

DOG AMENDMENT (STOP PUPPY FARMING) BILL 2020

Introduction and First Reading

Bill introduced, on motion by **Mr D.A. Templeman (Minister for Local Government)**, and read a first time.
Explanatory memorandum presented by the minister.

Second Reading

MR D.A. TEMPLEMAN (Mandurah — Minister for Local Government) [12.17 pm]: I move —

That the bill be now read a second time.

It gives me great pleasure to deliver on an important McGowan government election commitment with the introduction of the Dog Amendment (Stop Puppy Farming) Bill 2020. When this government was elected, it made a commitment to introduce legislative provisions to stop puppy farming and improve the health and wellbeing of our canine family members. The election commitment was to require mandatory desexing of dogs; transition pet shops to adoption centres that can provide to new owners only abandoned puppies and dogs that have been sourced from approved rescue organisations and shelters; introduce a centralised registration system to track every dog and puppy; introduce mandatory standards for dog breeding, housing, husbandry, transport and sale; and provide an education campaign to tell people about the best way to find their new canine family member and to ensure the health and wellbeing of companion dogs in this state.

This bill delivers on these 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 companion animal for at least the last decade. In Western Australia, approximately one-third of households have a dog as part of their family. Dogs offer us companionship and they help us in many different ways, whether by acting as assistance dogs, working for quarantine and our police force, or working on our farms. Ensuring our dogs are healthy and happy is the least we can do to thank them for their devotion and service. 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 opportunity for the adoption of homeless 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.

Mandatory dog desexing: Key to addressing uncontrolled breeding of dogs in Western Australia is the introduction of mandatory dog desexing for non-breeding dogs, irrespective of the dog’s gender. Currently, dog owners are offered incentives to desex their dogs by paying lower dog registration fees. 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. After an extensive review of the scientific evidence on dog health and behaviour risks for dogs, the age of two years has been determined as most suitable for desexing. However, exemptions from mandatory sterilisation will be provided 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 provides an incentive to 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, will need to be granted 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 will be responsible for assessing applications for an approval to breed. They will be able to refuse an approval only on the grounds that the person

has been convicted of an offence under the Dog Act 1976, the Cat Act 2011 or the Animal Welfare Act 2002 in the past five years; the person is under the age of 18; the applicant does not have adequate facilities to breed dogs in accordance with standards under the Animal Welfare Act 2002 or any other written law; or the applicant is not a fit and proper person to breed dogs—for example, they have been subject to a previous court order temporarily banning them from owning animals. A local government can cancel an approval to breed if the owner is not compliant with the Dog Act or Animal Welfare Act, including the new standards, or if they breach the conditions of the approval.

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 homeless 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, dog owner and dog breeder—and cat—in Western Australia. 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 not only be identified, but also traced through its life. The centralised registration system will also allow authorities to identify and monitor all dog owners and dog breeders and will ensure information can be shared across local government districts. From a practical point of view, this means that if a dog owner or dog breeder changes address, their information is retained by, and accessible to, their new local government. It will also enable local governments to track dangerous dogs rather than relying on the owner to inform the local government of its dangerous dog status if they have moved districts. If a person wants to bring a new puppy into their family, the centralised registration system will enable consumers to verify whether the breeder is registered as an approved breeder with a local government. This will give consumers confidence that they are purchasing a dog from an approved source and also ensures that they can identify the breeder if any issues arise.

All dog owners will be given a dog owner number. If a person transfers a dog, even if they did not breed a dog, they will need to provide their dog owner number. This will enable authorities to identify who is supplying dogs. If a person is claiming to have bred a dog, the centralised registration system will be able to be searched to confirm that the person has an approval to breed.

This bill also amends the Cat Act 2011 so that all information about cat and dog registrations is recorded in the same database. Owners will be able to register their dogs and cats online and change their address details without having to go 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. This raises community concerns about how a puppy was bred and raised, whether the puppies are being sourced from a commercial puppy farm or an irresponsible backyard breeder who has inadequate health and wellbeing standards. This legislation will change the way that pet shops source their puppies and provide another outlet for homeless, unwanted or abandoned dogs. Local pet shops that intend to partner with rescue groups to promote adoption services for homeless dogs will be required to apply for approval from their relevant local government. The pet shop will only be able to find homes for dogs from a rescue or shelter organisation that has been accredited by the state government. To safeguard consumers, each accredited rescue organisation must provide a health assessment for each dog that is supplied to a pet shop. The pet shop must provide the health assessment and information about the source of the dog to the person who purchases the dog. These new provisions will not affect a rescue or shelter organisation’s ability to rehome dogs directly to the public. Instead, the legislation gives these organisations another avenue to rehome dogs that have been abandoned or surrendered.

Education: An education campaign will accompany the introduction of these measures.

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. They are wonderful companion dogs that also make great couch warmers!

Conclusion: 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. I hope that it also encourages people to choose to adopt a stray or abandoned dog and give them a “forever” home. I commend the bill to the house.

Debate adjourned, on motion by **Mr Z.R.F. Kirkup**.