



Queensland Dog Breeder Register

Compliance and enforcement

Many Queenslanders are concerned about the welfare of dogs and puppies sold and supplied in Queensland, so the Queensland Government has introduced new laws that will promote the responsible breeding of dogs.

The laws apply only to dogs born on or after 26 May 2017. Dogs born before this date are not impacted.

The laws require all persons giving away, supplying, selling or advertising dogs or puppies in Queensland to have a unique identifying number (a supply number) that identifies the registered breeder or origin of that dog.

Implementing compliance with the new laws is a partnership between Queensland local governments, Biosecurity Queensland (BQ), part of the Department of Agriculture and Fisheries (department) and the Royal Society for the Prevention of Cruelty to Animals (RSPCA).

Who enforces these laws?

Local governments are responsible for managing cats and dogs within their local area under the *Animal Management (Cats and Dogs) Act 2008* (AMCDA). This will continue as the new dog breeder registration laws are an extension of the animal management laws under the AMCDA.

Laws regarding animal welfare are enforced by inspectors from BQ and the RSPCA under the *Animal Care and Protection Act 2001*.

Will the department prescribe how local governments enforce breeder registration?

Local governments already enforce the AMCDA within their local area. Currently the department does not prescribe how the AMCDA is enforced. Enforcement is done according to each local government's regulatory enforcement policies and these policies will continue when the new laws are being enforced.

Who will prosecute persons committing an offence?

The prosecution and issuing of penalty infringement notices for breaches would be undertaken by local government officers appointed under the AMCDA. The department does not appoint authorised persons to enforce the AMCDA in local government areas.



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Who investigates suspected breaches or reported concerns relating to animal management?

Investigations are carried out by the local government responsible for the area where the breach of the AMCDA occurred. If evidence is required to be collected from other jurisdictions then a collaborative approach should be taken to the investigation.

Do the police still have a role in animal welfare?

Yes. The Police have a role in animal welfare under the *Police Powers and Responsibilities Act 2000*; however it is not their primary role. The primary agencies responsible for animal welfare enforcement are BQ and the RSPCA.

What are the possible infringements?

There are a number of possible offences associated with the mandatory registration of dog breeders and the supply of dogs. Each offence provision has a Penalty Infringement Notice (PIN) applied.

S 43E Registration obligation. Maximum penalty—50 penalty units (PIN 5).

S 43N Registered breeder must give chief executive changed information. Maximum penalty—20 penalty units (PIN 2).

S 43Y Supplier must ensure cat or dog is implanted. Maximum penalty—20 penalty units (PIN 2).

S 43Z Supplier must know dog has relevant supply number. Maximum penalty—50 penalty units (PIN 5).

S 43ZB Advertiser must know dog has relevant supply number. Maximum penalty—50 penalty units (PIN 5).

S 43ZC Advertisement must include relevant supply number. Maximum penalty—50 penalty units (PIN 5).

S 43ZF Supplier of dog must give particular details. Maximum penalty—50 penalty units (PIN 5).

S 140B Offence to contravene information requirement. Maximum penalty—50 penalty units (PIN 5).

SPER (State Penalties Enforcement Registry) codes will be available after the commencement of the new laws.



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What is the statute of limitations for offences under this Act?

The statute of limitations for the *Animal Management (Cats and Dogs) Act 2008* is defined in the *State Penalties and Enforcement Act 1999*. A proceeding for an offence may be taken within one year after the offence occurs; or within 6 months of becoming aware of the offence but within two years of the offence occurring.

Does the Act allow powers of entry?

The existing powers of entry for authorised persons under the *Animal Management (Cats and Dogs) Act 2008* apply to the new laws.

Does the Act provide any new powers for authorised persons?

Yes. The new laws introduce an additional power to require information from a person. This power allows for a situation where an authorised person believes an offence has been committed and the person is able to provide information about the offence.

Does the Queensland Dog Breeder Register allow for evidence to be uploaded eg photos of dogs or screenshots of advertisements or of Facebook posts?

Yes. The Queensland Dog Breeder Register has the capacity for attachments of photos, screenshots or documents to be uploaded when lodging a concern.

When complaints are lodged by members of the public does evidence provided need to be date and time stamped eg photos of dogs or screenshots of advertisements or of Facebook posts?

For evidence purposes it is preferable to include date/time on photographs or screenshots to establish the timeframes of the alleged offence. These details are critical in supporting the investigation process.

How does the law address dogs bred interstate?

An interstate breeder must register on the Queensland Dog Breeder Register if the transaction with respect to the dog occurs in Queensland. If the transaction occurs in another state and the dog is transported to Queensland afterwards, the new laws do not apply. However, if the person who receives the dog in Queensland wants to on-sell it later, they must apply for a supply number and include this number in the dog's microchip information when advertising, selling or giving away the dog to another person in Queensland.



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Interstate breeders that are registered under another state/territory's corresponding dog breeding laws and have a unique identification number do not need to register in Queensland. However, they must use that unique identification number as the supply number in Queensland and include it in the dog's microchip information.

Who will set and enforce welfare standards that apply to the breeder?

BQ officers and the RSPCA continue to have compliance obligations and enforcement powers in relation to animal welfare under the *Animal Care and Protection Act 2001*. A new set of mandatory dog breeder standards is being developed in collaboration with Dogs Queensland, the RSPCA and Queensland Racing Integrity Commission and will apply to all dog breeders.

When is the department releasing minimum standards for keeping dogs?

The standards are expected to be released within the coming months.

More information

For further information please visit the Queensland Dog Breeder Register at qdbr.daf.qld.gov.au or call **13 25 23**.