

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

Dogs Victoria 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:

- **Dogs Victoria members with up to 10 fertile females will be exempt from registering with council, and will instead enrol on the Victorian Government's new Pet Exchange Register as a 'Recreational Breeder'.**
- Dogs Victoria 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 Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016 has been amended following a Parliamentary Inquiry and extensive consultation with Dogs Victoria representatives and other stakeholders.
- Under the changes, Victorian pet owners will be able to clearly tell where their pet has come from.

I am a Dogs Victoria member, what does this Bill mean for me?

- Dogs Victoria members with up to 10 fertile females will 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 10 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) Dogs Victoria members must include a microchip number and a source number from the Pet Exchange Register (the Register). Offences also apply for using false or misleading numbers.
- Dogs Victoria members will be held to equivalent welfare standards for breeding and rearing practices as other breeders through the Dogs Victoria Code of Ethics and other Dogs Victoria rules.

What is involved in being a recreational breeder?

Recreational breeders (with up to 10 fertile female dogs) are members of Dogs Victoria and have no more than 2 fertile female dogs not registered with Dogs Victoria.

Recreational breeders will be required to comply with Dogs Victoria's regulations, codes, policies and procedures.

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 need to self-enrol on the Pet Exchange Register, and will be issued with a unique source number that must be included in all pet sale advertisements, along with microchip numbers.

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 and provide improved traceability and visibility for authorities.

My dogs live in my house, they are my pets. Will I have to build kennels and make them live outside?

If you are a Dogs Victoria member, this will only be necessary if you have 11-50 fertile female dogs (i.e. if you are a commercial dog breeder).

I have fertile female dogs 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 puppies, you will not be required to 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 conditions of Applicable Organisation status is that the organisation has a code of conduct/ethics that meets or exceeds 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 their code of conduct/ethics, and provides sufficient communication and education with their members to ensure that they can comply with relevant Victorian legislation.

On 31 May 2017, Dogs Victoria's status as an Applicable Organisation was extended for a further two years.

Will there be a limit on the maximum number of breeding dogs I can have?

Yes. Changes introduced through the Bill will limit dog breeders to a maximum of 10 fertile females. A 'commercial breeder' exemption can be sought from the Minister for Agriculture in exceptional circumstances.

Existing dog breeding businesses will have until 10 April 2020 to reduce their fertile female dog numbers to no more than 10 (or 50 or less if an approved commercial breeder) by not replacing retiring dogs.

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, to prevent an unscrupulous breeder from registering a breeding business on one premise, opening a shelter on another and distributing their puppies 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 dogs are able to foster up to five adult equivalent dogs 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.

Will my working dogs be categorised as farm working dogs?

People will be entitled to register their dogs with local council as 'farm working dogs' if they meet the criteria. The definition of a farm working dog has been clarified to include a dog (or dog in training) that herds, droves, protects, tends or works stock on land used solely or primarily for primary production.

If your working dog does not meet this definition, it cannot be registered as a farm working dog.

A dog registered with council as a farm working dog will not count towards a property's fertile female limit for breeding purposes.

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

You'll need 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
- details about your dogs
- your source number (when renewing)
- the name of your applicable organisation and membership number, and if known date of last inspection
- findings of guilt 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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