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Hon Ian Rickuss MP  
Member for Lockyer  
Chair – Agriculture, Resources and Environment Committee  
Parliament House  
George Street  
Brisbane Qld 4000

Dear Mr Rickuss

We take great pleasure in submitting our written submission for the consideration of your Committee in respect of their Agriculture and Forestry Legislation Amendment Bill 2013.

Dogs Queensland was a significant contributor to (and active participant in) the Pilot Study Group which developed the Animal Management (Cats & Dogs) Act 2008. In early October 2009 Dogs Queensland proposed an amendment to Section 24 of the Act which received Royal Assent on November 19, 2009.

That amendment made provision for dog breeders to microchip their puppies at an age less than the 8 weeks (which the Legislation originally required) provided the procedure was carried out by a Veterinary Surgeon. This amendment was critically important to our member breeders because it allowed them to continue what had been for many years their usual litter management regime – vaccinate and microchip at 7 weeks of age thus allowing sufficient time to determine any side effects and efficacy before puppies could be sold / transferred to new owners at or after 8 weeks of age.

What has become evident in recent years is that backyard breeders and unscrupulous puppy farmers (those breeders who are not required to conform to rules or regulations) appear to have found a loophole in the existing legislation which in effect provides them with an opportunity to avoid compulsory microchipping of their puppies prior to sale or transfer.

Our 10,000 Dogs Queensland members throughout the State of Queensland are governed by a comprehensive and enforceable set of rules and Code of Ethics. These rules are in addition to any State legislation or Local Government Laws as they pertain to dogs. In particular our Dogs Queensland rules prevent a member breeder from selling / transferring a puppy under 8 weeks of age. Nor will a litter be registered unless every surviving puppy has been microchipped.

The loophole which our organisation believes currently exists is this.

There is nothing in current Legislation which prevents backyard breeders or puppy farmers from selling a puppy at 6 weeks of age. In fact most of the puppies sold at weekend markets and regional produce stores / outlets appear to be around 6 weeks of age and most have not been microchipped nor even vaccinated.

If an unscrupulous breeder is ever queried (usually by Local Govt Animal Management Officers) about why their puppies are not microchipped they claim that to do so “would be likely to be a serious risk to the health of the puppy”.

This of course is simply putting a “spin” on a particular section of the act as it appears below.

#### Subsection 2, 24 Age restriction for implanting PPID

- (1) An authorised implanter must not implant a PPID in a cat or dog that is less than 8 weeks old, unless—
- (a) the implanter has a reasonable excuse; or
  - (b) the implanter is a veterinary surgeon who considers implanting the PPID is not likely to be a serious risk to the health of the cat or dog; or
  - (c) there is a signed veterinary surgeon's certificate for the cat or dog stating that implanting the PPID when it is less than 8 weeks old is not likely to be a serious risk to the health of the cat or dog.

Our recommendation to the Committee would be to include the following Legislative Amendment:

### **Subdivision 2 Requirements for authorised implanters**

#### **24 Age restriction for implanting PPID**

- (1) An authorised implanter must not implant a PPID in a cat or dog that is less than 8 weeks old, unless—
- (a) the implanter has a reasonable excuse; or
  - (b) the implanter is a veterinary surgeon who considers implanting the PPID is not likely to be a serious risk to the health of the cat or dog; or
  - (c) there is a signed veterinary surgeon's certificate for the cat or dog stating that implanting the PPID when it is less than 8 weeks old is not likely to be a serious risk to the health of the cat or dog.
  - (d) a puppy can not be sold less than 8 weeks of age without assigned veterinary certificate which states that each individual puppy has been permanently microchipped and temporarily vaccinated.
- Maximum penalty—60 penalty units.

Dogs Queensland would also recommend that an offence should be created which would prohibit the sale of puppies less than 8 weeks of age. This could be done by creating a new provision under the General Offense section of the Act under the heading of (perhaps): **196A Prohibition on Selling a Puppy.**

We trust that the Committee does see the merit in our recommendations.

Our best estimates would suggest that at present more than 50% of the puppies being bred and sold in Queensland annually could actually be leaving the breeder's premises unvaccinated and certainly without a PPID being implanted.

We would welcome the opportunity of discussing our recommendations with the Committee in more detail if required – however our representatives will certainly be attending the Public Hearing scheduled for Wednesday 7<sup>th</sup> August 2013.

Yours sincerely

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