inconsistent with the purpose of the Act, or
- the applicant has been found guilty of an offence against the *Domestic Animals Act 1994*, *Prevention of Cruelty to Animals Act 1986* or the law of another State or Territory of the Commonwealth that corresponds to this legislation.

What conditions can be placed on an animal sale permit?

The Minister may impose conditions on an animal sale permit, such as:

- the type of animal accommodation that must be provided at the place of the proposed sale
- sale guarantees to be offered to purchasers
- the animal care policies and procedures that must be in place, including veterinary support and emergency management and evacuation plans.

Who can apply for an Animal Sales Permit?

Any organisation or person wanting to hold an adoption day outside of a pet store or private residence is able to apply for an animal sales permit. Animal sales permits are not limited to domestic animal businesses or voluntarily registered foster carers.

If a Community Foster Care Network (CFCN) is having an adoption day at a pet shop, is an animal sales permit needed?

Yes.

Do bird clubs need an animal sales permit to hold a public sale or a meeting where birds will be traded?

An animal sales permit is only required if the organisation is not a 'declared bird organisation'.

What other issues should I be aware of?

Animal sale permit holders must allow council or RSPCA (Victoria) authorised officers to access the sale venue, for the purposes of inspecting it before or during the sale.

A council or RSPCA (Victoria) authorised officer may close a sale event down at any time if they reasonably believe that the welfare of any animal to be sold at the sale is at risk.

The holder of an animal sale permit must submit a report to the Minister no later than 28 days after the sale. This report must include details of the sale event. A template for the report is available from www.vic.gov.au/pets.

Offences relating to non-compliance with animal sale permits apply.

For more information

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

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