



Animal Defenders Office

Using the law to protect animals

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The Animal Defenders Office is accredited by Community Legal Centres Australia Inc.

YourSAy

Government of South Australia

By email: DEW.dogandcatreform@sa.gov.au

Dear Sir/Madam

RE: Breeder reforms: Updating the Dog and Cat Management Act 1995—submission

Thank you for the opportunity to make a formal submission to the consultation process regarding the draft Dog and Cat Management (Breeder Reforms) Amendment Bill 2024 (**the Bill**).

About the Animal Defenders Office

The Animal Defenders Office (ADO) is a not-for-profit community legal centre that specialises in animal law. The ADO is run by volunteers and provides pro bono animal law services to the community. The ADO is a member of Community Legal Centres Australia Inc., the national peak body representing community legal centres across Australia.

Further information about the ADO can be found at www.ado.org.au.

Submissions

The ADO makes the following comments on the Bill.

The Bill (section)	Comments
Part 1 Preliminary	
3 Amendment of section 3—Objects	<ul style="list-style-type: none">The ADO submits that the proposed paragraph (d) requiring breeders of dogs and cats to adhere to standards and guidelines is appropriate.
7 Insertion of Part 2 Division 2A	<ul style="list-style-type: none">The ADO supports the insertion of proposed section 20 to the Act to establish a centralised registration and management system.
19 Amendment of section 43—Dogs not to be allowed to wander at large	<ul style="list-style-type: none">The ADO supports the increase in penalties for allowing dogs to wander at large. Allowing dogs to wander at large puts the safety of the public, other animals and the dogs themselves at risk and keepers should be encouraged to keep their dogs secure on their premises.

The Bill (section)	Comments
20 Amendment of section 44—Dogs not to be allowed to attack etc	<ul style="list-style-type: none"> The ADO supports the increase in penalties for owning or being responsible for dogs who attack etc other persons or animals. Dog attacks can cause serious harm and owner/keepers need to take responsibility by way of increased penalties rather than impose measures (eg destruction orders) on the dogs.
21 Amendment of section 45A—Miscellaneous duties relating to dogs	<ul style="list-style-type: none"> The ADO supports the measures proposed in section 21 as encouraging greater responsible pet ownership by dog owners or keepers.
23 Amendment of section 45C—Greyhounds	<ul style="list-style-type: none"> The ADO supports the removal of the requirement to muzzle greyhounds who are no longer used for racing.
25 Amendment of section 50—Destruction and control orders	<ul style="list-style-type: none"> The ADO supports the creation of a Control (Wandering Dog) Order as a way of encouraging dog owners and keepers to take greater responsibility in keeping their dogs secure in their premises, which in turn reduces risk of harm to the dogs, other animals, and the public.
38 Substitution of Part 7	<ul style="list-style-type: none"> The ADO supports the proposed breeder’s licence scheme. The ADO supports the application of the proposed licence scheme to dogs and cats. The ADO particularly supports the application of the proposed licence scheme to any person who breeds (as defined) a cat or dog. The ADO supports the application of the proposed offence provision in section 70 of the Bill to ‘a person’. The ADO recommends that the cap on fertile female dogs or cats as proposed in section 71A (‘Terms and conditions of licence’) be included in the Act and that it be significantly reduced from the current cap of 50. Allowing 50 fertile females in one facility is intensive breeding and is not appropriate or in line with the proposed objective of the Bill ie to crack down on puppy farming and unscrupulous breeding. The ADO recommends that the Act should specify the maximum number of litters a female dog or cat can have and that it should be fewer than the proposed 5. The ADO supports the prohibition in proposed s 71H on a person selling a dog or cat unless the animal has been desexed.

Kind regards

Tara Ward
Managing Solicitor (volunteer)
Animal Defenders Office

11 June 2024