



Victoria Division

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Hon Peter Walsh MP
Leader of The Nationals
Shadow Minister for Agriculture
Shadow Minister for Water

peter.walsh@parliament.vic.gov.au

Dear Mr Walsh

Thank you for seeking the views of the Australian Veterinary Association (AVA) on the proposed legislation before the Victorian Upper House regarding an amendment to the **Domestic Animals Act 1994**.

The Australian Veterinary Association (AVA) is the national organisation representing veterinarians in Australia. Our 9500 members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, and wildlife. Government veterinarians work with our animal health, public health and quarantine systems while other members work in industry for pharmaceutical and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

The AVA's highest priority is animal welfare and we agree with strong regulation of pet purchases to ensure the protection of all pets. At the same time, the benefits of pet ownership to people and communities has been demonstrated by significant research, so regulation that makes it onerously difficult for people to access a suitable pet is a concern for the AVA. The regulation of pets needs to find the right balance to protect welfare and also allow people to access a pet.

We have commented on the main aspects of the proposed changes to the Act and listed areas of concern.

Ten fertile female dog limit for breeding domestic animal business

A NSW Parliamentary Inquiry found that the number of animals kept by a breeder is not in itself a factor that determines the welfare of breeding animals. Examples of good and poor animal welfare in breeding operations suggest the size of the facility is not a factor - an opinion that has been conveyed by our members.

The RSPCA Australia's definition of a 'puppy farm' does not specify the size of operation as being a defining factor.ⁱ It is defined as 'an intensive dog breeding facility that is operated under inadequate conditions that fail to meet the dogs' behavioural, social and/or physiological needs'.

We are not aware of any evidence that suggests that limiting the number of fertile dogs will lead to abolishing 'puppy farms.' If the **Code of Practice for Breeding and Rearing Businesses** was properly enforced, there would be no need for further legislative changes.

Pet shops restricted to selling shelter animals only

There is already strict regulation for Victorian pet shops included in the **Code of Practice for the Operation of Pet Shops**. If enforcement of this Code occurred, there should be no reason for further legislation. A NSW Parliamentary Inquiry found that pet shop sales should not be banned because this would lead to less scrutiny of animal sales without improving welfare.

There is little evidence that animals bought from pet shops contribute to unwanted pet populations, or are the primary sales channel for 'puppy farmers' with poor animal welfare practices. A Victorian study found that only 8% of cats and 11% of dogs are obtained from pet shops.ⁱⁱ A similar study found that pet shops supplied 9% of cats and 14% of dogs to pet owners.ⁱⁱⁱ In our opinion, the proposed changes will have little impact on pet numbers entering and being euthanased in pounds and shelters.

We are very concerned about the lack of animal welfare controls and accountability around the rapid growth of online pet sales. Our members report significant health and welfare issues in animals bought online, and eliminating a visible, regulated source of new pets may exacerbate the problems of online sales.

Foster carer registration

The AVA supports legislation that allows foster carers of animals to have multiple animals under their care without having to register that animal with council.

Domestic Animal Business definition

AVA supports the registration of breeding operations with a single dog or three cats, however the AVA's preference is that all breeders should be licensed (regardless of the number of fertile animals owned) via a breeder's licence linked to a central database - rather than registering as a domestic animal business. This provides safeguards when advertising pets for sale and traceability for owners if there is problems with their new pet.

Requiring every breeder to register as a domestic animal business is of concern because of the wide variance in local council attitudes to dog ownership and breeding. The reality is that there are 79 different councils. The issuing of registrations, inspections and standards are regulated individually by each council. The cost of registration varies between \$200 to well over \$1000. The proposed legislation will see the breeders at the discretion of their local council – meaning no statewide equality or consistency.

Unfortunately small breeders having a litter every 1-2 years, raising them in their home, doing all of the required health testing, and working hard to ensure that their puppies never, ever end up in a shelter, will be the ones forced out of breeding.

General concerns

Online sales increase - online pet purchases has continued to grow and no real solution has been suggested as to how to stem this. A 2015 study of online advertisements through Gumtree estimated that this site alone is responsible for more than 149,000 puppy sales in Australia each year.^{iv} There is growing concern among veterinarians about the lack of regulation of online pet sales. Compliance with local regulations appears low and prospective owners rarely have the opportunity to visit the breeding property.

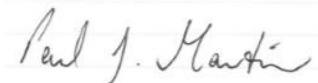
Choice to prospective pet owners - it is our view that members of the public often have very definite views on the type of dog they want and limiting choice may have adverse consequences. Many families want specific breeds that suit their life style and households. These animals may not found in shelters and people may choose to not own a dog at all if they cannot not get their preferred breed.

Affordability for prospective pet owners – options are required so that prospective pet owners can access a pet that suits their lifestyle and household at a reasonable price. Over recent years, Victorian veterinarians have observed a decline in puppies due to limits on availability. It is already difficult to easily buy a puppy so it is feared this will become even more challenging and even more expensive as a result of these proposed changes.

Enforcement – it is of concern that councils do not have the resources to enforce current legislation. Amending legislation will clearly add further responsibility to councils and unless further resources are allocated to councils, enforcement will be poor. Without adequate enforcement, any legislative changes will have little impact.

I would be happy to discuss this further via telephone if you require further information. I can be contacted on 0408 379 488.

Yours sincerely



Dr Paul Martin
AVA Victorian Division President

ⁱ RSPCA Australia (2015) "What is a puppy farm?" Available at http://kb.rspca.org.au/What-is-a-puppy-farm_322.html.

ⁱⁱ Toukhatsi, S.R., Coleman, G.J. and Bennett, P.B. (2005) "*Final Report for the project: Community attitudes and behaviours towards cats*". Animal Welfare Science Centre, Dept Psychology, Monash University, for the Bureau of Animal Welfare, Victoria.

ⁱⁱⁱ Pawsey, C., "Where do pets come from? Victorian Pet Acquisition Survey". *Urban Animal Management Conference, Canberra, 2005*

^{iv} Hazel, S., Blom, J., Holmes, M. and Tuke, J. (2015) "Advertising animals: the good, the bad and the ugly" in *Proceedings of the 4th Pan Pacific Veterinary Conference, Brisbane 2015*.