

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

## Cat Applicable Organisation members

### 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.

### I am a member of a cat Applicable Organisation, what does the PFPS Act mean for me?

Applicable Organisation members with up to 10 fertile females continue to be exempt from registering with council as a Domestic Animal Business, and do not have to comply with the Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (revised 2015) (the Code).

A new category of breeders, known as recreational breeders, is being introduced. Recreational breeders are members of Applicable Organisations, who keep up to ten fertile females. The PFPS Act enables Applicable Organisations to continue to regulate their own members under codes of ethics/practice.

Applicable Organisation members must include a microchip number and a source number generated via enrolment with the Pet Exchange Register (the Register) in all pet sale advertisements (from 1 July 2019). Offences apply for using false or misleading numbers.

Applicable Organisation members are held to equivalent welfare standards for breeding and rearing practices as other breeders through their organisation's code of ethics and any other rules.

## What is involved in being a recreational breeder?

Recreational breeders (with up to 10 fertile female cats) are members of Applicable Organisations and have no more than 2 fertile female cats not registered with their Applicable Organisation.

Being a recreational breeder does not require registration as a Domestic Animal Business with council, nor does it require compliance with the Code.

Recreational breeders are required to comply with their Applicable Organisation's regulations, codes, policies and procedures.

Recreational breeders must self-enrol on the Register. The Register will issue recreational breeders with a source number that must be included in all cat and dog sale advertisements, along with microchip numbers.

## Do Applicable Organisation members still need to comply with local council planning rules?

Yes, nothing in the PFPS Act changes the requirement to obtain the necessary planning approvals from local councils.

You should contact your local council's planning department for more information about the number of animals you are allowed to keep under your local planning scheme.

## I have fertile female cats that I show with, but I don't breed. Will I have to register as a recreational breeder?

No. Unless you breed and advertise the kittens or cats, you will not be required to self-enrol on the Register as a recreational breeder.

## Do Applicable Organisation members lose their reduced registration rate for entire animals?

No. All Applicable Organisation members (whether enrolled as a recreational breeder or not), that have their animals registered with the organisation, remain entitled to reduced council registration fees, and their animals remain exempted from local compulsory desexing orders.

## What are the requirements for an Applicable Organisation?

The primary condition of Applicable Organisation status is that the organisation has a code of conduct/ethics that is equivalent to the minimum standards required by Victorian legislation and that is binding on its members.

In the case of breeders and rearers, the minimum standard is the Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (revised 2015).

A second condition of Applicable Organisation status is that the organisation enforces its code of conduct/ethics, and provides sufficient communication and education to members to ensure that they can comply with relevant Victorian legislation.

On 31 May 2017, the status of existing cat Applicable Organisations was confirmed for a further two years.

### **Will there be a limit on the maximum number of breeding cats I can have?**

No.

### **I am a breeder who is associated with a rescue/foster care organisation, how does the PFPS Act affect me?**

The PFPS Act does not prevent you from being associated with a rescue group, foster care organisation, or shelter.

It does prevent a registered breeder from also registering as a shelter, pound or a pet shop in Victoria.

These restrictions are designed to close the supply chain for illegal breeders; that is, they prevent an unscrupulous breeder from registering a breeding business on one premise, opening a shelter on another and distributing their animals through the shelter into a pet shop, either owned by them or someone else.

### **How do the changes impact on breeders who also rescue?**

Breeders who also rescue cats are able to foster up to five adult equivalent cats or combination of dogs and cats, at any given time.

When registering with your local council as a foster carer for the purposes of discounted dog or cat registration, you must disclose your breeding business.

Any fostered dog or cat will not be exempt from council desexing orders.

### **What is the Pet Exchange Register?**

The Register will allow members of the public to access limited information about domestic animal businesses, recreational breeders, microbreeders and other advertisers. It will enable prospective purchasers to determine if a seller is a legitimate supplier.

### **What information do I need to include when I enrol on the Pet Exchange Register?**

You'll need to enter the following information when you enrol on the register:

- your name (personal or business)
- contact details – address, phone number and email address
- address at which you carry out breeding
- council name
- basic details about your cats
- your source number (when renewing)
- the name of your applicable organisation and membership number, and if known date of last inspection
- findings of guilty or court orders under relevant laws.

## For more information

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

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