

**Submission  
No 311**

# **COMPANION ANIMAL BREEDING PRACTICES IN NEW SOUTH WALES**

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Monday, 15 June, 2015

Mr Adam Marshall,  
Committee Chair,  
Joint Select Committee on Companion Animal Breeding Practices  
Parliament of New South Wales,  
Macquarie Street,  
SYDNEY NSW NSW 2000

Dear Committee Members,

We thank you for inviting PAWS to submit our views on this important Community matter.

**a. The current situation in New South Wales in comparison with other jurisdictions**

We are New South Wales based and are not privy to policies or laws other Australian States have adopted in this area.

We are aware however that in countries like Germany dogs may only be bred from a Licensed Breeder – no exception. This law is to ensure that the number of dogs born each year can be controlled so there is not an oversupply versus market demand.

This can only be a positive step to screen out the people who are only involved in dog breeding for their own personal, tax free gain.

### **b. Calls to implement a Breeder's Licensing system**

The PAWS Group thoroughly endorse this initiative – we agree that anyone breeding dogs – Cross Breeds, Show Breeds, Pure Breeds, Working Breeds, and the mums and dads who think they will let their dogs have a litter or two, should be LICENSED, with a quota for each breed set each year – starting say, the new calendar year. This will ensure that there is not an oversupply of one particular breed and to allow authorities to monitor which breeds end up in Pounds in huge numbers each year.

Examples of trendy breeds are: Alaskan Malamute, Siberian Husky, Mastiff, American Staffy, English Staffys, Heelers, Border Collies, Kelpies to name a few. The aforementioned are extremely active breeds and require secure, appropriate size properties to house them for their lifetime. Instead they're ending up in apartments or town houses with courtyards, houses with postage stamp sized yards coupled up with owners who work full time. Hence, the dogs are square pegs in round holes and, in many cases, the neighbourhood bears the brunt of this ill thought out dog ownership as well.

Licensed Breeding will be easier for authorities to screen – where did a disruptive dog come from? Did the breeder do a thorough screening of the lifestyle of the purchaser? If a breeder shows up on a database with many dogs that downstream are considered dangerous, the authorities can then step in and examine the temperament of the breeding stock, with a view to eradicating bad temperament bloodlines.

c. **The implications of banning the sale of dogs and cats in pet stores, markets and online sale outlets, e.g. Gumtree, Trading Post.**

The PAWS Group would be in favour of banning the sale of dogs and cats in pet stores, markets & online For Sale sites, on the basis that the removal of emotional, impulse buying of cute little pups and kittens will prevent them from ending up in unsuitable and sub-standard homes. We believe the long term purchase of a domestic pet should be done in a pro-active environment and not a re-active one.

If the sale of dogs or cats in pet shops markets & online outlets is allowed to continue we recommend that any retailer who intends to sell to a third party must hold a license to do so, with Licence number shown within the advertisement.

Pet shops should only be permitted to buy stock from licensed breeders of either cross breed or pure breed dogs.

They must ensure the stock is 8 weeks of age minimum and accompanied by the required microchip certificate, first vaccination certificate (due at 6 weeks) and sterilisation voucher (or purchase a voucher themselves before a retail sale occurs). *\*Refer to separate section on how to enforce compulsory sterilisation of dogs.*

If the sale of dogs and cats in pet shops, markets and online outlets is allowed to continue we recommend any retailer or other purchaser who intends to sell to a third party must hold a license to do so and are only permitted to buy stock from licensed breeders of either cross breed or pure breed dogs.

In the case of pups, a standard print size photograph showing the equivalent adult dog should be shown to each prospective purchaser, to ensure the true adult size of the dog is known before purchase.

The purchaser to sign an acknowledgement before buying to confirm they have been shown a photo of an adult sized dog, representing the type of pup they are buying.

Council inspectors must carry out not less than six random checks of licensed breeders (cross breed and pure breed dogs) each year,

checking in particular for cleanliness, microchipping and well-being of breeding stock. Perhaps this role could be contracted out by local Councils to a private welfare group such as the RSPCA or Animal Welfare League.

Council inspectors must carry out not less than six random checks of licensed pet shops and other licensed vendors each year. They should be checking in particular the existence of the microchip; the origin of the stock (via the microchip) and the existence of the microchip, first vaccination certificate and the sterilisation voucher for all stock currently available for sale. Perhaps this role could be contracted out by Councils to a private animal welfare group.

Pet shops should also be visited by mystery shoppers to head off the known practice of pet shop owners reducing the purchase cost of a pup by around \$50 to avoid having to microchip the pup or kitten BEFORE the sale.

To strengthen the law requiring dogs and cats to be microchipped, Council Rangers should carry out random checks in public dog-walking areas such as parks and official off-lead areas, checking for identification tags, microchipping, sterilisation (via the inner ear tattoo), and have the authority to issue on-the-spot infringement notices.

Currently in NSW, where compulsory microchipping has been the Law for approx. 14 years now, rescue groups are still amazed that the majority of Dogs coming through Sydney Pounds are not microchipped.

Rangers to issue an On The Spot fine of \$500, with the proviso that the fine would be reduced to \$200 if, within 7 days, the dog's owner, produced evidence to Council that the dog in question had been microchipped.

**THIS STRATEGY WOULD GET THE ATTENTION OF DOG OWNERS WHO ARE CURRENTLY BREAKING THE LAW IN NSW and it is also revenue positive to NSW Councils !!!!**

In the case of very young dogs of around 6 months of age that are not microchipped, the Ranger could also ask where the dog was sourced from and investigate why they were not microchipped at the point of sale.

Adequate, attention getting penalties must be defined for all breaches of canine welfare regulations including in particular, those defined above.

After an interim period of say, 3 years, if Councils and State Governments consider that the management of the above system for sale of pups through pet shops is unworkable, then legislation should be implemented to adopt the United Kingdom system – that is, to ban the sale of live animals from all pet shops – State by State OR, ideally - Nationwide !!

**d. Any legislative changes that may be required**

To adopt any of the suggestions PAWS has put forward will require changes to the NSW Companion Animals Act – the changes clearly demonstrate better governance for domestic dogs and cats, and, reduce the current dead-dollar spend by Councils and Rescue Groups. With the changes embraced by the NSW Government then, hopefully downstream, other States will follow suit.

Promote the introduction of legislation along the following lines:

[i] Anyone wishing to breed dogs (pure breed or cross breed) for sale to the public whether directly or through pet shops, markets & online outlets, must hold a valid breeding license issued by their local council and provide their Tax File Number and other relevant ID criteria to Council. Each license will specify the maximum number of litters permitted to be bred for sale in each year.

All domestic dogs and pups not directly microchipped and registered to a licensed breeder for breeding purposes, must be sterilised once they reach the minimum age of 4-6 months.

[ii] Private citizens (including country property owners) wishing to breed from their own dogs, must first obtain a breeding permit (valid only for a single litter) from their local council. After one litter, the dog must then be sterilised.

Significantly reduce the number of backyard breeders by not permitting the sale of non-sterilised dogs from any Pounds. Many serious 'backyard' breeders in NSW source their breeding stock very

cheaply from Pounds who do not require dogs to be sterilised before being sold and released to the new owner.

Introduce legislation that all dogs purchased from a Pound must be sterilised BEFORE going to the new owner or being re-claimed by the current owner.

In the case of pups purchased from a Pound at say, 8-10 weeks of age, the cost of sterilisation at 16 weeks, via a Sterilisation Voucher, to be pre-paid by the new owner. (The RSPCA now advocate that they will sterilise pups at 16 weeks of age)

*Attractive 'Pet Shop Fluffy' dogs such as Maltese are currently being bred by backyard breeders on the run up to high profile holiday periods such as Easter and Christmas. The dogs are mated and the litters sold to pet shops. In most cases pups under 6 weeks of age are sold, not microchipped, for around \$300 each to the Pet Shop chains, just BEFORE their first vaccination is due. Responsible pure breed breeders strongly advise that ALL pups should stay with their mother until the minimum age of 8 weeks!*

*The adult dogs are then discarded post-holiday period, whilst the backyard breeders enjoy a holiday on the handsome (and in most cases, tax-free) profits from the pups.*

*Rescue groups around Sydney also notice a spike in the numbers of pups coming into the Pounds towards the end of a high-profile holiday periods, e.g. end of January, as the backyard breeders have missed their opportunity to sell to the pet shops during the high demand period but, they don't want the effort of advertising the pups for sale themselves, so they discard them in public areas, to be found by the public and taken to the local Pound! Some pups are not found in time and die due to severe weather exposure.*

- [iii] Any breeder of purebred or cross breed dogs wishing to sell puppies to any third party - pet shops, friends, private advertising etc. must first have the pup(s) microchipped in their name and also vaccinated in accordance with the age of the puppy and must also provide the purchaser with certificates that these requirements have been met.

[iv] Compulsory Sterilisation of Dogs Pre-paid Voucher:

All purebred or backyard breeders wishing to sell puppies to any third party must purchase a canine sterilisation voucher from a central issuing authority, the cost of which will cover a standard cost for the veterinary sterilisation plus the direct costs of administration. A reasonable figure for the pre-paid voucher is: \$200.00 per pup.

This voucher must then be transferred with each successive sale until it reaches the final owner, who may then use it to have the puppy sterilised at the appropriate age, without any additional cost. The veterinarian carrying out the sterilisation would receive payment within a specified period, by lodging the voucher with the central issuing authority.

Note: This legislation must require the inner ear to be tattooed as evidence of sterilisation (as applicable in other Australian States – Victoria and Tasmania) so that veterinarians have the authority to apply the tattoo as part of the sterilisation procedure.

**e. Any other related matter – refer below**

**OVERVIEW OF WHY WE SUPPORT THIS INITIATIVE BY THE NSW GOVERNMENT**

Those of us involved with PAWS are all volunteers with over 15 year's apiece experience, in dealing with dogs on offer through NSW Pounds through Clause 16(d) and caring for them until the appropriate new Owner is found to adopt them.

When people first become involved with Dog Rescue, they may see it as a 'warm fuzzy' way of doing something to help poorly looked after or abandoned animals.

After a year or so, they soon realise that what they are doing – giving up their own time to foster and/or care for the animals and the extra expense of travelling between Pounds, vets, foster homes and new owner's properties NEVER STOPS!! Rescue Groups only provide a 'band-aid' solution to what is a major issue.



PAWS has been pushing the need to curb dog breeding – it does start with LESS dogs and cats being born.

Some may think that the solutions we offer in this submission are harsh or extreme but, over a 15 year period, having seen the end result of thousands of dogs that have suffered in sub-standard homes – Yes, we at PAWS want loopholes in the current Law fixed, compulsory sterilisation of Domestic Dogs and Cats accompanied by an effective way for this to happen and breeding stock monitored and cared for in a humane way, become a reality.

For too many years now, there are more pups and kittens being born than responsible domestic pet owners can absorb.

*Any vet will tell you that small breeds live ideally 12 – 15 years so the simple equation is that the owner of one small breed pup is out of the buying market for that length of time and yet there is no control of breeding by people whose sole motivation is a quick, tax free dollar!*

The current systems in play cause significant levels of “dead dollar” expenditure by Councils and other local authorities on dog control arrangements, dog-pounds and euthanasia facilities plus, the related side effects such as stress management to Pound staff and Rangers.

In summary: Yes – PAWS has empathy for the dogs and cats that end up in Pounds, via sub-standard homes and as Volunteers, we have spent thousands of dollars of our own money helping thousands of dogs over the past 15 years.

Our wish is for the number of dogs and cats on offer, to come into this World monitored through NSW Companion Act channels, so they have the Best Chance to find a Forever Home First Time Around and not become one of far too many, who hope they have a better, loving, secure home, second time around – that is, if they’re not hit by cars, starved to death or ill-treated and actually make it to the pound alive !

Yours Sincerely,

RONDA MATTHEWS  
SHEILA HOSIE

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