

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

## FAQs – Animal Sale Permits

### 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'<sup>1</sup> to register as breeders with council will be removed.

<sup>1</sup> '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.

### What does the Bill have to do with animal sale permits?

Currently, under the *Domestic Animals Act 1994*, caged birds, cats, dogs, mice, rabbits, guinea pigs, and reptiles can only be sold from a private residence or a registered pet shop. The Act requires that a 'pet shop' must be located in a permanent location, and open not less than five days a week (excluding public holidays).

The Bill will introduce an animal sale permit, approved by the Minister, to allow one-off animal sales to occur in Victoria where animal welfare and consumer protections are adequately guarded.

### What is the process to obtain an animal sale permit?

An organisation that intends to hold an animal sale will need to apply to the local council in which the sale of animals is to take place.

The local council will need to conduct an assessment of the application and consider:

- the suitability of the place of the proposed animal sale

- requirements for animal accommodation
- guarantees for the sale of animals
- animal care policies and procedures
- emergency evacuation plans, and
- veterinary support.

Upon completion of the assessment the local council's authorised officer must prepare a written report to the Minister (within 21 days after the application for the animal sale permit is received), which will include a recommendation as to whether or not the animal sale permit should be issued.

If local council agree to the animal sale taking place in their municipality, the applicant can then proceed to make an application to the Minister.

**Why do I need to apply to local council, if the Minister is the one who approves the animal sale permit?**

The application is made to the local council in which the sale of animals is to take place, so local council can ensure the premises are suitable to accommodate animals. Council will then make a recommendation to the Minister.

**Can an animal sale permit be refused?**

Yes. The Minister can refuse an animal sale permit if:

- the applicant does not meet the prescribed criteria, or
- the Minister believes on reasonable grounds that to issue the permit would be inconsistent with the purpose of the Act, or

- the applicant has been found guilty of an offence against the *Domestic Animals Act, Prevention of Cruelty to Animals Act* or the law of another State or Territory of the Commonwealth that corresponds to this legislation.

**How long is the permit valid for?**

The animal sale permit is only valid for one day.

**I organise animal sales around the state Can I do one application to capture all the sales around the state?**

No. You will need to make an application for each sale to the local council in which the sale of animals is to take place.

**I currently do not collect personal information from the sellers until the day of the sale. Can I still apply?**

No. Your application will require you to supply the full name and contact details of any person who will be selling animals under the permit. Therefore, it may be necessary for you to implement a registration process for sellers to capture this information.

**We won't know the type of species or number of each species of animals that may be sold until the day of the animal sale permit. Can I still apply?**

No. Your application will require you to specify these details under the permit. Therefore, it may be necessary for you to implement a registration process for sellers to capture this information.

## **What is meant by the term species?**

In your application you will need to specify the maximum number of cats, dogs, birds, rabbits, guinea pigs etc. that you believe may be sold at your sale. Sub-species and breeds are not required.

## **For more information**

Contact your local council, visit [www.vic.gov.au/pets](http://www.vic.gov.au/pets) or call 136 186.

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