

Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016

Queensland Government

Submission from the Australian Veterinary Association Ltd





Protecting Puppies Bill in Queensland

Submission from the Australian Veterinary Association Limited

March 8 2016

The Australian Veterinary Association (AVA) is the national organisation representing veterinarians in Australia. Our 8500 members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, and wildlife. Government veterinarians work with our animal health, public health and quarantine systems while other members work in industry for pharmaceutical and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

Protecting Puppies Bill 2016

The AVA shares the community's concern about inhumane practices in dog breeding businesses. Breeding dogs suffer unnecessarily when not properly cared for, and their puppies have a much lower chance of having a happy and healthy life as a family pet. They are likely to have both health and behavioural problems that are costly to fix, or lead to the dog being surrendered or euthanased. It is both an animal welfare and consumer protection issue.

Good and bad animal welfare practices are possible in all sizes of breeding operations. Just because the business is large, doesn't necessarily mean that welfare isn't managed properly, and small-scale backyard breeders can be guilty of not looking after their animals properly. Limiting the number of animals allowed to be kept by breeders is not necessarily going to improve animal welfare. Nor will banning sales of puppies in pet stores.

Potential solutions

The AVA has previously submitted that we need to address the problem at its source by ensuring breeders comply with a Code of Practice. Compliance and enforcement is much easier with:

- A statewide breeder licensing system
- All microchips having to include breeder licence information, and
- Increased funding to enforcement and education (including mandatory annual site inspections).

The AVA is pleased to see that this Bill addresses the first two points. The AVA does note that the number of exemptions and different approaches in other states will add complexity and challenges to enforcement.

Microchips and breeder licence information

The AVA notes that veterinary clinics are considered to be shelters for the purposes of receiving into their care of lost, stray or homeless dogs. As such, Part 1 refers to the veterinary clinic being able to use its breeder id number. However, veterinary clinics would mostly not have breeder id numbers as they do not breed dogs.

Is there an expectation that veterinary clinics which may receive lost dogs would need to apply for a breeder id number?

Veterinarians as authorised implanters must provide the relevant information onto the microchip registries when implanting the PPID devices. Section 23 of the current Act requires that an implanter must ensure that before an authorised implanter implants a PPID in a cat or dog, the authorised implanter must ensure the PPID—

(a) stores the PID number for the PID; and (b) complies with the requirements prescribed under a regulation. Schedule 4 of the regulation lists the information required.

The new requirement proposed in this bill (Section 43ZB (b) includes providing the PPID information with the relevant supply number, however, it seems to be related to advertisers only and the AVA could not find any reference to the PPID requiring this information for all puppies. Presumably the regulation would need to be changed to reflect this.

Needless to say that if there is no requirement for all puppies to be similarly identified, then tracing puppies back to their source will not be possible.

A dilemma for veterinarians which is not currently clear in this bill is what happens when a client brings in an animal for microchipping when they do not have access to the relevant supply number or breeder identification. Will this be a mandatory field in the microchip registry? If so, the situation will arise that the dog will not be able to be microchipped or the veterinarian would be committing an offence.

The legislation is not clear how the situation will be handled if the dog has been bought overseas or interstate where mandatory breeder licensing is not in place or enforced. Exemptions seem only to cover working dogs and those who are registered with an entity. If an interstate breeder advertises through a website and the client buys the animal, where does that leave the client who resides in Queensland and the veterinarian who supplies the required information to the microchip registry?

The legislation is clear that the supplier of the dog without a breeder identification number is the one committing the offence but where does this leave the owner of the dog and the veterinarian who is required to put the information into the microchip registry? This could possibly lead to an increase in dogs without microchips, and this would be a backward step in the journey to increase responsible pet ownership in Queensland.

The AVA recommends that legislation for these scenarios be included so that the obligation of clients and authorised implanters (veterinarians) does not lead inadvertently to lower numbers of dogs being microchipped.

Funding for enforcement and education

The AVA notes in the explanatory notes that \$150,000 has been proposed as being required for an education program. This seems inadequate, especially as the Department of Agriculture would be required to fund the register as well as the awareness and education out of existing budget. Training for authorised implanters would also need to be altered to reflect the changes in this bill.

The reality of implementation is that resources will be required, and there does not seem to have been sufficient commitment by the government to adequately address this at this point.