



Information for owners of livestock working dogs

Proposed new laws and changes to the *Dog Act 1976* *Dog Amendment (Stop Puppy Farming) Bill 2020*

Background

The *Dog Amendment (Stop Puppy Farming) Bill 2020* (the Bill) has been introduced into Parliament after overwhelming support was received from Western Australians for the proposed reforms.

The Bill delivers on the State Government's commitment to Stop Puppy Farming, reform pet shops and improve the traceability of dogs.

What new laws are being proposed?

Currently, dog breeding in Western Australia is not regulated and, over the past few years, the community has raised concerns about the breeding of dogs.

As a result, the government is proposing to introduce mandatory dog sterilisation and dog breeder approval to regulate the breeding of dogs in WA.

A centralised registration system will also be introduced to assist authorities share information and monitor dog owners and breeders.

What will the new laws mean for owners of livestock working dogs?

Livestock working dogs require particular traits to effectively perform the work of a livestock working dog.

Currently, many owners of livestock working dogs keep their dogs unsterilised to assess whether their dog has these desirable traits and should be used for breeding. This can take three or four years.

Livestock working dogs play a crucial role in the functioning of Western Australia's livestock industry and, as a result, will be exempt from the requirement to be sterilised by the time the dog is two years of age.

If the owner of a livestock working dog does intend to breed from their dog (regardless of the dog's age), or their dog has a litter (planned or unplanned), they will be required to obtain a dog breeder approval from their local government.

Once an approval has been obtained, it continues to be in place indefinitely (unless cancelled) and will not require renewal unless the holder of the approval moves to a new local government district.

The approval is not specific to a dog and will allow the holder of the approval to keep unsterilised dogs over the age of two years, including both existing and future dogs.

Obtaining an approval to breed will not be an onerous process, particularly as it is a one-off approval that generally will not require renewal.

How will a livestock working dog be defined?

A livestock working dog is a dog that is bona fide **used** in the droving or tending of stock.

When will an owner of a livestock working dog have to obtain a dog breeder approval?

If an owner of a livestock working dog does intend to breed from their dog (regardless of the dog's age), or their dog has a litter (planned or unplanned), they will be required to obtain a dog breeder approval from their local government.

Will a local government be able to refuse an application for a dog breeder approval?

Local governments will be responsible for assessing applications for an 'approval to breed'.

Local governments will only be able to refuse an approval to breed on certain grounds:

- The person seeking approval has been convicted of an offence against the *Dog Act 1976*, *Cat Act 2011*, and *Animal Welfare Act 2002* in the past 5 years; or
- The person seeking the approval is aged under 18 years of age; or
- The applicant does not have sufficient facilities, or access to sufficient facilities, to breed dogs in accordance with any standards under the *Animal Welfare Act 2002* or any other written law; or
- The applicant is not a fit or proper person to breed dogs (for example, they have been subject to a previous court order temporarily banning them from owning animals).

If a person's 'approval to breed' is refused, they can lodge an objection with their local government or appeal the decision to the State Administrative Tribunal.

Will there be any conditions that an approved dog breeder must comply with?

Mandatory dog standards will be introduced under the *Animal Welfare Act 2002* and will cover Dog Breeding, Housing, Husbandry, Transport and Sale. The dog standards will apply to every person who owns a dog or breeds from a dog.

A person who applies for a dog breeder approval will need to make a declaration that they will comply with the dog standards. A local government will be able to cancel a dog breeder approval if a person is convicted of an offence against the *Animal Welfare Act 2002*; including an offence against the dog standards.

Why does an owner of a livestock working dog have to obtain a dog breeder approval?

Currently there is no way for local government authorities to stop irresponsible dog breeders from breeding. Requiring a person to obtain an 'approval to breed' will enable local government authorities to monitor dog breeders. If issues are identified, local government authorities will be able to investigate and cancel a dog breed approval, if necessary. The person will then be required to sterilise the dogs in their care.

The intent of the provisions is not to legitimise dog breeders but regulate who can breed dogs.

An education campaign will be conducted to raise awareness in the community of the need to only obtain dogs from a person with the necessary approvals.

Ensuring everyone is part of the system, including owners of livestock working dogs, will help authorities when tracing a dog and ensure all dog owners and breeders can be monitored for compliance with relevant laws.

What will this cost?

Dog owners, including owners of a livestock working dogs, will only be required to pay a fee when they apply for an 'approval to breed'.

The approval to breed is a one-off application, regardless of the number of dogs owned, and stays in place while the person resides in that district.

The fee for applying for the one-off 'approval to breed' will be set in regulations. The current fee for a cat breeder approval is \$100.

Regulations setting the fees will be drafted and introduced once the new legislation has been passed by Parliament.

Are there any other changes affecting owners of livestock working dogs?

All owners of dogs registered with their local government will be given a *dog owner number* (regardless of whether they have an 'approval to breed' dogs).

If a person transfers a dog, even if they did not breed the dog, they will need to provide their *dog owner number* to the new owner. This will enable authorities to identify who is supplying dogs.

If a person is claiming to have bred a dog, then their *dog owner number* can be searched on the centralised registration system to confirm that they have an 'approval to breed'.

How can I remain up to date?

For more information on the Stop Puppy Farming Project, visit the Department of Local Government, Sport and Cultural Industries website
www.dlgsc.wa.gov.au/stoppuppyfarming

If you would like to receive regular communications about the Stop Puppy Farming Project, email puppyfarming@dlgsc.wa.gov.au and request to be put on the Stop Puppy Farming email mailing list.