

FREQUENTLY ASKED QUESTIONS

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General

Why do we need these changes to the law?

The *Dog and Cat Management Act* was proclaimed in 1995 to encourage responsible dog and cat ownership and to promote the effective management of dogs and cats in the community.

Twenty years on it is timely to revise the Act in the context of contemporary issues and make changes that will improve the way dogs and cats are managed in the community. In particular attention has focused on:

- improving the ability of pounds and shelters to return lost dogs and cats to their homes
- reducing the number of lost dogs and cats that end up in shelters
- help people to determine if the puppy or kitten they are buying comes from a reputable breeder
- enhancing the ability of authorities to detect and prosecute 'puppy farms'
- enhancing local councils' capacity to manage dogs and cats.

What are the main proposed changes to the *Dog and Cat Management Act*?

The *Dog and Cat Management (Miscellaneous) Amendment Bill 2015* has been drafted to propose several changes to the Act.

The main proposed changes relate to:

- microchipping – introducing a requirement for all dogs and cats over a certain age to be microchipped (currently proposed to be 3 months)
- 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
- Council powers - Councils, which are responsible for dog and cat management in their local areas, would have greater powers to administer and enforce the Act

Who is responsible for administering and enforcing the *Dog and Cat Management Act*?

The 69 local government councils, including the Outback Communities Authority, in South Australia are responsible for enforcing the *Dog and Cat Management Act*.

The Dog and Cat Management Board is responsible for overseeing administration and enforcement of the Act and for providing advice to the government about how to effectively manage dogs and cats in South Australia. More information about the Dog and Cat Management Board can be found at www.dogandcatboard.com.au.

What is the consultation process?

The proposed changes contained in the draft Bill are currently subject to a ten-week public consultation period, which finishes on Friday 26 June 2015.

Relevant information including a submission form is available on the Government's 'Your Say' website at yoursay.sa.gov.au or by calling 08 7111 3452.

The consultation period is the community's chance to have their say on the proposed changes. Based on input received from the public, the draft Bill will be revised before being presented to Parliament.

What is proposed for implementation?

Once the legislation is passed by Parliament, it is anticipated that there will be a 12 month implementation period before any new laws requiring major changes come into force.

The Dog and Cat Management Board will work with local government and other parties to develop programmes, guidelines and any required training to support the implementation.

Pet owners

What do the proposed changes mean for me and my dog or cat?

For the Pet Owner, the proposed changes cover:

- Mandatory microchipping
- Streamlining of the categories for dog registration
- increased fines and penalties for dog attack offences, nuisance barking and wandering dogs and other offences.

Further details on these proposed changes are provided below.

Microchipping

What is proposed for mandatory microchipping?

It is proposed that all dogs and cats are required to be microchipped by a certain age (currently proposed to be three months). It is proposed that microchipping will be the responsibility of the owner of the dog or cat prior to, or at, the required age.

It is also proposed that any dogs or cats not microchipped when the proposed legislation comes into operation would need to be microchipped within a certain period after the proposed laws come into force.

Exemptions to microchipping are proposed to apply if supported by a veterinarian.

How do I find out if my dog or cat is microchipped?

Most microchip organisations provide a microchip certificate to confirm that your dog or cat has been microchipped. Most vets, councils and animal welfare organisations have microchip scanners. If you are not sure if your dog or cat is microchipped, ask for it to be scanned when you are next at one of these organisations.

Once you have the microchip number, visit petaddress.com.au to find out which of Australia's six national microchipping registries your dog or cat is registered on. You can then contact the registry to check or update your contact details so that your dog or cat can be returned home if it is lost.

How much does microchipping cost?

Discounted microchipping is offered at council microchipping days. Check with your local council about when these are held. Vets can also microchip your dog or cat. Your local vet will be able to let you know how much microchipping costs.

The RSPCA and Animal Welfare League adopt all of their animals already microchipped and desexed.

What concessions or assistance would be available for concession holders and low income earners to microchip?

The government is exploring further options to support concession holders and low income earners to microchip their dog or cat.

If you have any ideas about how the cost of microchipping could be reduced, please let us know by making a submission.

How long does a microchip last and will it need to be replaced?

If it is properly implanted, a microchip will last the life of the animal and will not need to be replaced.

Is it proposed to change who can microchip dogs and cats?

Yes. Currently microchipping in South Australia is unregulated. The proposed changes would provide the Dog and Cat Management Board with the ability to accredit microchipping courses and require that people who implant microchips be properly trained.

If my dog has puppies, or my cat has kittens, and I want to give them away to friends, do the proposals require me to have the puppies or kittens microchipped first?

The changes propose that all dogs and cats are microchipped by the time they reach the required age (proposed to be three months). Under these proposals, you would be required to microchip the puppies or kittens if they had passed that age, when you were giving them away.

If the puppies or kittens reached the required age after they have been given away, then it is proposed that the new owner would be responsible for microchipping them, prior to the required age.

Dog Registration

Will there be changes to dog registration?

It is proposed that the new legislation simplifies the basis for rebates on your dog registration fee. Currently, there are a minimum of eight registration categories. The changes propose to reduce these to only two – a ‘standard dog’ (that has been both microchipped and desexed including applicable exemptions) and a ‘non-standard dog’. A ‘standard dog’ is eligible for registration rebates.

It is proposed that current rebates for dogs that have undergone a training program, or for having your dog microchipped only or desexed only would no longer be available.

How much would dog registration cost me under the proposed new arrangements?

Registration fees are set by your council. The amount of any discount for the proposed category of ‘standard dog’ that is both desexed and microchipped will be determined by your council.

It is proposed that the existing training rebate be removed. The training rebate currently accounts for a discount of approximately 10% on your current registration fees (maximum of \$8.50 per dog per year).

Are there proposals to restrict the number of dogs and cats per household?

No, the proposed changes would not limit the number of dogs and cats that can be kept per household. However, council by-laws can limit dog and cat numbers per household, so check local requirements with your council.

Would cats need to be registered as a result of the proposed changes?

No, the proposed changes do not include state-wide cat registration. However, cat registration may be required through council by-laws. Councils that currently require cats to be registered are the City of Mitcham, Kangaroo Island Council, the Municipal Council of Roxby Downs and the Whyalla City Council.

Why aren’t the proposed changes considering cat registration?

Local councils are responsible for determining whether or not cats should be registered. Cat registration can be introduced through a council’s by-laws.

Example offences All expiations in the <i>Dog and Cat Management Act 1995</i> are proposed to be increased.	Current expiation (1995 level)	Proposal	Current maximum penalty (1995 Level)	Proposal
A dog attacks, harasses or chases or otherwise endangers the health of a person, animal or bird	\$210	\$315	\$500	\$2500
Dog wandering at large	\$80	\$315	\$250	\$2500
Dog in, or in the grounds of a school, kindergarten, child care centre or pre-school centre without the permission of the person in charge of that place	\$80	\$315	\$250	\$2500
Dog barking which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a person	\$105	\$210	\$750	\$1250
Dog defecates in a public place and the person responsible does not immediately remove the faeces	\$55	\$210	\$125	\$1250

Breeders

How would the proposals affect dog and cat breeders?

It is proposed that persons who breed dogs and cats for sale would be required to register with the Dog and Cat Management Board. It is proposed that persons who give-away a dog or cat that they have bred, will not be required to register as a breeder.

The proposal includes the provision that registration as a breeder will require the payment of a fee. The amount of this fee is yet to be determined and your feedback on the amount and what it should be used for is sought.

It is also proposed that a breeder who registers with the Board would receive a breeder registration number. The proposal requires that the breeder registration number must be included in any advertisements (either in print or online) that are placed for the sale of a dog or cat. This is designed to help consumers be confident that their pet has come from a healthy and humane environment.

Why do the changes propose that breeders register with the Board?

The proposed breeder registration scheme, as opposed to a more stringent licensing scheme, would provide regulatory oversight of breeders that will be easy to comply with and less expensive to implement. It would discourage disreputable breeders who may be operating puppy farms. It would also give people who buy a dog or a cat confidence that their pet has come from a reputable breeder.

I am already registered with a breeder association, would I have to register twice?

If a breeder association meets criteria established by the Dog and Cat Management Board, it is proposed that it may be possible for breeders to simply register once. The Board will consult further with breeder associations about these arrangements.

As a breeder, is it proposed that I would have to get puppies and kittens microchipped before I sell them?

Yes. The proposed changes require all dogs and cats to be microchipped by a certain age, currently proposed to be three months of age. Therefore, under these proposals if you are selling a dog or cat that is older than three months, you must ensure it has been microchipped before it is sold (unless an exemption applies).

Pet Traders

As a pet seller, is it proposed that I would have to get puppies and kittens microchipped before I sell them?

Yes. The proposed changes require all dogs and cats to be microchipped by a certain age. This is currently proposed to be three months of age. Therefore, under these proposals if you are selling a dog or cat that is older than three months, you must ensure it is microchipped before it is sold (unless an exemption applies).

Councils

What do the proposed changes mean for my council?

The proposed changes mean that council officers appointed as 'Authorised Persons' would be given additional powers to enforce the Dog and Cat Management Act that align with equivalent powers in the Local Government Act.

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

The proposed changes would simplify the dog registration process, reducing the number of registration categories from a minimum of eight to only two – a 'standard dog' (that has been both microchipped and desexed including applicable exemptions) and a 'non-standard dog'. This will reduce unnecessary administration for councils.

Disability dogs

What are the proposed changes relating to disability dogs?

It is proposed that disability dogs would be referred to as 'Assistance Dogs'. This change makes the South Australian terminology consistent with the rest of Australia.

A further proposal is for assistance dog trainers to be provided with 'public access rights' which will allow them to take puppies and dogs in training into restaurants, shops, hospitals, public transport and other places where dogs are usually not allowed. This does not extend to members of the public who are participating in a puppy educator program.