

Domestic Animals Amendment (Puppy Farm and Pet Shops) Bill 2016

FAQs – Dog Obedience Training Organisations

What is the *Domestic Animals Amendment (Puppy Farm and Pet Shops) Bill 2016*?

The *Domestic Animals Amendment (Puppy Farm and Pet Shops) Bill 2016* (Bill) introduces a range of amendments to the *Domestic Animals Act 1994* (Act).

These amendments deliver on the Government's election commitment to reform the dog breeding and pet shop industries in Victoria and better regulate the online sale of dogs and cats.

Under the amended Act:

- limits on the number of fertile female animals dog breeders can keep will apply
- pet shops will only be able to sell dogs and cats sourced from shelters and pounds
- the role of foster carers will be clearer
- councils will have a better source of information for regulating domestic animal businesses
- exemptions for members of 'applicable organisations'¹ to register as breeders with council will be removed.

¹ 'Applicable organisation' means an organisation that is declared by the Minister under the Act. These organisations produce an annual report and have a code of ethics that requires responsible pet ownership.

How does the Bill affect dog obedience training organisations?

Dog obedience training organisations are currently approved under the *Domestic Animals Regulations 2015*; however the Bill will move these provisions to the Act.

Bill amendments will also strengthen the application process and bring in annual reporting requirements for approved obedience training organisations.

Specifically, the Bill:

- clarifies the definition of a dog obedience training organisation, to reflect the intent of the legislation and allow for consistent application and enforcement
- outlines the process for the Minister to approve dog obedience training organisations
- introduces an application fee
- enables the Minister to approve an organisation to provide both "dog obedience training" and "the training of persons to carry out dog obedience training"
- introduces a requirement for approved dog obedience training organisations to submit a report annually

- gives the Minister power to revoke a dog obedience training organisation approval, if the organisation has failed to submit a report.

What is a Domestic Animal Dog Obedience Training Business?

The Bill amends the definition of a training domestic animal business as one that: “trains or boards dogs for the purpose of profit or for a fee or for the exchange of services”.

These organisations must register with the local council and comply with the mandatory *Code of Practice for the Operation of Dog Training Establishments*. Registration must be renewed annually, and fees apply.

For more information, contact your local council or visit <http://agriculture.vic.gov.au/pets/domestic-animal-businesses/training-establishments/dog-training-establishments-things-you-should-know>

What is a domestic animal business registration?

A domestic animal business registration is the registration of a premises, with local council, to undertake a specific type of activity such as breeding, boarding, training etc.

A domestic animal business is **not** required to be registered as a business with the Australian Tax Office or have an Australian Business Number (ABN).

Does registration have tax implications?

Domestic animal business registration is **not** a business registration related to the Australian taxation system.

The term ‘domestic animal business’ is a unique name used by the *Domestic Animals Act 1994* to describe an activity that is taking place on your premises. For all intents and purposes, a domestic animal business registration is similar to a licensing or permit system that enables councils to know that you are undertaking a breeding activity on your premises.

I am a hobby trainer, not a business, why do I have to register as a business?

The term ‘domestic animal business’ is used to define activities that take place on specific premises. There are five different types of domestic animal businesses under the *Domestic Animals Act 1994*: pet shops, pounds/shelters, boarding kennels, obedience training organisations, and breeding/rearing establishments.

When you register as a domestic animal dog training business, what you are doing is registering with your local council that you will be undertaking dog training activities within your local council area.

What is involved in registering as a domestic animal business with the local council?

All dog training domestic animal businesses must be registered annually with their local council and comply with the mandatory *Code of Practice for the Operation of Training Establishments* (Code). Local councils may ask to inspect your dog training facilities prior to registration each year.

You can contact the animal management / local laws section of your council for further details.

A copy of the Code, and more information about the responsibilities of domestic animal business proprietors, as defined under the Act, is available at <http://agriculture.vic.gov.au/pets/domestic-animal-businesses/training-establishments>

Does it cost money to register as a domestic animal business?

Yes. A fee will apply for registration. The fee is set individually by each local council.

When will I need to register my premises under this new law?

The commencement date for this legislation is 10 April 2017. So by 11 April 2017 you will need to have registered your training business with your local council.

How long does my registration last?

Domestic animal business registration only lasts for a single year from 11 April to 10 April. You cannot register your business for more than a year, but you can register your business part way through a year.

Can council refuse my application for a domestic animal business?

The *Domestic Animals Act 1994* provides that local council “may” register a premise as a domestic animal business. If your application was refused, under the *Domestic Animals Act 1994* you have the right to seek review of that decision in the Victorian Civil and Administrative Tribunal (VCAT).

If I operate my training business across different local council areas do I have to register in each local council?

No. You only need to register your business with the local council in which your residential or main business premises resides. However, you must notify each local council if you are planning on conducting dog training activities in public places, such as parks or recreation reserves, and provide them with a copy of your registration from your local council.

What is an *approved* dog obedience training organisation?

These are organisations whose dog obedience assessment programs have been approved under the legislation. Dogs that have undergone obedience training with one of these organisations are entitled to reduced council registration fees.

For more information, visit

<http://agriculture.vic.gov.au/pets/dogs/training-and-behavioural-problems/obedience-training>

How do I apply to become an approved dog obedience training organisation?

Approved training organisations have to provide wide representation to the dog obedience training community. They need to provide *both* dog obedience training, and the training of persons to carry out dog obedience training.

An application must include a report containing the prescribed details about the organisation and its activities, and must be accompanied by the prescribed application fee.

Application forms and further information is available by emailing pet.welfare@ecodev.vic.gov.au or by calling 136 186.

For more information

Contact your local council, visit www.vic.gov.au/pets or call 136 186.

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