

# Commercial Dog Breeder Application

GUIDANCE NOTES July 2019





## Introduction

This document provides guidance to registered dog breeding domestic animal businesses (DABs) applying to the Minister for Agriculture for commercial dog breeder approval. It outlines the application and assessment process and is to be read alongside the commercial dog breeder application form, available via [www.animalwelfare.vic.gov.au](http://www.animalwelfare.vic.gov.au).

Animal Welfare Victoria (AWV) can assist applicants via email at [DAS@agriculture.vic.gov.au](mailto:DAS@agriculture.vic.gov.au) or phone on (03) 9217 4294. A range of materials, including factsheets and infographics, are available online via [www.animalwelfare.vic.gov.au](http://www.animalwelfare.vic.gov.au).

If you have enquiries regarding the Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (revised 2018) (the Code) or your DAB registration, your local council can assist. You can find contact details for your council at <http://knowyourcouncil.vic.gov.au/councils>.

A list of resources is provided at Appendix 1.

## The requirements

The *Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017* introduced 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 relevant fertile female dogs<sup>1</sup> that breeders can keep. Existing dog breeding DABs have until 10 April 2020 to either reduce their fertile female dog numbers to 10 or less, or to receive commercial dog breeding approval. From 10 April 2020, dog breeding DABs can have up to 10 fertile females with council approval alone. To hold 11 to 50 fertile dogs, and to be able to replace retiring breeding dogs, large DABs must be an approved commercial dog breeder.

Businesses with more than 50 fertile female dogs will not be allowed to operate after 10 April 2020.

As assessment can take some time: applications are required by **30 November 2019** to allow sufficient time for approval by 10 April 2020.

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<sup>1</sup> A relevant fertile female is a female dog over 12 months of age that has not been rendered permanently infertile.

### ***How do I become an approved commercial dog breeder?***

Your business must first apply to their local council for registration as a DAB. To be a DAB, a business must:

- satisfy planning permit requirements and receive a planning permit, if required
- receive an excess animal permit from their local council, if required
- register as a DAB with their local council in accordance with the DA Act and local council requirements
- comply with the Code.

Following registration as a DAB, businesses can then apply to the Minister for Agriculture to obtain commercial dog breeder approval.

### ***How long does commercial dog breeder approval last?***

Commercial dog breeder approval may be granted for one year for the initial application, and three years for renewals.

### ***Will my property be inspected?***

Yes. Upon request from the Chief Veterinary Officer a departmental authorised officer will conduct an inspection of your property. The inspection report will assist the Chief Veterinary Officer to make a recommendation to the Minister for Agriculture as to whether or not to approve your commercial dog breeder application.

## **The application**

The following tables outline the various parts of the application form and provides guidance for each part.

- Applications are to be provided as one complete hardcopy package or electronic file, with each page numbered where possible.
- It is strongly recommended that information is in the same order as the application form: this will make the assessment process quicker.
- Payment must be provided before the application can progress to the Minister for Agriculture.
- Applications must be accompanied by all required documentation to proceed.
- Please **do not** provide information outside of the application requirements. AWV can only review application requirements.

Application form	Application criteria	AWV Guidance Notes
<b>PART A</b>	Complete business details.	<p>You must complete all details regarding your business. Please indicate whether your application is a new application or renewal application.</p> <p>Fill out the table of your current dog numbers of fertile females, breeding males, and any other dogs on the property. List the proposed totals for the next 3 years, if approved. If you are not planning to change current numbers, please indicate this.</p>
<b>PART B</b>	Complete applicant details.	<p>You must complete all proprietor/s details and provide details on any other domestic animal business being operated by a proprietor such as a pet shop, boarding or rearing business.</p>
<b>PART C.1</b>	All managers have read the Code and understand commercial breeding legal obligations.	<p>You are to confirm that all managers have read the Code and understand the commercial dog breeding legal obligations. You will need to have and maintain <b>full</b> compliance with the Code and will maintain no more than the approved number of relevant fertile females.</p> <p>A copy of the Code can be found here:</p> <p><a href="http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses-revision-1">http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses-revision-1</a></p>
<b>PART C.2</b>	All managers have a Certificate IV in Companion Animal Services (or equivalent) or five years' experience in animal husbandry.	<p>You must confirm that all managers have the required experience.</p> <p>You must include evidence of qualifications, e.g. course completion certificates, a CV, certificates showing a breeding business under your name have been in existence for five years. A CV on its own would not be sufficient evidence.</p> <p>Please note:</p> <ul style="list-style-type: none"> <li>• qualifications must be relevant to animal management and welfare</li> <li>• the “manager” is a person who performs the role of operations manager – refer to the Code for details.</li> </ul>

<b>PART C.3</b>	All employees with animal husbandry duties or responsibilities have successfully completed the Breeding Dogs and Cats in Victoria online course.	<p>You are to confirm that all employees with animal husbandry duties or responsibilities have successfully completed the required course.</p> <p>You must include evidence of completion, i.e. certificate of completion, with your application.</p> <p>Please note:</p> <ul style="list-style-type: none"> <li>employees may access the course at: <a href="http://agriculture.vic.gov.au/pets/community-and-education/breeder-training-course">http://agriculture.vic.gov.au/pets/community-and-education/breeder-training-course</a></li> <li>each individual employee must complete and pass the course</li> <li>a printable certificate is provided to those who successfully complete the course.</li> </ul>
<b>PART C.4</b>	The business has, and will maintain, public liability insurance of \$10 million.	<p>You are to confirm that your business has, and will maintain, the required public liability insurance.</p> <p>You must include a copy of the Insurer's certificate of currency with your application. Applications cannot be assessed if the full insurance amount of \$10 million is not held.</p>
<b>PART D</b>	Business Plan and Attachments	Refer to the table below in the next section for a breakdown of these requirements.
<b>PART E</b>	Next steps and payment: for information only.	<p>This part outlines the commercial dog breeder assessment process.</p> <p>Payment methods are explained. Credit card details should not be sent by email. If sending credit card details by post, do not include the 3-digit security code on the back of the card. However, this security code will be requested if you are paying over the phone.</p>
<b>PART F</b>	Complete and sign the declaration.	You are to read the declaration and privacy statement closely. You must sign the declaration for the application to be considered.
<b>Statutory declaration</b>		<p>The statutory declaration must be signed and witnessed by an authorised witness to allow the application to be considered.</p> <p><b>*Each proprietor must complete a statutory declaration.*</b></p>

## The Business Plan

### ***What is a business plan?***

A business plan is a document that outlines the function and structure of a business. For the purpose of being an approved commercial dog breeder, a three-year business plan must be developed that identifies the objectives of the business, the structure, operation, staffing and training requirements, and the animal management, animal husbandry, animal welfare and animal sales systems and procedures. The business plan must be accompanied by supporting documents, policies and procedures (collectively referred to as **the Attachments**).

Much of the information in the business plan relates to records already required by the Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (2018 version) (Code). All information submitted as part of the business plan must be compliant with the Code.

Animal Welfare Victoria has developed a business plan template that we recommend, though it is not mandatory. Not every section in the Business Plan is essential, however what is submitted must be a robust business plan in line with standard requirements. The template is available here:

<http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/commercial-dog-breeding>

### ***Where can I find examples of a good business plan?***

The Commonwealth Department of Business provides business plan templates at <https://www.business.gov.au/Info/Plan-and-Start/Templates-and-tools>.

Guidance on developing a business plan can also be found at <https://www.business.gov.au/planning/business-plans/writing-a-business-plan/how-to-write-a-business-plan>.

### ***What is a policy?***

Policies are clear, simple statements of how your business intends to conduct its services, actions or processes. They provide a set of guiding principles to help with decision making. Policies don't need to be long or complicated – a couple of sentences may be all you need for each policy area.

### ***What is a procedure?***

Procedures describe how each policy will be put into action in your business. Each procedure should outline:

- who will do what
- what steps they need to take
- which forms or documents to use.

Procedures might just be a few bullet points or a simple set of instructions. Sometimes they work well as forms, checklists, instructions or flowcharts.

***What's the difference between policies and procedures?***

Policies and procedures go hand-in-hand to clarify what your business wants to do and how to do it. The policy defines what you will do and the procedure describes how it will be done.

PART D – Business Plan and Attachments	AWV Guidance Notes
<b>Business Plan</b>	
<p><b>A three-year business plan that outlines the direction and strategies of your business for the next three years.</b></p>	<p>You are to develop and provide a business plan that details how your business will be run for the following three years. For the purpose of being an approved commercial dog breeder, your three-year business plan must identify the objectives of the business, the structure, operation, staffing and training requirements, and the animal management, animal husbandry, animal welfare and animal sales systems and procedures.</p> <p>Your business plan must clearly outline how you intend to operate your business over the next three years, this includes your plans for increasing or decreasing the number of fertile female dogs on your property.</p> <p>Your business plan must be accompanied by the Attachments.</p> <p>The Minister for Agriculture will use your business plan to assess the capability of your business and its staff to ensure the welfare of the animals.</p>
<b>A Business Plan must include</b>	
<p><input type="checkbox"/> <b>The vision, strategies and objectives of the business.</b></p>	<p>You are to outline the vision, strategies and objectives of your business in your business plan.</p> <p>The purpose of your business should be clearly identified with a specific vision, strategies for managing the business and clear objectives of the business.</p> <p>Please note that:</p> <ul style="list-style-type: none"> <li>• vision in a Business Plan refers to the goal of the business</li> <li>• strategies are how the vision will be achieved</li> <li>• objectives are measurable components within a strategy.</li> </ul>

PART D – Business Plan and Attachments	AWV Guidance Notes
<input type="checkbox"/> <b>ABN and registered business number of the domestic animal business.</b>	<p><u>Australian Business Number</u></p> <p>You must provide a copy of your Australian Business Number (ABN) registration certificate with your application. Registering for an ABN is free. You can register for an ABN from the Business Government website: <a href="https://register.business.gov.au/">https://register.business.gov.au/</a>.</p> <p>If you already have an ABN, you can obtain a copy of your ABN registration certificate from the ASIC website: <a href="https://connectonline.asic.gov.au/RegistrySearch/faces/landing/SearchRegisters.jspx?_adf.ctrl-state=10g424f7sw_32">https://connectonline.asic.gov.au/RegistrySearch/faces/landing/SearchRegisters.jspx?_adf.ctrl-state=10g424f7sw_32</a></p> <p><u>Registered DAB number</u></p> <p>You must provide a copy of the council DAB registration certificate with your application. This is the council registration number given to your breeding business. It can be, found on the DAB registration certificate.</p>
<input type="checkbox"/> <b>A visual representation of the organisational structure of the business.</b>	<p>You are to include an organisation chart (or similar) in your business plan. The chart is to demonstrate the hierarchy of all staff, including management and the chain of responsibility, demonstrating how managers and each staff member fit into the business model. It should be clear from the structure who manages staff and what each individual role is in the business.</p> <p>Sample organisational structure:</p>





PART D – Business Plan and Attachments	AWV Guidance Notes
	<pre> graph TD     Proprietor((Proprietor/s)) --- OM((Operations Manager))     Proprietor -.-&gt; Accountant((Accountant/book keeper))     OM --- AA((Animal attendant))     OM --- AAVD((Animal attendant and vehicle driver))   </pre>
<input type="checkbox"/> <b>The current number of employees of the business and their names, roles and qualifications.</b>	<p>You are to specify the current number of employees, names, roles and qualifications in your business plan. You could specify this in a table. All staff and volunteers in your business are to be included.</p> <p>As specified in Part C, evidence of qualifications for both managers and employees must be provided with your application. Qualifications must be relevant to animal management and welfare.</p> <p>The minimum requirement for employees with animal husbandry duties or responsibilities is the satisfactory completion of the DEDJTR Breeding course, found here: <a href="http://agriculture.vic.gov.au/pets/community-and-education/breeder-training-course">http://agriculture.vic.gov.au/pets/community-and-education/breeder-training-course</a></p>
<input type="checkbox"/> <b>The number, role and minimum qualifications of employees proposed to be employed by the business if the approval is granted.</b>	<p>You are to identify future staffing needs of your business if commercial dog breeder approval is granted. This is separate from the current number and details of employees.</p>

PART D – Business Plan and Attachments	AWV Guidance Notes
	<p>This could be documented in your business plan as a flow chart, table or similar chart to demonstrate the proposed structure, per year for the next three years. All staff and volunteers in the business are to be included.</p> <p>If you do not intend to grow your business, meaning current employees will satisfy all staff ratios when the business is at full capacity, a statement to this effect should be included in your business plan.</p> <p>Section 2 of the Code (pages 7-15) specifies staffing roles and the staff ratio required for breeding establishments.</p>
<input type="checkbox"/> <b>The breed/s of dogs kept and proposed to be kept at the premises.</b>	<p>The total number of breed/s of dogs should be included. These could form part of the totals in the following two criteria.</p>
<input type="checkbox"/> <b>The number of relevant fertile female dogs, breeding males, and all other dogs being kept and proposed to be kept at the premises.</b>	<p>This information is to be included in the table on Page 1 of the Application Form. Further detail, as required, can be included in a table attached to the Business Plan to fulfil the next criteria. A table is included in the business plan template for this and the below criteria.</p> <p>Proposed changes, either increases or decreases, should be included per year for the next three years.</p>
<input type="checkbox"/> <b>The specified dog details of each dog currently on the premises.</b>	<p>The specified dog details are listed on page 4 of the Application Form. The table in the business plan template provides for all these details to be recorded. However, you can submit these details in another document. These details must be submitted in the one document, and not as separate animal records.</p>



Business Plan attachments: Operations and staffing	
<p><b>Please <u>attach</u> a copy of:</b></p> <p><input type="checkbox"/> <b>An education and training policy for staff working or volunteering at the business.</b></p>	<p>You are to provide your education and training policy for business staff and volunteers. You can list education and training provided to all staff and volunteers, including an outline of when, where and how education and training will be provided.</p> <p>Your education and training policy should identify the activities undertaken, now and in the future, by staff and volunteers at your business and outline the education and training requirements needed to undertake these activities.</p> <p>For example: “All employees and volunteers with animal husbandry responsibilities will successfully complete the Breeding Dogs and Cats in Victoria e-learning course prior to commencement of duties. All employees including volunteers will renew their competency at a minimum of three yearly intervals. The training will be completed online, and the certificate will be provided to and retained by the Operations Manager.”</p> <p>The policy could be included within your business plan or as an attachment with your application.</p>
Animal management and husbandry	
<p><b>Please <u>attach</u> a copy of:</b></p> <p><input type="checkbox"/> <b>A health management plan for each breed of dog kept or proposed to be kept on the premises.</b></p>	<p>You are to provide a health management plan (HMP) for each breed of dog. A HMP for the business is a requirement of the Code (refer to section 3(5), pages 17-8 for details) so you should already have this. This should be amended to account for the differences and specific requirements of each breed. Some criteria within the HMP may be the same across the business and for all breeds; however, this should be noted that this is the case.</p> <p>A guide to developing a HMP is part of the breeder toolkit and available at:</p> <p><a href="http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses-revision-1">http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses-revision-1</a></p>
<p><input type="checkbox"/> <b>An exercise, enrichment, socialisation and handling policy for all dogs kept or proposed to be kept on the premises.</b></p>	<p>You are to provide a separate policy outlining how the requirements for exercise, enrichment, socialisation and handling of the dogs will be met. This policy is to demonstrate that all dogs are exercised and participate in enrichment, socialisation and handling as required by the Code, refer to section 6(4) (pages 31-5).</p> <p>The policy could be provided as an attachment to the business plan.</p>

<input type="checkbox"/> <b>A retirement plan for each breeding dog kept or proposed to be kept on the premises.</b>	<p>You are to provide a retirement plan for each individual dog. The requirements for retiring breeding dogs are outlined in the Code, refer to section 6(3)(d) (pages 29-30). Further note that the Code requires:</p> <ul style="list-style-type: none"> <li>• operations managers to enact retirement plans for breeding dogs (the Code, page 9)</li> <li>• your health management plan to include processes for long term management, desexing and/or assessing suitability for rehoming or euthanasia of retired breeding dogs (the Code, page 18).</li> </ul>
<input type="checkbox"/> <b>An agreement with a veterinary practitioner to provide veterinary services to the business.</b>	<p>You are to provide a copy of your agreement with a veterinary practitioner. The agreement must outline the provision of veterinary service to your business e.g. treatment of animals, provision of isolation housing if you do not have your own isolation housing.</p> <p>The requirement to have an agreement with a veterinary practitioner is outlined in the Code. The obligations on the proprietor are specified in section 2(1) of the Code (page 7) and the veterinary practitioner in section 2(3) of the Code (pages 10-11).</p>
<b>Sales</b>	
<p>Please <b>attach</b> a copy of:</p> <input type="checkbox"/> <b>The literature provided to all buyers of puppies and dogs in relation to responsible pet ownership.</b>	<p>You are to provide a list of the literature you provide to purchasers of your dogs. This may be in the form of a dot point checklist attached to the business plan. You could also attach the literature provided.</p> <p>Section 5 of the Code (pages 22-3) requires breeding establishments to provide new owners with literature about:</p> <ul style="list-style-type: none"> <li>• appropriate feeding</li> <li>• desexing</li> <li>• parasite control</li> <li>• health, including procedures for emergency treatment during the guarantee period</li> <li>• housing</li> <li>• responsible pet ownership</li> <li>• importance of training dogs and socialisation</li> <li>• vaccinations.</li> </ul> <p>You can access information on the above topics via <a href="http://www.animalwelfare.vic.gov.au">www.animalwelfare.vic.gov.au</a> and/or your local council. You may also wish to see what other resources breeding establishments provide online.</p>

<input type="checkbox"/> <b>The procedure that the business follows in the case of complaints about a dog and its returns policy.</b>	<p>You are to provide a copy of your returns policy and your procedure for complaints about a dog.</p> <p>The requirement to have a return policy is outlined in the Code, refer to section 5(1) (pages 23-4). Your policy is to include the provision of an animal return form to the buyer at the time of complaint.</p> <p>Your complaints procedure should set out who will do what, what steps they need to take and which forms or documents they are to use. For example, part of your procedure could state that “the proprietor is to acknowledge a complaint in writing within 48 hours and provide an animal return form if it appears a buyer wishes to return a dog”.</p> <p>Your returns policy, complaints procedure and any templates could be provided as an attachment to your plan.</p>
<input type="checkbox"/> <b>A sale guarantee policy</b>	<p>You are to provide a copy of your sale guarantee policy.</p> <p>The requirement to have a sale guarantee policy is outlined in the Code, refer to section 5(1) (pages 23-4). Your policy must:</p> <ul style="list-style-type: none"> <li>• include the provision of a sale guarantee and health declaration at the point of sale</li> <li>• outline the process to be followed by your business and the buyer.</li> </ul> <p>The policy and any templates could be provided as an attachment to the business plan.</p> <p>A sample template of a sale guarantee is part of the breeder toolkit and is available at:  <a href="http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses-revision">http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses-revision</a></p>
<input type="checkbox"/> <b>Details of the procedure that the business follows to deal with complaints by purchasers or other persons about the business.</b>	<p>You are to outline the steps your business will follow when a complaint is received from purchasers or another person about the business.</p> <p>Your complaints procedure should set out who will do what, what steps they need to take and which forms or documents they are to use. For example, part of your procedure could state that “the proprietor is to acknowledge a complaint in writing within 48 hours and provide a response to the complaint within 7 days”.</p> <p>The procedure could be provided as an attachment to the business plan.</p>



## The process

### ***Who will review the application?***

In the first instance Animal Welfare Victoria will review your application to ensure it meets all legislative requirements. If it is assessed as complete, it will be submitted to the Minister for Agriculture.

### ***Will I receive feedback?***

Yes. Animal Welfare Victoria will contact you regarding your application. If it is assessed as incomplete, Animal Welfare Victoria will provide you with feedback on what else needs to be submitted. If the application is assessed as complete, it will be submitted to the Minister for Agriculture who will notify you of receipt of the application.

### ***Will my council be involved in the application process?***

Yes, the relevant council will be consulted on the application in the early assessment stages and may be asked to provide at least five years of records that relate to the registration of your business.

### ***What are the possible outcomes?***

Upon receipt of a complete application, and following the assessment process and recommendation from the Chief Veterinary Officer, the Minister for Agriculture will either approve or not approve the application.

## Resources

### ABN

Registering for an ABN is free. You can register for an ABN from the Business Government website: <https://register.business.gov.au/>.

If you already have an ABN, you can obtain a copy of your ABN registration certificate from the ASIC website:

[https://connectonline.asic.gov.au/RegistrySearch/faces/landing/SearchRegisters.jspx?\\_af.ctrl-state=10g424f7sw\\_32](https://connectonline.asic.gov.au/RegistrySearch/faces/landing/SearchRegisters.jspx?_af.ctrl-state=10g424f7sw_32)

### Code

The Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (revised 2018) is available at:

<http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses-revision-1>

You may also request a hardcopy of the Code by contacting Animal Welfare Victoria on [DAS@agriculture.vic.gov.au](mailto:DAS@agriculture.vic.gov.au) or (03) 9217 4294.

### Code – Breeder Toolkit

This tool kit provides businesses with guides and templates to ensure all breeding businesses are compliant with the Code.

The templates can be downloaded and used by businesses to ensure they meet minimum record-keeping requirements under the Code, and to help with the day-to-day operation of their business. Template documents are available in word format, so they can be edited to suit the business type.

The breeder toolkit is available at <http://agriculture.vic.gov.au/pets/domestic-animal-businesses/breeding-and-rearing-businesses/code-of-practice-for-the-operation-of-breeding-and-rearing-businesses>

## DA Act

You may access DA Act via [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) by selecting Victorian Law Today → selecting Acts and the letter D → scrolling down the alphabetical list. The DA Act is available in Word and PDF formats.

The DA Act establishes the commercial dog breeder approval scheme. It specifies what the Minister is to consider in deciding whether to grant or renew commercial dog breeder approval. It also sets out approval periods, the transfer process, cancellation or suspension of approval and revocation by the Minister.

## DA Regulations

You may access Domestic Animals Regulations 2015 via [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) by selecting Victorian Law Today → selecting Statutory Rules and the letter D → scrolling down the alphabetical list. The DA Regulations are available in Word and PDF formats.

The DA Regulations specify what a commercial dog breeder approval application is to include and the fee for applications. The DA Regulations detail what must be included in a report to the Minister.

## Breeding Dogs and Cats in Victoria e-learning course

The breeding dogs and cats in Victoria e-learning course is free and available at: <http://agriculture.vic.gov.au/pets/community-and-education/breeder-training-course>

## Responsible Dog Ownership Literature

<http://agriculture.vic.gov.au/pets/dogs>