

**Submission
No 318**

COMPANION ANIMAL BREEDING PRACTICES IN NEW SOUTH WALES

Organisation: The Australian Institute of Local Government Rangers Inc.
Name: Mr Steve Larsen
Position: Honorary Secretary
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The Australian Institute of Local Government Rangers (inc.)

PO Box 104 Hawks Nest NSW 2324
Ph/Fax 02 4997-9493 Mobile [REDACTED]
Email: admin@nswranger.org.au
ABN 81 478 069 722

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The Chairman,
CABP Committee
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Adam Marshall M.P,

On behalf of the members of the Institute I wish to make a submission regarding the Companion Animal Breeding Practices addressing the terms of Reference

b) Proposal to limit the number of animals allowed to be kept by breeders:

The limiting of the number of animals allowed to be kept by breeders appears to be reasonable in theory although the enforcement of this would be a possible nightmare as the enforcement agency would be required to monitor the breeders on a regular basis. With current staffing levels that would be impossible due to the sheer number of breeders.

Our understanding is that the monitoring of breeders currently is by monitored and regulated by the RSPCA and Animal Welfare League in relation to animal welfare, and Dogs NSW relating to their own procedures. Council is involved in Planning and Environmental issues.

Neither the RSPCA nor the AWL has the staff to be able to effectively enforce any changes to legislation limiting the number of breeding animals kept by an establishment. Any changes to legislation would have to include infant animals.

The term "breeders" would have to be clearly defined as currently a breeder by definition in the dictionary refers at a person who breeds animals. This would include:

- Registered breeders (with Dogs NSW)
- Breeders not registered with Dogs NSW – this would possibly include "puppy farmers".
- Animals bred by members of the public for sale (sale includes given away) where they may have 1 or more litters.
- Primary producers who may have 2 good working dogs and decide to have a litter keep some for training as working dogs and selling or giving their unwanted animals away.

When you consider the sheer number of breeders "as defined" throughout NSW it would be impossible for any agency to enforce. In many instances the only time that the enforcement agency would be aware of the breeder would be following a complaint (which is generally the case).

c) Implement breeder licencing system. As outlined above the licencing system would have to include all breeders possibly with the exception of primary producers who are going to use some of the litter to work stock.

The same question regarding enforcement arises as outlined above. You would find the breeding establishments that currently are being responsible regarding animal welfare, sale and complying with their obligations under the Companion Animals Act, 1998 would readily comply with the licencing requirements and these responsible breeders do not appear to be the problem. We agree with the licencing concept provided the penalties are sufficient to deter the breeding of companion animals without a licence, also changes to the planning legislation which would make a breeding establishment prohibited activity unless there was a current licence in place relating to that land.

d) The implications of banning the sale of dogs and cats from pet stores:

Over the years there has been discussion regarding the sale of dogs from pet shops and where the pet shops obtain their dogs from. Pet shops obtain their dogs and cats from various suppliers and due to the constant scrutiny by the public, namely the animal is in the window and many people observe the animal, the pet shops would only deal with breeders that look after their animals. Pet shops generally have a high turnover of companion animals that are easily tracked from microchipping to sale as generally pet shops complete the required forms as required under the Companion Animals Act, 1998.

One of the main concerns with the banning of sale of cats and dogs from pet shops is that the sale of these companion animals would go "underground" as people and breeders using social media to a greater extent than currently exists. With the use of pet shops as an outlet for the sale of dogs and cats there is some control including ensuring that the animals are microchipped and vaccinated whereas many backyard breeders may not and generally do not vaccinate nor microchip the animals prior to the sale. In some instances the unwanted animals are dumped or destroyed (as seen in the recent case in the Hunter Valley).

Currently the PIAA have a guarantee that any dog sold by a member pet store and ends up in a Council Pound the PIAA members will rehouse that animal if Council is unable to find a home rather than euthanasing the animal. This is a good initiative and is displaying a sense of responsibility for the life of the animal rather than the dog or cat being a number and a means to make a profit. I am unaware of any breeders that have the same guarantee as generally once the animal is sold it becomes someone else's responsibility generally the Council.

There is currently a Code of Practice relating to the keeping of animals and sale in Pet Shops which may have to be reviewed.

The idea that all dogs sold must be purchased from a licenced breeder by removing Pet Shops, is idealistic and we feel is not enforceable as previously outlined. The licence fee would have to be passed onto the consumer, the consumer meets someone else with an entire dog and breeds from those two dogs, sells on Facebook or Gumtree or in the print media whose originator or office is in another state unless you have extra territorial provisions and the people advertising may be prosecuted in a Court of Law (which would be very expensive and possibly cost prohibitive for enforcement agencies).

It appears the problem with breeders and the sale of companion animals relates mainly to the backyard breeders and the ease of people being able to obtain un-desexed animals therefore being able to on breed from their back yards. These backyard breeders also breed from dogs that appear to be from a class of restricted breed, breed dogs used for hunting e.g. crossing Irish Wolfhound/Great Dane/ Bull Mastiff type dogs where these dogs are regularly bred in many rural areas and sold/given away to people without any microchipping/ vaccination etc. It is the dogs that are sold/ given away without identification etc appear to be a problem and the breeders of these animals are difficult to track down as no one claims these dogs from Council as Council is unable to contact any owner.

The only way to reduce backyard breeding is to have all animals desexed at point of sale with exemptions being granted to breeders who hold a breeders licence.

This too would reduce the ability for some people to purchase a Companion Animal as the cost would be out of reach for many middle and low income families. The reason being is that the breeder must have a base selling price to recover their cost, plus vaccinating and microchipping. The additional cost of desexing is substantial and many people who would like to have the animals desexed are unable to due to the cost involved. We do not believe the Government will set a fixed maximum fee for desexing with a rebate given to middle and low income families to reduce the cost, therefore make it cost effective to desex and register. The current lifetime registration fee for an entire animal (not desexed) is less than the cost of desexing and registering a companion animal as a desexed animal unless you are a pensioner.

The Licencing of Breeders as mentioned above is good in theory although there are a number of factors which must be considered to ensure the program is effective.

Pet shops should not be banned rather a licencing system for the pet shops should be considered with consideration to the enforcement of the legislation/ licence.

Yours Faithfully,

A black rectangular redaction box covering the signature of Steve Larsen.

Steve Larsen
Hon. Secretary