

South Australian Standards and Guidelines for Breeding and Trading Companion Animals



On the 1 August 2017 new standards for the breeding and trading of companion animals will come into effect. The *South Australian Standards and Guidelines for Breeding and Trading Companion Animals* (the Standards and Guidelines) are regulated under the *Animal Welfare Act 1985* (the Act).

The standards are mandatory. They set the minimum level of care that must be met under the Act to meet the health, safety and wellbeing needs of companion animals. The standards will not apply to companion animals that are given away. The guidelines represent a higher level of care and are designed to complement the standards. .

The standards will apply to:

- anyone who breeds a dog or cat for sale – from either a public or private place
- anyone who sells a companion animal from a public place including pet shops, animal welfare shelters, markets or field days. Companion animals include not only dogs and cats but also rabbits, guinea pigs, birds, amphibians and reptiles.

FREQUENTLY ASKED QUESTIONS

Q. What are 'Companion' Animals?

A. A companion animal is one which is usually kept as a pet (such as a dog, cat, rabbit, guinea pig, bird and reptile). It does not include animals which are normally kept for the production of food or fibre (such as sheep, cattle and pigs); nor riding or draft (such as horses and camels).

Q. How will the standards and guidelines make a difference?

A. The purpose of the standards and guidelines is to ensure the pets we welcome into our family homes come from healthy and humane conditions. This will target puppy farms and individuals who put profits before the welfare of animals for sale.

Q. What is a 'breeder' or a 'trader'?

A. A breeder is anyone who breeds a dog or cat for sale. A trader is anyone who sells a companion animal. All breeders and traders will be required to comply with the *Standards for Breeding and Trading Companion Animals 2017* when it comes into effect on 1 August 2017. They must also comply with local council bylaws and other state legislation.

Q. Do I have to comply with the standards if I am advertising an animal as 'free to a good home' or giveaway?

A. No. The standards do not apply to a person who is giving away or advertising to give away a companion animal because it is not being sold.

Q. Do I have to comply with the standards if I have to rehome my pet and offer it for sale?

A. No. This would be a one off occurrence, and is not captured by the standards.

Q. Are rescue organisations or shelters required to meet the standards?

A. If animals are born on the premises, the organisation is a breeder. If animals are sold, it is a trader.

In either case, the standards would apply.

Q. Are there exemptions for working, security or other dogs which are not pets?

A. No. the standards apply to all breeders and traders. It is impossible for a breeder to know if a puppy will turn out to be a working dog, a pet dog, a security dog or a show dog even if they are bred for an intended purpose, the purpose for which the purchaser buys them may be entirely different.

Q. What if I have to restructure my facility to meet the new standards?

A. The new requirements will not come into effect until 1 August 2017 so people will have time to upgrade their facilities if necessary.

Q. What if I'm a breeder advertising the future availability of puppies or kittens that aren't born or are too young for sale?

A. If a person intends to sell puppies or kittens, they are a breeder and the standards apply whether or not the puppies or kittens have been born.

Q. What is the difference between the old code of practice for animals in the pet trade and the new standards and guidelines?

A. The old pet trade code applied to the sale of companion animals from pet shops. It did not apply to breeding dogs and cats or to their sale from private property, or for the sale of other companion animals from public places. The new standards and guidelines apply to all these circumstances.

Q. What if there is a valid reason why I cannot meet one or more of the standards?

A. There is a statutory defense that if a non-compliance is in the welfare interests of the animal, or the welfare interest of other animals in the facility, or is necessary for workplace health a safety reasons, no offence has been committed.

Q. Do the standards include microchipping and desexing?

A. No. The standards and guidelines do not address requirements for desexing, microchipping or breeder registration.

These will be requirements of the *Dog and Cat Management Act 1995*, which has recently been amended to include mandatory desexing, microchipping and breeder registration.

Q. How do I register as a breeder?

A. Amendments to the *Dog and Cat Management Act 1995* require anyone who sells a dog or cat to register as a breeder with the Dog and Cat Management Board. The Board will set a breeder registration fee (which has not yet been determined).

Q. How will the standards be enforced?

A. The standards will be regulated under the *Animal Welfare Regulations 2012*. RSPCA (SA) Inspectors are responsible for enforcing the *Animal Welfare Act 1985*, the *Animal Welfare Regulations* and investigating allegations of non-compliance with the standards.