



Details on proposed changes to the Domestic Animals Regulations 2015

This table aims to explain which groups will be impacted by the proposed changes to the Domestic Animals Regulations 2015, in what way and why the change is being made.

No.	What the proposal is	Who the proposal will impact	Why the proposal is being made
PET EXCHANGE REGISTER			
1a	Add a new requirement for people or bodies that breed dogs or cats to provide details of any known heritable defects in breeding dogs or cats (i.e. the mating female and male) on the Pet Exchange Register (PER).	<ul style="list-style-type: none"> breeding Domestic Animal Businesses (DABs) recreational breeders microbreeders councils 	<p>Under the <i>Prevention of Cruelty to Animals Act 1986</i> (POCTAA) it is an offence to breed from any animal with a listed heritable defect. This new requirement will assist in confirming breeders are adhering to this law.</p>
1b	Add a new requirement for recreational breeders and microbreeders to provide their date of birth when registering on the PER.	<ul style="list-style-type: none"> recreational breeders microbreeders 	<p>All recreational breeders and microbreeders are required to register on the PER. A date of birth is required to validate applicant identities and ensure the applicant is over 18 years of age. Under the <i>Domestic Animals Act 1994</i> (DA Act), anyone under 18 is not deemed the legal owner of an animal. As such, those under 18 are unable to register on the PER. This proposal is linked to proposals 2b and 3a.</p>
1c	<p>Add a new requirement for registering councils to provide compliance and enforcement details on the PER for DABs. Data to be provided includes, any:</p> <ul style="list-style-type: none"> conditional approval/s notice/s to comply warning/advisory letter/s official audit document/s infringement notice/s 	<ul style="list-style-type: none"> DABs councils 	<p>Currently, there is no state-wide database for DABs (i.e. registered breeding businesses, pet shops, boarding facilities, shelters, pounds). DAB proprietors/owners:</p> <ul style="list-style-type: none"> may apply for a new registration in a different local council may, in some circumstances, operate different types of DABs in different local councils

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	<ul style="list-style-type: none"> prosecution outcome/s. 		<ul style="list-style-type: none"> may receive conditional registration approval. These conditions must be met over the course of the registration period. <p>The PER will be a state-wide database. Local councils will be required to provide specified details for registered DABs. The amendment expands these details to include compliance and enforcement data.</p> <p>The amendment will ensure authorised officers from local councils, the Royal Society for the Prevention of Cruelty to Animals (RSPCA) (Victoria) and Animal Welfare Victoria (AWV) can access compliance history for all registered DABs across the state. This data is particularly important for AWV in assessing commercial dog breeder approval applications.</p>
2a	Add a new regulation to prescribe the PER application fee to be 1.5 fee units.	<ul style="list-style-type: none"> recreational breeders microbreeders any other person or body applying for a source number 	<p>A fee is to be set for those registering on the PER.</p> <p>The fee has been determined in accordance with government cost recovery guidelines. The fee will contribute to the ongoing operation of the PER.</p> <p>Local councils are not required to pay the fee for DABs and foster carers, as local councils make annual payments to the Treasurer in line with the DA Act.</p>
2b	Add a new requirement for recreational breeders and microbreeders to provide evidence to verify their identity when applying on the PER.	<ul style="list-style-type: none"> recreational breeders microbreeders 	<p>Identity of microbreeders and recreational breeders applying for a source number on the PER must be verified to confirm their identity and ensure data is accurate.</p> <p>This proposal is linked to proposals 1b and 3a.</p>

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	For example, evidence may be a copy of a drivers licence.		
3a	Expand the reasons for the Secretary of the Department of Jobs, Precincts and Regions (DJPR) to refuse, suspend or revoke a recreational breeder's or microbreeder's source number to include if identification of the applicant cannot be verified.	<ul style="list-style-type: none"> recreational breeders microbreeders 	<p>Currently, under the DA Act the Secretary of DJPR can refuse to issue, suspend or revoke a source number. The grounds for refusal require expansion to include when the applicant's identity cannot be verified.</p> <p>This proposal is linked to proposals 1b and 2b.</p>
3b	Expand the reasons for the Secretary of DJPR to refuse, suspend or revoke a recreational breeder's source number if membership at an applicable organisation is no longer valid.	<ul style="list-style-type: none"> recreational breeders applicable organisations 	<p>Currently, under the DA Act the Secretary of DJPR can refuse to issue, suspend or revoke a source number. The grounds for refusal require expansion to include when he/she is informed that a membership is no longer valid.</p>
MICROCHIPS AND SOURCE NUMBERS			
4a	Amend regulation 12. Add a new requirement that the record associated with microchips of dogs or cats include the source number of the breeder. This is proposed to be a requirement for dogs or cats born after 1 July 2020 .	<ul style="list-style-type: none"> Domestic Animal Businesses (DABs) recreational breeders microbreeders microchip implanters microchip registries 	<p>This proposal is key to increasing traceability of dogs and cats to breeders. It will not apply to any animal other than dogs and cats (e.g. horse).</p> <p>Currently, records associated with microchips require specific information about the dog or cat, as well as their owner. It is proposed to include the breeder's source number so that the dog or cat can be traced back to the original breeder.</p> <p>Some exemptions may apply.</p> <p>This will be a requirement for any dog or cat born after 1 July 2020, meaning breeders can apply for a source number well before any litters are due to be born after that date.</p>

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MICROCHIPS – REGISTRY REQUIREMENTS			
5a	Amend regulation 21. Expand the reasons for removing a microchip to allow a veterinarian to remove a microchip from an animal if there are significant personal safety concerns or it has been ordered by a court.	<ul style="list-style-type: none"> • registered microchip implanters • veterinarians • pet owners • microchip registries 	<p>Currently, a veterinary practitioner must not remove a microchip from an animal unless the practitioner reasonably considers the removal of the device to be necessary for therapeutic reasons.</p> <p>Situations have occurred where safety of a person is at risk through details on the microchip record – e.g. a domestic violence perpetrator is able to track a victim through deceptive actions. It is important to allow microchips to be removed in these circumstances.</p>
5b	Amend regulation 36. Require the licence holder to provide a departmental authorised officer with the contact details of the person who presents an animal for a second microchip.	<ul style="list-style-type: none"> • registered microchip implanters • veterinarians • pet owners • microchip registries 	<p>Currently, if an animal is presented for implantation of a microchip, and already has a microchip, the licence holder must:</p> <ol style="list-style-type: none"> 1. notify the owner of the animal of that fact 2. provide the owner with the name and telephone number of the person who presented the animal, if provided. <p>Amending number 2 to be a departmental authorised officer rather than the owner aligns with the regulation relating to an animal being presented to a veterinarian for professional services, which already requires a departmental authorised officer to be provided with the details. Departmental authorised officers are appropriately trained and empowered to deal with such situations.</p>
5c	Amend regulation 41. Include a timeframe of <u>7 working days</u> in which change of ownership or	<ul style="list-style-type: none"> • microchip registries • pet owners 	Currently, there is no requirement for a timely update to registries when ownership, or other

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	details must be recorded in the registry, following the completion of requirements under regulation 41 and receipt of all necessary information.	<ul style="list-style-type: none"> pet sellers 	details, change. AWV has received feedback that a timeframe for updating ownership or other details on a microchip record is required to ensure details are accurate and up to date at all times.
PET SHOPS – RECORD KEEPING			
6a	Amendment to regulation 48(1)(f). Add the requirement for pet shops to record the source number relevant to where/who they have sourced the dog or cat from.	<ul style="list-style-type: none"> pet shops approved pet shop sources – registered foster carers, pounds or shelters 	<p>Pet shops are currently required to obtain: the name, address and telephone number of the person from whom the pet shop proprietor obtained the dog or cat, together with a copy of a document verifying the identity of that person.</p> <p>Requiring the source number will assist in validating that pet shops are only sourcing dogs and cats from approved sources.</p>
6b	Remove regulation 48(1)(h), which relates to recording the contact details of the dog or cat breeder.	<ul style="list-style-type: none"> pet shops 	<p>Pet shops must now source all dogs and cats from approved sources, being a registered shelter, pound or voluntarily enrolled foster carer.</p> <p>As pet shops can no longer source directly from breeders, obtaining the breeders' contact details is no longer required (breeder details will be captured on PER).</p> <p>Additionally, approved sources are unlikely to have information on a dog or cat's original breeder and would be unable to satisfy this requirement.</p>
COMMERCIAL DOG BREEDING APPROVAL – APPLICATIONS AND REPORTS			
7a	Amendment to regulations 48A(2)(a) and 48B(2)(a) to only require a copy of a health	<ul style="list-style-type: none"> commercial dog breeder approval applicants 	It has been deemed unnecessary to have a health management plan for each individual dog. Rather, health management plans should

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	management plan for <u>each breed</u> of dog proposed to be kept at the business premises.	<ul style="list-style-type: none"> approved commercial dog breeders renewals 	be tailored to each breed of dog, where the breed requirements can then be applied to individual dogs at the business premises. This proposal related to proposal 7b and the requirement for certain individual breeding dog details.
7b	Amendment to regulation 48D(k) to replace the whole of life plan with specified dog details of each breeding dog kept on the property in the reporting period.	<ul style="list-style-type: none"> approved commercial dog breeders 	<p>A whole of life plan is no longer required as these details will be captured through the specified dog details and the breed specific health management plans.</p> <p>Specified dog details are at proposal 7b. The information specified will allow for easier identification and monitoring of breeding dogs on commercial dog breeder premises.</p>
7c	<p>Amendment to regulation 48D to expand reporting requirements to include any amendments to documents submitted under regulation 48A(2) including:</p> <ul style="list-style-type: none"> health management plans exercise, enrichment, socialisation and handling policy retirement plans complaints procedure education and training policy responsible pet ownership literature veterinary agreement 	<ul style="list-style-type: none"> approved commercial dog breeders 	Businesses may choose to amend policies and procedures from time to time. This proposal ensures that the Minister is made aware of changes.
7d	Amendments to regulations 48A(1) and 48B(1). These are:	<ul style="list-style-type: none"> commercial dog breeder approval applicants approved commercial dog breeders 	These amendments will ensure consistency across new applications and renewal applications. It will also inform the Minister of a business' expansion plans.

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	<ol style="list-style-type: none"> 1. Amending regulation 48B(1)(e) to include dogs that are proposed to be kept on the property. 2. Adding a new requirement for all applications to include the total number of dogs, fertile female dogs, and breeding male dogs kept, or proposed to be kept, on the premises over the next three years. 3. Adding a new requirement for all applications to provide specified dog details of each breeding dog kept on the premises in the previous 12 months. <p>Amend regulation 5 to include a definition of specified dog details. It is proposed to mean:</p> <ul style="list-style-type: none"> • name of dog • sex of dog • breed of dog • colour of dog • status of dog (e.g. entire) • birth date • date acquired • date of last vaccination and worming • female dog details: <ul style="list-style-type: none"> ○ date of mating and birthing ○ mating male – name, microchip, breed ○ litter number ○ number of live births ○ date of breeding clearance certificate ○ date of last general health check • male dog details: <ul style="list-style-type: none"> ○ date of mating 		<p>Specified dog details will allow any dog to be more easily identified by authorised officers and assist in monitoring all dogs at commercial breeding facilities.</p>

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	<ul style="list-style-type: none"> ○ mating females – name, microchip, breed ○ date of breeding clearance certificate ○ date of last general health check ● retirement date method of disposal.		
ANIMAL SALE PERMITS – CONDITIONS			
8	Amendment to regulation 48H to expand conditions on permits. New conditions proposed are: <ol style="list-style-type: none"> 1. The permit holder must ensure that an emergency evacuation plan is displayed at all times during the sale. 2. The permit holder or nominee must be able to produce the permit when requested by an authorised officer. 	<ul style="list-style-type: none"> ● animal sales permit applicants ● animal sales permit holders ● authorised officers 	These conditions have been added to all approved permits to date. Including these conditions in the regulations will assist potential animal sale permit holders to understand the responsibilities of holding the sale.