



Department of  
**Local Government, Sport  
and Cultural Industries**



# **STOP** PUPPY FARMING

## **STOP** PUPPY FARMING

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Supplementary Paper

May 2018

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May 2018

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# Having your say

This paper is designed to:

- be read in conjunction with the Stop Puppy Framing Consultation Paper;
- identify areas of implementation that need further consultation; and
- pose further targeted questions about the implementation of the provisions from specified stakeholders.

The feedback provided will assist in informing the Government on how the stop puppy farming provisions should be implemented.

In conjunction with general questions, questions for particular stakeholders have been specified and are identifiable by different colours. **If you are not a specified stakeholder, you are still welcome to answer the question and provide your feedback.**

This paper supplements, rather than replaces, the Stop Puppy Farming Consultation Paper. We would also appreciate your feedback on the questions posed in the Consultation Paper.

## Submissions

You can provide feedback by:

- Completing the online survey at <https://www.surveymonkey.com/r/GT9HPVW>
- Completing feedback in this paper and emailing it to [puppyfarming@dlgsc.wa.gov.au](mailto:puppyfarming@dlgsc.wa.gov.au)
- Submitting a written submission to:

**email:**

[puppyfarming@dlgsc.wa.gov.au](mailto:puppyfarming@dlgsc.wa.gov.au)

**post:**

Stop Puppy Farming  
Department of Local Government, Sport and Cultural Industries  
PO Box 8349  
Perth Business Centre  
Western Australia 6849

Submissions close Friday, 3 August 2018.

## Confidentiality

Your submission will be made public and published in full on the Department of Local Government, Sport and Cultural Industries website unless you ask for it to be confidential. Submissions that contain defamatory or offensive material will not be published.

Do you wish this information to remain private and confidential?

Yes ☐

No ☒

## Your contact details

|                |   |
|----------------|---|
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Please indicate whether you are any of the following:

- ☒ Dog Owner
- ☒ Dog Breeder
- ☒ Member of a dog breeder association – Dogs West
- ☐ Pet Shop Owner or Operator
- ☐ Pet Business – please specify below
- ☒ Local Govt. employee or elected member
- ☐ Local Government
- ☐ Other Government authority or agency employee
- ☐ Shelter or Rescue organisation employee or volunteer
- ☐ Dog Foster Carer
- ☐ Veterinarian
- ☐ Livestock Working Dog Owner
- ☐ Microchip database company
- ☐ Other – please specify: \_\_\_\_\_

# Transitioning Pet Shops to Adoption Centres

## 1.1 Introduction

As detailed in the Stop Puppy Farming Consultation Paper, it is intended to amend the Dog Act 1976 (the Dog Act) so that pet shops will only be able to source puppies and dogs for sale from 'properly accredited' rescue organisations or shelters.

The areas of implementation on which further input is sought are:

- the accreditation of rescue organisations or shelters;
- the assessment of the health and behaviour of dogs;
- the period to transition pet shops to adoption centres;
- the arrangements that will need to be developed between pet shops and rescue organisations and shelters; and
- enforcement, including who will be responsible and how enforcement will be undertaken.

## 1.2 Accreditation of rescue organisations and shelters

Under the new proposals, pet shops will only be able to source puppies and dogs for sale from 'properly accredited' rescue organisations or shelters. Dog rescue organisations and shelters will be accredited by the State Government.

### Questions – All

- What information should a rescue organisation or shelter provide when applying for accreditation?
  - ☒ Information on the standard in which animals in their care are kept
  - ☒ Information on operational policies
  - ☒ Information on rehoming policies
  - ☒ Evidence of compliance with relevant laws, including the Dog Act, Animal Welfare Act and any relevant local laws or by-laws
  - ☒ Information on the number of animals in their care
  - ☒ Staff training

## Questions – All

☒ Other – please specify:

- **I believe anyone running a large dog rescue should be accredited - will there be different rules depending on the size of the rescue? Some breed clubs run rescue just for their breed, other rescues appear to be quite large organisations, often with boarding facilities attached.**
- **I know that some rescues are bringing in dogs from other states to go into rescues to be found homes – this sounds more like a business model than a rescue model – it is one thing to find a home in another state and transport the dog to a new home – quite another to be shipping in dogs in numbers to then be offered for sale from a “rescue”.**
- **Complete records of the dogs who come into their care to the point that they leave their care – details of new owner and all financial transactions to be recorded.**
- **Staff training is mentioned – many are not staff but are volunteers – how would this be monitored?**
- 
- **What should the Government consider when accrediting a rescue organisation or shelter?**
  - a. **Rescues should not be breeding establishments**
  - b. **Rescue should meet standards for keeping of dogs**
  - c. **Rescues should temperament test all dogs by an accredited assessor.**
  - d. **Dogs that are not suitable for rehoming should not be kept on a “no-kill” basis as they may be a risk to their carers and end up being passed around from rescue to rescue – a lady in Southern River was killed by a dog being kept on a no-kill philosophy.**
  - e. **Shelters should have the same duty of care and disclosure as registered breeders. They must have truth in advertising. If they do not know the parentage of the breed they should not just assign one unless they have proof of breed either through registered pedigrees or DNA. Cross bred dogs must not be advertised as a mix of particular breeds unless the shelters have proof.**
  - f. **Some shelters use foster carers – how would they be managed?**
- **Should these organisations be monitored?**

## Questions – All

- ☒ Yes
- ☐ No
- ☐ Unsure
- ☐ Depends on the following factors (please specify): \_\_\_\_\_

- How should they be monitored?
  - ☒ Audits
  - ☒ Inspections
  - ☒ Annual reporting
  - ☐ Unsure
  - ☐ Not applicable – they should not be monitored
  - ☐ Other:

**If standards and an accreditation process is required, then monitoring should follow – otherwise what is the point of accreditation?**

## Questions – Animal Rescue Organisations and Shelters

- Is your organisation likely to apply to be an accredited rescue organisation or shelter that can provide dogs to pet shops?
  - ☒ Yes
  - ☐ No
  - ☐ Unsure
  - ☐ Depends on the following factors (please specify): \_\_\_\_\_
- What would prevent your organisation from applying to be an accredited rescue organisation or shelter?

**If it is a requirement to be accredited then Dogs West would apply on behalf of the many Members, Breed and Group Clubs who provide advice and rescue facilities for many breeds.**

**Dogs West Members are prohibited, under any circumstances, to supply a dog to a pet shop, so Accreditation would only be to adhere to any standards, if they are imposed on those who do NOT supply pet shops.**

## Questions – Government and non-Government agencies

## Questions – All

- Do you believe your agency should have a role in accrediting rescue organisations and shelters?
  - ☒ Yes
  - ☐ No
  - ☐ Unsure
  - ☐ Depends on the following factors (please specify): \_\_\_\_\_

Please specify reasons for your response:

**Many Dogs West affiliated breed clubs and breeders run rescue operations for their breed of interest – not only for the dogs bred by a Dogs West breeder, but for dogs of that breed from any source.**

**Their breed experience and expertise makes them ideal for doing this work, when they can, and some rescues have waiting lists of people who are looking for an older or second dog.**

- If you answered yes, what would this role be?

**Dogs West could play a role in accrediting these breed specific rescues, run by Dogs West affiliates.**

**I would be concerned if the good work being done by our Members in the rescue sphere was undermined by onerous legislation and regulations, any requirements should be common sense and easy to manage, always with the welfare of dogs as the criteria.**

## 1.3 Assessment of the health and behaviour of dogs

The origins of dogs in rescue organisations and shelters is generally unknown. To provide confidence to potential new owners, it is intended that every dog supplied to a pet shop must pass a health and behavioural assessment. Pet shops will need to ensure that each dog has a health and behavioural certificate.

### Questions – Pet Shop Owners and Operators and Animal Rescue Organisations and Shelters

- Should it be the responsibility of the pet shop or the rescue organisation or shelter to have a dog submitted to a vet for a health and behavioural assessment?
  - ☐ Pet Shop
  - ☒ Rescue organisation or shelter
  - ☐ Unsure

**No rescue should be considered for exposure in a pet shop environment before it is known to be capable of handling this situation.**

- Who should be responsible for bearing the cost of that assessment?
  - ☒ Pet Shop
  - ☒ Rescue organisation or shelter
  - ☐ Unsure

**The cost could be significant – and what will be the financial arrangement between a shop and a rescue?**

- Who should be responsible for carrying out the health and behaviour assessment?
  - ☒ Veterinarian
  - ☒ Dog behaviouralist
  - ☒ Dog trainers
  - ☒ Other – please specify: **How will they be accredited to do this work?**
  - ☐ Unsure

**Who will decide who is qualified to do this? Not all vets have studied canine behaviour.**

**If it is to be someone qualified in canine behaviour – how many of these people are there to do this work across the numerous rescues?**

### Questions – Veterinarians

- What aspects of a dog's health and behaviour should be assessed by a

veterinarian?

- ☒ Physical health
- ☒ Temperament
- ☒ Response to adverse situations (noise etc.)
- ☒ Ability to be trained
- ☒ Interaction with other animals
- ☒ Other – please specify:

**How will a vet be able to do all of the above in a veterinary clinic environment?**

**The most important test is safe around humans.**

**It is natural for dogs to react in some way with other dogs – especially in a stressful environment like a shelter or a vet clinic.**

- What would this cost?

## 1.4 Transition period

Pet shops will be gradually transitioned into adoption centres to allow time for pet shops to make arrangements with dog rescue organisations and shelters.

### Option 1 – Two year transition

Under this option, pet shops will be transitioned within two years of the legislation coming into effect.

In the interim, pet shops will be able to source puppies and dogs as they currently do.

### Option 2 – Five year transition

Under this option, pet shops will be transitioned within five years.

| From date of amendment to the Dog Act | Where pet shops can source dogs:  |
|---------------------------------------|---|
| 0 to 2 years                          | Pet shops can source dogs from a dog breeder registered as such on the centralised database.  |
| 2 to 5 years                          | Pet shops selling dogs will be required to source dogs from accredited dog rescues and shelters, but can still also source dogs from registered breeders. |
| 5 years onwards                       | Pet shops can only source dogs from   |

From date of amendment to  
the Dog Act

Where pet shops can source dogs:

accredited dog rescues and shelters.

## Questions – All

- Please indicate your preference for the following:
  - ☐ Option 1 – Two year transition of pet shops to adoption centres.
  - ☐ Option 2 – Five year transition of pet shops to adoption centres.
  - ☒ Other transition period – please specify: **Immediate – no dogs to be sold from pet shops for any reason.**

Please indicate reasons for your preference: \_

**I do not believe Pet Shops are the place for the selling of dogs or puppies under any circumstances.**

**Rescue dogs can have a host of unknown past experiences and already be under stress from living in a Rescue situation.**

**Taking that dog to another strange situation simply puts the rescue dog under even more stress and could lead to impulse buying from an inexperienced person or family.**

## Questions – Pet Shop Owners and Operators

- What support can be provided to transition pet shops into adoption centres?

## 1.5 Arrangements between pet shops and rescue organisations and shelters

It is likely that pet shops will need to form arrangements with accredited dog rescue organisation and shelters to ensure the responsible supply of dogs.

### Questions – Pet Shop Owners and Operators

- At the end of the transition period, is your pet shop likely to source dogs from accredited dog rescue organisation and shelters?
  - ☐ Yes
  - ☐ No, our pet shop will cease to sell dogs
  - ☐ Unsure
- Why or why not?
- Would a template agreement that could be used by pet shops and dog rescue organisations and shelters be helpful?
  - ☐ Yes
  - ☐ No
  - ☐ Unsure
- Arrangements between pet shops and dog rescue organisations and shelters should cover the following aspects:
  - ☐ Housing of dogs on premises
  - ☐ Responsibility for the behaviour and health check
  - ☐ Liability
  - ☐ Other – please specify: \_\_\_\_\_

### Questions – Animal Rescue Organisations and Shelters

- Would a template agreement that could be used by pet shops and dog rescue organisations and shelters be helpful?
  - ☐ Yes
  - ☐ No
  - ☐ Unsure
- Arrangements between pet shops and dog rescue organisations and shelters should cover the following aspects:
  - ☐ Housing of dogs on premises
  - ☐ Responsibility for the behaviour and health check

- ☐ Liability
- ☐ Other – please specify: \_\_\_\_\_

## 1.6 Enforcement

It is estimated that there are approximately 15 pet shops in Western Australia that sell puppies and dogs. After the transition period, pet shops will need to be monitored to ensure they are only sourcing dogs from accredited dog rescue organisations and shelters.

Furthermore, during the transition period pet shops would need to be monitored to ensure they are only sourcing dogs from registered dog breeders (following the introduction of dog breeder registration).

Pet shops could be monitored in a number of ways:

### Option 1 – Public monitoring

Pet shops would be required to display a certificate confirming the source of the dog is from an accredited rescue organisation or shelter. The public could report pet shops to an enforcement agency that are not providing a certificate verifying the dog's source.

### Option 2 – Inspections

An enforcement agency would be responsible for inspecting pet shops that sell dogs, whether randomly or periodically, and require the pet shop to provide information upon request.

### Option 3 – Audits

Pet shops would be required to be audited by a particular enforcement agency, whether periodically or randomly.

### Option 4 – Audited and inspected upon complaint

The enforcement agency would inspect and audit a pet shop only where concerns were raised about the pet shops compliance with the laws.

The type of enforcement undertaken will assist in informing what agency is best placed to undertake enforcement. The capacity and resources of the agency would also need to be considered.

## Questions – All

## Questions – All

- Should pet shops have to register with a relevant authority if they sell dogs?
  - ☒ Yes
  - ☐ No
  - ☐ Unsure

**I am surprised they do not already have to do this to sell live animals? DPIRD should be the authority.**

- Should it be an offence to fail to register?
  - ☒ Yes
  - ☐ No
  - ☐ Unsure
- What information and records should a pet shop maintain to ensure compliance with the pet shop provisions can be monitored?
  - ☒ Records of where dogs have been sourced from
  - ☒ Details of new owners
  - ☒ Details of health and behaviour checks
  - ☒ Other – please specify:

**Length of time dog has been in rescue; how it was acquired; dog description and photo. Age of dog when sold, microchip number and any conditions of sale.**

**I also believe a cooling off period of say, 72 hours, would be useful.**

- What information and records should a rescue organisation and rescue maintain to ensure pet shops can be monitored and information verified?
  - **History of dog while in their care**
  - **Date dog sold from pet shop**
  - **Date/s dog is taken to pet shop**
  - **Microchip, breed description, photo**
  - **Dogs should be tracked – what happens if they go from rescue to rescue**
- How should a pet shop be monitored for compliance?
  - ☐ Option 1 – Public monitoring
  - ☒ Option 2 – Inspections
  - ☒ Option 3 – Audits
  - ☒ Option 4 – Audited and inspected upon complaint
  - ☐ Other – please specify:

**Twice yearly returns on all activities around the management of dogs**

## Questions – All

**Recording of complaints from purchasers**

## Questions – Local Governments

- If enforcement was cost recovery, what would local governments' capacity be to enforce these provisions?
  - a. **This should be managed by Department of Primary Industries**

# Mandatory Dog De-sexing for Non-Breeding Dogs

## 2.1 Introduction

Currently, dogs are not required to be de-sexed in Western Australia. Owners are encouraged to de-sex their dogs, and owners of de-sexed dogs pay a lower dog registration fee than owners of other dogs.

A recent survey of Western Australian local governments, with 43 out of 137 local governments responding, found that 82% of registered dogs were de-sexed.

The additional consultation in this document focuses on the following elements of implementation:

- Age of mandatory de-sexing
- Age for registration and microchipping
- Additional exemptions
- De-sexing vouchers
- Enforcement

This paper supplements, rather than replaces, the consultation paper. Please also answer the questions in that paper.

## 2.2 Age of mandatory de-sexing

The Dog Act will be amended to require all dogs to be de-sexed by the time they reach a particular age.

### Option 1 – By three months of age

This would be consistent with the current requirement for registration and microchipping and with the age for de-sexing dangerous (restricted breed) dogs. Dogs are generally unable to breed before the age of three months so this age eliminates the risk of unwanted puppies being born.

Exemptions issued by veterinarians are proposed for dogs that are too young to be de-sexed. Dogs to be used for breeding would also be exempt.

### Option 2 – By six months of age

Opinions differ on the best age for de-sexing with many veterinarians preferring not to de-sex a dog until it is close to six months old.

Both male and female dogs are generally able to breed by six months, with the females of smaller breeds becoming sexually mature by four months. Larger breeds may not be sexually mature for a year or more.

South Australia and the Australian Capital Territory have introduced mandatory dog de-sexing by six months old.

## Questions – All

1. Please indicate your preference for the following:

- ☐ Option 1 – mandatory de-sexing by three months of age, unless an exemption applies.
- ☐ Option 2 – mandatory de-sexing six months of age, unless an exemption applies.
- ☒ Another age – please specify: Minimum age of 12 months.

Please provide reasons for your preference:

**I do not believe in mandatory sterilisation of dogs.**

**The AVA does not support mandatory sterilisation according to their website.**

**Why is it being considered when the major Australian states have not implemented it – only the ACT and South Australia have adopted it?**

**Why does WA need it when the most populous States do not?**

**Nor do I believe in a set age for the sterilisation of dogs.**

**There are many studies about sterilisation of dogs, with more studies coming out all the time. Any legislation proposed by government should be on a “no-harm” basis.**

**Many studies show the effect of sterilisation on dogs in relation to diseases, such as cancer, behavioural issues and incorrect growth, such as elongated bones and joint disorders.**

**Behavioural issues also arise from the early sterilisation of dogs – it is not hard to find all these studies, often over many thousands of dogs by**

## Questions – All

**reputable researchers – why has this all been ignored?**

**If a dog needs to be sterilised it should be at a time and age suitable for the type of dog and the circumstances, with advice from a Vet and a breeder.**

**This is meant to decrease the number of dogs in shelters. How will that work when investigation by a Dogs West Member has found that dogs are being shipped in from interstate to go into Rescues when their numbers get low – that sounds like a business, not a rescue.**

**Further investigation also found many dog dealers on-line who are ready to take orders for a particular breed mix you might like to get – and the breeders are located in another state.**

**How will mandatory sterilisation stop these problems?**

2. If you have a de-sexed dog, at what age was it de-sexed?

**I have never desexed a dog under 12 months of age, except on medical grounds.**

## 2.3 Age for registration, microchipping and de-sexing

Currently dogs are required to be registered and microchipped by the time they are three months old.

The following addresses possible ways to deal with registration and microchipping if the requirement for de-sexing is set at six months.

### Option 1 – Registration, microchipping and de-sexing by six months

Under this option, the Dog Act would be amended so that registration, microchipping and de-sexing must be completed by the time a dog reaches six months of age.

The benefits include:

- enabling local governments to sight evidence of microchipping and de-sexing at the time of registration
- administrative efficiency for local governments
- less confusion for owners, which would increase compliance
- convenience for dog owners in being able to have their dog microchipped and de-sexed in the same veterinarian visit.

The key disadvantage is the inability to identify dogs (either by registration records or microchips) before six months. This may result in dogs not being returned to owners and being sent to the pound and/or a dog rescue or shelter.

### **Option 2 – Limited registration at three months; full registration on de-sexing**

This option proposes the following:

- the retention of the current provisions under the Dog Act requiring dogs to be registered and microchipped by three months of age, and
- a short-term registration (three months) for dog owners registering a dog that has not been de-sexed.

This allows dogs to be identified from three months of age but provides an additional administrative burden on both the owner and the local government in having to register a dog twice.

### **Option 3 – Registration at three months; onus on owner to advise when dog de-sexed**

Under this option, the owner would be responsible for notifying the relevant local government once their dog was de-sexed. The owner would need to provide a copy of the sterilisation certification to the local government – this could be done by email or attached to an electronic form.

The local government would then update the registration database. This would create an additional administrative burden on local governments.

## **Questions – All**

3. Please indicate your preference for the following:

- ☐ Option 1 – registration, microchipping and de-sexing by six months
- ☐ Option 2 – limited registration at three months; full registration on de-sexing
- ☒ Option 3 – registration at three months; onus on owner to advise when dog

de-sexed

Please provide reasons for your preference:

**Options 1 and 2 are promoting early sterilisation – why is this the focus?**

**Option 3 would allow for the dog to be sterilised at an age agreed by the owner and their vet on the best age applicable to that dog - if it is to be desexed at all.**

## Questions – Veterinarians

From 1 July 2018 South Australian veterinarian practices will be responsible for updating a centralised dog registration database when a dog is de-sexed. This would replace the need to issue a sterilisation certificate.

4. Would you support this approach?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide reasons for your response: \_\_\_\_\_

## 2.4 Additional possible exemptions from de-sexing

Exemptions from mandatory de-sexing will apply for health and welfare reasons as assessed by a veterinarian, and if the dog owner is a registered breeder.

### Livestock working dogs

Livestock working dogs require particular traits, with dogs that demonstrate these traits being bred to ensure that future working dogs also have these particular traits. Livestock working dogs are generally only used for breeding once the dog has a proven ability as a working dog, usually by two to three years of age.

If a primary producer is required to de-sex their dog at an early age, they will not be able to assess whether a dog has the desirable traits and should be used for breeding. Mandatory de-sexing could reduce the working dog gene pool.

On the other hand, unintended breeding could result in unwanted dogs.

## Questions – All

5. Should livestock working dogs be exempt as a class from mandatory dog de-sexing?

- ☒ Yes  
☐ No  
☐ Unsure

Please provide reasons for your preference:

**There should be no mandatory sterilisation.**

**I understand that people with working dogs need time to assess the working ability of a dog before that dog could be used in a future breeding program. They should therefore be exempt from mandatory sterilisation until those decisions are made.**

6. If working dogs are required to be de-sexed by a particular age, at what age should working dogs be required to be de-sexed?

**Not until they are old enough to be assessed on their working ability to decide if they will be used to contribute to future generations of working stock.**

7. How could this be enforced?

**I cannot see how this can ever be enforced.**

**Working dogs are located all over this very large state.**

**I cannot ever see inspections or compliance being used on properties which cover enormous physical areas. It is simply not possible.**

**I would also question what role working dogs play in puppy farming?**

## Dogs held by persons registered with recognised breeding associations

Dogs that are intended to be used for breeding purposes will be exempt from de-sexing. Owners of dogs intended to be used for breeding purposes will be required to register as a breeder for their dog to be exempt.

Alternatively, a dog could be exempt from de-sexing on the basis that their owner is a member of a 'recognised' organisation. In this situation, a member would need to provide evidence of their membership to the local government for their dog to be exempt.

Dogs West, as an example, is a pedigree breeding association in Western Australia whose members are required to abide by a Code of Ethics.

While members of these associations and organisations could be exempted as a class from de-sexing dogs in their care and ownership, it would not follow that they were also exempt from the requirement to register as dog breeders. Under the dog breeder registration requirements each member that bred dogs would still be required to register as a dog breeder, register each dog in their care and pay the appropriate registration fees. Dog breeder registration allows for the traceability of puppies so action can be taken against unscrupulous breeders. Dog breeder registration is discussed in more detail in section 3.7 to 3.9.

If organisations were recognised in this way, they would be required to update the State Government on each change to membership within seven days of the change occurring.

## Questions – All

8. Should members of recognised breeding associations be exempt from the mandatory de-sexing requirement through their membership status?

- ☒ Yes  
☐ No  
☐ Unsure

**I do not believe in Mandatory Sterilisation.**

**All Members of Dogs West should be exempt from this requirement, whether they are breeders or not.**

9. What criteria should be considered by the State Government in approving

## Questions – All

recognised organisations?

- **Only organisations that have proven standards, including the oversight of their members breeding activities, with demonstrated outcomes where these standards are breached, should be considered.**
- **Dogs West, an affiliate of the Australian National Kennel Council (ANKC) is the only organisation based in WA which meets this criteria.**
- **In other States, other Affiliates of the ANKC have been recognised in this way.**
- **In South Australia, DogsSA collects the breeder registration fee from Members and forwards this to the relevant SA State Government body. Their DogsSA number is the same as their State Government breeder number. This gives transparency between the two Registers.**

10. Are there any other class of dogs that should be exempt from mandatory de-sexing?

- ☒ Yes  
☐ No  
☐ Unsure

Please provide reasons for your preference: \_\_\_\_\_

**Dogs owned as companion animals but still connected to their Breeder.**

**Dogs held on breeders terms from a Dogs West breeder, must be exempt – they are part of the wider Dogs West community of dogs and may be crucial to maintaining a wide gene pool for the breeding of healthy dogs.**

**Many dogs live full and happy lives as companion animals in a loving home, and are occasionally used by their breeder in their breeding program.**

**Restrictions under the WA Dog Act make it very difficult for many Dogs West breeders to maintain a breeding program, without the ability to have dogs in their wider community.**

**Some dogs are also shown from that wider community, with the dog living in a companion home, but shown by the breeder of the dog.**

## Questions – All

### 2.5 Transferring dogs

Dog breeders and dog owners will be required to de-sex any dog transferred to another person unless:

- the new owner is a registered breeder
- the new owner is a member of a recognised association or organisation that is exempt from the mandatory de-sexing requirement
- the dog is exempt by a veterinarian from being de-sexed on health grounds (unless the exemption is because the dog is too young to be de-sexed)
- the dog is too young to be de-sexed and is accompanied by a prepaid de-sexing voucher.

Requiring dog owners and breeders to de-sex a dog before it is transferred will ensure there is compliance with the de-sexing requirements.

In cases where a dog is too young to be de-sexed, it is proposed that a breeder or owner transferring a dog provide the new owner with a pre-paid voucher that will at least partially cover the cost of de-sexing. This aligns with the requirements in the Cat Act.

The cost of having a dog de-sexed varies greatly, depending on such factors as the age and weight of the dog. The voucher could be set at a particular amount with the new owner paying any additional amount.

One of the matters to be considered is how these vouchers could be used at veterinarian practices other than the issuing one. This is important for owners who source their dogs from places far from their homes.

## Questions – All

11. Do you support the provision of a pre-paid voucher by the dog breeder if the dog is not de-sexed?

- ☐ Yes  
☒ No  
☐ Unsure

- **What happens if a voucher is never used or lost?**

## Questions – All

- What happens when a dog is sold interstate?
- If a new owner lives a significant distance from my vet – how will the voucher be used?
- New owner moves interstate before the voucher is used – what happens to the value of the voucher?

12. What should be the value of the voucher?

- ☐ Less than \$100  
☐ \$100 - \$149  
☐ \$150 - \$199  
☐ \$200 - \$249  
☐ Over \$250  
☒ Other – please specify: **No voucher**\_\_\_\_\_

## Questions – Veterinarians

13. How much does your practice charge for the de-sexing of a female dog?  
Please specify the circumstances that this price is dependent on, and what is included in this cost (for example, fluids, pain medication etc.).

|                                |  |
|--------------------------------|--|
| Female dog under 10kg          |  |
| Female dog between 10kg – 25kg |  |
| Female dog over 25kg           |  |

Please indicate what is included in this cost: \_\_\_\_\_

14. How much does your practice charge for the de-sexing of a male dog? Please specify the circumstances that this price is dependent on, and what is included in this cost (for example, fluids, pain medication etc.).

|                              |  |
|------------------------------|--|
| Male dog under 10kg          |  |
| Male dog between 10kg – 25kg |  |
| Male dog over 25kg           |  |

Please indicate what is included in this cost: \_\_\_\_\_

15. How could pre-paid vouchers be transferred between veterinary practices?

## Questions – All

16. How many prepaid cat sterilisation vouchers have you issued since the introduction of mandatory de-sexing of cats?

17. How many prepaid cat sterilisation vouchers have you accepted since the introduction of mandatory de-sexing of cats?

18. What methods do you currently use at your practice to de-sex a dog?

- ☐ Spaying
- ☐ Castration
- ☐ Other – please specify: \_\_\_\_\_

19. Is it likely your practice will use other methods to de-sex dogs in the future, including non-temporary means?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide reasons for your response: \_\_\_\_\_

20. Is there a potential role for the Australian Veterinary Association? For example, to issue pre-paid sterilisation vouchers that can be used at any veterinarian practise. The practise can then cash in the vouchers with the AVA.

- ☐ Yes
- ☐ No
- ☐ Unsure

Please provide reasons for your response: \_\_\_\_\_

## 2.6 Enforcement

It is necessary to consider how mandatory dog de-sexing will operate alongside the current requirements under the Dog Act; and how local governments can efficiently monitor compliance.

Currently, local governments are responsible for monitoring and enforcing compliance with the following requirements under the Dog Act:

- dogs to be registered with the local government by the age of three months
- dogs to be microchipped by the age of three months.

Local governments check compliance with the microchipping requirement at the point of registration. A local government can refuse to register a dog that is not microchipped and it is an offence for a person to keep a dog over the age of three months if it is not registered. Effectively, an owner must have their dog microchipped before they can register a dog with their local government.

Owners of certain dangerous dogs are currently required to de-sex their dogs. A dog owner is required to provide a dog sterilisation certificate issued by a veterinarian as evidence that the dog is de-sexed. Alternatively, a dog's de-sexed status can be checked by the local government by viewing a sterilisation tattoo on the dog's ear, although this method of marking a dog is now rare.

Local governments would appear to be the relevant authority responsible for monitoring and enforcing the compliance of mandatory dog de-sexing, especially at the point of registration.

Currently, owners who register de-sexed dogs with their local government pay a lower registration fee than owners of dogs that are not de-sexed, creating an incentive for owners to de-sex their dog. It is proposed to maintain a lower registration fee for de-sexed dogs to further incentivise de-sexing.

## Questions – All

21. Who do you believe is best placed to monitor compliance with de-sexing?

- ☒ Local Governments – they do this already when a dog is registered
- ☐ Other – please specify: \_\_\_\_\_

Please provide reasons for your preference:

- **Local Government already knows if a dog is desexed or not – it is part of the dog registration process**
- **Discounts are offered for desexed dogs - owner has to prove desexing has been done by way of a veterinary certificate**
- **Can be managed as part of dog registration – same process as exists now.**

## Questions – Local Governments

22. What costs do you currently incur in registering a dog? Please provide as much detail as possible.

|            |               |
|------------|---------------|
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |

23. What additional costs would you incur if you also checked a sterilisation certificate or exemption certificate at the time of registration?

|            |               |
|------------|---------------|
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |

24. What other costs would mandatory de-sexing impose on a local government?

|            |               |
|------------|---------------|
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |

25. What benefits would be gained by your local government with mandatory de-sexing? Please provide as much detail as possible.

|            |               |
|------------|---------------|
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |
| Item _____ | Cost \$ _____ |

26. At what level would the registration fee need to be set for your local government to recover costs?

For de-sexed dogs? \$ \_\_\_\_\_

For non-de-sexed dogs? \$ \_\_\_\_\_

# Centralised Registration System

## 3.1 Introduction

A key element of the McGowan Government's Stop Puppy Farming commitment is the introduction of an online centralised dog registration system in Western Australia.

The centralised registration system will be used to identify every dog or puppy by recording:

- dog registrations
- dog breeder registrations
- any change in ownership of dogs or puppies.

The Dog Act will be amended to make it a requirement to register on the system and update particular information on the system within seven days of the change occurring.

The additional consultation in this document focuses on the following elements of implementation:

- General
  - Access to the system
  - Additional information to be included in the system
- Dog Registrations
  - Dog registration information to be included in the system
  - Updating dog registration information in the system
  - Transitioning existing dog registers
- Dog Breeder Registrations
  - Application and approval of dog breeder registrations
  - Conditions of dog breeder registration
  - Exemptions
- Transferring a dog

## Current situation

### Local Governments

Currently under the Dog Act, the local government is responsible for keeping a record of dogs registered in their district. The dog register is specific only to that local government district (unless two or more local governments work together to maintain a joint system). This can create difficulties in identifying lost dogs from different local government districts, particularly if a dog's microchip information has not been updated with the current owner's details.

The local government is responsible for processing dog registration applications and can refuse to register a dog on specific grounds, such as when a dog is not microchipped.

The local government issues each dog registered in their district with a registration number and a registration tag.

### **Dog breeders**

Dog breeders in Western Australia are not currently required to register as 'dog breeders'. They are, like all dog owners, required to register their dogs with their local government. They are also required to obtain an exemption or kennel establishment licence if they keep more dogs on any one premises than is permitted.

## **3.2 Access to the System**

|   | View and update own information | View and update all information | Limited dog breeder verification information* | Search for dogs on the system |
|---|---------------------------------|---------------------------------|---|-------------------------------|
| Dog owners  | X                               |                                 |   |                               |
| Dog breeders  | X                               |                                 |   |                               |
| Local governments and State government authorities                | X                               | X                               | X   | X                             |
| Members of the public   |                                 |                                 | X   |                               |
| Dog management facilities and recognised dog shelters and rescues | X                               |                                 | X   | X                             |

\*As a minimum, the information on the dog owner that will be shown to a member of the public will include:

- their name;
- their postcode;
- their unique dog owner number; and
- their dog breeder registration status.

## Questions – All

- Are any other authorities or groups that should have access to the system?

☐ Yes – please specify below.

☐ No

☒ Unsure

Please specify:

- **Until the scope and use of such a system is known, I am unable to comment on who should have access.**
- **You need to know what the full aim of the register is before you can determine access rights.**
- **There would also need to be safeguards in place to ensure the information contained in the registry will only be accessed for legitimate and approved activities.**

- What type of access should they have?

☐ View their own records

☐ Update their own records

☐ View all records

☐ Update all records

☐ Approve changes to records

- **Until the scope and use of such a system is known, I am unable to comment on who should have access.**
- **You need to know what the full aim of the register is before you can determine access rights.**

### 3.3 Additional information

The breadth of information recorded on the centralised registration system will affect how it can be used, and by whom it can be used. It is also likely to affect the cost.

There is the potential to record additional information on the centralised registration system, including the following:

- A register of approved kennel establishments in Western Australia (including the ability to apply for a kennel establishment licence on the system)
- A register of dog management facilities in Western Australia
- A register of pet shops transferring and selling dogs in Western Australia
- A register of dangerous dogs (declared and restricted breed)
- Information on particular dog owners, such as dog owners that are subject to a court order or have been convicted of offences under:
  - the Dog Act
  - a dog local law or by-law
  - the Animal Welfare Act
- Information on dogs:
  - that have been seized by the local government at any time
  - that have been involved in a dog attack
  - that have not been controlled by their owner in accordance with the Dog Act
  - that have caused a nuisance or are subject to a nuisance complaint
  - that are subject to a destruction order
- Information to inform compliance with the standards for dog breeding, housing, husbandry, transport and sale.

The benefit of keeping this information is that these facilities, businesses, dogs and dog owners could be more readily identified and monitored by relevant authorities.

The inclusion of this additional information could result in additional costs, including:

- costs associated with creating a system that included and stored this additional information
- costs to particular stakeholders who would be responsible for uploading this information
- costs to local governments in processing this information
- costs to relevant enforcement authorities in monitoring this information.

Dog registration fees, and dog breeder registration fees would need to accommodate these costs.

## Cat Registration

Currently under the *Cat Act 2011*, local governments are responsible for:

- processing cat registration applications;
- approving cat breeder applications; and
- maintaining a register of cats in their district.

As with dog registers, cat registers are specific only to that local government district (unless two or more local governments work together to maintain a joint system).

### Questions – All

1. Do you think the system should also be expanded to include cat registrations and cat breeder registrations?  
☐ Yes  
☐ No  
☒ Unsure
2. Do you think any of the following additional information should be included on the centralised registration system (you may select more than one option):
  - ☐ Approved kennel establishments
  - ☐ Dog management facilities
  - ☐ Pet shops that sell or transfer dogs
  - ☐ Dangerous dogs
  - ☐ Dog owner's subject to Court orders or convicted of particular offences
  - ☐ Dogs that have been seized by the local government
  - ☐ Dogs involved in a dog attack
  - ☐ Dogs that have not been controlled by the owner
  - ☐ Dogs that have caused a nuisance or are subject to a nuisance complaint
  - ☐ Dogs that are subject to a destruction order
  - ☒ Other information – please specify: \_\_\_\_\_

**Please indicate reasons for your preference/s:**

**Without having a true picture of who may have access to the above information I am unable to comment or support a view.**

**Currently, much of this information is only available to Local**

### **Government Officers in their own jurisdiction.**

3. Would you support a larger increase in dog registration fees to include additional information on the system?
- ☐ Yes
- ☒ No – **as a State Government initiative, it should be funded by the State**
- ☐ Unsure
4. How much *extra* would you be prepared to pay for an annual dog registration to cover these costs?

### **Zero – there should be a no extra option on this question.**

- ☐ \$1 - \$5
- ☐ \$6 - \$10
- ☐ \$11 - \$15
- ☐ \$16 - \$20
- ☐ More than \$20
5. Who do you think should have access to this additional information?
- ☒ Only local governments
- ☐ Animal welfare agencies
- ☐ Other – please specify: \_\_\_\_\_

## **Questions – Local Governments**

6. Would it be beneficial for your local government if cat and cat breeder registrations were also transitioned to the centralised registration system?
- ☐ Yes
- ☐ No
- ☐ Unsure
7. How would transitioning cat and cat breeder registrations to a centralised registration system be beneficial to your local government?
- ☐ Administrative efficiency
- ☐ Consistency with centralised dog registrations
- ☐ No requirement to maintain own register
- ☐ Other – please specify: \_\_\_\_\_
- ☐ It would not be beneficial – please specify: \_\_\_\_\_

8. Would any of the additional information outlined above be useful for your local government?

- ☐ Approved kennel establishments
- ☐ Dog management facilities
- ☐ Pet shops that sell or transfer dogs
- ☐ Dangerous dogs
- ☐ Dog owner's subject to Court orders or convicted of particular offences
- ☐ Dogs that have been seized by the local government
- ☐ Dogs involved in a dog attack
- ☐ Dogs that have not been controlled by the owner
- ☐ Dogs that have caused a nuisance or are subject to a nuisance complaint
- ☐ Dogs that are subject to a destruction order
- ☐ Other information – please specify: \_\_\_\_\_

Please indicate why you think it would be useful: \_\_\_\_\_

9. What additional costs would including this information in the system create for your local government?

- ☐ Processing the additional information
- ☐ Monitoring the additional information
- ☐ Other: \_\_\_\_\_

10. How much *extra* do you estimate this would cost your local government per annual dog registration?

- ☐ \$1 - \$5
- ☐ \$6 - \$10
- ☐ \$11 - \$15
- ☐ \$16 - \$20
- ☐ More than \$20

11. Would it be easier for your local government to process and record kennel establishment licences through the system?

- ☐ Yes
- ☐ No
- ☐ Unsure

Please give your reasons: \_\_\_\_\_

### 3.4 Dog registration information

The breadth of information recorded on the centralised registration system will affect how it can be used, and by whom it can be used. It is also likely to affect the cost.

#### General information

Dog registration information that will be kept on the centralised registration system will include:

- Current information requirements: the information a dog owner must currently provide to register a dog in Western Australia is set out under Form 4 of Schedule 1 of the *Dog Regulations 2013*. This includes information on the following:
  - dog owner details, including their address and contact details
  - **whether the dog can be effectively confined to the premises**
  - dog details, including age, breed, microchip details, whether the dog is a commercial security dog or a dangerous dog
  - the number of dogs on the premises
  - information on any previous convictions for offences against the Dog Act, Cat Act or Animal Welfare Act
  - a declaration that the information in the application is true and correct
- In addition, dog owners will be required to provide:
  - further information on their dog's sterilisation status
  - their unique dog owner number (if known, otherwise they will be issued with one)
  - the dog owner number of the dog's breeder (if known).

This is the minimum level of dog registration information that will be stored on the centralised registration system.

#### Questions – All

12. Please indicate if you think any of the additional information should be included on a dog's registration:

- ☐ information on whether the dog is used as a livestock working dog
- ☐ information on whether the dog is used as an assistance dog

Please indicate why you think this information will be beneficial:

**Without knowing who will have access to this information I cannot comment on what should be held, and therefore accessible.**

### 3.5 Updating dog registration information

The online centralised registration system will have the capacity to allow a range of users to register and update information recorded on the system in Western Australia.

Verification of some of the information recorded on the system will need to be undertaken to ensure the information is accurate, such as the sterilisation status of a dog.

The following users will be able to register a dog on the centralised registration system:

- dog owners
- local governments on behalf of dog owners (registrations made in person or hard copy form)
- dog shelters and rescue organisations
- dog management facilities.

The following stakeholders will be able to use the system to register as a dog breeder on the centralised registration system:

- dog owners (who wish to breed from their dog)
- local governments on behalf of dog breeders (registrations made in person or hard copy form)
- dog shelters and rescue organisations
- dog management facilities.

Local governments will be responsible for approving dog and breeder registrations in their district. The registration will not be complete until approved by the local government. In the process of approving dog registration applications, local governments can verify the microchip and de-sexing details through, for example, examining the dog's sterilisation certificate.

#### Potential Role for Veterinarians

Another possible option is that veterinarians use the system to update the system with a dog's de-sexed and microchip information. In South Australia and New South

Wales, veterinarians are able to update their centralised system with a dog's microchip details. The advantages of this are:

- a veterinarian can verify the de-sexing and microchipping of the dog without a local government having to examine a sterilisation certificate
- this is likely to be a more accurate and reliable method
- local governments can quickly process dog registrations as they do not have to confirm the microchip and de-sexing details (unless not already entered)
- the information is verified and entered in the system at the point of microchipping and de-sexing, meaning there is no delay in updating this information.

This will create a cost to veterinarian practices who will need to expend time and resources on undertaking this function.

Veterinarians will not be responsible for ensuring dog owners comply with the microchipping and de-sexing requirements. They will also not be obliged to notify a local government of a dog owner's non-compliance with the requirements.

Under this proposal, a veterinarian will be able to update a registered dog's details. If the dog is not registered prior to the veterinarian undertaking the microchipping and/or de-sexing, the veterinarian will still be able to enter the dog's microchip details and sterilisation status into the centralised registration system.

Owners will then be responsible for searching the system for the microchip details of their dog, and completing their registration.

## Questions – All

13. Do you think veterinarians should be able to update and input dog's microchip and sterilisation details into the system?

- ☒ Yes  
☐ No  
☐ Unsure

Please indicate why it would be useful:

**Vets can check to ensure that the person owns the dog by confirming the microchip number as well as record the date of the sterilisation in real time.**

**Owners must give consent for the vet to update records.**

**Timing could be an issue – the puppy may not be registered at the time it is microchipped.**

**Will vets charge the owner for this service?**

**How will it work for licenced microchip implanters who are not vets?**

14. Should it be a mandatory requirement for veterinarians to input this information into the system, or optional for veterinarians to input this information?

- ☐ Mandatory  
☒ Optional  
☐ Not applicable

Please provide reasons for your preference:

**Must be done with the consent of the owner. However, I do believe that vets should check to confirm that a dog is microchipped - too many are not.**

**Optional may mean that the register is only partially accurate if the owner and/or local government does not update the register.**

## Questions – Veterinarians

15. Would you or your practice be willing to undertake this function to ensure the accurate recording of dog microchip and de-sexing details?

- ☐ Yes  
☐ No  
☐ Unsure

16. What costs would you or your practice incur by undertaking this role? Please quantify where possible.

- ☐ Administrative costs involved with inputting information  
☐ Other: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Please identify and quantify costs where possible: \_\_\_\_\_

17. Do you perceive any benefits in undertaking this role?

18. Please indicate what other information you think veterinarians should be able to update or access on the system?

- ☐ Enter a dog registration on an owner's behalf
- ☐ Search for the identity of a dog and its owner
- ☐ Enter vet specific information on any registered animal
- ☐ Report and enter details of animal incidents such as dog attacks
- ☐ Report dog deaths
- ☐ Other – please specify: \_\_\_\_\_

## **3.6 Transition existing dog registers**

Introducing a centralised registration system will mean the information in the existing local government dog registers will need to be transferred to the central register. This could be phased in over a number of years.

Local governments currently use at least five different registration systems, ranging from a sophisticated purpose-built database to a spreadsheet. A survey of local governments, with 53 local government respondents, found that 68% used Synergy, 13% used Civica, 8% used TechnologyOne, 8% used Pathway and 2% used an Excel spreadsheet.

### **Annual dog registrations**

It is proposed that annual dog registrations will be transferred to the centralised system from the local government systems on renewal. Under the Dog Act, annual dog registrations expire on 1 November of every year.

Once the centralised registration system is developed and launched, annual dog registrations will be incorporated into the centralised registration system by requiring dog owners to renew their annual dog registration through the centralised system.

Essentially, dog owners that have registered their dogs annually will be captured when they renew their dog registration.

### **Three year dog registrations**

Similar to annual dog registrations, owners that have registered their dog for a period of three years will be transferred to the centralised system when they renew their dog's registration. As for annual registrations it will be the owner's responsibility to enter their data into the new system at the time of re-registration.

This means that it will take the centralised system three years to incorporate the three year period dog registrations.

### **Lifetime dog registrations**

Lifetime dog registration means the owner never has to renew their dog's registration. As such, their dog's registration cannot be recorded on the centralised dog registration system through the renewal of the registration.

There are three options to capture lifetime dog registrations on the centralised system:

### **Option 1: Software**

Data migration software could be created to transfer the information in each local government's register to the centralised system.

Software created to transfer dog registration information from local government systems to the centralised system would need to be specific to each type of software system the local governments currently use. It is not known if local governments using the same registration system have it configured in the same way. The expense of creating data migration software for each system would be significant, and adequate time would be needed to develop the data migration software for each type of registered software used by local governments.

Dog registration fees would have to increase to cover the costs of funding the data migration software or a one off registration charge apply for registrations on the new system.

### **Option 2: Manual entry**

Another option is to manually transfer the lifetime dog registrations to the centralised system. This would require local government staff to enter the information.

It would also mean that local government resources would be used on transferring information as opposed to undertaking other local government duties. It would, however, mean that local governments would no longer have to manage a dual system of registrations so there would be time and cost savings in the medium and longer term.

Sufficient time would also need to be provided to allow local governments to transfer the information – this could be three years in line with the transition of the three year registrations.

### **Option 3: Owner's responsibility**

Another option is to make it the responsibility of existing owners to re-register under the new centralised system.

Local governments could identify lifetime registrations on their system and send letters and information to owners with lifetime dog registrations instructing them to re-register their dog on the centralised system. There would be no charge for this process.

Upon re-registering online, owners would complete a specific registration form identifying them as a dog owner with an existing lifetime dog registration. Local governments could confirm this against their existing register and waive the registration fee.

If a person does not have online access, the local government could process the re-registration on the owner's behalf.

Currently, owners with a lifetime dog registration are not required to update a local government when their dog dies. Local governments are likely to therefore have active registrations for dogs that have passed away. One advantage of owners re-registering their lifetime dog registrations is that the register will not be updated with deceased dogs.

There is a risk that owners will not undertake the re-registration and may not re-register their dog.

## Questions – All

19. Please indicate your preference for the following:

- ☒ Option 1 – Develop and provide data migration software to transfer lifetime dog registrations to the centralised registration system.
- ☐ Option 2 – Local governments manually enter lifetime dog registrations into the centralised registration system.
- ☐ Option 3 – Owners re-register their lifetime dog registration on the centralised registration system.

Please indicate reasons for your preference:

**Data transfer only requires a data schema to be given for data transfer, whether life time or not. Extraction of data into a data schema from databases is not overly difficult.**

20. Are there other options for transferring existing dogs onto the centralised system?

21. Which of the following would you support to cover the costs of migrating existing data?

- ☐ an increase in the registration fee
- ☐ a one-off payment by dog owners
- ☐ other

☒ none

**Cost should be borne by the State Government – it is their initiative.**

**Why should a dog owner have to pay more because you move a registry?**

One option is that existing lifetime dog registrations are not transferred to the new system and local government registers would need to be retained for at least a 15 year period following the launch of the centralised system and authorities would have to refer to both the centralised system and individual local government dog registers.

22. Should lifetime dog registrations be transferred to the new system?

☐ Yes

☐ No

☒ Unsure

**Local governments are likely to keep their own registries because of the integration they have to their full corporate business systems, such as Mapping, customer complaints, infringements, properties and property owners etc.**

**In many cases, Officers in the field have access to this full scope of functionality.**

**It is unclear how a central register would continue to provide that functionality for the daily operations of a Council.**

## Questions – Local Governments

23. Please indicate your local government district and the software you currently use for your dog register:

a) Local Government district: \_\_\_\_\_

b) Dog register software: \_\_\_\_\_

24. Please indicate if the software used for your local government dog register is the same as the software used for your local government's cat register:

☐ Yes

☐ No

☐ Unsure

25. Have you modified the software you currently use?

☐ Yes

☐ No

☐ Unsure

26. Is your local government easily able to identify lifetime dog registrations in your dog register?

☐ Yes

☐ No

☐ Unsure

27. How many lifetime dog registrations does your local government currently have?

28. Does your local government have the capacity to extract data from your dog register software and provide the extracted data in an Excel spreadsheet?

☐ Yes

☐ No

☐ Unsure

## Questions – Dog Owners

29. Would you prefer:

☐ dog registration fees to increase to cover the cost of transferring dog registrations to the centralised system;

☐ a one-off \$5 fee for an automatic transfer of the data; or

☐ to re-register your own dogs online?

**None of the above – it should be managed between the State Government and Local Government.**

**Option 3 – what would be the quality control over the registration of a dog online by an owner?**

**How will data transfer from a Central Register back to an in-house register kept to retain business functionality at the Council?**

30. If you are a dog owner with an existing lifetime dog registration, would you be willing to re-enter your details in the centralised registration system online?

☐ Yes

☐ No

☒ Unsure

- **This is a repeat of option 3 in question 31.**
- **None of the above – it should be managed between the State Government and Local Government.**
- **Option 3 – what would be the quality control over the registration of a dog online by an owner**
- **How will this flow back to the relevant Local Government/**

### **3.7 Application and approval – dog breeder registration**

A dog breeder will be broadly defined under the Dog Act, and will include any owner who has a dog that is not de-sexed, except if the dog is not de-sexed on health grounds.

The requirement to register as a dog breeder will come into effect once the centralised registration system is operational.

While it is envisaged that a majority of breeders will be registered prior to their dog having puppies, dog owners that are not registered will need to register as a breeder within seven days of the birth of puppies. This will ensure the local government has adequate time to process and approve the dog breeder registration application before the puppies are potentially transferred to another owner.

The information supplied by dog breeders at registration will impact the ability of the local governments to make an informed decision on approval of dog breeder registration.

The information cat breeders must provide when applying for approval to breed cats includes:

- the breeder's details, including address and contact details
- the cat's details, including microchip details and sterilisation status
- questions in relation to the breeding of the cat, including the number of cats being kept on the premises, a description of the facilities, and whether they are a member of one of the listed organisations
- the requirement to provide details of any previous convictions against the Cat Act, Dog Act or Animal Welfare Act
- a declaration that the information provided is true and correct.

It is proposed that similar information is provided when dog breeders apply for dog breeder registration. Instead of providing information on the premises and facilities, it is proposed that dog breeders would need to indicate and certify that they were

complaint with any minimum standards for dog breeding, housing and husbandry (once they came into effect).

Breeders will be required to renew their dog breeder registrations annually. Registered breeders will also be required to update any change to their information within seven days.

## Questions – All

31. What information do you think a dog breeder should provide when applying for breeder registration or renewal?

- ☐ The number of dogs being kept on the premises
- ☐ A description of the premises where the dogs are being kept
- ☐ A description of the facilities
- ☐ The breed of dogs
- ☒ Whether a person has been convicted of an offence under the Dog Act, Cat Act, Animal Welfare Act or a dog or cat local law.
- ☐ Certification that they comply and will continue to comply with animal breeding, housing and husbandry standards
- ☒ Other – please specify: \_\_\_\_\_

**Dogs West members should be exempt from the above and should be automatically accepted as they have to comply with comprehensive regulations and a Code of Ethics.**

**The Dogs West Member Membership Number should be the number used on the Central Registry to give transparency and accountability between registers.**

**A person convicted under the Animal Welfare Act is not permitted to become a Dogs West Member, and, if convicted while a Member, their Membership is cancelled and they lose all Membership privileges. When this occurs, all State Member bodies of the ANKC are advised so they cannot join another State body.**

32. What do you think local governments should take into account when considering a dog breeder application or renewal?

- ☐ The number of dogs being kept on the premises
- ☐ The breed of dogs
- ☐ Convictions under the Dog Act, Cat Act, Animal Welfare Act, or a dog or

## Questions – All

cat local law

☒ Other – please specify:

**Dogs West members should be exempt from the above and should be automatically accepted as they have to comply with comprehensive regulations and a Code of Ethics.**

**The Dogs West Member number of a member holding a prefix, and therefore able to breed, should be the number used on the Central Registry to give transparency and accountability between the two.**

The Dog Act allows a dog registration officer from the local government, with the consent of the owner or occupier, to enter and inspect premises to ascertain whether a dog will be effectively confined on the premises. It is a condition of dog registration that a dog must be effectively confined to the premises in which it is kept.

33. Should local governments have the power to enter and inspect premises of a dog breeder, or premises that are subject to a dog breeder application or renewal?

- ☐ Yes
- ☒ No
- ☐ Unsure

34. In what situations should a local government be able to enter and inspect premises of a dog breeder of that are subject to a dog breeder application or renewal?

- ☐ Where the dog breeder owns more than a certain number of dogs, or owns a kennel establishment If yes, how many?
- ☐ No
- ☒ Unsure

**Local Governments do not have the resources to carry out inspections of this nature – how will they be able to do more?**

**Local Government has powers under the Health Act which allow them to enter premises – this may apply.**

**If a complaint is received, Local Government has powers under that process.**

### 3.8 Conditions – dog breeder registration

Dog breeders registered with the government will be required to comply with particular conditions. This will include legislative requirements relating to information that must be provided when transferring a dog and the requirement to update a dog's microchip database details with the breeder's dog owner number.

Dog breeders will also be required to comply with the requirements under the Dog Act, Cat Act and Animal Welfare Act and the mandatory dog breeding standards and guidelines when they are introduced under the Animal Welfare Act.

Registered dog breeders will also be required to notify the local government if any details of their dog registration changes.

#### Questions – All

35. Please specify any additional conditions with which dog breeders should comply:

36. On what grounds do you believe a local government could cancel a dog breeder registration?

- ☒ The dog breeder is convicted of an offence under the Dog Act, Cat Act, Animal Welfare Act, or a dog or cat local law
- ☐ The dog breeder is convicted of an offence under Australian Consumer Law in relation to dogs they have sold or transferred
- ☐ Failing to provide their dog owner number on the microchips of the puppies that they breed
- ☐ Failing to provide their dog owner number when advertising or transferring a dog
- ☐ Other – please specify: \_\_\_\_\_

**Point 4 says dog owner number on the microchip – is this not proposed to be a dog breeder number?**

**Where does the responsibility of a dog breeder sit in consumer law?**

**If a dog, for whatever reasons, ends up changing hands multiple times, is the breeder still going to be responsible under consumer law?**

## Questions – All

**If a dog contracts a disease or infection that cannot be foreshadowed, is the breeder responsible?**

### 3.9 Exemptions – dog breeder registration

#### Livestock working dogs

In Queensland, primary producers that own and breed livestock working dogs are exempt from registering as dog breeders where they sell or transfer puppies they have bred to other primary producers.

If a primary producer sells or transfers a puppy they have bred to someone who is not a primary producer, then they are required to register as a dog breeder, and supply their dog breeder registration number.

## Questions – All

37. Should primary producers in WA be exempt from registering as dog breeders where they breed and transfer livestock working dogs to other primary producers?

- ☒ Yes
- ☐ No
- ☐ Unsure

Please provide reasons for your response: \_\_\_\_\_

38. Should primary producers in WA be exempt from registering as dog breeders where they breed and transfer livestock working dogs to any person?

- ☐ Yes
- ☒ No
- ☐ Unsure

Please provide reasons for your response:

**If dogs or puppies are sold to the pet market, they should be a licensed breeder.**

## Questions – All

### **Dog breeders registered with recognised breeding associations**

There are dog breeders in WA that are members of non-Government dog breeding organisations and associations.

Dogs West, as an example, is a pedigree breeding association in Western Australia whose members are required to abide by a Code of Ethics.

Following the introduction of the centralised registration system, members of Dogs West will be required to register as a dog breeder with the Government.

## Questions – All

39. Should particular dog breeders that are members of particular dog breeding associations be exempt from registering with the Government as dog breeders?

- ☒ Yes – **Dogs West**
- ☐ No
- ☐ Unsure

Please provide reasons for your response: \_\_\_\_\_

**My concern is, that by registering breeders, you are lumping them all in together, regardless of what they breed or how, whether they have any oversight or not.**

**By making people “registered breeders” their status is automatically raised in the public eye – when in reality they will continue to do what they do now.**

**I am not opposed to others breeding dogs in a caring, safe and appropriate environment – Dogs West Members cannot meet the market demand to maintain dog ownership in Western Australia, but Dogs West members are already on the ANKC Register, recognised Australia Wide – they do not need to be on another register**

**In South Australia, dog breeder registration has been introduced.**

## Questions – All

**Members of Dogs SA (the Dogs West equivalent) are not exempt from registering as dog breeders, but Dogs SA are responsible for inputting and maintaining their member's details into the dog breeder register.**

**In other words, they are automatically approved.**

**The membership number issued by Dogs SA is also used as the Government dog breeder registration number.**

40. Should recognised dog breeder associations in WA be responsible for inputting the details of their members into the Government's dog breeder register on the centralised registration system?

- ☒ Yes
- ☐ No
- ☐ Unsure

Please provide reasons for your response:

**I agree with this proposal provided that Dogs West Breeders are recognised and approved on the Breeder Register.**

41. What do you perceive to be the benefits of recognised dog breeder associations inputting their members details into the Government's dog breeder register? (You may select more than one option)

- ☒ Creates consistency between registers
- ☒ Avoids duplication for dog breeders who would otherwise need to register with both associations
- ☒ Potentially lessens the administrative burden on local governments
- ☒ Ensures that dog breeders registered with dog breeder associations are also registered with the Government and can be traced on the Government system
- ☐ Other – please specify:

**Would see Breeder information being up to date with new/amended/cancelled/retired information being updated in a timely manner.**

42. What obligations should there be on recognised dog breeder associations that input their members details into the Government's dog breeder register? (you may select more than one option)

- ☒ Recognised dog breeder associations must update any change of their

## Questions – All

member's details within seven days of being notified of the change

☒ Recognised dog breeder associations must notify the relevant local government when a dog breeder is no longer a member of their association

☒ Recognised dog breeder associations must notify the relevant local government if a member's membership of their association is cancelled by the association

☐ Recognised dog breeder associations must notify relevant enforcement agencies where they find evidence that one of their members is not complying with the requirements under the Dog Act, Animal Welfare Act or a relevant dog local law

☐ Other – please specify: \_\_\_\_\_

43. What criteria should be considered when approving a dog breeder association to be a 'recognised' dog breeder association that can input their member's details into the Government's dog breeder register?

☒ Privacy and confidentiality policies of the association

☒ Compliance with minimum standards for dog breeding, housing, husbandry, transport or sale

**These do not exist at this point in time, so it is impossible to comment on them.**

**Dogs West members must adhere to and abide by the Dogs West Code of Ethics and Regulations and there is a proven compliance framework in place to sanction Members who do not adhere to these.**

☐ Other – please specify: \_\_\_\_\_

44. If you are a member of a dog breeder association, would you like your association to be responsible for completing your Government dog breeder registration?

☒ Yes

☐ No

☐ Unsure

Please provide reasons for your response:

**Transparency, efficiency and consistency.**

45. Should the membership number of a member of a recognised dog breeding association be used as their Government dog owner number?

## Questions – All

- ☒ Yes
- ☐ No
- ☐ Unsure

Please provide reasons for your response:

### **Transparency, efficiency and consistency.**

46. What do you perceive to be the benefits of members of breeding associations using their membership number as their dog owner number?

- ☒ Creates consistency
- ☒ Ensures a dog breeder is easily identifiable in both the association's register and the Government's register
- ☒ Avoids confusion on what number members should quote in advertisements for the sale of dogs
- ☐ Other – please specify:

- **It just makes sense.**
- **It makes Dogs West Breeders easy to identify and differentiates them from others who breed dogs outside our Regulations and Code of Ethics.**

## 3.10 Transferring a dog

### **Dog breeders and dog microchip information**

Under the new centralised registration system, every owner that registers a dog will be issued with a 'dog owner number' that is unique to the owner. Effectively, every dog owner will have an identification number.

A dog breeder will be required to record their details and their unique 'dog owner number' alongside the microchip details of every puppy bred from their dog/s. This will ensure that the breeder's details are permanently recorded for each dog.

Microchip implanters will be required to provide the following information to the microchip company:

- Information on the dog breeder that owns and bred the dog's mother:
  - Their 'dog owner number'

- Their name, address and contact details
- If known, information on the dog breeder that owns the dog's fathers:
  - Their 'dog owner number'
  - Their name, address and contact details

Microchip database companies will be required to record and retain this information alongside the microchip information of a dog.

## Questions – Microchip Implanters and Microchip Database Companies

47. Is it possible to include additional fields of information on your microchip database?

- ☐ Yes
- ☐ No
- ☐ Unsure

48. Will this have an impact on the cost of recording information on the microchip database? If so, how so?

49. Please indicate the name of your microchip database company:

### Providing information when transferring a dog

Any person who sells, gives away, transfers or advertises a dog will be required to provide their 'dog owner number' and the dog's microchip number. Both numbers must be provided in any advertisement that advertises dogs or puppies for sale.

This will assist in tracking a dog, and identifying where a dog has come from.

Furthermore, if the person selling, giving away, transferring or advertising a dog alleges to have bred the dog, a consumer can verify if they are a registered breeder on the centralised registration system by searching the 'dog owner number' provided by the breeder.

Consumers will be educated about only sourcing dogs from dog owners that provide their dog owner number and the dog's microchip number. This will help members of the public source dogs and puppies from registered dog breeders that can be identified and held accountable.

If a person has not bred a dog and transfers a dog, they must still provide their dog owner number and the dog's microchip number, to ensure authorities can identify and trace where a dog has been sourced from.

To monitor compliance with this requirement, members of the public will be encouraged to report non-compliant advertisements to an enforcement agency.

## Questions – All

50. Are there other ways to monitor or ensure dog advertisements comply with the requirement to provide both the dog owner number and dog's microchip number? Please specify:

**Currently provision of dog owner numbers and dog microchip numbers are not a requirement for the sale of a dog.**

**Dogs West regulations stipulate that Dogs West Members must advertise their MEMBERSHIP number when advertising dogs.**

**However, this has seen other people copying these Numbers and using them fraudulently.**

**The same thing will happen with any system put in place – dishonest people will continue to do dishonest things, and this will not stop them.**

51. What agency could be responsible for prosecuting dog owners and breeders that do not comply with the transfer and advertisement requirements?

**Department of Primary Industries and Regional Development**

## Questions – Government and non-Government agencies

52. What is your agency's capacity (considering benefits, issues and costs) to enforce these requirements?

## Questions – Consumer Protection WA

## Questions – All

Consumer Protection WA is currently responsible for enforcing Australian Consumer Law. If a person advertises a dog for sale and provides a dog owner number and/or dog microchip number that is intentionally incorrect, then they would be making a misleading statement and would be breaching Australian Consumer Law.

53. Would Consumer Protection WA be able to prosecute someone who provided incorrect details when advertising or transferring a dog under Australian Consumer Law?

- ☐ Yes
- ☐ No
- ☒ Unsure

54. Would there be any issues in enforcing these requirements?

- ☐ Yes
- ☐ No
- ☒ Unsure

Please specify any potential issues: \_\_\_\_\_

### Jurisdictional issues

**Dog breeders and dog owners outside of WA are not subject to the requirement to have a dog owner number. If they sell, advertise or transfer a dog to a person in WA, they will not be able to comply with the requirement to provide a dog owner number.**

**If the transaction occurs outside of WA, then the transaction is not subject to WA law and the requirement to provide such details.**

**If the transaction occurs within WA, then this will be an issue. The Department will continue to identify ways to address this issue.**

**Border control is an important aspect in the prevention of Puppy Farming and the supply of “rescue” dogs from interstate.**

**It is well known that puppy farmers transport dogs in numbers across Australia by air and road as part of their business model, and continue to do so despite legislation enacted in other States.**