

**NSW COMPANION ANIMALS TASKFORCE**  
**DISCUSSION PAPER**

**May 2012**

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## DEFINITIONS

<i>CA Act</i>	means the NSW <i>Companion Animals Act 1998</i>
<i>CA Fund</i>	means the Companion Animals Fund, comprising lifetime registration fees collected by councils and registration agents
<i>CA Register</i>	means the NSW Companion Animals Register
<i>CA Regulation</i>	means the NSW Companion Animals Regulation 2008
<i>Chief Executive</i>	means the Chief Executive of the Division of Local Government, NSW Department of Premier and Cabinet
<i>Desex</i>	means to render an animal permanently incapable of reproduction, usually by way of removing reproductive organs (often also referred to as “spay” or “neuter”)
<i>Division</i>	means the Division of Local Government, NSW Department of Premier and Cabinet
<i>DPI</i>	means NSW Department of Primary Industries
<i>LG Act</i>	means the <i>Local Government Act 1993</i>
<i>POCTAA</i>	means the <i>Prevention of Cruelty to Animals Act 1979</i>

## **INTRODUCTION**

### **PURPOSE**

The purpose of this discussion paper is to seek an indication of the level of support from companion animal managers, animal professionals, animal welfare groups, the pet industry and the wider community for a range of proposed measures which aim to:

- reduce the current rate of euthanasia for cats and dogs,
- refine the current regulatory framework around the breeding, sale and management of cats and dogs to improve welfare outcomes, and
- promote socially responsible pet ownership through community education.

### **COMPANION ANIMALS TASKFORCE**

The Companion Animals Taskforce was established by the Minister for Local Government and the Minister for Primary Industries to provide advice on key companion animal issues and in particular strategies to reduce the current rate of companion animal euthanasia.

Specifically, the Ministers asked the Taskforce to inquire into:

- Euthanasia rates and re-homing options for surrendered or abandoned companion animals.
- The breeding of companion animals including the practices of “puppy farms”.
- The sale of companion animals.
- The microchipping and desexing of companion animals.
- Current education programs on “responsible pet ownership”.
- Any other high priority companion animal issues that become apparent to the Taskforce.

The Taskforce is chaired by the Member for Charlestown, Mr Andrew Cornwell MP, and consists of representatives of the following organisations, invited by the Ministers to participate:

- Animal Welfare League NSW (AWL NSW),
- Australian Companion Animal Council (ACAC),
- Australian Institute of Local Government Rangers (AILGR),
- Australian Veterinary Association (AVA),
- Cat Protection Society of NSW (CPS),
- Local Government and Shires Associations of NSW (LGSA),
- Dogs NSW,
- Pet Industry Association Australia (PIAA), and
- Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA).

Representatives of the Division and DPI also participate on the Taskforce.

## **DISCUSSION PAPER AND REPORT TO GOVERNMENT**

The Taskforce has prepared this discussion paper to provide interested stakeholders, including industry and members of the wider community with an opportunity to have input into the development of strategies to address the issues it has considered.

This discussion paper canvasses a range of priority issues identified by the Taskforce, presents key findings, and sets out a series of options to address them. Finally, the paper poses questions about each issue designed to promote discussion and feedback.

After taking into account feedback on this discussion paper, the Taskforce will prepare a report providing recommendations for the consideration of the Ministers.

## **PROCESS FOR SUBMISSIONS**

Notices advising of the release of this discussion paper and the opportunity to comment will be published in the NSW Government Gazette, in metropolitan newspapers and on the DPI and DLG websites.

Copies of the discussion paper are available for download from the DLG website at: [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au).

Submissions on the discussion paper will be accepted for a period of 8 weeks. The closing date for submissions is 1 July 2012.

Submissions can be made on the [online feedback form](#).

Alternatively, a copy of the completed feedback form [attached](#) to this discussion paper may be emailed to:

[cataskforce@dlg.nsw.gov.au](mailto:cataskforce@dlg.nsw.gov.au)

or mailed to:

Companion Animals Taskforce Discussion Paper  
Division of Local Government,  
Department of Premier and Cabinet  
Locked Bag 3015  
NOWRA NSW 2541

All submissions may be made publicly available. If you do not want your personal details or any part of the submission released, please indicate this clearly in your submission together with reasons. However, you should be aware that even if you state that you do not wish certain information to be published, there may be circumstances in which the Government is required by law to release that information (for example, in accordance with the requirements of the *Government Information (Public Access) Act 2009*).

The Taskforce will review the submissions and the Chair will advise the Ministers of issues raised in submissions and how these have informed the Taskforce's final report.

# 1. CONTEXT

Australia has one of the highest rates of pet ownership in the western world, with 36% and 23% of households owning a dog or cat respectively (ACAC 2010, p13). NSW has the largest number of pets of all Australian States, with estimates indicating over 1.12 million pet dogs and over 765,000 pet cats (ACAC 2010, p14).

The community expects that animals will be treated humanely and that Government will take action to ensure that animals are managed appropriately and that suitable standards of care and behaviour are prescribed and enforced.

The ongoing work of the staff and volunteers of pounds, shelters, and rescue groups across NSW is also acknowledged as crucial to improving outcomes for cats and dogs.

## 1.1 LEGISLATION AFFECTING CATS AND DOGS IN NSW

### **Companion Animals Act 1998**

The CA Act provides the framework for the identification and registration of cats and dogs and for the responsibilities of their owners and regulatory duties of councils.

The CA Act also attempts to achieve a balance between the welfare of companion animals and the safety and welfare of the community. However, animal welfare issues are more broadly addressed by the POCTAA (see below).

The CA Act sets out a two step registration process for cats and dogs:

1. permanent identification (or microchipping) from 12 weeks of age, at point of sale or change of ownership (whichever occurs first), and
2. lifetime registration from 6 months of age.

Cat and dog owners are responsible for ensuring that their pets are microchipped and lifetime registered, and councils can issue penalty notices to owners who fail to meet these obligations. This provides an additional incentive for animal owners to comply with the legislation.

More information about the CA Act is available from the Division's website: [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au).

### **Prevention of Cruelty to Animals Act 1979**

Prevention of Cruelty to Animals legislation was first introduced in NSW in 1901. The current Act is supported by regulations and has within it the capacity to recognise enforceable Codes of Practice, which apply to trades and businesses which keep or use animals. The legislation is enforced by RSPCA NSW, AWL NSW and all NSW Police officers.

Currently, Codes of Practice apply to animal trades such as pet shops, dog and cat breeders, and council pounds.

The Codes applying to pet shops and dog and cat breeders were recently updated (in 2008 and 2009). The Code applying to council pounds (and therefore animal shelters) is currently over 13 years old and has been identified as requiring review to ensure that it remains current to the expectations of our communities around animal welfare.

More information about POCTAA is available on the DPI website [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au).

### **Legislation in other jurisdictions**

In recent times, the management and welfare of cats and dogs has attracted the attention of the community throughout Australia. Most jurisdictions have recently updated their cat and dog management and welfare legislation or are in the process of doing so.

Tables providing a comparison of relevant current cat and dog related legislation in all Australian jurisdictions are included in Appendix 2 of this paper.

## **1.2 ESTABLISHING THE SCOPE OF THE PROBLEM**

The Taskforce has examined data concerning cat and dog populations in NSW from the Division, the RSPCA, AWL NSW and CPS (see Appendix 1 for further information about the data analysed by the Taskforce).

This data shows that the number of cats and dogs entering impounding facilities in NSW is very high. On average, over 48,600 cats and 68,800 dogs have been impounded annually in NSW since 2008/09.

Council impounding data highlights some particular areas of concern, including a substantial increase in the number of cats abandoned (by almost 25%) between 2008/09 and 2010/11. In 2010/11, 12,375 cats were abandoned at NSW council pounds, which accounted for 47% of all cats arriving at council pounds in that year.

By contrast, the number of dogs abandoned at council pounds increased by 6% between 2008/09 and 2010/11. In 2010/11, 12,385 dogs were abandoned at council pounds, which accounted for 26% of all dogs arriving at council pounds in that year.

Data relating to outcomes for animals impounded in council pounds and facilities offered by key animal welfare organisations (ie: RSPCA, AWL and CPS) are of similar concern. The data shows that in 2010/11, approximately 64% of all cats and 33% of all dogs in pounds and animal welfare facilities were euthanased. This amounted to over 30,300 cats and 21,600 dogs.

Negative outcomes are clearly much more pronounced for cats than for dogs. Only 2% of cats entering pounds and animal welfare facilities in 2010/11 were returned to their owners, while 33% were either sold or transferred to an animal welfare or rescue organisation for rehoming. By contrast, 41% of dogs entering pounds and animal welfare facilities in 2010/11 were returned to their owners, while 33% were either sold or transferred for rehoming.

The major contributing factor to this situation is that many more cats than dogs are considered “unowned”. Also contributing are semi-owned cats, being those that are fed by people and survive, but are not owned by a responsible pet owner.

However, this does not necessarily mean that all impounded cats are semi-owned or feral. The failure of some owners to microchip their cat also contributes as it means that some owned cats are unable to be returned to their owners if they become lost (Verrinder, 2005).

Another factor contributing to “the cat problem” is their very large reproductive capacity which accounts for the large numbers of unwanted healthy kittens admitted to shelters, many of which are euthanased as surplus to demand (Webb, 2008).

Similar issues appear to be prevalent in other Australian jurisdictions. For example, the findings of the NSW data correlate with those contained in an extensive report on companion animal management undertaken for the Department of Primary Industries and Fisheries, Queensland (Marston, Bennett, Rohlf and Mornement, 2008).

## 2. REGULATION OF BREEDERS

### 2.1 BACKGROUND

It is recognised that many responsible breeders operate within NSW. However, there are concerns that some unethical breeders contribute to the stock of unwanted companion animals in a variety of ways, including: over breeding; failure to comply with registration requirements, resulting in more 'lost' animals; and failure to desex animals not intended for breeding.

Collecting data about where animals are sourced from would assist in the identification of problem areas and the targeting of strategies such as education.

#### 2.1.1 "Puppy farms"

"Puppy farms", "puppy mills" and "puppy factories" are all terms used to describe the situation where a number of dogs are kept in sub-standard conditions and bred repeatedly to their detriment with inappropriate or inadequate provision of food, water, shelter and veterinary treatment. RSPCA Australia has published a definition of a puppy farm as "an intensive dog breeding facility that is operated under inadequate conditions that fail to meet the dogs' behavioural, social and/or physiological needs" (RSPCA 2010, p1).

The extent of "puppy farming" in NSW is difficult to determine and enforcement action relies on complaints from the community. Regulatory mechanisms are in place and enforcement agencies (see section 2.1.4) have successfully prosecuted a number of breeders for animal welfare offences. These agencies also report that the number of cases which come to their attention is limited.

It is also acknowledged that some animal welfare agencies and industry bodies support the introduction of breeder licensing as a means to further strengthen the regulation of companion animal breeding practices.

#### 2.1.2 Legislation

The primary legislative mechanism regulating breeders in NSW is the *Animal Welfare Code of Practice - Breeding Dogs and Cats*, which is recognised under POCTAA. The standards and guidelines contained within the document are enforceable and are intended to ensure that the welfare of animals in the care of people breeding for profit or reward is maintained at an appropriate level.

The CA Act and CA Regulation use the term 'recognised breeder' to identify people who attract a discounted registration fee only. At present, the CA Regulation defines a recognised breeder as a person who is a member of Dogs NSW, NSW Cat Fanciers Association, Waratah State Cat Alliance, or any other body approved by the Chief Executive of the Division.

Breeders selling animals must comply with the relevant provisions of the *Fair Trading Act 1987* and Fair Trading Regulation 2007, which relate to general consumer guarantees.

Breeding, boarding or shelter constructions across the State must also comply with the zoning and development conditions set out in the relevant Local Environment Plans (LEPs) made by local councils in accordance with their powers under the *Environmental Planning and Assessment Act 1979*. However, a recent NSW Land and Environment Court judgement determined that a development application for an animal shelter fell outside the definitions in the LEP and the development consent approved by council was void. Therefore, under certain circumstances, development for particular animal housing developments may not need council approval.

Councils also have powers under the LG Act which may be applied to breeders. For example, under section 124 of the LG Act a council may issue an order to the occupier of a property restricting the number of animals that can be kept there. This aims to prevent animal hoarding, which is recognised as a contributor to unwanted cats and dogs, arising from many undesexed animals living together in close proximity.

### **2.1.3 Enforcement agencies**

The primary enforcement agencies of POCTAA and the *Animal Welfare Code of Practice - Breeding Dogs and Cats* are the RSPCA NSW and the AWL NSW. These agencies respond to complaints received concerning breeders and puppy farms and apply the Breeding Code of Practice, where necessary, to ensure that all dog and cat breeders in NSW are compliant with the minimum standards of care and welfare which the NSW Government has set out. This system has been responsible for a number of successful prosecutions of breeders found in breach of the requirements.

Both organisations conduct public awareness campaigns about the appropriate way to source pets, and what to look for when trying to find a good breeder. They also participate in industry and government discussions aimed at determining if there is anything else which may be done to reduce the amount of animals kept in production systems which may meet their 'puppy farm' definition.

### **2.1.4 Education**

#### *Industry groups*

The AVA leads a discussion group, the Companion Animal Working Group (CAWG) which is attempting to reach consensus among industry bodies on gaps in knowledge and appropriate steps for both industry and the Government to alleviate public concern regarding puppy farms.

CAWG is gathering information about issues such as the appropriateness of desexing animals of a young age, regulating internet and classified sales, and the work of other jurisdictions in this area. Indications are that the industry is currently supportive of the regulations provided in the Breeding Code of Practice and would like to see the standards applied across Australia.

CAWG has also made some preliminary suggestions for improvements to the CA Register to improve data collection and 'traceability' of breeders.

#### *Government*

The mandatory microchipping and lifetime registration of cats and dogs is established by the CA Act, which encourages the desexing of animals by way of a discounted lifetime registration fee for animals which are desexed.

In 2011, the Division released Recognised Breeder Body Guidelines. Members of a recognised breeder body are entitled to pay a discounted lifetime registration fee for an animal that is not desexed and is kept for breeding purposes. These guidelines introduce a higher level of accountability for breeders than has previously existed. They are also expected to reduce the misuse of the discounted desexed animal lifetime registration fee by excluding breeders who do not meet required standards.

The Division also continues to liaise with relevant Government agencies and industry stakeholders, including DPI, the RSPCA and the AWL NSW to progress initiatives to address unwanted cats and dogs, and to identify trends in the number and types of animals entering and leaving council pounds.

### **2.1.5 Other jurisdictions**

#### *Queensland*

Recently, a trial of breeder licensing was conducted by Gold Coast City Council. Following this, the Queensland Government sought public input to help develop legislation to bring an end to the negative breeding and animal welfare practices associated with puppy farms through a draft Regulatory Assessment Statement on Regulation of Dog Breeders. The focus of this legislation was to regulate large scale breeding establishments and improve the welfare of breeding animals in Queensland.

It is expected that this regulatory agenda will be resolved later in 2012.

#### *Victoria*

In Victoria, breeding enterprises (with the exception of members of recognised breeding organisations) are required to register under the *Domestic Animals Act 1994* as a domestic animal business with local government councils. They must also abide by the management standards of the mandatory Code of Practice for Breeding and Rearing Establishments (the Code).

The welfare of dogs in such enterprises is protected by the provisions of the Prevention of Cruelty to Animals Act 1986 (Victoria). Such enterprises must microchip their dogs before selling or giving them away and the legislation requires the details to be recorded on a Victorian licensed animal (microchip) registry to allow tracing. RSPCA Victoria inspectors have powers to stamp out illegal or poorly managed puppy farms by enforcing the Code.

Legislation was introduced in Victoria in January 2012, which includes: increased penalties for operating illegal puppy farms, empowerment of council inspectors to deal with breeders, a requirement to include microchip or business registration numbers in advertisements, breeder registrations, seizure of profits and assets, and the capacity to implement pet ownership bans on certain offenders.

The Victorian Department of Primary Industries is also reviewing the *Breeding (Cats and Dogs) Code of Practice*. It is anticipated that a revised Code of Practice will be implemented in late 2012, following a public consultation period.

## 2.2 KEY FINDINGS AND OPTIONS

### Option 1 Introduce a breeder licensing system

#### **Key findings**

- *There are effective regulatory mechanisms in NSW to prosecute unethical breeders, including “puppy farmers”. However, enforcement relies on complaints from the community.*
- *Some animal welfare agencies and industry bodies have indicated their support for the introduction of breeder licensing as a means to further strengthen the regulation of companion animal breeding practices and there is a move towards such licensing in other jurisdictions.*

A breeder licensing system could be developed to improve consistency in the regulation of cat and dog breeders by providing a “welfare tick of approval” with the aim of ensuring that breeders are ethical sellers. Licence requirements could be based on the enforceable standards of the *Animal Welfare Code of Practice – Breeding Dogs and Cats*. However, this system could be complemented by updating the existing guidelines contained within the Code of Practice to enforceable standards (see Option 2).

Such a system would need to be appropriately resourced to ensure consistent application and enforcement across the State. Costs associated with managing such a system (eg: application/renewal processing and premises inspection costs) could be funded by applying annual breeder licence fees. Fees could be applied on a sliding scale, depending on the size of a breeder’s operation and paid to a centralised fund for distribution to enforcement authorities.

A breeder licensing system could also include a strong emphasis on breeder education, which could link to a community-wide socially responsible pet education program (see option 12).

#### **Benefits**

- Strict conditions of approval will discourage less reputable/sustainable breeders and would help to distinguish breeders who are able to provide the required level of care for their breeding animals.
- Compulsory microchipping requirements will allow the ownership of animals to be tracked on the CA Register throughout their lifecycle.
- Would bring NSW into line with Queensland and Victoria and assist in achieving standardised breeder regulations across Australia.

#### **Potential issues**

- Would require legislation.
- Cost of regulation – may be resource intensive.
- Opposition of breeders to permit and renewal fees.
- Inability of some breeders to meet conditions of approval may result in claims of decreased competition.
- An appropriate body would need to be identified to manage and regulate the system.
- Consideration could be given to an exemption for recognised breeding organisations, as contained in Victorian legislation.

## **Option 2     Revise the Breeding Code of Practice to make existing guidelines enforceable standards**

### **Key findings**

- *Enforceable standards of the Animal Welfare Code of Practice – Breeding Dogs and Cats apply to all people who breed cats and dogs for profit.*
- *The standards apply equally to people who may be breeding one animal, or people who are breeding hundreds of animals.*
- *The Animal Welfare Code of Practice – Breeding Dogs and Cats indicates a number of industry ‘best practices’ as guidelines within the document.*

The *Animal Welfare Code of Practice – Breeding Dogs and Cats* could be revised so that the guidelines contained within the document apply to breeders as enforceable standards. These standards could also be enforceable as part of a breeder licensing system (see Option 1) and would be critical in determining the scope of such a licensing system.

### *Benefits*

- A higher standard of care would exist for breeders and the animals in their care.
- Compliance could be regulated under a breeder licensing system (see Option 1).
- Updating the current guideline that strongly encourages desexing animals not intended for breeding to a standard could reduce unwanted litters.

### *Potential issues*

- A number of the guidelines (existing) are not enforceable, or may not be able to be worded in such a way that they become measurable standards.
- Higher costs associated with regulation of the Code.

## **Option 3     Clarify planning legislation requirements relating to the approval of commercial breeder, boarding and shelter premises**

### **Key finding**

*No consistent planning guidelines apply to breeding, boarding or shelter constructions across the State, meaning that there is varying application of the planning development processes and compliance with standards.*

Guidance could be issued to councils clarifying the development approval requirements for commercial breeding, boarding and shelter premises.

### *Benefits*

- Greater consistency between the Animal Welfare Codes of Practice and planning legislation will ensue.
- Councils will have greater capacity to participate in the development process for breeding, boarding and shelter premises within their area of responsibility.

### *Potential issues*

- Potential increase to the costs associated with setting up or re-developing an established breeding premises.
- Potential inability of some breeders to meet conditions of approval.

## **3. ADVERTISING AND SALE OF CATS AND DOGS**

### **3.1 BACKGROUND**

Industry sources estimate that almost 450,000 dogs and 165,000 cats are sold in Australia each year (ACAC, 2010, p48). It is argued that ensuring cats and dogs are microchipped before sale will create an effective way of understanding the life cycle and pathway of cats and dogs which arrive in pounds and shelters. It is also argued that fewer animals may be euthanased if all cats and dogs arriving in a pound or shelter were microchipped.

#### **3.1.1 Sale of pets in pet shops**

Campaigners against pet retail stores argue that pet shops: profit from the impulse purchase of pets; are outlets for puppy farms and; contribute to the problem of unwanted pets and euthanasia of pets in shelters. A number of campaigns, including parliamentary bills, have been conducted seeking bans on the sale of cats and dogs from pet shops.

It is estimated that pet shops account for less than 15 per cent of total sales (PIAA Policy research paper 2011, p2). It would therefore appear that the majority of pet sale transactions in NSW each year occur outside of pet shops, with 85% of all sales occurring through word of mouth, newspapers, council pounds, animal welfare and rescue organisations and, increasingly, over the internet.

#### **3.1.2 Legislation**

##### *Companion Animals legislation*

The CA Act provides that “a companion animal must not be sold unless it has been identified as required by legislation (even if it is less than 12 weeks old when it is sold)”. This provision includes animals given as gifts.

There is currently an exemption to this requirement for animals kept at a pet shop, market or fair for the purposes of sale. However, such animals must be microchipped (and registered, if over 6 months of age) when they are transferred to a new owner.

The CA Act also places prohibitions around the advertisement, sale, acquisition and breeding of dogs on the restricted dog list. Restricted dogs are Pitbull Terriers, American Pitbull Terriers, Japanese tosas, Argentinean fighting dogs (dogo Argentino) and Brazilian fighting dogs (fila Brasileiro).

##### *Fair Trading legislation*

Breeders selling animals must comply with the relevant provisions of the Fair Trading legislation which relate to general consumer guarantees. These requirements may include provisions relating to conditions of advertising and sale.

##### *Prevention of Cruelty to Animals legislation*

POCTAA requires that businesses which keep animals comply with the relevant ‘Animal Welfare Code of Practice’. These codes of practice are intended to apply safeguards for the welfare of cats and dogs while in the business and when with their new owners.

#### *Updated Animal Welfare Codes of Practice*

Provisions within the *Animal Welfare Code of Practice – Animals in Pet Shops*, and the *Animal Welfare Code of Practice – Breeding Dogs and Cats* impose requirements for selling animals from pet shops, markets and breeders. These requirements are designed to reduce the amount of perceived 'impulse' buying of pets, to ensure that potential new owners of pets are aware of the commitment that they are making, and to ensure that a safety net is provided if the pet becomes sick or is no longer wanted.

Enforcement agencies have used these codes to secure penalties which include fines, costs, and bonds prohibiting the owner from owning pets. It is anticipated that the release of a revised *Code of Practice for Council Pounds and Animal Shelters* will further improve the situation for animals sold from these types of establishments.

#### **3.1.3 PIAA Dogs Lifetime Guarantee Policy**

In order to assist with the re-homing of surrendered or abandoned pets sourced from PIAA accredited pet shops, PIAA has developed the *Dogs Lifetime Guarantee Policy on Dog Traceability & Re-homing*, which will be effective from 1 October 2012. The policy guarantees that dogs purchased from PIAA member retail stores are sourced from accredited breeders, whose operations are subject to independent audit each year. It also ensures that any dog purchased from a PIAA member that becomes unwanted or abandoned at any age can be returned and will be re-homed, where suitable.

However, it should be noted that this policy does not apply to pets which are sold by non-PIAA members.

#### **3.1.4 Other jurisdictions**

##### *Queensland*

The Queensland Government requires cats and dogs to be microchipped prior to sale. Cats must also be registered, and there are laws which apply to dangerous, menacing or restricted dogs.

The Queensland Government is also exploring options to address animal welfare for dogs in puppy farms. Options under consideration include the introduction of a breeder identification system, requirements around displaying breeder identification in advertisements, new animal welfare standards for breeders, and public education campaigns.

Specific local government areas within Queensland may apply their own requirements. For example, the City of Brisbane requires an annual permit to operate a pet shop.

##### *Victoria*

Victoria introduced a requirement in January 2012 for microchip or business registration numbers to be included in cat and dog advertisements. The Victorian Department of Primary Industries is also reviewing the Breeding (Cats and dogs) Code of Practice, with a public consultation period due later in 2012.

## 3.2 KEY FINDINGS AND OPTIONS

### Option 4 Mandatory listing of an animal's microchip number or breeder number in all cat and dog advertisements

#### *Key findings*

- *Some breeders do not comply with the standards of the Animal Welfare Code of Practice – Breeding Dogs and Cats.*
- *Introducing the ability within the cat and dog registration system to trace pets back to their source may increase the capacity of the Government and enforcement agencies to target education programs and enforcement activities to where they are most needed.*
- *NSW Companion Animals legislation requires that animals be microchipped prior to sale and evidence suggests that the simplest method of tracing animal sales is by microchip number.*

The mandatory listing of an animal's microchip number in all advertisements could be an effective way of ensuring compliance with microchipping requirements and would allow for the identification of unethical breeders. However, this system may be onerous where a litter of puppies and kittens are being sold. For this reason, it may be appropriate to provide the alternative of including a recognised breeder registration number in advertisements for animals.

Compliance with advertising requirements could also be linked to approval conditions of a breeder licensing system (see option 1) and could be included in guidelines on advertising and sale of cats and dogs (see option 5).

#### *Benefits*

- May assist the Government and the enforcement agencies to target education aimed at producing sound cat and dog purchases.
- May improve traceability of cats and dogs throughout their life cycle.
- May give purchasers confidence that they are receiving the animal they have paid for as it would introduce the option of purchasers taking legal action against owners in cases of false advertising.

#### *Potential issues*

- Would require increased resourcing for adequate enforcement.
- May result in increasing numbers of surrendered or abandoned litters of animals.
- Unethical vendors may include fabricated numbers in advertisements.
- Consideration may need to be given to the creation of a special category for animal welfare organisations and council pounds.

## **Option 5 Issue guidelines on the advertising and sale of cats and dogs**

### ***Key findings***

- *The enforceable standards of the Animal Welfare Code of Practice – Breeding Dogs and Cats and the Animal Welfare Code of Practice – Animals in Pet Shops apply to pet shops and breeders who sell pets.*
- *These standards require that information concerning the care of the animal is provided at the time of purchase, but do not extend to offering guidance about what sort of information to include in advertisements and do not offer information about buying a pet to the prospective new owner.*

The availability of guidelines on the advertising and sale of cats and dogs could improve the knowledge that potential buyers of animals have about what is being offered. These guidelines could be promoted so that both buyers and sellers of cats and dogs are aware of them.

Such guidelines could form part of a community-wide socially responsible pet education program (see option 12).

### ***Benefits***

- Could make it easier for cat and dog purchasers to understand what qualities make a good breeder and a suitable cat or dog.
- Anticipated reduction in animals surrendered due to incompatibility with owners' situations and lifestyles.

### ***Potential issues***

- Would require increased resourcing for adequate enforcement and development of material.
- A relevant enforcement and management body would need to be identified.

## **4. MICROCHIPPING, REGISTRATION AND DESEXING**

### **4.1 BACKGROUND**

#### **4.1.1 Microchipping**

The CA Act requires all cats and dogs to be permanently identified (ie: microchipped) from 12 weeks of age, at point of sale or change of ownership (whichever occurs first).

Since its introduction in 1999, compulsory microchipping has been widely accepted by councils, breeder associations, animal welfare groups and pet owners as providing the most effective mechanism of reuniting lost animals with their owners.

While this is the primary purpose of compulsory microchipping, it also allows local councils to provide for the effective and responsible care and management of cats and dogs in other ways. For example, compulsory microchipping allows councils to use microchip information to identify and manage dangerous and restricted dogs in their areas.

An analysis of microchipping in NSW (Appendix 1) shows that:

- there has been a very significant increase in the number of cats and dogs listed on the CA Register since 2001, by 762% and 516% respectively.
- Increased microchipping has resulted in significant decreases in the number of animals impounded by councils and increases in the number of animals returned to their owners from council pounds.
- Microchipping appears to have resulted in better outcomes for impounded dogs than for cats.

#### **4.1.2 Lifetime registration**

The second stage of the NSW cat and dog registration process is the payment of a compulsory lifetime registration fee for all cats and dogs from 6 months of age. A number of exemptions exist, including for certain working dogs, registered racing greyhounds, police dogs, cats and dogs in the care of approved animal re-homing organisations and cats and dogs kept at pet shops, markets and fairs for the purpose of sale.

Registration fees reinforce the concept that ownership of animals is associated with responsibility and the fee reflects that this responsibility is to be taken seriously. The ongoing costs associated with keeping a pet are not always considered by people when purchasing animals and this can ultimately contribute to an increase in the number of animals being abandoned or surrendered at pounds.

The scaled lifetime registration fees in NSW are not set high to encourage registration and socially responsible pet ownership. This is supported by the fact that the fees are paid once, lasting for the lifetime of the animal.

As set out in the table on the following page, despite the one-off charge, NSW lifetime registration fees are cheaper than the annual fees charged in some other Australian jurisdictions. NSW lifetime registration fees were last raised in 2006.

**Table 1: Comparison of cat and dog registration fees**

Jurisdiction	Registration type	Registration fees (as at 31 March 2012)	Discounted registration fees
NSW	Lifetime	<ul style="list-style-type: none"> <li>\$150 for an undesexed cat or dog</li> </ul>	<ul style="list-style-type: none"> <li>\$40 for a desexed cat or dog</li> <li>\$40 for a cat or dog owned by a recognised breeder</li> <li>\$15 for a cat or dog owned by a pensioner (animal must be desexed)</li> </ul>
City of Brisbane (QLD)	Annual	<ul style="list-style-type: none"> <li>\$95 undesexed dog</li> <li>\$43.40 undesexed cat</li> <li>\$454 dangerous dog, non-desexed or desexed menacing dog (first year)</li> </ul>	<ul style="list-style-type: none"> <li>\$47.40 undesexed dog<sup>1</sup></li> <li>\$40.20 desexed dog</li> <li>\$40.20 dog (breeder/show)</li> <li>\$15.20 desexed dog<sup>1</sup></li> <li>\$21.80 cat (breeder/show)</li> <li>\$21.80 desexed cat</li> <li>\$21.80 undesexed cat<sup>1</sup></li> <li>\$10.80 desexed cat<sup>1</sup></li> <li>\$151 dangerous dog or undesexed menacing dog (subsequent years)</li> <li>\$95 desexed menacing dog (subsequent years).</li> </ul>
City of Melbourne (VIC)	Annual	<ul style="list-style-type: none"> <li>\$141 undesexed dog</li> <li>\$90 undesexed cat</li> <li>\$230 Restricted, dangerous or menacing dog</li> </ul>	<ul style="list-style-type: none"> <li>\$68 undesexed dog<sup>1</sup></li> <li>\$47 dog<sup>2</sup></li> <li>\$23 dog<sup>1,2</sup></li> <li>\$44 undesexed cat<sup>1</sup></li> <li>\$30 cat<sup>2</sup></li> <li>\$15 cat<sup>1,2</sup></li> </ul>
Greater Shepparton (VIC)	Annual	<ul style="list-style-type: none"> <li>\$116 undesexed cat or dog</li> </ul>	<ul style="list-style-type: none"> <li>\$58 cat or dog<sup>1</sup></li> <li>\$39 cat or dog<sup>2</sup></li> <li>\$19.50 cat or dog<sup>1,2</sup></li> </ul>

<sup>1</sup> Pensioner concession

<sup>2</sup> In Victoria, a reduced registration fee may be applied by councils to animals that are: microchipped, desexed, over 10 years old, for breeding by a proprietor of a Domestic Animal Business, registered with an approved organisation, have completed obedience training which complies with the regulations or are kept for working stock.

#### *How are lifetime registration fees used?*

The lifetime registration fees collected by councils are submitted to the Division and held in the CA Fund. Approximately 80% of the fees are returned to councils each quarter. The remainder is used by the Division to fund its Companion Animal Program.

Under the CA Act any money paid to a council from the CA Fund must be applied only for purposes that relate to the management and control of companion animals in the council area. This means that the registration system provides a constant stream of income to councils for their cat and dog management activities and also acts as an incentive for them to enforce microchipping and registration requirements.

Many councils use these funds to educate the community about socially responsible pet ownership practices such as desexing, microchipping, identification and lifetime registration. This work is often done in conjunction with animal welfare organisations. Such strategies can help reduce the number of stray and unwanted cats and dogs passing through council pounds.

Registration fees also fund the State Government's companion animal activities, including community education initiatives and the CA Register. Both are integral to the ability of councils to manage lost, stray, injured, unwanted and unowned cats and dogs and to reduce the number euthanased in their impounding facilities.

#### *Evaluating the success of lifetime registration requirements*

An analysis of lifetime registration (Appendix 1) shows that registration rates have increased significantly since 2001, with 62% of microchipped dogs and 44% of microchipped cats lifetime registered in 2011. However, this means that there are still large numbers of cats and dogs in the community that are microchipped but not lifetime registered. This means that there is also a large, untapped pool of funding available to councils and the Government for cat and dog management programs.

It is also recognised that enforcing the two step registration process can be resource intensive for councils as they are required to follow-up owners who have microchipped but not registered their cats and dogs. Despite extensive public education, concerns also remain about the level of understanding of the two-step process, as many people may remain unaware of their responsibility to lifetime register their animal, or unwilling to do so.

#### **4.1.3 Desexing**

Desexing is the primary mechanism available to control over-supply of cats and dogs as it prevents future unwanted litters of puppies and kittens being born. The desexing operation is performed by a veterinary surgeon, which involves castration for male animals or the removal of the uterus and ovaries for females. The cost of desexing may vary between practitioners.

Desexing is considered particularly important in the case of cats, which generally breed much more prolifically than dogs.

#### *Mandatory desexing*

A review of current literature indicates that mandatory desexing is not widely supported. There is currently no consistent Australian research demonstrating the effectiveness of compulsory desexing in reducing unwanted cats and dogs, and international research has identified limited success due to enforcement problems.

A 2008 report commissioned by the Queensland Government concluded that mandatory desexing is not the most effective response to the management of unwanted cats and dogs. The report instead argued that compulsory microchipping and registration is the most important and cost-effective strategy for managing unwanted cats and dogs (Marston et al 2008, p174).

In recent years, the NSW policy position has been to provide desexing incentives for owners through a discounted lifetime registration fee for desexed animals. CA Register data suggests that the incentive is working. As at 31 December 2011, 72% of all lifetime registered dogs and 98% of all lifetime registered cats were desexed.

#### *Early age desexing*

Early-age desexing (prior to 3 months of age) is considered by many to be an effective way of preventing unwanted litters in young cats and dogs.

There is currently no legislation in NSW prescribing the age after which a cat or dog may be desexed. However, in order to obtain the discounted lifetime registration fee a cat or dog must be desexed from the age of 6 months.

#### *Promoting desexing in unidentified animal populations*

A major contributor to unwanted cats and dogs continues to be those unidentified animals that are undesexed, particularly cats. The exact number of these animals is difficult to determine and there is divergent opinion on how best to manage them.

The most common mechanism used to desex unowned animals, particularly cats, is that of trap-neuter-return. This involves trapping, desexing and releasing animals back into the habitat from which they were captured. Trap-neuter-return schemes have not been contemplated in detail in this paper primarily due to concerns about the effectiveness of such schemes and their potential impact on local wildlife. However, it is noted that councils may choose to fund such schemes where appropriate and where resources permit.

Semi-owned cats are another factor contributing to unwanted cat populations, as the vast majority are undesexed. Targeted community education aimed at changing people's behaviours is considered central to managing these cats. The Victorian Government's "Who's for cats?" and the "Good Cat South Australia" campaigns are examples of such programs.

Evidence suggests that unowned and feral cats contribute significantly to negative impacts on wildlife and the environment (Dickman 1996, p37) and are much more likely than owned cats to engage in inappropriate behaviour, such as making noise, fighting and entering properties.

#### *Targeted desexing programs*

Targeted desexing programs refer primarily to one-off, short-term campaigns focussed on areas of identified need. They commonly involve subsidised or free desexing, depending on available resources.

Targeted desexing programs can also be effective in addressing desexing in unidentified animal populations as they often involve simultaneous subsidised or free microchipping.

However, studies have cautioned that approximately 75% of desexing subsidies are wasted as the animals they reach would have been desexed by their owners anyway, and so there is a need to target those areas where people would not normally desex their animals (Lawrie et al, 2006, p90). It is suggested that such programs may be most effective in country towns and lower socio-economic areas such as social housing areas and within indigenous communities (Lawrie et al, 2006, p91).

It is argued that targeted desexing is most effective when accompanied by education about socially responsible pet ownership (Lawrie et al, 2006, p90). This aims to instil a culture of acceptance of desexing in the communities where the programs are run, rather than providing a free or cheap one-off service which is used and forgotten.

In 2003, the then Department of Local Government partly funded the Kelso project, which provided free microchipping and desexing for over 120 animals in one day. Coordinated by the then Bathurst City Council in partnership with RSPCA NSW, in a largely low income, high unemployment area with a high level of social housing, the project, resulted in an 80% reduction in animals impounded from Kelso (Lawrie et al, 2006, p90).

The Kelso project was an early example of what has subsequently become the RSPCA's Community Animal Welfare Scheme (CAWS) program. A CAWS program has been run in Kelso on an ongoing basis since 2003.

A cost-benefit case study commissioned by the RSPCA showed that the Kelso CAWS program has delivered a net benefit of \$2 for every \$1 spent. The study also showed that the program delivered:

- additional financial benefits including "savings due to improved staff utilisation, improved animal tracking due to microchipping, and strengthened veterinary capacity", and
- non-financial benefits including an approximately 36% reduction in the number of dogs impounded and a 51% reduction in number of dogs euthanased in the council area. (Deloitte 2011, p13).

#### **4.1.4 Other jurisdictions**

Most other Australian jurisdictions have adopted compulsory microchipping over the past decade. In Queensland and Victoria, microchipping and registration is required from the time a cat or dog reaches 3 months of age. Many Australian jurisdictions have also adopted registration (or licensing) systems to fund cat and dog management programs. However, unlike NSW, these systems generally require owners to register their cat or dog annually.

The Australian Capital Territory and Western Australia (WA) are the only jurisdictions to have introduced mandatory desexing. However, in the case of WA the requirement only applies to cats and is currently in the process of being phased in.

With regard to international examples of cat and dog management models, the City of Calgary in Canada operates a highly regarded system which requires the City's pet owners to (amongst other things) microchip and annually licence all cats and dogs over 3 months of age, and desex their pets (unless the owner is a breeder).

Reports suggest that more than 90 per cent of dogs and 54 per cent of cats residing in Calgary are licensed, which is comparable to NSW lifetime registration rates in the case of cats but is a significantly stronger outcome for dogs. The return to owner rate for dogs impounded in Calgary's impounding facility is reported to be around 85%, with a 6% euthanasia rate. For cats, there is a reported return to owner rate of 56% and an 18% euthanasia rate (Red Star Café, 2010).

While these are more positive outcomes than those reported in NSW, it is important to note that the City of Calgary does not accept surrendered animals. Owners of such animals are generally referred to animal welfare organisations.

## 4.2 KEY FINDINGS AND OPTIONS

### **Option 6 Remove existing “two step” microchipping and registration process to require microchipping and registration of cats and dogs by 3 months of age**

#### ***Key findings***

- *Despite significant increases in registration rates since 2001, approximately one-third of microchipped dogs and over half of microchipped cats are not registered.*
- *This denies councils and the Government funds for cat and dog management programs and increasing the likelihood of animal details being out of date, meaning they are less likely to be returned to their owners, if lost or stray.*
- *Enforcing the “two step” microchipping and registration process is resource intensive for councils.*

Requiring all cats and dogs (except for those exempt under the CA Regulation 2008) to be microchipped and registered by 3 months of age may increase compliance with the registration requirements of the CA Act by specifically addressing cat and dog owners who fail to register their animals after having them microchipped. Such a requirement would also be consistent with the requirements of other jurisdictions including Queensland and Victoria.

Concerns regarding early age desexing could be addressed by the introduction of a registration fee rebate for owners who desex their animals within 3 months of registration (see option 7).

#### ***Benefits:***

- May increase the number of cats and dogs converted from “microchipped” to “microchipped and registered” on the CA Register.
- Additional registration fees would increase the funding available to councils and the Government to administer cat and dog management programs.

#### ***Potential issues:***

- Administrative processes for councils, authorised identifiers and registration agents would need to be reviewed
- Would require an amendment to the CA Act and Regulation.
- A significant community re-education program would be required to support the change.
- Existing registration exemptions for pets kept at pet shops, markets or fairs for the purposes of sale may need to be reviewed to ensure effectiveness.

## **Option 7 Provide a registration fee rebate for owners who desex their animals within 3 months of registration**

### **Key findings**

- *As a discounted registration fee is only available for animals that are desexed at the time of registration, there is no financial incentive for owners to desex their animals once they have registered their animal.*
- *For a variety of reasons some people are unable or unwilling to desex their animal by the time it is required to be registered at 6 months of age.*
- *Some council pounds are unable to provide a desexing service due to resourcing constraints, meaning that the registered animals that leave such pounds may not be desexed.*

To encourage uptake of desexing by the owners of such animals, a registration fee rebate system could be established for owners who desex their animal within a reasonable period (eg: 3 months) of it being registered.

Under such a system a person would be required to pay the full undesexed registration fee at the time of registration but would be eligible to have the difference between that and the desexed registration fee refunded to them if they provided proof of the animal's desexing within 3 months of the original payment date. For example, under the current registration charges, such owners would be eligible for a \$110 rebate (ie: the undesexed fee of \$150 minus the desexed fee of \$40).

Councils are currently prevented from issuing such rebates under the CA Act. However, it is understood that some councils have established informal desexing rebate systems as a means to encourage desexing, particularly in the case of animals sourced from council pounds that are unable to provide a desexing service due to resourcing constraints.

### **Benefits**

- May result in a more flexible registration system that provides a desexing incentive whilst also increasing the number of animals registered.
- May encourage greater uptake of desexing by animal owners, particularly for animals sourced from council pounds that are unable to provide desexing services.
- May encourage owners with concerns about early age desexing to have their animal desexed at what they consider to be a more appropriate age.

### **Potential issues**

- May need to be supported by lower cost desexing by veterinarians to be fully effective.
- Would require an update to the Companion Animals legislation and CA Register
- May result in internal financial auditing issues for councils and the Division.

## **Option 8 Raise cat and dog registration fees to fund additional council and State Government cat and dog management programs**

### **Key findings**

- *Registration fees provide a constant stream of income to councils for their companion animal activities and fund the Government's companion animals program, including community education initiatives and the CA Register.*
- *Current revenue returned to councils from registration fees does not cover the full cost of their companion animal management activities.*
- *A significant period has passed since the fees were last raised (January 2006) and, due to the registration fees being for the lifetime of the animal, the current fees are significantly lower than those in other jurisdictions (see table on page 16).*

Existing cat and dog lifetime registration fees could be increased to provide additional funding to councils for the management of cats and dogs and to the CA Fund for programs that promote socially responsible pet ownership.

In order to maintain consistency, registration fees could be increased across all categories (desexed, undesexed, breeder, pensioner). However, any increase in fees should aim to encourage greater desexing of animals by owners. This could be achieved by increasing the undesexed animal registration fee significantly (by at least 25%), while other registration categories could be increased in line with inflation since the 2006 increase.

Consideration could also be given to indexing lifetime registration fees to inflation by way of an amendment to the CA Regulation 2008. This would ensure that lifetime registration fees may be updated on an annual basis.

### *Benefits:*

- Increased income to councils and the Government for cat and dog management and programs to promote socially responsible pet ownership.
- Desexing may be encouraged if the difference between desexed and non-desexed registration fees is increased (ie: closer to the cost of desexing).

### *Potential issues:*

- Public dissatisfaction resulting from increases to fees.
- Risk that increasing fees may result in increased non-compliance by animal owners, especially in the case of undesexed animals.

## **Option 9 Establish new registration categories to encourage desexing**

### **Key findings**

- *Desexing is widely regarded as a key mechanism available to control over-supply in cats and dogs as it prevents future unwanted litters.*
- *Registration fees reinforce the concept of socially responsible pet ownership and encourage desexing by way of a discounted fee for desexed animals.*
- *There is a need to provide incentives for people to adopt impounded animals, and it is important to encourage the desexing of such animals.*

To further encourage desexing, two new registration categories could be established:

1. Desexed animal purchased from council pound and
2. Desexed animal – post-purchase consultation by owner.

The new categories would attract a discounted fee (ie: less than the standard desexed category fee) as an additional incentive to purchase animals from pounds and for owners to attend post-purchase socially responsible pet ownership consultation (see option 13).

### *Benefits:*

- Lower registration fee categories for desexed animals will encourage people to purchase surplus animals from pounds.
- May result in more cat and dog owners becoming aware of socially responsible pet ownership messages through post-purchase consultation.

### *Potential issues:*

- Guidance would need to be provided to councils on the application of new registration categories.
- Would require an update to the Companion Animals legislation and CA Register.

## **Option 10 Introduce measures to improve compliance with companion animal legislation data entry requirements**

### ***Key findings***

- *Out of date CA Register data significantly reduces the ability of councils and authorised officers to return lost and stray cats and dogs to their owners.*
- *Data entry is resource intensive and opportunities may exist to streamline existing arrangements.*

Options to improve compliance with CA Register data entry could include:

- Encouraging all breeder groups and animal welfare organisations listed in the CA Act to become “registration agents”, allowing them to process registration fees and change animal details (it is noted that AWL NSW is currently appointed as a registration agent for this purpose).
- Establishing a fee for service model for such registration agents whereby a small percentage of the registration fee for each animal they process is returned to them. However, the majority of the registration fee would continue to be remitted to the council where the animal resides.
- Encouraging veterinarians and Authorised Identifiers to enter the identification data of the animals they implant, by streamlining data entry processes, particularly through better use of the internet and emerging technologies.
- Investigating “self service” data entry options for animal owners to update contact details.

The Division could also undertake a campaign to increase compliance with the registration requirements of the CA Act, by targeting the owners of animals older than 6 months of age that are listed on the CA Register as “identified only”.

### ***Benefits***

- Increased compliance with data entry requirements would mean that the records of animals on the CA Register are more likely to be up to date, increasing the likelihood that lost and stray animals are returned to their owners instead of being transferred to a council pound.
- Increased data entry by registration agents, veterinarians, Authorised Identifiers, breeders and owners could reduce the administrative burden on councils.
- More registered animals would increase funds to councils and the CA Fund and improve accuracy of data on the CA Register.

### ***Potential issues***

- Privacy issues would need to be considered to ensure that access to the CA Register is only for the purposes of the CA Act.
- Would result in a small reduction in the percentage of registration monies returned to councils and the CA Fund.
- Costs associated with the development of an online data entry system for animal owners.

## **Option 11      Establish a grant funding initiative for councils/partner organisations to deliver targeted microchipping, registration and desexing programs**

### ***Key findings***

- *Microchipping significantly increases the likelihood of an animal being returned to its owner and registered animals are significantly more likely to be desexed than non-registered animals.*
- *There is debate on the effectiveness of mandatory desexing as a regulatory tool and targeted desexing programs are considered to be a more successful way to increase desexing rates.*

The CA Fund could be used to provide grants to councils for the delivery of:

- Targeted desexing programs in identified areas of high need, of the general animal population and in-pound desexing before release.
- Targeted microchipping and registration programs (e.g. free microchipping when paying to register a cat or dog, or in conjunction with subsidised desexing).

Councils could be required to comply with grant application guidelines developed by the Division, which could also manage the program. Partnership style arrangements would be encouraged, with preference being given to proposals focussing on:

- Regional approaches.
- Specific programs for remote and rural communities.
- Partnerships with veterinarians, and animal welfare and rescue organisations.
- Targeting socio-economically disadvantaged areas.

Animal welfare organisations could be advised of the proposed program and encouraged to contact local councils to identify and participate in joint projects in areas of specific need. However, such organisations would not be eligible to apply directly for funding.

It is considered vital that programs also include a strong educative component to increase the likelihood that information about socially responsible pet ownership is reinforced to the owners of animals taking part in the programs.

### ***Benefits***

- May allow councils and animal welfare and rescue organisation partners to identify and target high-need areas.

### ***Potential issues***

- Additional resources will be required to manage grants programs; including following-up successful applicants to ensure outcomes are being achieved.
- The availability of an adequate amount of funds to support an effective ongoing program is contingent on the increase in registration fees set out in option 6.

## 5. THE ROLE OF EDUCATION

### 5.1 BACKGROUND

People who purchase cats and dogs are responsible for the long term welfare and care of the animal. Unfortunately, a number of owners later decide that they are unable to care for their animal and surrender or abandon it at a council pound or elsewhere. Pet owners who are unaware of the need to microchip and register their animals also greatly reduce the chance of being reunited with their pet.

The need for community education is widely recognised. It has been noted that pet owners are a disparate group and that their “behaviour is affected by societal norms that change over time. These norms change with new legislation, community education of pet owners, new information and peer group pressure” (Harlock Jackson 2006, p7).

Other research has identified a “need for public awareness raising and ... challenging of existing assumptions (eg: ‘I just know how to care for my pets’) to counter complacency will be required should there be particular animal welfare issues ... that require greater engagement and behaviour change.” (TNS Social Research 2006, p13).

However, studies have also suggested that over time, “while attitudes to preparing for pet ownership by desexing and vaccinating were largely unchanged, owner behaviour had substantially improved” (Headey 2006, p11)

This research supports the argument that attitudes and practices towards animal welfare are influenced by information and social norms; and that targeted public awareness campaigns are necessary to change behaviour.

#### 5.1.1 Developing and delivering educational material

Community education has been a central component of the NSW companion animal legislation since its introduction. The Division funds various educational initiatives from the CA Fund, including:

- Information brochures on cat and dog ownership,
- Posters and stickers on microchipping and registration requirements, and
- Website content including various guidelines and Frequently Asked Questions.

It is recognised that a wealth of existing material and information is also provided by others in the industry including animal welfare organisations, pet shops, veterinarians and councils. These bodies also play an important delivery role in the distribution of education material about socially responsible pet ownership. It is recognised that this material is often developed and delivered with limited resources.

#### *NSW Responsible Pet Education Program*

Since 2011, the Responsible Pet Ownership Schools Education Program for 5-7 year olds has been delivered in NSW schools by a team of Pet Educators and their suitability tested dogs. The Program was commissioned in recognition of the need to communicate socially responsible pet ownership messages to children at an early age and, by extension, to their families.

The NSW Government has committed \$2.1 million to the Program over a three year period, with an open tender process used to select the program provider: the Victorian Bureau of Animal Welfare, Department of Primary Industries (VIC DPI). VIC DPI has run an identical program in Victorian schools for the past decade and has adapted its program content to meet NSW requirements.

The Program uses multimedia, role play, song and story to provide primary school children with key messages about socially responsible pet ownership and dog safety, and has two key components: a school visit and a curriculum/resource package.

The Program is distinct from previous programs in that trained and paid Pet Educators are accompanied by their suitability-tested dog during school education sessions, allowing children to experience dog safety messages first hand, in a controlled environment.

The Program replaced the Safe Pets Out There (SPOT) program, which successfully focussed on promoting socially responsible pet ownership and was developed in response to the significant community concern about the safety of children around dogs and ran from February 2007 to September 2009 (Ramsay, 2009).

It is also noted that the RSPCA and AVA provide responsible pet education programs to a variety of age groups.

### **5.1.2 Content of educational material**

In order to have a positive impact on the number of animals that are surrendered to pounds, several key issues need to be reinforced to pet owners, including:

- Choosing an appropriate pet,
- General welfare and husbandry,
- The importance of identification and registration,
- Confinement and housing,
- Socialisation, exercise and training.

The enforceable standards of the *Animal Welfare Code of Practice – Breeding Dogs and Cats* and *Animal Welfare Code of Practice – Animals in Pet Shops* apply to pet shops and breeders who sell pets. These standards require that information concerning the care of the animal is provided at the time of purchase.

While suggested topic areas for content are contained in the codes, the actual information provided is a decision for the individual breeder or proprietor. As such, there may be a variation of quality of content provided. The public may also not be aware that they are entitled to receive this information prior to making a purchase.

### **5.1.3 Communicating information to people from culturally and linguistically diverse backgrounds**

There appears to be very little information on socially responsible pet ownership available in languages other than English. Most companion animal welfare messages are delivered by vets or animal charities with limited resources and do not offer interpreter services or translated materials.

It is noted that expectations about the welfare of cats and dogs in Australia are very different from those in many other parts of the world and information about these expectations needs to be communicated with sensitivity and clarity.

Research has supported the development of a communications strategy on animal welfare issues for non-English speaking background audiences that runs in parallel with a strategy for the wider community. However, such a strategy should also take into account views and perceptions of these audiences and use care in translation of terms associated with animal welfare (TNS Social Research 2006, p28).

The importance of utilising local ethnic/cultural community groups as information distribution hubs is also recognised.

#### **5.1.4 Research on companion animal issues**

Quality research around key companion animal issues is often done by interested people from within the community or by students. It is noted that funding for research into key companion animal issues is limited, and does not always address factors which may assist the development of good policy for industry, welfare agencies and Government.

#### **5.1.5 Training for pound, shelter and pet shop staff**

It is recognised that many people working in pounds, shelters and pet shops are appropriately qualified and experienced. However, there is an argument for minimum level qualifications and standardised training for such people given the level of responsibility they have to animals in their care and the key role such people play in informing other people's choices about the pets they purchase and the way they care for them.

The animal welfare codes of practice for animals in pet shops and breeding cats and dogs include guidelines which recommend that staff employed in such roles be trained, experienced and competent in a variety of areas. However, these are not currently enforceable as standards.

## 5.2 KEY FINDINGS AND OPTIONS

### **Option 12      Develop a community-wide socially responsible pet ownership education campaign**

#### ***Key finding***

*Comprehensive community education is considered essential to reducing the number of unwanted cats and dogs as it can improve understanding of the consequences of irresponsible pet ownership.*

Existing research on community awareness programs and attitudes to cat and dog welfare could be reviewed with a view to devising a holistic, community-wide education program on socially responsible pet ownership.

The campaign could focus on issues such as the benefits of owning cats and dogs, choosing an appropriate cat or dog, general welfare and husbandry, the importance of identification and registration, appropriate confinement and housing, the importance of exercise, training and socialising cats and dogs, the importance of early age desexing and the availability of discounted desexing services.

The campaign could be named in such a way to improve recognition, and be supported by advertising, including a comprehensive multi-media component.

Relevant agencies could be approached to assist in identifying strategies to refine the campaign for people from culturally and linguistically diverse backgrounds. This could include identifying community workers and 'ambassadors' in local communities and promotion through community language publications and radio. A register of veterinary practices where community languages are spoken could also be developed to support the campaign.

In conjunction with the campaign, the Division's existing Responsible Pet Ownership Schools Education Program could be expanded to reach pre-school children. Other companion animal industry groups could also be encouraged to target existing education programs to senior primary and high school students. This will mean that key socially responsible pet ownership messages are introduced to children and their families as early as possible and reinforced across their school life.

#### ***Benefits***

- Providing relevant messages to the community over the long-term may lead to:
  - a reduction in the number of people purchasing unsuitable cats and dogs, meaning they are less likely to be surrendered to council pounds,
  - increased microchipping, registration and desexing, thereby reducing the number of unwanted litters and increasing the number of pets returned to their owners, and
  - a deeper awareness of the importance of pets to people and increased respect for animals.

#### ***Potential issues***

- Cost of education programs and media campaigns.
- The availability of an adequate amount of funds to support an effective campaign is contingent on the increase in registration fees set out in option 6.

### **Option 13    Develop mandatory standardised information on socially responsible pet ownership to be given out at point of sale and introduce initiatives to reinforce such information**

#### ***Key findings***

- *The enforceable standards of the Animal Welfare Code of Practice – Breeding Dogs and Cats and Animal Welfare Code of Practice – Animals in Pet Shops apply to pet shops and breeders who sell pets.*
- *These standards require that information concerning the care of animals is provided at the time of purchase.*
- *While suggested topic areas for content are contained in the codes, the actual information provided is up to the individual breeder or proprietor and there may be a variation of quality of content provided.*
- *The public may not be aware that they are entitled to receive this information prior to making a purchase.*

Standardised information on socially responsible pet ownership could be developed and distributed to all pet stores. The information could also be provided to breeders and its distribution could become a breeder licensing requirement (see option 1).

This could be supported by making the information available through targeted and broader education programs; and could include mechanisms for follow-up contact with owners to increase the likelihood of the information being understood.

Incentives could be provided for people to complete a post-purchase consultation with a veterinarian or vet nurse. The consultation could cover issues such as the importance of desexing, socialisation and cat confinement. Incentives could include a discounted lifetime registration fee (see option 9).

#### ***Benefits***

- Standardised information provided at point of sale may prevent the purchase of unsuitable cats and dogs and ultimately reduce the number of unwanted cats and dogs surrendered at pounds and shelters.
- Post-purchase consultations would reinforce socially responsible pet ownership messages, promoting a stronger bond between humans and their pets.

#### ***Potential issues***

- Cost of production and distribution of education material.
- Cost of post-purchase consultation may need to be included in purchase price.
- Cat and dog owners may be reluctant to attend follow-up consultations.

## **Option 14 Establish minimum qualification requirements for pet shop, breeding establishment and pound/shelter staff**

### ***Key finding***

*The enforceable standards of the Animal Welfare Codes of Practice for Breeding Dogs and Cats and Animal Welfare Codes of Practice for Pet Shops require that staff are knowledgeable and competent to manage the animals in their care.*

Updating the *Animal Welfare Code of Practice – Breeding Dogs and Cats* and *Animal Welfare Code of Practice – Animals in Pet Shops* to require at least one staff member working in a pet shop, breeding establishment, pound or animal shelter to be trained to a minimum recognised level may result in better welfare outcomes for cats and dogs in such establishments.

A Certificate II level qualification may adequately meet the education requirements set out in the codes. Such a qualification could also be an approval requirement in a breeder licensing system (see option 1).

### ***Benefits***

- May increase compliance with the codes of practice and provide consistency in the qualifications of staff in pet shops, pounds and shelters.
- May become a minimum standard for employment in the industry, thereby providing professional development opportunities for relevant staff.

### ***Potential issues***

- May be difficult to enforce without additional resources.
- Would require updates to codes of practice.

## **Option 15 Provide more funding for research on key cat and dog issues**

### ***Key findings***

- *Quality research around key cat and dog issues is often done by interested people from within the community or by students.*
- *Funding for research into cat and dog issues is limited, and does not always address factors which may assist the development of good policy for industry, welfare agencies and Government.*

A portion of the CA Fund could be set aside annually for the purpose of funding a grant program for research on key cat and dog issues. It is anticipated that such funding would be open for applications, which would be assessed on merit.

### ***Benefits***

- Potential for a wider scope of cat and dog issues to be identified and researched.
- Positive use of CA Fund which would benefit the whole community and guide policy development.

### ***Potential issues***

- The scope of applicable projects would need to be determined.
- Resources required to develop guidelines, an application process and other governance requirements of grant administration.

## **6. IMPOUNDED CATS AND DOGS**

### **6.1 BACKGROUND**

The re-homing of animals from pounds is a critical strategy employed by councils to reduce the number of animals euthanased in their facilities. However, pound managers face substantial obstacles in doing so, particularly as pounds compete with pet shops and breeders as sources of animals and often do not have the resources to advertise animals in their care widely to the public.

There may also be resistance from the public to buy animals from pounds that are undesexed, as this provides an additional cost to socially responsible pet owners who do not wish to use their animal for breeding purposes.

#### **6.1.1 Role of councils in re-homing impounded cats and dogs**

Under the CA Act, councils are obliged to consider and undertake alternative action to destroying animals surrendered to the council by their owners, where practicable. While re-homing such animals with new owners is the most desirable outcome, it must be acknowledged that councils have limited resources and not all cats and dogs are suitable for re-homing. Such animals include feral animals, dangerous dogs and those with significant health or behavioural issues.

The re-homing of desexed animals from pounds is generally considered the most desirable outcome by councils and the companion animal industry, as desexing helps to limit unwanted litters of puppies and kittens, which may in turn contribute to the cycle of pound arrivals in the future.

Some councils have adopted policies requiring animals to be desexed before being re-homed from a council pound. Such councils may subsidise the cost of desexing the animals where resources permit or factor the costs into the sale price of animals.

As a way of overcoming the constraints faced in selling surplus animals, many councils transfer animals to animal welfare organisations for re-homing. This is often a more efficient and successful way of ensuring that animals find appropriate homes. However, many animal welfare and rescue organisations also face resourcing challenges. It also acknowledged that some pounds and animal welfare organisations have rehoming initiatives in place with pet shops.

Clause 16(d) of the CA Regulation aims to address this issue by providing an exemption to approved animal rescue organisations from the requirement to lifetime register animals which are in their temporary care for the purposes of re-housing for a period of 12 months. The intention of this exemption is to provide financial relief to approved organisations and an incentive for them to continue their work. There are approximately 45 organisations to which this exemption currently applies.

Organisations may apply to the Division for approval based on criteria outlined in Guidelines issued by the Division. The Guidelines also ensure that approved organisations comply with their legislative obligations. For example, all animals entering the care of approved organisations must be microchipped. An organisation's exemption may be revoked and penalties may apply if an approved organisation breaches the companion animal legislation.

The Division monitors the number of animals being reported as transferred to organisations for re-homing in the annual council pound data collection returns. Approved organisations must also keep records of the animals that come into their care and submit an annual report to the Division on this data.

### **6.1.2 Measures to encourage “pet friendly accommodation”**

It is argued that increasing numbers of people who are unable to keep pets in rental or strata accommodation may be contributing to increasing surrender and abandonment rates for cats and dogs. This issue appears to be more pronounced in urban areas, particularly in metropolitan Sydney where there is a trend towards higher density living.

Under the existing NSW strata titles legislation, owners’ corporations of strata accommodation can currently amend their by-laws to ban pets. While it is accepted that some people – with or without pets – can be bad neighbours, a blanket ban on pets is a blunt and discriminatory instrument that in any case does not prevent anti-social behaviour. Changes and challenges to by-laws can be also costly and time consuming, and in any event, many people are unaware of their rights.

Other jurisdictions have pursued innovative approaches to this issue. Under the Australian Capital Territory’s *Unit Titles Act 2001*, pets are allowed in strata properties by default, with the onus on the owners’ corporation to not unreasonably withhold permission for people to keep pets.

Western Australia permits the charging of pet bonds by landlords, which are not allowed to be charged in NSW. This approach reflects the view that, while it would be unfair to charge a premium in rent because of pet ownership, it may not be unreasonable to charge an additional bond to cover any perceived additional risk that comes from pets being on the property.

### **6.1.3 Roaming cats**

Unconfined animals that are subsequently seized by councils or picked up by members of the public make up a significant number of those animals entering pounds. While cats are banned from certain areas, there is no definition of a stray cat under the CA Act and there are no requirements for cats to be kept inside.

It is recognised that there are benefits to keeping cats contained indoors, particularly at night. Fighting and noise can be more disturbing at night, as unwanted noise is likely to be intrusive and to keep neighbours awake. Many kinds of native wildlife are more active or more vulnerable to hunting at night and there is evidence that cats hunt more during the night than during the day. Therefore, confining cats can help reduce the number of native animals that are killed.

Cat confinement can also assist in reducing unwanted litters, as roaming cats may breed prolifically. However, it is recognised that desexing is the most appropriate way for responsible pet owners to address this issue.

Mandatory cat confinement is considered to be an inappropriate regulatory response as it is difficult to enforce, particularly as councils already face competing demands for limited resources for cat and dog management services. However, cat control orders have been used in other jurisdictions for a number of years to manage roaming cats.

## 6.2 KEY FINDINGS AND OPTIONS

### **Option 16 Encourage greater collaboration between councils and animal welfare organisations on impounding and re-homing services to reduce euthanasia rates**

#### ***Key findings***

- *Council cat and dog impounding and re-homing services are funded from a limited pool of resources.*
- *A number of councils work in partnership with animal welfare organisations (AWOs) to improve outcomes for impounded animals.*
- *AWOs generally employ specialised staff and have established promotional, distribution and fundraising networks to support their efforts in re-homing animals.*
- *The community expects that all necessary steps will be taken to reduce euthanasia rates but not all impounded animals are suitable for re-homing.*

Councils and AWOs could be encouraged to enter into arrangements where the ownership of impounded animals is transferred from the council to the AWO at the end of the statutory holding period (which ranges from 7 to 14 days in NSW, depending on whether or not the animal is microchipped).

This approach forms the basis of a long-standing arrangement between Gold Coast City Council and the Animal Welfare League Queensland (AWLQ), and is reported to have significantly improved welfare outcomes for animals in that area. For example, AWLQ figures show that in 2009/10, 91% of all dogs and 76% of all cats impounded under such an arrangement were released to their owners or re-homed which is much higher than reported in NSW (Getting to Zero website, AWLQ).

This approach may potentially reduce costs for councils associated with re-homing animals. However, under such arrangements the council would typically pay some sort of management fee to the AWO.

Centralising the processing of animals and veterinary services can also be beneficial to animal welfare outcomes, particularly in cases where the AWO also operates the impounding facility in one location as this eliminates transportation of animals.

An increased focus on regional approaches to impounding could also be encouraged. Cost savings could be enhanced by multiple councils entering into regional impounding/re-homing arrangements with a contracted AWO, for example in eliminating duplication in infrastructure costs.

#### ***Benefits***

- May result in increased re-homing rates.
- May free up council resources to be re-directed to services such as the collection of stray and injured animals, which may currently fall to veterinarians and AWOs.

#### ***Potential issues***

- The cost of re-homing and associated fundraising must be met by AWOs.
- In some rural areas, geographical isolation may prove problematic in establishing regional impounding facilities due to increased transportation costs and the associated welfare impacts of transporting animals over long distances.

## **Option 17 Investigate the development of an integrated impounded animal management tool**

### ***Key finding***

*The collection of detailed data on impounded animals by all councils and animal welfare organisations is essential to understanding the scope and reasons for unwanted companion animals, and for developing appropriate policy responses.*

A centralised impounded animal management tool, available to all relevant councils, State agencies and animal welfare organisations would provide for consistent data collection across all agencies, meaning that all relevant data could be considered in the policy development process. Such a tool could also streamline work practices for some impounding facilities, particularly those reliant on paper-based record keeping systems.

The CA Register may be a suitable platform for this purpose as it has the structural capacity to incorporate additional modules (such as the existing dog attack reporting module). It could be expanded to provide greatly increased functionality for impounding officers.

Consideration could also be given to how the CA Register may be adapted to integrate with third party data collection systems (for example, for the processing of impounded animals and the collection of impounding data). However, it would be crucial that an integrated impounded animal management tool provides a generic interface for all front-end users, to reduce duplication in work practices and to streamline training requirements.

It is recognised that the existing provisions of the CA Act may restrict the development of the CA Register in this way, particularly with regard to access issues for non-council staff due to privacy legislation requirements. However, in recognition of the benefits of such a system, the legislation could be amended to allow use of the CA Register for this purpose.

### ***Benefits***

- Would provide for consistency in data collection across all impounding agencies and allow for standardised data entry and analysis of impounding data. This could allow more targeted and effective policy responses to reduce euthanasia rates.
- The CA Register may be easier and less costly to adapt than the development of a new collection tool.
- Could link to existing pet search tools (eg: AWL's "Found Pets" phone app<sup>1</sup>).

### ***Potential issues***

- Would require amendments to the CA Act to ensure greater access to the CA Register for non-council officers.
- Privacy requirements of the CA Act would need to be considered.
- Any such system would need to ensure that it avoids creating additional work for pound/shelter staff.
- Would require the development of a data dictionary and be supported by relevant user education.

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<sup>1</sup> See [www.awlnsw.com.au](http://www.awlnsw.com.au)

## **Option 18 Review barriers to cat and dog ownership in relation to residential tenancy laws**

### ***Key finding***

*Pet-unfriendly rental accommodation and strata-titled housing (whether owned or rented) contribute to the surrender of owned pets, and appear to be a significant factor inhibiting the adoption of companion animals from pounds and shelters.*

The *Residential Tenancies Act 2010* and *Strata Schemes Management Act 1996* could be reviewed to identify existing barriers to cat and dog ownership in rental and strata accommodation, including the existence of by-laws which currently allow pet bans.

Particular consideration could be given to the introduction of a pet bond system, similar to that operating in Western Australia, to provide a financial incentive to counter landlord concerns about pet-owning tenants.

Relevant industry bodies could also be engaged to develop and implement education, as part of a whole of community socially responsible pet ownership education campaign (see option 12), which address issues such as:

- assisting cat and dog owners living in units and rental accommodation to become better neighbours/tenants by ensuring they provide appropriate environmental enrichment and care for their cats and dogs,
- the advantages of preparing a pet resume that shows their cat or dog will be a good tenant, and
- emphasising to landlords and real estate agents that by excluding cat and dog owners they are limiting the potential pool of good tenants.

### ***Benefits***

- Removing cat and dog ownership barriers for renters could increase overall demand for animals and reduce the number of animals surrendered to pounds where they were previously unable to be kept by their owners.
- A pet bond scheme may allay some landlord concerns about cat and dog owning tenants.

### ***Potential issues***

- Ongoing resistance from strata/owner bodies.
- The cost of pet bonds may be a barrier for some cat and dog owners.
- The cost and/or administrative burden of pursuing damages from tenants where they are over and above the bond amount may be prohibitive, and thus some landlords may support the continuation of a 'no pets' policy.

## **Option 19 Introduce measures to encourage the confinement of cats to their owner's property**

### ***Key findings***

- *The confinement of cats, particularly at night, is considered to be central to responsible cat ownership as it can reduce the number of unwanted litters of kittens and the impact of cats on wildlife and social amenity.*
- *However, mandatory confinement is considered to be an inappropriate regulatory response as it is difficult to enforce, particularly as councils already face competing demands for limited resources.*

Consideration could be given to amending the CA Act to provide councils with the option to impose local orders on cat owners to confine their cats, where this approach is considered appropriate and enforceable.

However, funding could also be allocated to the development of initiatives to encourage owners to confine cats to their property, such as:

- Providing educational material to cat owners at point of purchase on the benefits of confining cats, particularly at night. This could be addressed in a whole of community socially responsible pet ownership education campaign (see option 12).
- Providing additional guidance for cat owners on the construction of cat shelters and runs.
- Providing funding to councils to implement cat management programs as part of a grant funding program (see option 11).

### ***Benefits***

- May reduce the number of unwanted cat litters, thereby reducing the number of impounded cats who are subsequently euthanased.
- May reduce the impact of cats on wildlife.
- May provide councils with the option to implement cat management strategies where communities identify roaming cats as a problem.
- May result in general improvements in feline health and social amenity.

### ***Potential issues***

- Would require a change to the CA Act.
- Local council orders on cat confinement may continue to be difficult to enforce.
- Would result in inconsistent laws for cats across council areas, potentially leading to community confusion on local requirements.

## **Option 20 Establish an ongoing reference group on cat and dog management and welfare issues**

### ***Key finding***

*The welfare of companion animals, their relationship to human wellbeing and social amenity relate to a number of Ministerial portfolios, including Planning and Infrastructure, Primary Industries, Local Government, Fair Trading, Housing, Health, Transport and Police.*

An ongoing reference group on cat and dog management and welfare issues could aid future policy and legislative development and review by ensuring that animal welfare and importantly, the nexus between pets and human wellbeing, is considered in a holistic approach to the development and review of public policy.

The terms of reference for such a group could include providing advice and information on the implementation of recommendations arising from the Taskforce process, the ongoing monitoring of cat and dog legislation and relevant animal welfare codes of practice, and advocacy on cat and dog management issues which fall under federal legislation (eg: transport of pets on aircraft).

As well as relevant government agencies, such a group could include representation from across all sectors of the companion animal industry, including councils, animal welfare and rescue groups, breeders, educators, and pet stores.

### ***Benefits***

- Could provide the industry with the opportunity for an ongoing dialogue with Government about cat and dog management and welfare issues.
- Will inform a whole-of-government approach to cat and dog issues.

### ***Potential issues***

- It would be necessary to ensure that such a group did not duplicate the work of existing committees providing advice on these matters (eg Animal Welfare Advisory Council).
- Membership may need to be limited to ensure the effectiveness of the group.

## 7. REFERENCES

- Animal Welfare League of Queensland - *Getting to Zero – A Whole Community Change Model* (<http://www.awlqld.com.au/about/position/pet-rescue-gold-coast/> - accessed 9 March 2012).
- Australian Companion Animal Council (2010) - *Contribution of the pet care industry to the Australian Economy*.
- Deloitte Australia (2011) - *CAWS Programme 2010-11 Cost-benefit Case Study for Bathurst Regional Council - Final report*.
- Department of Agriculture, Fisheries and Forestry (prepared by TNS Social Research) (2006) - *Attitudes towards animal welfare*
- Department of Agriculture, Fisheries and Forestry (prepared by Harlock Jackson) (2006) - *Review of Existing Animal Welfare Arrangements for the Companion Animals Working Group*
- Department of Primary Industries and Fisheries, Queensland (2007) – *Managing unwanted cats and dogs – Discussion paper*.
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- Heady, B (2006) - *National People and Pets Survey report: “Socially Responsible Pet Ownership in Australia: A Decade of Progress”*.
- Lawrie, Gaal, Withers, Widdison and Awad (2006) - *The issue of unwanted animals*.
- Marston, Bennett, Rohlf and Mornement (2008) – *Review of strategies for effectively managing unwanted cats and dogs in Queensland – A report to the Department of Primary Industries and Fisheries, Queensland*.
- Pet Industry Association of Australia (2011) – *Dogs Lifetime Guarantee Policy on Dog Traceability and Rehoming – Research, Analysis and Statistics*.
- Ramsay, G (2009) – *Review of the Safe Pets Out There (SPOT) Program*
- Red Star Cafe (2010) - *The Calgary Model* - (<http://redstarcafe.wordpress.com/2010/08/25/the-calgary-model/> - accessed 12 March 2012).
- RSPCA Australia (2010) - *End Puppy Farming - The Way Forward*
- Verrinder, J (2005) – *Shared community solutions for life and death matters*.
- Webb, C (2008) – *Australia asks “Who’s for cats?”*

## COMPANION ANIMALS TASKFORCE DISCUSSION PAPER FEEDBACK FORM

**NOTE:** This form may be completed online at [www.dlg.nsw.gov.au/CATaskforce](http://www.dlg.nsw.gov.au/CATaskforce)

Name: \_\_\_\_\_

Organisation name: \_\_\_\_\_

Organisation type (please tick the applicable box below):

- |                                    |                          |
|------------------------------------|--------------------------|
| Animal Welfare/Rescue Organisation | <input type="checkbox"/> |
| Council                            | <input type="checkbox"/> |
| State agency                       | <input type="checkbox"/> |
| Industry organisation              | <input type="checkbox"/> |
| Community group                    | <input type="checkbox"/> |
| Interested individual              | <input type="checkbox"/> |
| Other:                             | <input type="checkbox"/> |

If 'Industry organisation', 'Community group' or 'Other', please specify: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Email Address (if applicable): \_\_\_\_\_

**Closing date: 1 July 2012**

**Are you happy for your submission to be made publicly available?**

Yes

No

If "No", please state reason: \_\_\_\_\_

**Note:** All submissions may be made publicly available. If you do not want your personal details or any part of the submission released, please indicate this clearly in your submission together with reasons. However, you should be aware that even if you state that you do not wish certain information to be published, there may be circumstances in which the Government is required by law to release that information (for example, in accordance with the requirements of the *Government Information (Public Access) Act 2009*).

## **QUESTIONS**

### **REGULATION OF BREEDERS**

#### **Option 1 Introduce a breeder licensing system**

Do you support the introduction of a breeder licensing system to strengthen the regulation of cat and dog breeding practices?

- Yes   
No   
Unsure

#### **Option 2 Revise the Breeding Code of Practice to make existing guidelines enforceable standards**

a. Do you support revising the *Animal Welfare Code of Practice – Breeding Dogs and Cats* so that the guidelines contained within the document apply to breeders as enforceable standards?

- Yes   
No   
Unsure

b. Do you think that such standards should also form the basis of requirements for a breeder licensing system (see Option 1)?

- Yes   
No   
Unsure

#### **Option 3 Clarify planning legislation requirements relating to the approval of commercial breeder, boarding and shelter premises**

Do you support the development of planning guidelines applying to breeding, boarding or shelter constructions across the state?

- Yes   
No   
Unsure

## **ADVERTISING AND SALE OF CATS AND DOGS**

### **Option 4 Mandatory listing of an animal’s microchip number or breeder number in all cat and dog advertisements**

Do you agree that all advertisements for cats and dogs offered for sale (including internet advertisements) should include either the animal’s microchip number or the number of the animal’s registered breeder?

- Yes
- No
- Unsure

### **Option 5 Issue guidelines on the advertising and sale of cats and dogs**

Do you agree that guidelines on the advertising and sale of cats and dogs should be provided by the Government?

- Yes
- No
- Unsure

## **MICROCHIPPING, REGISTRATION AND DESEXING**

### **Option 6 Remove existing “two step” registration process to require microchipping and registration of cats and dogs by 3 months of age**

Do you support revoking the existing “two step” registration process to require the microchipping and lifetime registration of cats and dogs by 3 months of age?

- Yes
- No
- Unsure

### **Option 7 Provide a registration fee rebate for owners who desex their animals within 3 months of registration**

Do you support a registration rebate for owners who desex their animal within 3 months of registration as a means to encourage desexing?

- Yes
- No
- Unsure

**Option 8 Raise cat and dog registration fees to fund additional council and State Government cat and dog management programs**

a. Do you think that registration fees should be increased to make more funding available for council and State Government cat and dog programs?

- Yes
- No
- Unsure

b. Do you support amending the Companion Animals Regulation to allow registration fees to be annually indexed to inflation?

- Yes
- No
- Unsure

**Option 9 Establish new registration categories to encourage desexing**

a. Do you support the implementation of “Desexed animal – purchased from pound” registration category?

- Yes
- No
- Unsure

b. Do you support the implementation of “Desexed animal – post-purchase consultation by owner” registration category?

- Yes
- No
- Unsure

**Option 10 Introduce measures to improve compliance with companion animal legislation data entry requirements**

a. Do you support encouraging breeder and animal welfare organisations listed in the Companion Animals Act to become “registration agents” to process registration fees and change of animal details?

- Yes
- No
- Unsure

b. Do you support establishing a fee for service model for such registration agents to encourage uptake of this arrangement?

- Yes
- No
- Unsure

(Option 10 – continued)

c. Do you think that online owner “self service” data entry options should be developed?

- Yes   
No   
Unsure

**Option 11 Establish a grant funding initiative for councils/partner organisations to deliver targeted microchipping, registration and desexing programs**

Do you support the establishment of a grant funding program (sourced from the Companion Animals Fund) for councils to promote the microchipping, registration and desexing of cats and dogs?

- Yes   
No   
Unsure

**THE ROLE OF EDUCATION**

**Option 12 Develop a community wide socially responsible pet ownership education campaign**

a. Do you support the development of a whole of community socially responsible pet ownership education campaign?

- Yes   
No   
Unsure

b. Do you support providing school based socially responsible pet ownership programs to students outside of the 5 to 7 year old age group?

- Yes   
No   
Unsure

**Option 13 Develop mandatory standardised information on socially responsible pet ownership to be given out at point of sale and introduce initiatives to reinforce such information**

a. Do you support the development of mandatory, standardised information to be provided at point of sale?

- Yes   
No   
Unsure

(Option 13 – continued)

- b. Do you support post-purchase socially responsible pet ownership consultations as a means to reinforce point of sale information?

Yes   
No   
Unsure

**Option 14 Establish minimum qualification requirements for pet shop, breeding establishment and pound/shelter staff**

- a. Do you think that it should be compulsory for at least one staff member working in a pet shop, breeding establishment, shelter or pound to have a minimum qualification in animal care and management in-line with the recommendations of the *Animal Welfare Code of Practice – Sale of Animals in Pet Shops*?

Yes   
No   
Unsure

- b. Do you think that a Certificate II level qualification should be developed for this purpose?

Yes   
No   
Unsure

**Option 15 Provide more funding for research on key cat and dog issues**

- a. Do you think that a portion of the Companion Animals Fund should be set aside for annual research grants on cat and dog issues?

Yes   
No   
Unsure

- b. Do you think that such funding should be limited to key organisations or individuals involved in cat and dog research?

Yes   
No   
Unsure

## IMPOUNDED CATS AND DOGS

### **Option 16 Encourage greater collaboration between councils and animal welfare organisations on the delivery of impounding and re-homing services top reduce euthanasia rates**

Do you think that increased collaboration between councils and animal welfare organisations in the delivery of impounding services will improve re-homing outcomes for impounded animals?

- Yes
- No
- Unsure

### **Option 17 Investigate the development of an integrated impounded animal management tool**

Do you support the development of an integrated impounded animal management tool to improve policy responses for impounded cats and dogs?

- Yes
- No
- Unsure

### **Option 18 Review barriers to cat and dog ownership in relation to residential tenancy laws**

a. Do you agree that NSW residential tenancy and strata management legislation should be reviewed to identify barriers to the ownership of cats and dogs in rental accommodation and units?

- Yes
- No
- Unsure

b. Do you support the development of a pet bond scheme to encourage landlords to accept more cat and dog owners as tenants?

- Yes
- No
- Unsure

c. Do you support the development of targeted education to promote cat and dog ownership in rental accommodation?

- Yes
- No
- Unsure



## APPENDIX 1 – COMPANION ANIMALS REGISTER AND IMPOUNDING DATA

### A. MICROCHIPPING

Microchipping is the first stage of a mandatory two stage process of identification and registration for companion animals in NSW.

Figure 1: Total microchipped cats and dogs

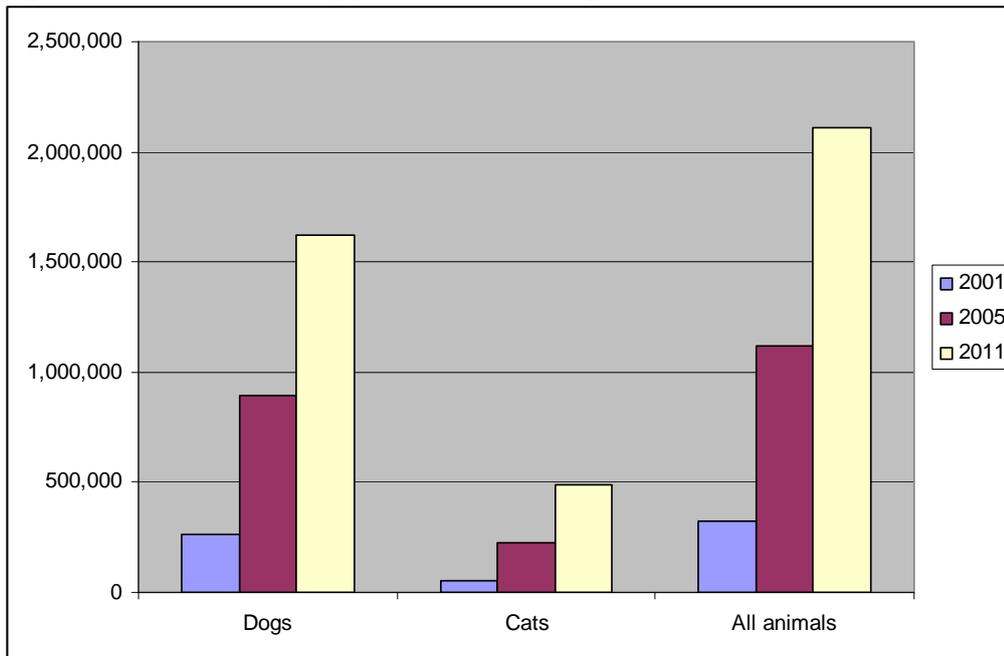


Table 1: Total microchipped cats and dogs

	2001	2005	2011	% change 2001 -2011
<b>Dogs</b>	263,365	891,772	1,623,304	516%
<b>Cats</b>	56,220	224,155	484,860	762%
<b>All animals</b>	<b>319,585</b>	<b>1,115,927</b>	<b>2,108,164</b>	<b>560%</b>

Source: NSW CA Register - figures are for animals alive at 31 December each year.

Figure 1 and Table 1 show that there has been a very significant increase in the number of cats and dogs listed on the Register since 2001, with 762% and 516% increases recorded respectively. This large uptake may be attributed to greater awareness in the community of the benefits of microchipping, which has been achieved through council and government public education and through positive media coverage. The increase also reflects active enforcement of the requirements of the Act by councils.

However, due to the unwillingness of some members of the community to comply with the legislation and the limited resources available to councils, a large number of companion animals remain unmicrochipped. The exact numbers are difficult to determine due to the absence of baseline data collected prior to the implementation of compulsory microchipping and concerns about the accuracy of data relating to the number of animals that have died since compulsory microchipping commenced in 1999.

## B. LIFETIME REGISTRATION

The second stage of the NSW companion animal registration process is the payment of a compulsory lifetime registration fee for all cats and dogs (with some exceptions) from 6 months of age.

Figure 2: Lifetime registered animals

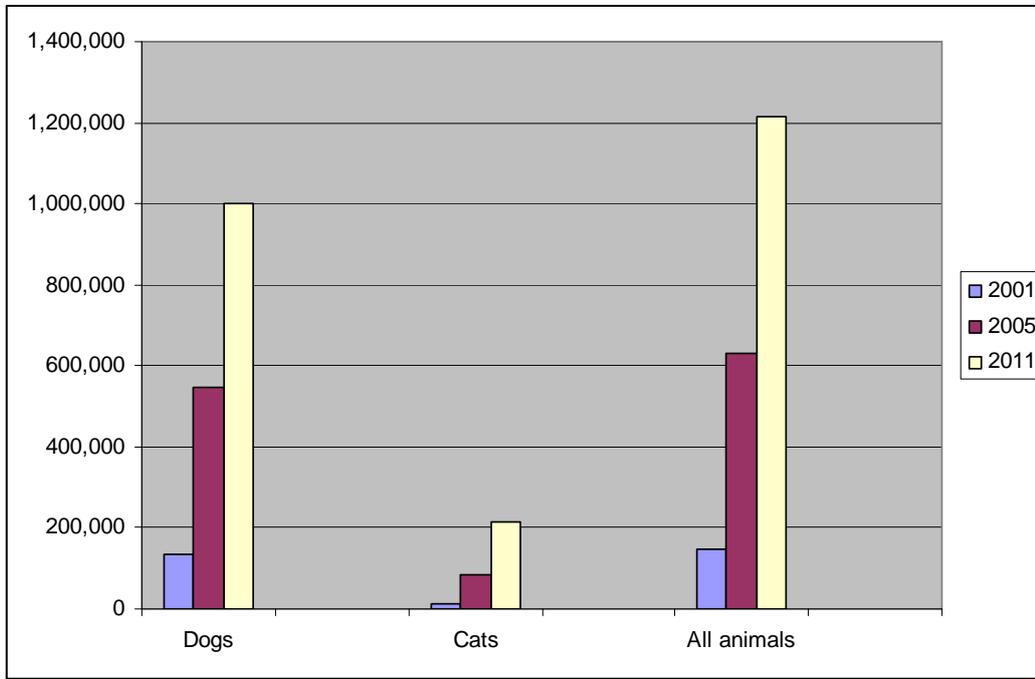


Table 2: Lifetime registered animals

	2001	2005	2011	% change 2001 - 2011
<b>Dogs</b>	135,241 (51%)	546,098 (61%)	998,614 (62%)	638%
<b>Cats</b>	13,206 (23%)	85,714 (38%)	215,673 (44%)	1533%
<b>All animals</b>	<b>148,447</b> <b>(46%)</b>	<b>631,812</b> <b>(56%)</b>	<b>1,214,287</b> <b>(58%)</b>	<b>718%</b>

NB: Percentages in yearly columns reflect the percentage of total microchipped animals (see table 1).  
Source: CA Register - reported figures are for animals alive at 31 December each year

Figure 2 and Table 2 show that there has been a very significant increase in the number of lifetime registered cats and dogs on the CA Register since 2001, with 1533% and 638% increases recorded respectively. The proportion of cats on and dogs on the CA Register that are lifetime registered (as opposed to microchipped only) has also steadily increased since 2001, by 21 percentage points and 11 percentage points respectively.

While lifetime registration is on the rise, there are still a significant number of animals in the community that are microchipped but not lifetime registered. This means that there is also a large, untapped pool of funding available to councils and the Government for companion animals management programs.

## C. DESEXING

Figure 3a: Desexed cats and dogs (total)

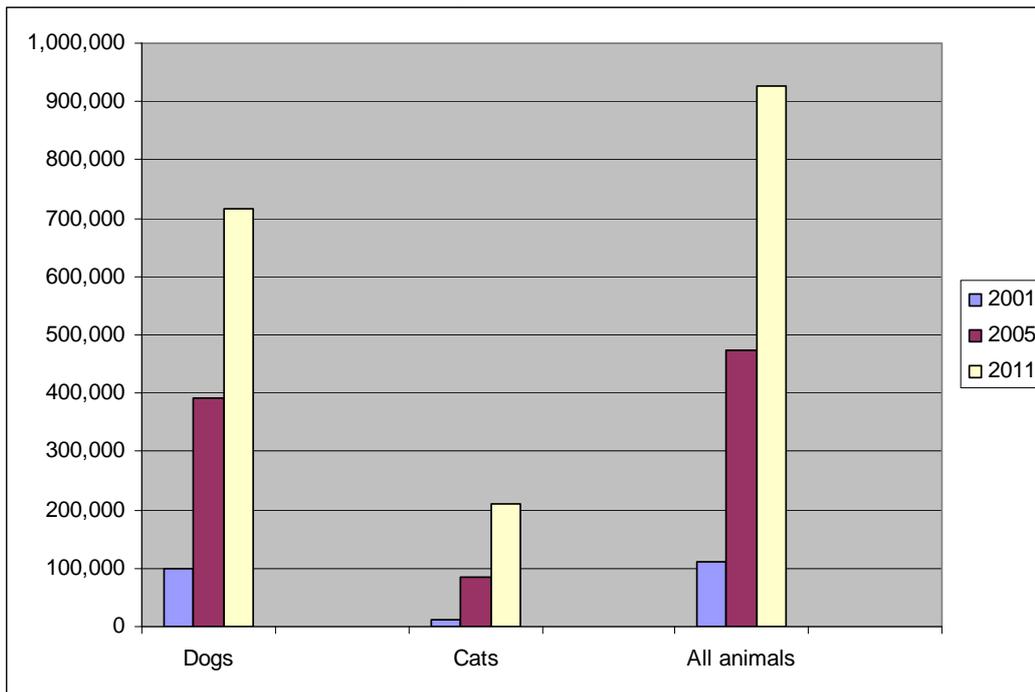


Table 3a: Desexed cats and dogs (total)

	2001	2005	2011	% change 2001 – 2011
<b>Dogs</b>	99,534 (38%)	390,719 (44%)	717,507 (44%)	621%
<b>Cats</b>	12,936 (23%)	83,795 (37%)	210,803 (43%)	1530%
<b>All animals</b>	<b>112,470</b> <b>(35%)</b>	<b>474,514</b> <b>(43%)</b>	<b>928,310</b> <b>(44%)</b>	<b>725%</b>

Source: CA Register - reported figures are for animals alive at 31 December each year.

**Note:** Figure 3a and Table 3a refer to all desexed cats and dogs on the CA Register. The percentages in the yearly columns refer to those animals as a proportion of all cats/dogs/animals microchipped on the CA Register.

The data in Figure 3a and Table 3a show that there has been a very significant increase in the number of desexed animals on the CA Register since 2001, with 1530% and 621% increases recorded respectively. The proportion of cats on and dogs on the CA Register that are desexed has also steadily increased. While the increase has been larger for cats (a 20 percentage point increase) than dogs (a 6 percentage point increase), the proportion of cats and dogs which are desexed is now roughly equal (at 43% and 44% respectively).

Since 2005, almost half of the new animals recorded on the CA Register have been desexed, which is a significant improvement on 2001 figures and indicates that the scaled lifetime registration fees are meeting their objective. In contrast to the trends observed with regard to microchipping and lifetime registration, the increase in the percentage of desexed cats on the CA Register is over three times that recorded for desexed dogs. However, it should be noted that the number of cats and dogs on the CA Register whose desexed status was listed as “unknown” is very high. For example, in 2011 the desexed status of 625,230 (or 39%) dogs and 268,882 (or 55%) cats was unknown.

Figure 3b: Percentage of lifetime registered cats and dogs that are desexed

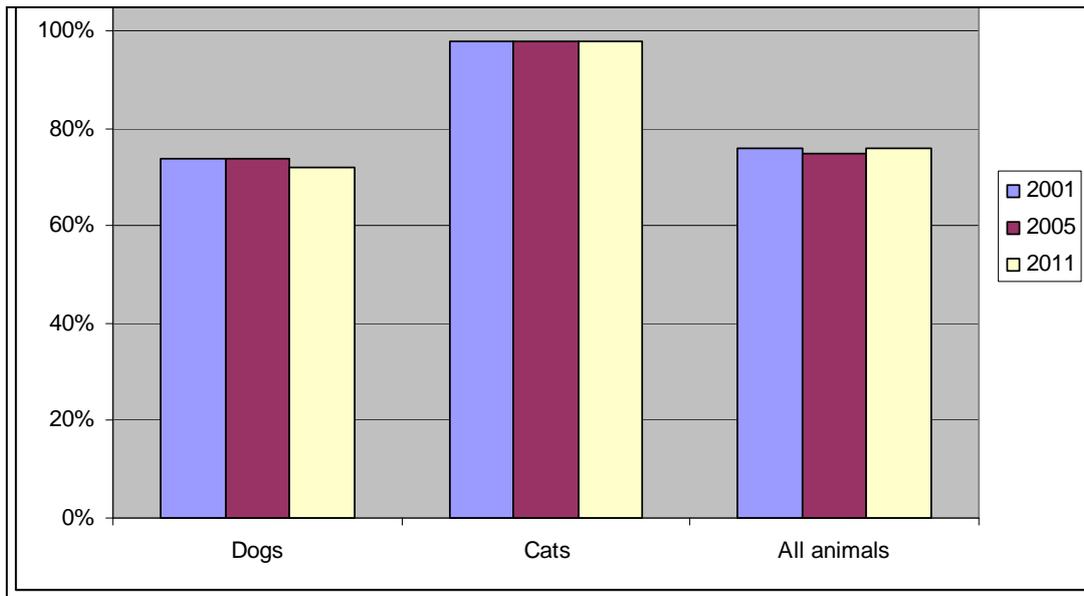


Table 3b: Percentage of lifetime registered cats and dogs that are desexed

	2001	2005	2011	Change in percentage points 2001 – 2011
<b>Dogs</b>	74%	74%	72%	- 2%
<b>Cats</b>	98%	98%	98%	0%
<b>All animals</b>	76%	75%	76%	0%

Source: CA Register - reported figures are for animals alive at 31 December each year.

**Note:** Figure 3b and Table 3b refer only to lifetime registered cats and dogs (as distinct from all cats and dogs microchipped on the CA Register, as shown in Figure 3a and Table 3a)

The data in Figure 3b and Table 3b show that, since 2001 almost three quarters of dogs listed on the CA Register as lifetime registered and almost all cats listed on the CA Register as lifetime registered have been desexed. These figures have remained steady over the period.

This suggests a key linkage between desexing and lifetime registration, as the majority of lifetime registered animals are desexed.

## D. TOTAL NUMBERS OF IMPOUNDED ANIMALS

Figures 4 and 5 and Tables 4 and 5, on the following pages, compare incoming impounded animal data captured by RSPCA, AWL, CPS and councils for the 2008/09 - 2010/11 period. All efforts have been made to avoid duplication of data capture between organisations. However, it is noted that as RSPCA provides impounding services for a number of councils and that some duplication of data collection may arise.

Figure 4: Impounded cats (by organisation) 2008/09 - 2010/11

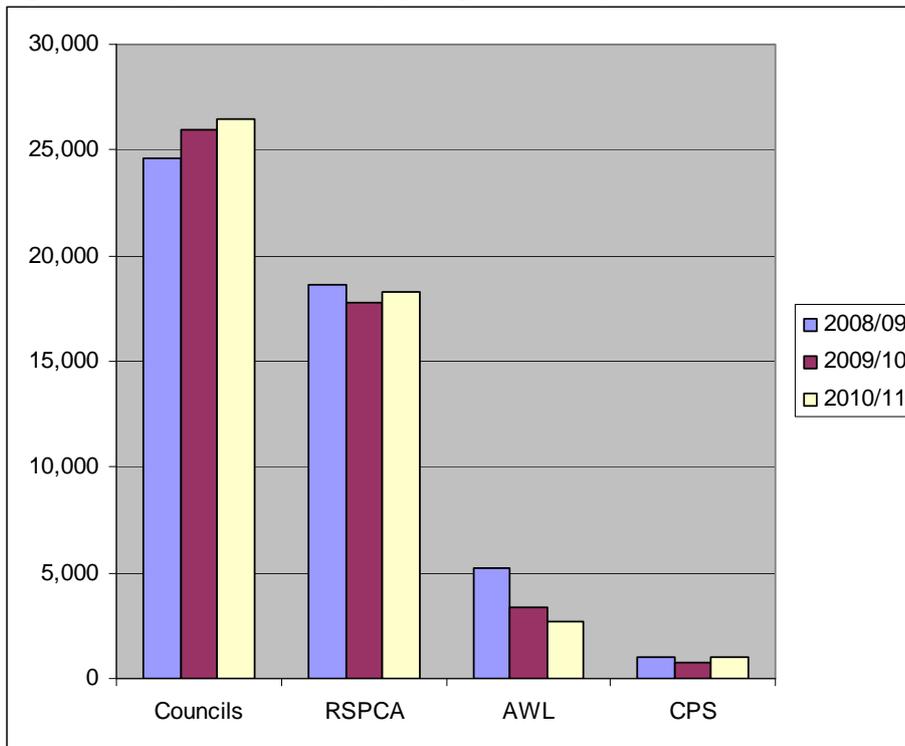


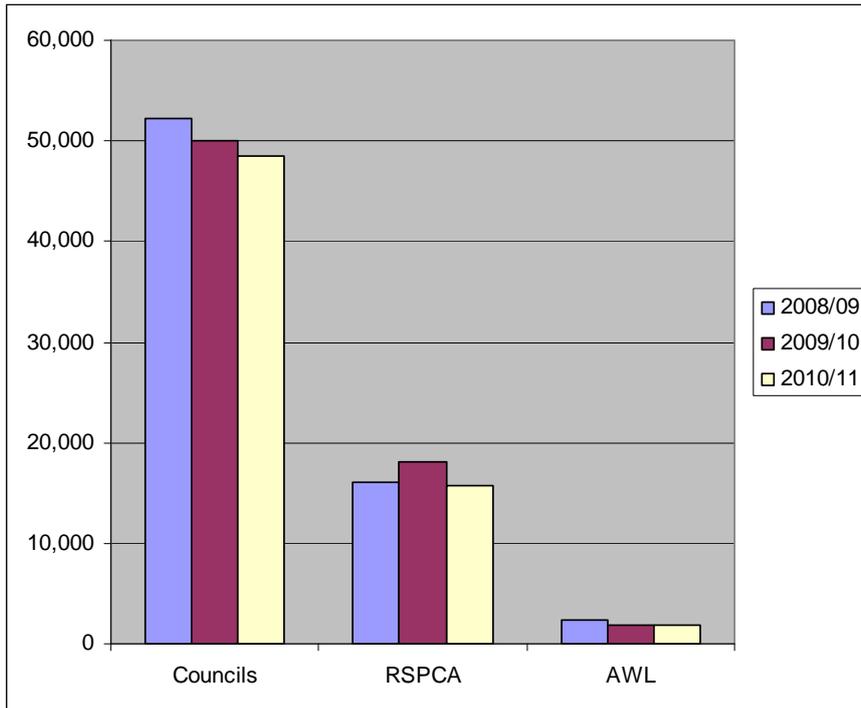
Table 4: Impounded cats (by organisation) 2008/09 - 2010/11

	2008/09	2009/10	2010/11
<b>Councils</b>	24,586	25,982	26,476
<b>RSPCA<sup>1</sup></b>	18,632	17,769	18,291
<b>AWL</b>	5,239	3,341	2,720
<b>CPS</b>	1,000	800	996
<b>Total</b>	<b>49,457</b>	<b>47,892</b>	<b>48,483</b>

<sup>1</sup> RSPCA totals have been revised to reflect known duplicated data reported by councils whose impounding facilities are operated by RSPCA.

Figure 4 and table 4 show that, on average 48,611 cats have been impounded annually in NSW since 2008/09.

Councils and the RSPCA together impound the overwhelming majority of cats. However, it should be noted that councils and the RSPCA operate open intake facilities, accepting all cats and dogs delivered to them, regardless of how they arrive. By contrast, both AWL and CPS operate “limited intake” facilities, based on available capacity.

*Figure 5: Impounded dogs (by organisation) 2008/09 - 2010/11**Table 5: Impounded dogs (by organisation) 2010/11*

	2008/09	2009/10	2010/11
<b>Councils</b>	52,186	49,958	48,523
<b>RSPCA<sup>1</sup></b>	16,050	18,134	15,705
<b>AWL</b>	2,302	1,882	1,816
<b>Total</b>	<b>70,538</b>	<b>69,974</b>	<b>66,044</b>

<sup>1</sup> RSPCA totals have been revised to reflect known duplicated data reported by councils whose impounding facilities are operated by RSPCA.

Figure and table 5 show that on average 68,852 dogs have been impounded annually in NSW since 2008/09. Councils and the RSPCA together impound the overwhelming majority of dogs. However, it is again noted that both councils and the RSPCA operate open intake facilities, based on available capacity.

## F. RATES OF ABANDONMENT AND SURRENDER OF COMPANION ANIMALS

The Companion Animals legislation differentiates between “seized animals” (ie: animals arriving at pounds because they have been seized by councils or members of the public for breaches of the Act), and “surrendered animals” (ie: those animals who have been surrendered voluntarily to pounds by their owners or other members of the public).

The Division’s pound data collection survey makes a further distinction between those animals “surrendered” to council pounds by their owners (legally surrendering all claim to ownership) and those “abandoned” at council pounds by persons other than their owners or persons unknown. Common factors associated with surrender and abandonment include unwanted litters due to lack of desexing and impulse buying.

Figure 6: Breakdown of impounded cats by arrival type 2008/09 – 2010/11 (councils only)

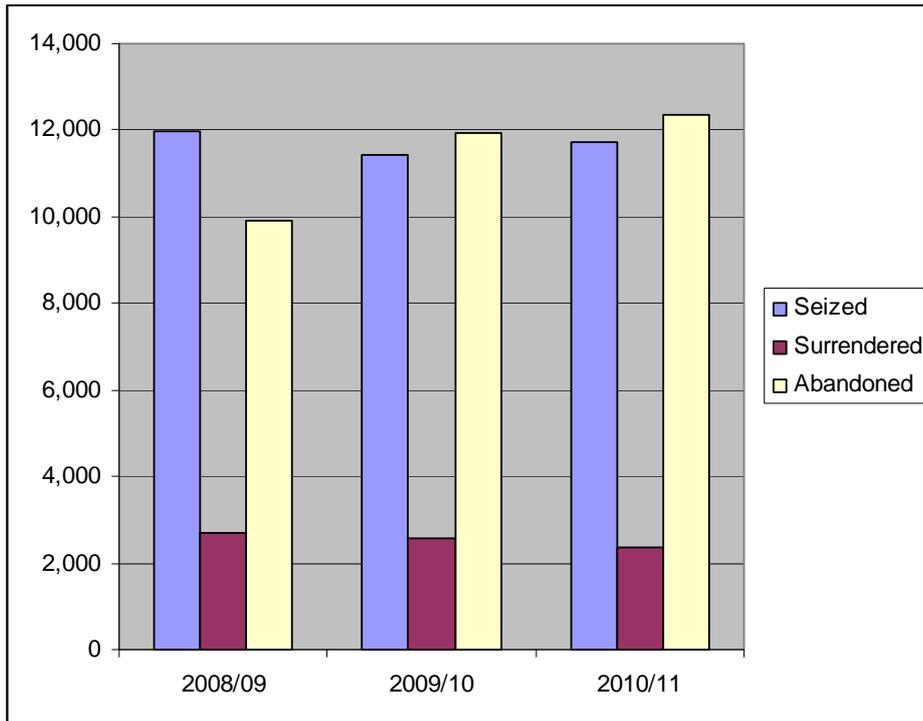


Table 6: Breakdown of impounded cats by arrival type 2008/09 – 2010/11 (councils only)

	2008/09	2009/10	2010/11
<b>Seized</b>	11,989	11,441	11,737
<b>Surrendered</b>	2,689	2,593	2,365
<b>Abandoned</b>	9,908	11,948	12,375

Table 6 and Figure 6 show that the number of cats abandoned at council pounds increased by almost 25% in the period 2008/09 to 2010/11. By contrast, the numbers of impounded cats that were seized by councils and surrendered by their owners has remained relatively constant over the same period. In 2009/10, abandonment overtook seizure by council as the most common reason why cats arrived in council pounds.

Figure 7: Breakdown of impounded dogs by arrival type 2008/09 – 2010/11 (councils only)

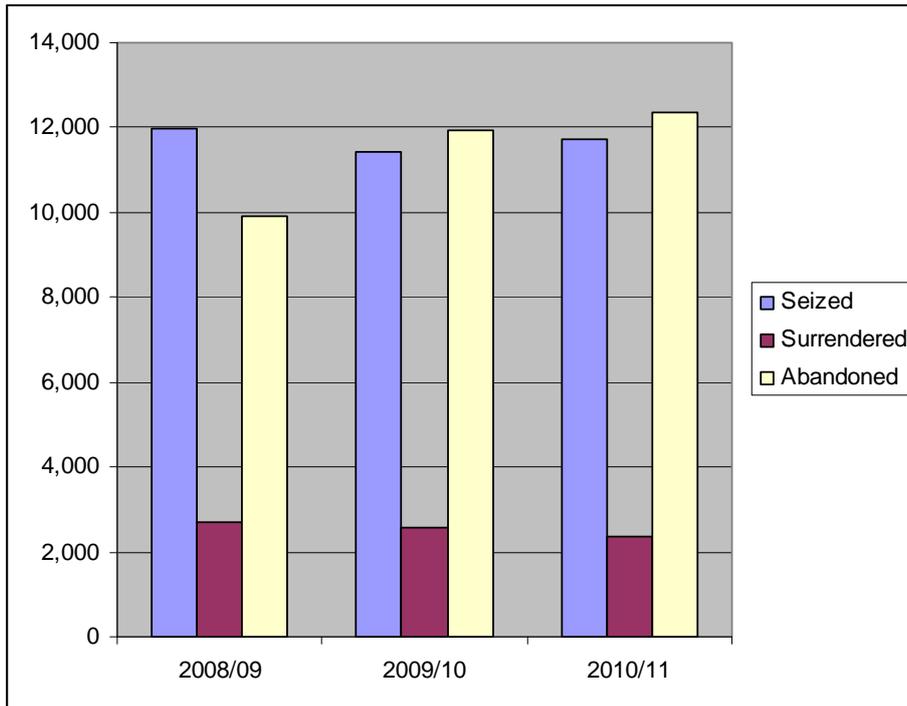


Table 7: Breakdown of impounded dogs by arrival type 2008/09 – 2010/11 (councils only)

	2008/09	2009/10	2010/11
<b>Seized</b>	33,886	31,164	30,519
<b>Surrendered</b>	6,649	6,401	5,543
<b>Abandoned</b>	11,651	12,393	12,365

Table 7 and Figure 7 show that the number of dogs abandoned at council pounds increased by 6% in the period 2008/09 to 2010/11. By contrast, over the same period the numbers of impounded dogs that were seized by councils and surrendered by their owners decreased by 10% and 17% respectively. Seizure by council was consistently the most common reason dogs arrived in council pounds over the period, by a rate of greater than 2.4 to 1 in each year.

Overall, tables and figures 6 and 7 indicate that the increase in the number of abandoned cats over the period 2008/09 to 2010/11 was almost four times that of abandoned dogs.

## G. OUTCOMES FOR IMPOUNDED ANIMALS

For the purposes of this analysis, impounded animals may be: returned to their owner, sold to a new owner, transferred to another organisation to be re-homed, or euthanased.

It should be noted that AWL includes in its “transferred to other organisation” data those animals that have been transferred to council pounds for this purpose. However, due to the relatively low numbers of animals in question this is not expected to impact significantly on total incoming animals at council pounds.

Figure 8 Outcomes for impounded cats (by organisation) 2010/11

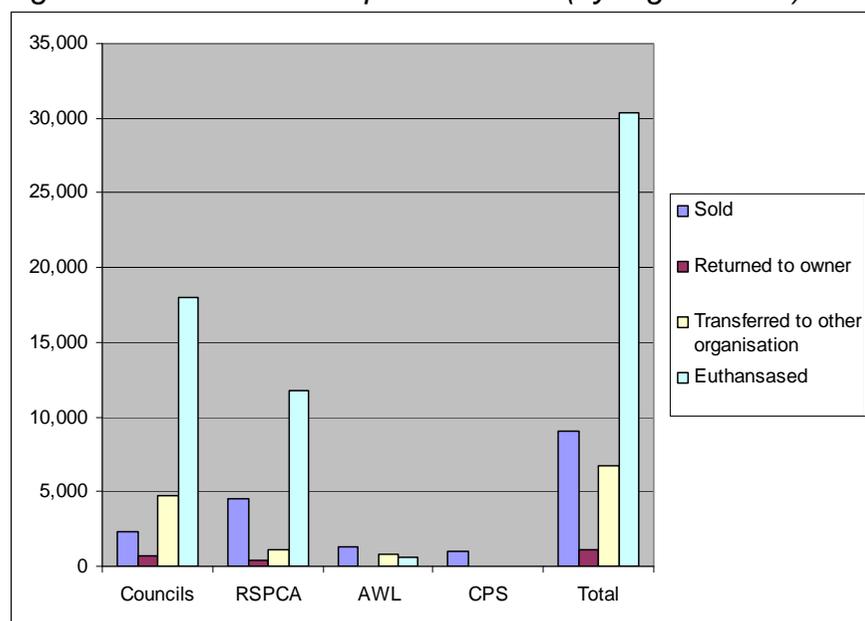


Table 8: Outcomes for impounded cats (by organisation) 2010/11

Cats	Councils	%	RSPCA <sup>1</sup>	%	AWL	%	CPS	%	Total	%
<b>Sold</b>	2,324	9%	4,554	26%	1,263	46%	960	96%	<b>9,101</b>	<b>19%</b>
<b>Returned to owner</b>	724	3%	360	2%	N/A	0%	14	1%	<b>1,098</b>	<b>2%</b>
<b>Transferred to other organisation</b>	4,775	18%	1,118	6%	813	30%	N/A	0%	<b>6,706</b>	<b>14%</b>
<b>Euthansased</b>	17,986	68%	11,721	66%	644	24%	22	2%	<b>30,373</b>	<b>64%</b>

<sup>1</sup> RSPCA totals have been revised to reflect known duplicated data reported by councils whose impounding facilities are operated by RSPCA.

Figure 9: Outcomes for impounded dogs (by organisation) 2010/11

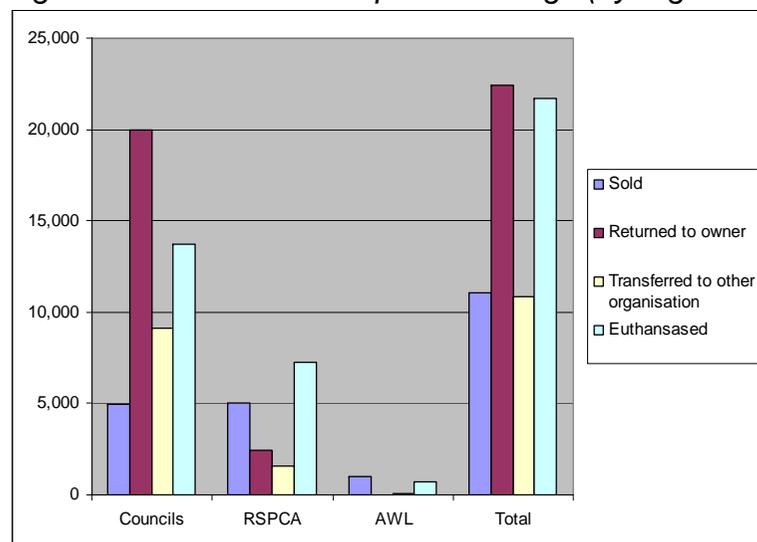


Table 9: Outcomes for impounded dogs (by organisation) 2010/11

Dogs	Councils	%	RSPCA <sup>1</sup>	%	AWL	%	Total	%
<b>Sold</b>	4,967	10%	5,052	31%	1,014	56%	<b>11,033</b>	17%
<b>Returned to owner</b>	19,983	41%	2,437	15%	N/A	0%	<b>22,420</b>	34%
<b>Transferred to other organisation</b>	9,151	19%	1,612	10%	85	5%	<b>10,848</b>	16%
<b>Euthansased</b>	13,707	28%	7,246	44%	717	39%	<b>21,670</b>	33%

<sup>1</sup> RSPCA totals have been revised to reflect known duplicated data reported by councils whose impounding facilities are operated by RSPCA.

Figures and Tables 8 and 9 show that outcomes for impounded dogs are more positive than those for cats, with 67% of all dogs impounded in 2010/11 being returned to their owners, sold or transferred to another organisation for re-homing, compared with only 35% of cats. While the euthanasia rate for impounded dogs was still relatively high at 33% it is much lower than the 64% reported for cats.

A major contributing factor to this situation may be many more cats than dogs are considered “unowned” including cats which are ‘semi-owned’. The failure of some owners to microchip their cat may also contribute, as may the capacity of cats to reproduce, which may account for large numbers of unwanted healthy kittens admitted to shelters.

## APPENDIX 2 - COMPARISON OF AUSTRALIAN COMPANION ANIMAL LEGISLATION

The following information is sourced from RSPCA Australia's *Legislating to End Puppy Farming – The Way Forward* (2012).

**Table 1: Relevant state and territory legislation with respect to traceability of companion animals (as at January 2012)**

Legislation required	ACT	New South Wales	NT	Queensland	South Australia	Tas	Victoria	WA
<b>Registration of breeders</b>	Yes. Section 74 of the <i>Domestic Animals Act 2000</i> requires a person who owns a cat over 3 months or dog over 6 months that is not desexed to have a permit. This applies regardless of whether the person intends for the animal to breed.	No.	No.	Not currently.  Division 10 of the <i>Subordinate Local Law No. 12 (Keeping and Control of Animals) 2007</i> (Gold Coast City Council) requires all persons keeping one (or more) entire cat or dog which the person “allows or encourages” to breed to have a breeder permit. (This is part of the Gold Coast pilot study.)  Minister for Local Government has announced plans to implement the same requirements throughout the state by requiring breeder registration through the <i>Animal Management (Cats and Dogs) Act 2008</i> . New arrangements were intended to be in effect by the end of 2011.	No.	No.	Yes. Section 45 of the <i>Domestic Animals Act 1994</i> requires breeders to be registered, but only if the breeder is a ‘domestic animal business’ which is relevantly defined as “an enterprise which carries out the breeding of cats and dogs to sell” and consists of 3 or more fertile dogs or cats, unless the breeder is part of a recognised breeding organisation, in which case the breeder must have over 10 fertile female dogs or cats to be subject to registration requirements.	Only for cats. Division 4 of Part 3 of the <i>Cat Act 2011</i> requires a person who breeds cats to apply to the local government to become an “approved cat breeder”.

**Table 1: Relevant state and territory legislation with respect to traceability of companion animals (as at January 2012) (continued)**

Legislation required	ACT	New South Wales	NT	Queensland	South Australia	Tas	Victoria	WA
<b>Compulsory microchipping</b>	<p>Yes. Section 84 of the <i>Domestic Animals Act 2000</i> and Regulation 7 of the <i>Domestic Animals Regulation 2001</i> requires microchipping of cats and dogs prior to sale/transfer and by 12 weeks of age.</p> <p>Regulations 7 and 9 of the <i>Domestic Animals Regulation 2001</i> outline what information must be recorded in the microchip database. There is no requirement to record breeder information, or identification of mother.</p>	<p>Yes. Section 8 of the <i>Companion Animals Act 1998</i> requires microchipping of cats and dogs prior to sale/transfer and by 12 weeks of age.</p> <p>Regulation 8 of the <i>Companion Animals Regulation 2008</i> outlines what information must be recorded in the microchip database. There is no requirement to record breeder information, or identification of mother.</p>	No.	<p>Yes. Sections 13 and 14 of the <i>Animal Management (Cats and Dogs) Act 2008</i> requires microchipping of cats and dogs prior to sale/transfer and prior to reaching 12 weeks of age.</p> <p>Schedule 2 of the <i>Animal Management (Cats and Dogs) Act 2008</i> and Schedule 4 of the <i>Animal Management (Cats and Dogs) Regulation 2009</i> outline what information must be recorded in the microchip database. There is currently no requirement to record breeder information, or identification of mother. However, the Minister for Local Government has announced plans to require the recording of the mother's microchip number.</p>	No.	<p>Yes but only for dogs. Section 15A of the <i>Dog Control Act 2000</i> requires microchipping of dogs at 6 months of age. There is no requirement to record breeder information, or identification of mother.</p>	<p>Yes. Section 10C of the <i>Domestic Animals Act 1994</i> requires cats and dogs to be microchipped as a condition of registration (which is compulsory once the animal is 3 months of age). However the requirement to microchip prior to sale/transfer under section 12A only applies to domestic animal businesses.</p> <p>Regulation 12 of the <i>Domestic Animals Regulations 2005</i> outlines what information must be recorded in the microchip database. There is no requirement to record breeder information, or identification of mother.</p>	<p>Only for cats. Sections 14 and 23 of the <i>Cat Act 2011</i> requires microchipping of cats prior to transfer/sale and by 6 months of age. There is no requirement to record breeder information, or identification of mother.</p>

**Table 1: Relevant state and territory legislation with respect to traceability of companion animals (as at January 2012) (continued)**

Legislation required	ACT	New South Wales	NT	Queensland	South Australia	Tas	Victoria	WA
<b>Disclosure of breeder ID or microchip numbers</b>	No.	No.	No.	<p>Not currently.</p> <p>Standard 37 of the <i>Code of Practice for the Keeping and Breeding of Entire Cats and Dogs</i> (Gold Coast City Council), requires breeder permit numbers to be displayed in advertisements but not at the point of sale.</p> <p>Minister for Local Government has announced plans to require disclosure of breeder permit numbers in advertisements and points of sale through amendments to <i>Animal Management (Cats and Dogs) Act 2008</i>.</p>	No.	No.	Yes. Section 12A (2) of the <i>Domestic Animals Act 1994</i> requires an animal's microchip number to be displayed in any advertisement for the animal, but not at the point of sale. If the seller is a 'domestic animal business' the breeder may instead display the breeder registration number.	No.
<b>Compulsory registration</b>	Only for dogs. <i>Domestic Animals Act 2000</i> .	Yes. <i>Companion Animals Act 1998</i> .	No.	Yes. <i>Animal Management (Cats and Dogs) Act 2008</i> .	Only for dogs. <i>Dog and Cat Management Act 1995</i> .	Only for dogs. <i>Dog Control Act 2000</i> .	Yes. <i>Domestic Animals Act 1994</i> .	Yes. <i>Dog Act 1976</i> and <i>Cat Act 2011</i> .

**Table 2: Relevant state and territory legislation with respect to breeder standards (as at January 2012)**

Legislation required	ACT	New South Wales	NT	Queensland	South Australia	Tas	Victoria	WA
<b>Compulsory breeder standards</b>	No. The <i>Animal Welfare Act 1992</i> adopts the <i>Animal Welfare (Welfare of Cats in the ACT) Code of Practice 2007</i> and the <i>Animal Welfare (Welfare of Dogs in the ACT) Code of Practice 2010</i> which both contain provisions regarding breeding but they are not mandatory Codes.	Yes. The standards prescribed in the Animal Welfare Code of Practice – Breeding of Cats and Dogs are mandatory, and apply to ‘animal trades’. Animal trades are any ‘trade, business or profession’ in the course of which animals are bred for fee or reward.  <i>Section 4, Prevention of Cruelty to Animals Act 1979.</i>  <i>Clause 20 and Schedule. 2, Prevention of Cruelty to Animals (General) Regulation 2006</i>	No.	Not currently.  Gold Coast City Council has developed a <i>Code of Practice for the Keeping and Breeding of Entire Cats and Dogs</i> . Compliance with the Standards prescribed in the Code is a condition of the breeder permit: s.52, <i>Subordinate Local Law No. 12 (Keeping and Control of Animals) 2007</i> (Gold Coast City Council).  Biosecurity Queensland has recently released the first draft of the <i>Queensland Standards and Guidelines for the Welfare of Animals: Breeding Dogs</i> for public comment. The Minister for Local Government has announced that when these Standards have been finalised they will be adopted under the <i>Animal Care and Protection Act 2001</i> .	No.	No.	Yes. Breeders who run an ‘enterprise for profit’ are required to comply with the provisions of the <i>Code of Practice for the Operation of Breeding and Rearing Establishments: s.63A, Domestic Animals Act 1994</i> .	No.