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Agriculture and Environment Committee  
Parliament House  
George Street  
Brisbane Qld 4000

[electronically submitted to: [aec@parliament.qld.gov.au](mailto:aec@parliament.qld.gov.au)]

8 March 2016

Dear Mr Chairman,

**RE: Submission to Committee - Animal Management (Protecting Puppies) and Other Legislation  
Amendment Bill 2016**

Thank you for the opportunity to make this submission in regard to the proposed legislative changes that will improve the welfare outcomes for dogs, breeding bitches and puppies. We have been following the issue of 'puppy farming' for a few years now and are supportive of the general position of organisations like the RSPCA (Qld), Animals Australia, Oscar's Law, and others. By way of background, Bluegreen Economics is a Brisbane based animal welfare and social policy consultancy established in 2015.

Animal welfare is a growing area of interest for consumers and this is reflected in their purchases of cruelty-free or 'least-harm' goods and services. Large corporations are responding to this increasing consumer demand e.g. McDonald's, Subway, and Hungry Jack's committing to use only cage-free eggs in their food products<sup>1</sup>. Supermarkets like Coles and Woolworths too are responding to consumers e.g. all Coles brand fresh pork, ham and bacon is now 'sow stall free'<sup>2</sup>.

Still other organisations are educating the public and assisting them to make informed decisions about their purchases e.g. Animals Australia, Choose Cruelty Free (CCF)<sup>3</sup>, Humane Choice<sup>4</sup>.

While many of these examples are based on a principle of least-harm of production animals, very few people are comfortable with any type of harm to companion animals, particularly cats and dogs. In regard to dogs, recent Roy Morgan Research shows that 38 per cent of the Australian population live in a household with a canine with Queensland's dog ownership slightly higher than the national

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<sup>1</sup> Animals Australia 2016. 'Victory – Hungry Jack's commits to phasing out cage eggs!' 26 February 2016. <http://www.animalsaustralia.org/features/fast-food-giants-dump-cage-eggs.php> Accessed 08.03.2016

<sup>2</sup> Coles 2016. 'Responsible Sourcing'. <http://www.coles.com.au/corporate-responsibility/responsible-sourcing/responsible-sourcing> Accessed 08.03.2016

<sup>3</sup> <http://www.choosecrueltyfree.org.au>

<sup>4</sup> <http://www.humanechoice.com.au>

average at 39 per cent<sup>5</sup>. Australians historically have had a close relationship with the canine species and apart from being a companion animal to many they are also working dogs including on farms, in the Queensland Police Service, in the Australian Army, as guide dogs for the blind and more recently assistance dogs for adults and children with a range of mental health issues. Irrespective of the type of work duties a dog performs, Australians are likely to want them all to be treated the same as household companion dogs in terms of their welfare. Indeed, in instances where a person may not own a companion dog they may have a closer emotional connection to one of the aforementioned categories of working dog.

Overall, the proposed breeder registration scheme (the 'scheme') from our limited reading of it seems to be a step in the right direction. While there are a few aspects of the scheme that we do not fully agree with it nonetheless is a better policy option than that originally proposed where the scheme would be limited to breeders with more than 20 dogs.

Our submission however picks up on the issue of the proposed exemption of certain categories of dog breeder from the breeder registration scheme.

### **Proposed exemption of certain categories of dog breeder from the breeder registration scheme**

The Explanatory Notes<sup>6</sup> to the Bill state the objective of the amendment of *Animal Management (Cats and Dogs) Act 2008* (AMCD Act) is:

*'... to identify and locate breeders so that existing powers under the Animal Care and Protection Act 2001 (ACP Act) can be used to shut down cruel 'puppy farms' (where breeders place profit ahead of the welfare of dogs) and protect dogs from cruelty'. (p.1)*

The Explanatory Notes then go on to identify a number of categories of persons that may/will be exempt from the scheme:

*'There will be exemptions to the registration obligations where the breeder is:*

- *an accredited breeder of an approved entity;*
- *they are a primary producer who bred a dog from a working dog for the purpose of using the dog as a working dog or supplying the dog to another primary producer to use as a working dog; or*
- *the person is a member of a prescribed class of persons.'* (p.2)

### **Exemption Category 1 - An accredited breeder of an approved entity**

The first exemption category, an accredited breeder of an approved entity, seems reasonable although any departure from the central scheme creates potential integrity issues later on. From our understanding of how this would operate, this category of person is one where a breeder of dogs sits within an existing reputable canine organisation, the example given as follows:

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<sup>5</sup> Roy Morgan Research 2015 'Doggone it: Pet ownership in Australia' Available <http://www.roymorgan.com/findings/6272-pet-ownership-in-australia-2015> Accessed 08.03.2016

<sup>6</sup> Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016 – Explanatory Notes

*‘The Bill will provide that the Minister may prescribe an approved entity if the Minister is satisfied that the entity conducts an accreditation scheme for persons who breed dogs, gives a unique identifying number to each accredited person (their ‘accreditation number’), and is able and willing to give the chief executive information about its accredited breeders.’ (p.2)*

***Exemption Category 2 - Primary producer who bred a dog from a working dog for the purpose of using the dog as a working dog or supplying the dog to another primary producer to use as a working dog***

The second exemption category regarding primary producers, unlike the previous category, seems to effectively quarantine them from the Scheme. The exemption for working dogs from the scheme seems to be a matter of practicality as currently the vast majority are presumably not microchipped (as they are not required to be by law) and the scheme will require one field added to a microchip details in a dog at the cost of about \$0.60 (p.4) plus any fees which may be applied post June 2018.

*‘Mandatory microchipping already applies to all dogs (except a government entity dog, working dogs, or other prescribed classes of dogs) from 12 weeks of age or when supplied (if earlier).’ (p.4)*

It is unclear why primary producers are not required to microchip their working dogs. Presumably it relates to a cost argument which would seem odd as we would expect this small cost would be able to be claimed as a business expense, a benefit not afforded to the ordinary householder.

There are two issues that come to mind when exempting primary producers from the scheme. As stated earlier, exemptions, although sometimes necessary in particular cases, often have the effect of compromising the integrity of a scheme such as this. Second, although the vast majority of primary producers are no doubt law abiding citizens, it is not difficult to see that acquiring the legal status of ‘primary producer’ will seem attractive to unscrupulous persons wishing to either enter or continue operations in puppy farming. We would not think that illegal puppy farms are widespread in urban areas but rather in isolated regional and rural primary production areas.

***Exemption Category 3 - The person is a member of a prescribed class of persons***

The third exemption category, where a person is a member of a prescribed class of persons, is similar in nature to Category 2 in that it would seem to quarantine these persons from the scheme. It is our understanding that it will be the minister who has the authority to prescribe a class of persons.

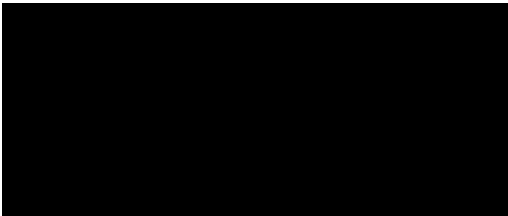
While it is not unusual that a piece of legislation will allow for ministerial discretion, it is of some concern that unscrupulous operators, like mentioned in the previous category, will seek to be quarantined from the scheme. In particular, greyhound breeders, who given recent events that have been well publicised in the media, gives cause for concern.

The meeting of the Agriculture and Environment Committee on 24 February 2016 provides some evidence of categories or ‘classes’ of people who will seek to legally exploit this exemption. It is not suggested that any such group would necessarily be successful in their attempts to be quarantined from the scheme, rather the proposed Bill does seem to provide for quite a few exemptions, some of which in our opinion could undermine the integrity of the scheme.

**‘Mr MADDEN:** Does this legislation in any way cover the greyhound industry?

**Dr Bunce:** Again, the greyhound industry can apply and **have indicated** that they probably will seek to be a prescribed class of persons. If we make a regulation to prescribe them as a class of persons, then they will not be required to register as breeders.<sup>7</sup> (Note: our bolding)

Should any clarification or further information be required on this submission, please do not hesitate to contact the undersigned.



Stephen Thornton (Dr.)  
Social Economist

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<sup>7</sup> Queensland Parliament, Agricultural and Environment Committee 2016. ‘Public Briefing – Inquiry into the animal management (protecting puppies) and other legislation amendment bill 2016’. Transcript of proceedings, Brisbane 24 February 2016