

# **Animal Management (Cats and Dogs) (Approved Entities) Amendment Regulation 2017**

Explanatory notes for SL 2017 No. 68

made under the

*Animal Management (Cats and Dogs) Act 2008*

## **General Outline**

### **Short title**

*Animal Management (Cats and Dogs) (Approved Entities) Amendment Regulation 2017*

### **Authorising law**

Sections 43W and 210 of the *Animal Management (Cats and Dogs) Act 2008* (Animal Management Act)

### **Policy objectives and the reasons for them**

The purpose of the subordinate legislation is to make dog breeder registration more convenient by prescribing approved entities while still promoting the responsible breeding of dogs, consistent with the purpose of the Animal Management Act, as amended by the *Animal Management (Protecting Puppies) and Other Legislation Amendment Act 2016* (Protecting Puppies Act).

Remaining uncommenced provisions of the Protecting Puppies Act will commence on 26 May 2017. The amendments under the Protecting Puppies Act will require a person who breeds a dog to register as a breeder within 28 days after the day the dog is born, unless they have a reasonable excuse. A person who registers as a breeder will be issued a breeder ID number, which must be displayed when advertising or supplying the dog and included on the dog's prescribed permanent identification device (PPID).

The identity and location of breeders will enable existing powers under the *Animal Care and Protection Act 2001* to be used to address identified animal welfare issues and to protect dogs from cruelty.

The amendments under the Protecting Puppies Act allow for a regulation to be made that prescribes approved entities. Approved entities can accredit breeders, which exempts them from the obligation to apply to be registered under section 43E of the Animal Management Act. Accredited breeders of an approved entity must display their unique identifying number (accreditation number) when advertising or supplying dogs and include it on the dog's PPID.

Before an approved entity can be prescribed under section 43W of the Animal Management Act, the Minister must be satisfied that the approved entity can conduct an accreditation scheme for persons who breed dogs, give an accreditation number to each accredited person, require accredited persons to give the entity notice of changes to designated details within 7 days, and is able and willing to give the chief executive relevant information about its accredited breeders.

The Minister is satisfied that Dogs Queensland, Gold Coast City Council and Logan City Council meet the requirements to become approved entities under section 43W of the Animal Management Act.

## **Achievement of policy objectives**

The subordinate legislation prescribes Canine Control Council (Queensland) Ltd (trading as Dogs Queensland), Gold Coast City Council and Logan City Council as approved entities that conduct accreditation schemes for dog breeders under the *Animal Management (Cats and Dogs) Regulation 2009*.

## **Alternative ways of achieving policy objectives**

This approach is considered to be the most effective way to achieve the policy objectives.

An alternative approach would have been to maintain the status quo by not prescribing approved entities. This would require all breeders to individually apply to be registered within 28 days after the day the dog is born once the provisions of the Protecting Puppies Act commence. This approach would result in duplication of breeder registration with entities that also collect this information such as some local governments and industry organisations.

## **Consistency with policy objectives of authorising law**

The subordinate legislation is consistent with the main policy objectives of the Animal Management Act as amended by the Protecting Puppies Act, which include to promote the responsible ownership and the responsible breeding of dogs.

## **Inconsistency with policy objectives of other legislation**

The subordinate legislation is not inconsistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The subordinate legislation will not impose additional cost on the government.

The subordinate legislation will make dog breeder registration more convenient for breeders that can become accredited through an approved entity. These breeders would otherwise need to apply to the chief executive to register directly on the state database as well as register with entities that are now approved entities.

The subordinate legislation will result in additional obligations for approved entities because they must administer the accreditation scheme for breeders. However, the decision to seek to become an approved entity is discretionary. The three entities, by seeking to be prescribed as approved entities, have indicated they are willing to accept this additional regulatory burden.

## **Consistency with fundamental legislative principles**

The subordinate legislation is consistent with fundamental legislative principles.

## **Consultation**

The Department of Agriculture and Fisheries has met with and discussed the requirements for becoming an approved entity with some industry associations and local government councils. Currently only Dogs Queensland, Gold Coast City Council and Logan City Council have sought to become approved entities.

The Department of Agriculture and Fisheries has assessed the regulatory proposal under the *Queensland Guide to Better Regulation* and has determined that the proposal is excluded from further Regulatory Impact Analysis on the basis that it is machinery in nature.