

Submission
No 224

**INQUIRY INTO ANIMAL WELFARE POLICY IN NEW
SOUTH WALES**

Name: Name suppressed

Date Received: 28 February 2022

Partially
Confidential

I am writing in regards to the Inquiry into Animal Welfare Policy in NSW: Submissions on the draft Animal Welfare Bill 2022. As a voter and as an animal lover, breeder and enthusiast I ask the the State Government to amend or clarify points in the Bill as below.

Section 22(1)(e) prohibits a person from carrying out a surgical artificial insemination of a dog. The practice of artificial insemination is a common practice amongst dog breeders which allows for a safe and effective means of breeding being conducted. It is the usual practice that artificial insemination is conducted by a veterinary practitioner. I believe from discussions with the Greyhound community that this clause will either be removed or they will be made exempt. If it is not cruelty for Greyhound breeders to use this type of insemination and we all use the same vets and processes I ask that instead of exemption to one group it be removed across the broader dog community.

Section 10: Meaning of "exhibiting an animal". The current wording of section 10 is unclear as to whether the exhibiting of an animal at a dog show will fall under the operation of the Draft Bill. This is compounded by subsections 10(1)(b) and 10(3)(c) referring to purposes prescribed by the regulations, which have yet to be drafted and submitted for feedback. However it is noted that working dogs are exempt. Again, if one arm is exempt, and racing is permitted in greyhounds, surely conformation shows must be as well. Clarification is required.

Part 7: Enforcement and compliance

Division 3: Powers to enter premises. Part 7 of the Draft Bill seeks to grant broad powers to authorised officers to administer the Act and this includes authorised officers who are employed or otherwise engaged by an approved charitable organisation. These powers include powers of entry to premises, including residential premises. It is common for members of Dogs NSW who breed litters to use part of their residential premises for this purpose and members will sell pups of the litters for fee or reward as not all pups can be kept. It is not uncommon for breeding to occur in a room in the home, with raising of that litter also within the home and the selling of the pups to also occur within the home. We find that new owners prefer this and see that it separates us from the Puppy Mill situation that you are trying to battle. an outside space on the land owned by the breeder, with the litter being born inside the residential premises, but the transaction of selling a pup of the litter occurring within the main domicile of the residential premises. As it currently stands, it is my belief, that my home is therefore open to any person that you see fit to appoint to enter at any stage or time. I find this repugnant and would ask if that would be acceptable to you because if your hobby?

I do not believe myself to be a commercial operation. I may breed a litter or two a year, however during the course of the practice, it is common for pups of litters to be sold to meet the ongoing costs associated with providing the dogs with the standards of minimum care. The purpose of this breeding is not the pursuit of profits. While the sale of a pup from a litter is, in its strictest sense, a commercial transaction, it is ancillary and a by-product of the dominant purpose of the breeder engaging in the practice. The breeder may ultimately not turn a profit and the costs of engaging in the practice will exceed any money earned by the sale of pups. The current use of commercial in the Draft Bill does not reflect the reality of many of the dog breeders, especially those involved in historic breeds governed by Dogs

NSW. It is therefore unclear as to whether it is in the intention of the Draft Bill that a dog breeder, particularly a small dog breeder who may only have one litter in a calendar year or a breeder who does not in fact profit from their endeavors, is to be subjected to the powers under section 66(1)(f). While section 66(2) provides the regulations may prescribe activities that do not fall within the ambit of section 66(1)(f), the wording of the regulations is not yet known and therefore there is no certainty as to how the section as a whole will operate with respect to such breeders.