

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

Cat Applicable Organisation members

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:

- **Applicable Organisation members with up to 10 fertile female cats will be exempt from registering with council, and will instead enrol on the Victorian Government's new Pet Exchange Register as a 'Recreational Breeder'.**
- **Applicable Organisation members will be bound by the organisations code of ethics, rather than the Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (updated 2015).**
- The Bill has been amended following a Parliamentary Inquiry and additional consultation with Australian National Cats (Victoria), Cats Victoria, Feline Control Council of Victoria, the Governing Council of the Cat Fancy and other stakeholders.
- Under the changes, Victorian pet owners will be able to clearly tell where their pet has come from.

I am a member of a cat Applicable Organisation, what does this Bill mean for me?

- Applicable Organisation members with up to 10 fertile females will continue to be exempt from registering with council as a domestic animal business, and will not have to comply with the Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (updated 2015).
- A new category of breeders, known as recreational breeders, is being introduced. Recreational breeders will be members of Applicable Organisations, who keep up to ten fertile females. The Bill will enable Applicable Organisations to continue to regulate their own members under strengthened codes of ethics/practice.
- In all pet sale advertisements (from 1 July 2019) Applicable Organisation members must include a microchip number and a unique source number generated via enrolment with the Pet Exchange Register (the Register). Offences apply for using false or misleading numbers.
- Applicable Organisation members will be 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 of Practice for the Operation of Breeding and Rearing Businesses 2014 (updated 2015).

Recreational breeders will be required to comply with their Applicable Organisation's Regulations, Codes, Policies and Procedures.

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

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

Yes, nothing in this Bill 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.

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.

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, you will not be required to self-enrol on the Register as a recreational breeder.

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

No. All Applicable Organisation members (whether enrolled as a recreational breeder or not) will still be entitled to reduced council registration fees, and their animals will still be 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 (updated 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 Bill affect me?

The proposed legislation 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 foster carer, 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 will 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.

You will not, however, be able to register with your local council as a foster carer for the purposes of discounted dog or cat registration.

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

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

Contact your local council, visit www.vic.gov.au/pets or call 136 186.

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