



# Information for members of Dogs West

## **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 members of Dogs West?**

Currently, many members of Dogs West keep their dogs unsterilised for show dog purposes or to use their dog for breeding.

Under the new proposals, most dogs will be required to be sterilised by the time they are two years of age.

Dogs West members will be able to keep their dog unsterilised after two years of age if they obtain 'an approval to breed' from their local government.

Obtaining an 'approval to breed' does not mean the owner has to breed from their dog; it simply allows them to keep unsterilised dogs over the age of two years.

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.

If the dog was born and registered with their local government before the commencement of the new legislation, the owner will only need to obtain an 'approval to breed' if they intend to breed from their dog, or their dog has an unplanned litter.

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.

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

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 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 person seeking the approval is aged under 18 years of age; 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 with which an approved dog breeder must comply?

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.

## What will this cost? Will there be a discount for Dogs West members?

Dog owners 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 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. No discounts are proposed.

## What will it mean for a person who is not a member of Dogs West, but owns and keeps a dog on 'breeder's terms' or 'show terms'?

If the dog is older than two years of age, the owner will need to have an 'approval to breed' to own an unsterilised dog.

If the dog is used for breeding before it is two years of age, the owner will need to have an 'approval to breed' or obtain an approval within seven (7) days of the birth of any puppies.

## How will the centralised registration system work? Will it interact with the ANKC database?

In Western Australia, local governments are responsible for enforcing the *Dog Act 1976* and the *Cat Act 2011*. Local government authorities have a difficult job enforcing the laws and their efforts are often hindered by a lack of information.

Currently, local governments are required to keep a dog register and a cat register for their district. Whilst dog and cat owners and breeders can move, along with their pets, across local government boundaries, authorities are restricted to the information available in their local dog and cat register.

These individual cat and dog registers (over 100 different registers) will be merged to create one central registration system.

The system will include information on dogs, cats, owners and breeders and assist authorities in monitoring compliance with relevant laws.

The new centralised registration system will assist local government authorities with their existing and new enforcement responsibilities.

Dog and cat owners, including Dogs West members, will now be able to register their animals and apply for breeder approvals online through the one system.

The ANKC is a private database whereas the centralised registration system will be owned and operated by local government authorities. The two systems will therefore not interact. Local government authorities will only be able to access information on the centralised registration system.

## Will Dogs West members be issued with a government dog breeder number?

All dog owners or dogs registered with 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 a dog, they will need to provide their *dog owner number*.

This will enable authorities to identify who is supplying dogs. If a person is claiming to have bred a dog, their *dog owner number* can be searched on the centralised registration system to confirm that they have an approval to breed.

Approved dog breeders will not be issued with a specific 'dog breeder number' but will use their *dog owner number* when transferring a dog.

These provisions will not affect or interact with any ANKC number that a Dogs West member may have.

## Why are these changes being introduced?

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 breeder 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.

## How will these changes benefit Dogs West members?

Currently, the only requirement dog breeders in the community must comply with is the requirement that they not be cruel to an animal in accordance with the *Animal Welfare Act 2002*. Conversely, members of Dogs West are required to comply with a Code of Ethics when breeding dogs.

For the first time, every dog owner will need to comply with standards for the dog breeding, housing, husbandry, transport and sale. These standards are likely to be similar to those with which Dogs West members already comply.

All dogs will be required to be sterilised unless the owner has an approval to breed. This will reduce the number of unwanted dogs.

Every person who breeds a dog will be traceable, and therefore accountable, through the centralised database.

These measures will ensure that dodgy breeders are removed from the market and ensure consumers are directed to ethical dog breeders, such as members of Dogs West who comply with the Code of Ethics and proposed new dog standards.

The government will conduct an education campaign encouraging consumers to only obtain dogs from reputable sources.

The government acknowledges the love, care and pride Dogs West members have for their dogs.

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

## 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](http://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](mailto:puppyfarming@dlgsc.wa.gov.au) and request to be put on the Stop Puppy Farming email mailing list.