

Amendments to the *Dog and Cat Management Act 1995*

Frequently Asked Questions

1. What are the changes to the Act?

The main changes to the Act are:

- Microchipping – introducing the requirement for all dogs and cats over (proposed) three months of age to be microchipped.
- Desexing - introducing the requirement for all new generations of dogs and cats over (proposed) six months of age to be desexed.
- Breeders – introducing a requirement for anyone who breeds dogs and cats for sale to register as a breeder with the Dog and Cat Management Board (the Board).
- Sellers – introducing a requirement for certain information to be provided to the buyer.
- Council Powers – councils to have greater powers to administer and enforce the Act including increases in some expiations and penalties.
- Assistance Dogs – changes to who can accredit animals and recognition of assistance dogs in training.

2. What are the next steps for the legislation and when will it come into operation?

The process for enacting the amendments to the Act is:

- Draft Regulations outlining the detailed provisions for the operation of the Act will be developed based on feedback from the previous public consultation on the Bill and discussions with key stakeholders.
- The draft Regulations will undergo public consultation for a six-week period later this year. ***Details of the public consultation period will be made available to stakeholders to distribute to their members, and on the YourSAy, GoodDog and GoodCat websites.***
- Taking into account the public consultation, the Regulations will be finalised.
- The amendments and Regulations will be made operational from a future date. It is envisaged that implementation will be in stages during 2017 and 2018.
- Time will be allowed for people to comply with the new requirements and an education and awareness campaign will be conducted.

3. How will the changes impact dog owners?

Commencing from a prescribed date in 2018, dog owners will be required to microchip their dogs by (proposed) three months of age. Dog owners will be required to keep the microchip details up to date.

There will be a transition period so owners can get their dog microchipped. An exemption may apply for a period of time as determined and supported by a veterinarian.

Dog owners will also be required to desex all new generations of dogs born after a prescribed date and by the (proposed) age of six months. Dog owners will not be required to desex dogs born before the prescribed date (unless under a control order or similar). Working Livestock Dogs and breeders registered under new section 68 are exempt from this requirement in the Act. Subject to consultation, limited exemptions will apply for certain groups such as working greyhounds, guard dogs and where supported by a veterinarian. Transitional exemptions may be applied for remote communities without access to the services of a veterinarian.

Dog owners may wish to voluntarily microchip and desex their dogs prior to the implementation date.

4. How will the changes impact cat owners?

Commencing from a prescribed date in 2018, cat owners will be required to microchip their cats by (proposed) three months of age. Cat owners will also be required to keep the microchip details up to date.

This will apply to all cats after a prescribed date and will have a transition period so owners can get their cat microchipped. Limited exemptions may apply for a period of time as determined and supported by a veterinarian.

Cat owners will also be required to desex all new generations of cats born after a prescribed date and by the (proposed) age of six months. Cat owners will not be required to desex cats born before the prescribed date. Breeders registered under new section 68 are exempt from this requirement in the Act. Subject to consultation, limited exemptions will apply where supported by a veterinarian. Transitional exemptions may be applied for remote communities without access to the services of a veterinarian.

Cat owners may wish to voluntarily microchip and desex their cats prior to the implementation date.

5. What assistance is available to dog and cat owners?

Many dogs and cats, including those from the RSPCA, the Animal Welfare League and many breeders, are sold already microchipped and desexed.

Many councils and other organisations hold ‘microchip days’ which offer discounted microchipping. There is also a nationwide referral system for discounted desexing, the National Desexing Network, which offers reduced cost desexing for those in genuine financial need.

The registration fee for a standard dog – desexed and microchipped – will be substantially less (possibly up to 50%) than a dog that is not microchipped and desexed. Many councils also provide discounts on dog registration to concession holders.

6. What are the changes relating to disability dogs, guide dogs and hearing dogs?

Disability dogs will be referred to as ‘assistance dogs’. This change makes the South Australian terminology consistent with the rest of Australia.

Disability service organisations that conduct training in accordance with recognised standards would be eligible to be prescribed accreditation bodies so they can accredit their assistance dogs if they have graduated from, or are in training to graduate from, that organisation’s programme of training. The Dog and Cat Management Board will approve the requirements of the prescribed accreditation bodies to accredit assistance dogs.

This change recognises the expertise and the community respect for these disability service organisations and will provide administrative efficiencies for these organisations, the ultimate owner and the Board.

The changes will also recognise assistance dogs in training.

7. How do the changes affect dog and cat breeders?

Dog and cat breeders will be required to register with the Dog and Cat Management Board and pay a registration fee. It is proposed that a breeder’s location and identity will be publically available on the register of breeders. It will be an offence for a breeder to sell a dog or cat unless registered as a breeder.

Discussions have commenced regarding the interactions between the membership of a breeding association (e.g. DogSA, Feline Association or Governing Council of the Cat Fancy) and registration as a breeder, the associated requirements proposed in the Bill and inclusion on the register of breeders.

Breeders will be required to provide their breeder registration number in any advertisement of dogs and cats for sale.

8. What are the new requirements for sellers of dogs and cats?

The new provisions require sellers to give a new owner a written notice setting out the identity of the seller, the identity of the breeder, details of vaccinations and other treatments and information relating to the microchip.

A person who publishes an advertisement for the sale of a dog or cat must ensure that the advertisement states the identity of the seller, the identity of the breeder, details of vaccinations and other treatments and information relating to the microchip.

9. What do the changes mean for Councils?

The new provisions give councils increased powers to manage dogs and cats in their areas. This includes clarification of the responsibilities of councils, change of dog and cat management officers to authorised officers, changes to the powers of authorised officers and increased expiation fees and penalties.

The simplification of the setting of registration fees will enable the fees to be set in a more timely way and with reduced administration costs.

The simplified mandatory registration fee structure enables councils to set a fee structure that suits their local community.

The introduction of mandatory microchipping will make it easier for councils to return lost dogs and cats to their owners.

The amendments clarify arrangements with respect to cat detention facilities. Currently, councils have discretion as to whether they will accept unidentified cats that have been lawfully seized and detained by a member of the public. Councils will retain this discretion. They may nominate a cat detention facility, where the public can take seized and detained cats. If a council does nominate a facility at which dogs or cats may be detained, this facility must be approved by the Board.

The requirement for Boarding Kennels to keep records of all dogs kept at the kennel and provide extracts from the records to the council, as required by the Board, has been removed, reducing administrative requirements.

The Dog and Cat Management Board is working closely with the Local Government Association and councils to ensure that the necessary training and processes are implemented for these changes.

10. What is the status of the Breeding Code and the Pet Trade Code?

The draft *Code of Practice for the Welfare of Dogs and Cats in Breeding Facilities* (the Breeding Code) was subject to a ten-week public consultation process between April and June 2015, with over 500 submissions received.

Following consultation, the draft Breeding Code has been amended to reflect stakeholder comments, in particular, that it would be better to combine the provisions of the Breeding Code with relevant provisions of the Pet Trade Code with respect to dogs and cats. Accordingly, work has commenced to combine the relevant provisions of these two separate codes into *Standards and Guidelines for the Breeding and Trade of Dogs and Cats* in consultation with key stakeholders.

The *Code of Practice for the Care and Management of Animals in the Pet Trade* (the Pet Trade Code) is currently regulated under Schedule 2 of the *Animal Welfare Regulations 2012*. Revision of the Pet Trade Code commenced in 2010 in consultation with key stakeholders to improve its provisions and expand its application to all public places including shops, veterinary clinics, markets, car parks, fetes and animal shelters. To complement the changes to the *Standards and Guidelines for the Breeding and Trade of Dogs and Cats*, the scope of the Pet Trade Code will no longer cover dogs and cats but will include all animals normally sold through the pet trade including guinea pigs, rats, mice, birds and reptiles.

It is anticipated that the *Standards and Guidelines for the Breeding and Trade of Dogs and Cats* will be finalised in 2016, along with the Pet Trade Code, and their provisions incorporated into Schedule 2 of the Animal Welfare Regulations.