



Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017

Community Foster Care Networks

What is the *Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017*?

The *Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017* (PFPS Act) introduces a range of amendments to the *Domestic Animals Act 1994* (DA 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 DA Act:

- there are limits on the number of fertile female dogs breeders can keep
- pet shops can only 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
- an animal sale permit system is established
- traceability of cats and dogs is improved through the establishment of the Pet Exchange Register
- offences apply for publishing non-compliant pet sale advertisements.

What does the PFPS Act mean for CFCNs?

The PFPS Act creates a new permit system that CFCNs can utilise to hold adoption days outside of a registered Domestic Animal Business (DAB) or private residence.

Is there an enrolment scheme for CFCNs, similar to that being introduced for individual foster carers?

The Government has not introduced an enrolment scheme for CFCNs under the PFPS Act.

Does the status of CFCNs change?

No. The PFPS Act does not change the status of CFCNs.

Do all foster carers within a CFCN need to be registered? Will it change what a CFCN can do?

No. An individual foster carer may choose to enrol with their local council. But this will not affect any CFCN status or arrangements with their foster carers.

I am responsible for a CFCN. I often take in large numbers of dogs that I look after until I can find foster carers to help rehabilitate them. Do I need to register as a shelter?

If you have more than five adult equivalent animals in your temporary care, you may need to register your premises as a shelter with your local council.

If you use your premises as a transit premises where the animals are delivered for collection by foster carers within 24-48 hours, and you do not house more than five foster animals for more than 24-48 hours, you may not need to register as a shelter.

You should speak to your local council about how your rescue organisation works and determine the best option for you.

Will CFCNs be able to sell their rescued cats or dogs through a pet shop?

No. CFCNs cannot sell or give away cats or dogs to be rehomed through a pet shop. Registered pet shops can only source cats and dogs from an approved source.

An approved source is defined as a shelter, pound or registered foster carer.

However, CFCNs are able to apply for an animal sale permit to hold adoption days at a pet shop site.

What is the process for a CFCN to obtain an animal sale permit?

A CFCN that intends to hold an animal sale or adoption day will need to apply for an animal sale permit from the Minister for Agriculture (Minister). The application must be in the form approved by the Minister, and accompanied by the prescribed application fee of \$28 for not-for-profit organisations (fee current as at 10 April 2018).

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
- information regarding the animal accommodation at the place of the proposed sale
- sale guarantee/s 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.

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 local council.

For an animal sale permit application form, or 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 DA Act, *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?

All animal sale permits will be subject to the following conditions:

- the permit holder must ensure that all animals have access to clean drinking water at all times in a container that cannot be tipped over easily
- the permit holder must ensure that all animals have adequate protection from adverse weather at all times
- the permit holder must ensure that the sale guarantee is honoured.

The Minister may impose any other conditions on an animal sale permit related to the application requirements.

What is the Pet Exchange Register and do CFCNs need to register?

The PFPS Act establishes a new register, to be known as the Pet Exchange Register (the Register). All DABs, microbreeders, recreational breeders and members of the public, including the individual responsible for a CFCN, who are selling or giving away cats or dogs will be required to enrol on the Register.

Minimal information is required for CFCNs to enrol on the Register.

Once enrolled on the Register, a source number will be generated for use by the individual or the organisation. The source number will enhance traceability of cats and dogs.

Only authorised personnel will be able to access full details on the Register. This will include specific officers authorised under the DA Act, who require information from the Register to investigate breeding businesses that may be operating unlawfully.

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 a legitimate supplier.

When do CFCNs need to use source numbers for advertising?

From 1 July 2019, it will be an offence to advertise a dog or cat for sale unless the advert includes the animal's 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.

These offences make it harder for illegal breeders to sell their animals through online sales.

For more information

Visit <http://www.animalwelfare.vic.gov.au> or email pet.welfare@ecodev.vic.gov.au or call 136 186.

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