

DOG AMENDMENT (STOP PUPPY FARMING) BILL 2020

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Sue Ellery (Leader of the House)**, read a first time.

Second Reading

HON SUE ELLERY (South Metropolitan — Leader of the House) [11.55 pm]: I move —

That the bill be now read a second time.

The Dog Amendment (Stop Puppy Farming) Bill 2020 delivers an important McGowan government election commitment to require mandatory desexing of dogs; transition pet shops to adoption centres that can only sell puppies and dogs from approved rescue organisations and shelters; introduce a centralised registration system to track every dog and puppy; and introduce mandatory standards for dog breeding, housing, husbandry, transport and sale. The bill delivers on three of those measures by amending the Dog Act 1976 to prevent and stop puppy farming by regulating the breeding and sale of dogs in Western Australia. The mandatory standards underpin these legislative changes and are critical to ensuring that everyone is aware of the appropriate standards of care for these animals that are integral to the lives of many Western Australians.

Across Australia, dogs have remained the most popular pet for at least the last decade. In Western Australia, approximately one-third of households have a pet dog. At the moment, dog breeding is not regulated in Western Australia. As a result, irresponsible dog breeders are able to disguise their operations, avoid detection by authorities and continue to breed irresponsibly. The RSPCA defines puppy farming as —

... ‘an intensive dog breeding facility that is operated under inadequate conditions that fail to meet the dogs’ behavioural, social and/or physiological needs’.

Puppy farming can include small-scale as well as large-scale dog-breeding operations. Dogs in puppy farms, both the puppies that are bred and dogs used to breed, can end up with long-term health and behavioural issues. This legislation will regulate who is breeding our dogs and ensure there is both transparency and traceability in identifying where our dogs have come from. This legislation approaches the problem of over-breeding and inappropriate breeding of dogs in a number of ways. It will reduce the number of unwanted dogs born; it will provide another outlet for the sale or adoption of unwanted or abandoned dogs; it will provide a means for purchasers to be confident they are not sourcing their dog from a puppy farm; and it will allow dogs to be traced throughout their life, thus allowing puppy farms to be identified and shut down.

A key to addressing the uncontrolled breeding of dogs in WA is the introduction of mandatory dog desexing for all non-breeding dogs. Under this legislation, unless exempt, all dogs will be required to be desexed by the time they reach two years of age. This requirement will not apply to dogs that are registered with their local government at the time the legislation commences. There will be no additional imposition on people who currently own a dog or on their dogs. Exemptions from mandatory sterilisation will also apply if a vet provides a certificate exempting the dog on health or welfare grounds, a dog is owned by a person who has been granted an approval to breed, or the dog is a livestock working dog. Unsterilised dogs will only be able to be registered on an annual basis. This will incentivise dog owners to sterilise their dog. The ability to register for three years or a lifetime registration will remain as options for dogs that are sterilised.

Approval to breed dogs: This legislation is not about stopping a person from intentionally breeding their dogs. A person who makes a decision to breed their dog, or who wishes to keep this option open, can apply for an approval to breed from their local government if their dog is unsterilised and not otherwise exempt or if their dog is exempt from sterilisation for any reason and breeds. An approval to breed is a one-off application by the dog owner and stays in place indefinitely unless it is cancelled. Local governments can cancel an approval to breed if the owner is not compliant with the Dog Act 1976 or the Animal Welfare Act 2002, including the new standards, or if they breach the conditions of the approval. The requirement for a person to obtain an approval to breed is important in ensuring that we can identify and detect owners of unsterilised dogs, including those engaged in puppy farming, and prevent irresponsible dog breeding.

Centralised registration system: Currently, each of Western Australia’s 137 local governments maintain their own register for dogs. This creates issues with not only identifying dogs across districts, but also information sharing and monitoring dangerous dogs. This bill paves the way for a single centralised registration system that will record every dog—and cat—in Western Australia in a single register. A key problem with enforcing and prosecuting a person who is operating a puppy farm is the difficulties with identifying the source of the puppies and, so, puppy farms. This database will enable the source of a dog to be not only identified, but also traced through its life. The bill also amends the Cat Act 2011 so that all information about cat and dog registrations is recorded on the same

database. Owners will be able to register their dogs and cats online and change their address details without having to get to a local government office during office hours.

Transitioning pet shops to adoption centres: Currently, there are no restrictions on where pet shops can source the puppies they sell. In most cases, pet shops source puppies directly from a breeder. This raises concerns about whether the puppies are being sourced from a puppy farm. This legislation will change the way that pet shops source their puppies and provide another outlet for unwanted or abandoned dogs.

Greyhounds: It is not just puppies whereby improved welfare outcomes can be achieved. The recent statutory review of the Dog Act showed that there is strong public sentiment supporting the removal of the muzzling requirements from retired greyhounds. This bill removes that requirement. By removing the stigma associated with a dog wearing a muzzle, more people will be encouraged to consider adopting a retired greyhound.

The McGowan government made a commitment to introduce legislation to stop puppy farming and this bill delivers on that commitment. The bill introduces measures to track dogs and to stop the over-breeding of dogs and the breeding of dogs in irresponsible ways.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper [4014](#).]

Debate adjourned, pursuant to standing orders.