

STOP PUPPY FARMING

Public Submission Form

Please use this form to provide your feedback on the State Government's proposed methods to stop puppy farming in WA. These questions are taken from the consultation paper released by the Department of Local Government, Sport and Cultural Industries on Thursday, 3 May 2018. The paper can be accessed at [the Department's website](#).

The information you provide will be used by the Department of Local Government, Sport and Cultural Industries (DLGSC) to inform policy decisions regarding stopping puppy farming in WA. If you need help completing this form, please telephone DLGSC on (08) 6551 8700 or toll free for country callers on 1800 620 511, or email puppyfarming@dlgsc.wa.gov.au.

For a Translating and Interpreting Service (TIS) telephone: 13 14 50. To ensure your input is considered, please return your feedback before the consultation period closes at 4pm on **Friday 3 August 2018**.

Your contact details

Title:	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other <input checked="" type="checkbox"/> (Executive Officer) WA Farmers Federation (WAFarmers)
First name:	Kim
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Title:	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other <input checked="" type="checkbox"/> (Executive Officer) WA Farmers Federation (WAFarmers)
Email address:	<div style="background-color: black; width: 200px; height: 1.2em;"></div>

Stop Puppy Farming Questions

1. Please indicate if you are any of the following:

- Dog Owner ☐
- Dog Breeder ☐
- Pet Shop Owner ☐
- Pet Business – please specify below ☐
- Local Govt. employee ☐
- Local Govt. elected member ☐
- Shelter organisation employee ☐
- Shelter organisation volunteer ☐
- Rescue group employee ☐
- Rescue group volunteer ☐
- Foster Carer ☐
- Veterinarian ☐
- Other – please specify below ☒

The Western Australian Farmers Federation (Inc.) (WAFarmers) welcomes the opportunity to comment on the Stop Puppy Farming Consultation.

WAFarmers is the state's largest and most influential rural advocacy and service organisation, boasting a membership of over 3,500 primary production businesses and individual farmers including grain growers, meat and wool producers, horticulturalists, dairy farmers, commercial egg producers and beekeepers. Collectively our members are major contributors to the \$7.5 billion gross value of production that agriculture in its various forms contributes annually to Western Australia's economy.

Additionally, through differing forms of land tenure, our members own, control and capably manage many millions of hectares of the State's land mass and as such are responsible for maintaining the productive capacity and environmental wellbeing of that land and the animals that graze and live in it. Agriculture was the largest contributor to national GDP growth in 2016-17, and is the fastest growing industry, particularly driven by the grains and livestock industries.

Transitioning Pet Shops to Adoption Centres

2. Would you purchase a behaviour and health checked rescue dog from a pet shop?

Not applicable

3. What background information would you want on the rescue dog?

Not applicable

4. Do you think transitioning pet shops to adoption centres is beneficial?

We do have concerns with the proposal to restrict pet shops to only sourcing dogs from dog rescue organisations and shelters as we believe this could be challenged as selective trade restrictions, as it would prevent pet shop owners from using dogs from already established breeder contact arrangements thereby limiting consumer choice. It could also result in pet shops owners being subjected to rescue/shelter staff biased assessment protocols. The proposal is making a blanket assumption that all suppliers to pet shops don't properly assess the health and behaviour of their puppies, which is inappropriate. The amendment would also require pet shop owners to pay the additional costs associated with sourcing dogs/puppies from shelters and centres, which in turn will increase the cost of purchasing a puppy for genuine consumers. This has certainly been the case in Victoria. In this scenario who would be subjected to the shelter/rescue centre auditing process to ensure the puppy was going to a suitable home i.e. the owners of the pet shop who is only responsible for the care of the puppy for a short period of time, or the yet to be identified purchaser of the puppy long term? What authority do shelter/rescue centre staff have to dictate who is capable of looking after a dog? WAFarmers believes there would be merit in having a discussion that pet shops should be permitted to access puppies from recognised breeders as well as those from rescue/shelter centres if they have suitable puppies available for public ownership. Provided pet shops comply with the mandatory standards for sourcing, husbandry, housing, transport and sale they should be permitted to operate. WAFarmers supports the AVA position that they don't oppose the sale of dogs in pet shops provided they are sourced from responsible breeders who adhere to the mandatory standards. It should also be recognised that shelters and rescue centres don't contain the dog breeds that pet shops mainly sell in WA. We also support the professional service offered by on-line providers such as Dogzonline.com.au. We question the purpose in the consultation paper to introduce a targeted education campaign to dissuade consumers from purchasing puppies online. Evidence indicates the majority of people source puppies from breeders.

5. If you are a pet shop owner or operator, what impact will this have on your business?

Not applicable

Mandatory dog de-sexing for non-breeding dogs

6. How do you feel about mandatory dog de-sexing for non-breeding dogs?

WAFarmers opposes the mandatory de-sexing of dogs especially for livestock working dogs. If all dogs were de-sexed there would be no opportunity to performance-test working dogs on commercial farms, the gene pool would diminish and the quality of dogs available to livestock producers would decline. Studies by Sydney University have shown nearly all livestock producers in Australia rely on livestock working dogs. The typical livestock property has four dogs in work and only 10% of females and 5% of males were de-sexed.

7. 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. Are there any other reasons why a dog should be exempt from being de-sexed?

WAFarmers reiterates livestock working dogs held on rural properties and farms must be exempt from mandatory de-sexing laws. If a livestock working dog is proved not to be suitable as a livestock working dog and is sold or given to a person as a companion dog then consideration could be given to de-sexing the dog.

8. Should mandatory dog de-sexing apply to all dogs, including existing dogs, or just dogs born after a particular date?

WAFarmers does not support the mandatory de-sexing of livestock working dogs. Secondly, it is already the policy of rescue centres and shelters to de-sex dogs before they are rehomed.

Centralised Registration System

9. How will a centralised registration system benefit you?

WAFarmers supports the proposal to transition to a centralised registration system but this should not result in an increase in breeder registrations. Livestock working dogs can be exempt from micro-chipping on vet advice and this policy should be maintained. We note in the consultation document on page 19, the suggestion that dog registration fees are expected to increase to maintain the centralised registration system. We question this assumption, as transitioning to a centralised system should decrease overall costs not increase them. WAFarmers would not support an increase in breeder registrations to support the development of a centralised registration system. WAFarmers supports the exemption that exists within Qld Legislation for any Primary Producer who breeds working dogs to sell or give away to another primary producer for working dog purposes.

10. Do you think it is reasonable to increase dog registration fees for dogs that are not de-sexed to encourage de-sexing?

Yes ☐

Unsure ☐

No ☒

11. Do you support increasing dog registration fees to fund a streamlined centralised registration system and to fund enforcement activities?

No

12. Do you think it is reasonable for dog breeders to pay an annual registration fee to cover the cost of monitoring and enforcing dog breeder compliance?

No

13. Are there any other benefits, costs and/or issues associated with breeder registration that are not captured in this table? Please detail.

The benefit of a centralised breeder registration is it allows different entities to identify the owner of a dog quickly. A breeder exemption exists within Qld Legislation for any Primary Producer who breeds working dogs to sell or give away to another primary producer for working dog purposes and this should be the case within WA legislation. Generally livestock producers will only breed from a bitch or a dog to replace existing working dogs on the property. Working dog breeders are registered with the relevant working dog breed associations. The cost and unnecessary inconvenience of becoming a registered dog breeder for primary producers is not warranted and they should be granted an exemption.

14. Should there be any restrictions on who can register as a dog breeder? If so, what should these be?

Restrictions must apply to anyone who has a history or has been convicted of animal cruelty and/or welfare breaches in the past. WAFarmers are requesting livestock working dogs must be exempt for the stop puppy farming legislation. There will be significant administrative and cost burdens for livestock producers if working dogs are not exempt from the Puppy Farming Act. Under the Act, the RSPCA will have the right to invade premises to inspect all dog owners to ensure they are following the Puppy Farming Act regulations, and this will mean livestock dogs cannot be bred on farm if the farm does not register as a 'breeder'. This policy will significantly demise the quality and genetic gene pool of working dogs available to livestock producers. The purchase cost of working dogs in Victoria at present has nearly tripled due to their unnecessary inclusion in puppy farming legislation. Regulations placed on livestock working dog breeders, by those with little understanding of, or consideration for, the circumstances in which they keep, work, select and breed their dogs, could prove disastrous to the maintenance for the necessary genetic diversity and ongoing availability of working dogs to farmers.

At present, livestock producers get a substantial (>50%) discount to register a dog. The Puppy Farming Act has lost all reference to this discount for farm livestock working dogs.

15. Do you think local government is best placed to enforce dog breeder registration? Why, or why not?

Yes

Mandatory Standards for Dog Breeding, Housing, Husbandry, Transport and Sale

16. Should people who breed dogs have to comply with minimum standards for the health and welfare of their dogs?

Yes ☒

Unsure ☐

No ☐

17. Should there be any restrictions on who can register as a dog breeder? If so, what should these be?

Yes if a person has a history or been prosecuted for animal cruelty breaches

18. Should the number of litters that a bitch can produce be restricted by law?

Yes ☐

Unsure ☒ This question should be based on advice from the AVA. In principle the number of litters should be set in accordance with good animal welfare practices set by breed associations.

No ☐

19. Should people who breed dogs for commercial gain be required to meet additional Mandatory Dog Breeding Standards?

In May 2012, the Working Kelpie Council (WKC) of Australia released a **Code of Welfare for Australian Livestock Working Dogs**. It is now mandatory for members of All Livestock Working Dog groups throughout Australia.

This Code was adapted from the New Zealand Government 2010 Code of Welfare for Dogs, with permission from the Animal Welfare Directorate, MAF Biosecurity New Zealand, which is recognised worldwide for the quality of its work in animal welfare.

Prior to its release the WKC Code was discussed at length and additions were made with consideration to Australian working conditions and climate variability. Livestock working dog handlers and breeders with many years' experience and from all States took part in the discussion.

It was agreed that the final draft was practical, workable and offered a high level of welfare for livestock working dogs. It has minimum standards and recommended best practice, which apply to all livestock working dogs. This Code has the support of bodies representing farmers throughout Australia.

As a consequence of the adoption of the Code of Welfare for Australian Livestock Working Dogs, WAFarmers is requesting livestock working dogs are exempt from the stop puppy farming legislation. Key industry stakeholders are progressing the development of a comprehensive compliance and enforcement system to support the Code of Welfare for Australian Livestock Working Dogs.

20. If you said 'yes' to question 19, should this be based on:

- a) keeping a defined number of breeding dogs?
- b) if so, what number?
- c) any other criteria?

Please provide reasons:

Breeding parameters are set by working dog Associations and Federations.

In Addition:

WAFarmers is concerned that the consultation document does not clearly define in detail what they intend to implement and deliver under the proposed regulations.

The proposed Act suggests the introduction of mandatory de-sexing for all dogs – WAFarmers does not support the mandatory de-sexing of working dogs. Working dogs must be assessed in the working environment before being sterilised.

WAFarmers requests Livestock Working Dogs are exempt from the Stop Puppy Farming Act.

The Proposed Amendments suggests all dog owners would be required to become registered breeders regardless of whether there is one litter or more. WAFarmers does not support this for livestock primary producers who own working dogs on a property as this requirement would be impractical and unrealistic for working dogs. It is unlikely a percentage of individual primary producers would apply for exemptions – hence we must have a blanket exemption for Livestock working dogs. Enforcement would have to be done by local councils’ and the cost of registering as a breeder would be onerous and unnecessary.

Access to the central database must be clearly defined to prevent misadventure or misuse for some who could invade businesses unnecessarily.

There are potentially significant unintended consequences that must be reconsidered before any amendments to the Dog Act are approved. It could result in an increase in the black market trade of puppies and dramatically increase the value of pups resulting in some people choosing to become breeders when they do not have the experience or facilities needed to breed puppies.

WAFarmers requests Livestock Working Dogs are exempt from the Stop Puppy Farming Act. As is the case in other States, working dog owners can apply for a Breeder Exemption Number. This exemption request is made on the basis that Australia has approved Codes of Practice for the welfare of working dogs. Secondly, the agricultural industry is in the process of establishing a robust compliance and enforcement system to support the Codes of Welfare across Australia.

WAFarmers does not support the mandatory sterilisation of livestock working dogs. Vets also are against mandatory de-sexing at an early age, particularly with large breed dogs that mature late. If a livestock working dog is sold off farm to become a companion animal then de-sexing requirements could be applied.

WAFarmers does not support the requirement for owners of livestock working dogs to be registered breeders. Primary producers that breed working dogs that are held on rural land should not have to register as breeders. As long as they supply all puppies to other primary producers as working dogs to be held on rural land. Primary producers who breed working dogs must register as a breeder if they supply puppies/dogs for purposes other than as working dogs to be held on rural land.

Working dogs means a dog kept or proposed to be kept on rural land by an owner who is a registered primary producer or a person engaged or employed by a primary producer.

The authors of the consultation papers seem not to understand that farm dogs presently enjoy life very close to the natural dog's life. Farm dogs live in family packs with frequent long runs and their principal activity, which they enjoy immensely, is to work livestock in a way that mimics their instinctive herding and hunting. Every farm dog would choose that life rather than being designated a brood bitch or a stud sire kept in a government-approved breeding establishment.

In general, the Animal Welfare Act 2002 and the Dog Act 1976 in combination with WA consumer laws, already provide the legislative powers needed to investigate and prosecute puppy farmers and sellers in WA who mistreat their animals, or sell unhealthy animals. As such, we don't believe the introduction of specific legislation on puppy farms in the form of a dedicated Act is necessary.

The Stop Puppy Farming regulations are intended to address health and welfare concerns with puppy farms. The regulations focus on commercial operations and will require all breeders to have completed specific training courses, have specialised housing facilities and detailed management procedures.

The detailed requirements will force working dog breeders to either stop operating or continue in fear of being found non-compliant, with these overly bureaucratic requirements. We are deeply concerned that the vital role of working dogs in agriculture has not been considered. There is no recognition of the importance of working dogs or the fact these dogs are bred for a specific purpose, unlike companion dogs.

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 ☒

Signature: WA Farmers Federation

Date: 03/08/2018

Please return this form to:

Please return submissions by 4pm on Friday 3 August 2018

Post

Department of Local Government, Sport and Cultural Industries

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Perth Business Centre WA 6849

Email

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