

**Submission
No 83**

INQUIRY INTO ANIMAL WELFARE POLICY IN NEW SOUTH WALES

Organisation: The Australian Association of Pet Dog Breeders

Date Received: 28 February 2022

Australian Association of Pet Dog Breeder Inc.

COMMENTS ON THE ANIMAL WELFARE BILL 2022



[Introduction to the Australian Association of Pet Dog Breeders](#)

The Australian Association of Pet Dog Breeders Inc. (AAPDB) was formed as an Incorporated Association in 2007 and was recognised as a breeder body in New South Wales in 2012. It has national membership and is applying for recognition in other States and Territories.

The AAPDB was formed to introduce standards and ethics in pet dog breeding and to provide a voice for pet dog breeders. In order to provide quality assurance, the AAPDB, in 2010, was the first dog breeding organisation in Australia (and possibly the world) to require all full members to undergo a mandatory, annual, independent, welfare focused quality assurance audit, carried out by a licensed veterinarian.

The AAPDB strongly supports the revisions to Animal Welfare matters covered in the Draft Animal Welfare Bill 2022 (the Bill). In particular we support the clarification and enhancement of the powers of Enforcement officers. The AAPDB would like to comment on only one section of the Bill which relates to the Advertising and Sale of Companion Animals

153 Information required when dogs or cats are advertised for sale or for giving away

- (1) A person must not advertise a regulated dog or cat for sale, to be given away, or to be transferred by any other means, unless the advertisement includes at least one of the following—
 - (a) the microchip identification number allocated to the microchip implanted in the animal—
 - (i) in connection with the identification of the animal for the *Companion Animals Act 1998*, section 8, or
 - (ii) in compliance with the greyhound racing rules,
 - (b) the breeder identification number of the person, that is, the number allocated to the person—
 - (i) under the *Companion Animals Act 1998*, section 83M, or
 - (ii) by any recognised breeders' organisation of which the person is a member, or
 - (iii) at the time of registration under the greyhound racing rules of the animal from whose litter the greyhound being advertised was born,
 - (c) for a dog or cat that is being sold or given away by an organisation that is, at the time the advertisement is made, a rehoming organisation—the rehoming organisation number allocated to the organisation under that Act, section 83N.

The AAPDB supports a universal breeder identification system which required all dogs advertised for sale, on all platforms, to be accompanied by a Breeder Identification Number *AND* (rather than or) the microchip details of the animal.

There is a major shortcomings in the present system in that a BIN is not currently compulsory for “one off litters”

“One off litters” can be registered in the names of friends and family and there is also no way an authorised identifier can verify that this was in fact an “accidental litter”. If there is no BIN it's not possible for buyers of to check the *bona fides* of the breeder or check that they do in fact exist.

If the BIN is compulsory for all owners of entire dog this would bring NSW into line with South Australia and the ACT's “Mandatory Desexing” policy (which were introduced this way to get around vocal breeder objections to compulsory licencing). In these jurisdictions breeders (and anyone with an un-desexed dog) must obtain a breeders licence. Entire cats in NSW already require an annual registration fee so it would be a simple matter to extend this to all entire dogs

The AAPDB recommends that it is made clear that there are no exemptions from requiring a BIN at point of sale on any selling platform and anyone registering an entire dog in NSW should be issued a BIN at registration.

Secondly and more importantly the Bill requires that advertisements must include a BIN *or* the animal's microchip number.

Compulsory identification and regulation at point of sale is critical and any exceptions would be used by irresponsible, or deliberately criminal, breeders to get around the law. All platforms advertising puppies for sale should be required to display a link to the data base of breeders and

an explanation of what the BIN means. Anyone registering an entire dog should be advised of their responsibilities by being provided with a copy of, or link to, “Animal Welfare Code of Practice - Breeding dogs and cats”.

The AAPDB recommends that a microchip number AND BIN be required at point of sale on any selling platform

The AAPDB is aware of many unscrupulous breeders and outright scammers (with no puppies to sell) who use other breeder’s BINs or microchip numbers in advertising.

The public are rarely aware of how to access breeder information or what a breeder organisation membership means. The BIN registry should be available to all members of the public with identifying information which allow them to contact the BIN owner to confirm their identity prior to purchase.

If Breeder Identification Numbers are compulsory *and if* a contact data base is available to consumers *and if* consumers are advised, on every selling platform, how to look up the registry to find the contact detail for the owner of the BIN, so that they can actually ring and speak to the owner of the BIN, then life would become very difficult for scammers and noncompliant Breeders.

All selling sites should be required to provide information explaining what recognised breeders’ organisation are and how to access all breeders the through the BIN Data Base

The AAPDB recommend that the Bill be changed to read:

- (1) A person must not advertise a regulated dog or cat for sale, to be given away, or to be transferred by any other means, unless the advertisement includes.
 - (a) the microchip identification number allocated to the microchip implanted in the animal—
 - (i) in connection with the identification of the animal for the *Companion Animals Act 1998*, section 8, or
 - (ii) in compliance with the greyhound racing rules,
 - (b) the breeder identification number of the person, that is, the number allocated to the person—
 - (i) under the *Companion Animals Act 1998*, section 83M, or
 - (ii) by any recognised breeders’ organisation of which the person is a member, or
 - (iii) at the time of registration under the greyhound racing rules of the animal from whose litter the greyhound being advertised was born,
 - (c) All selling platform where a dog or cat is advertised provide information explaining who recognised breeders’ organisation are and how to access all breeders information the through the BIN Data Base
 - (d) for a dog or cat that is being sold or given away by an organisation that is, at the time the advertisement is made, a rehoming organisation—the rehoming organisation number allocated to the organisation under that Act, section 83N.