

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017

What is the Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017?

This Bill has been introduced to:

- allow the registration of restricted breed dogs in Victoria
- clarify the dangerous dog status of guard dogs when retired to a residential premises
- increase the payments for registered dogs and cats made by Councils to the Treasurer under section 69(1)(a) and (aa) of the *Domestic Animals Act 1994* (Act).

What are restricted breed dogs?

Restricted breed dogs are defined as dogs fitting the Approved Standard for Restricted Breed Dogs in Victoria. These include pure or cross bred American Pit Bull Terriers (or Pit Bull Terriers), Perro de Presa Canarios (or Presa Canario), Dogo Argentinos, Japanese Tosas, or Fila Brasileiros.

Currently, the only restricted breed dogs that can be kept (i.e. registered) are those that were in Victoria before 1 September 2010 and were registered (as any breed) with the local council before 30 September 2011.

Why allow registration of restricted breed dogs?

The Parliamentary Inquiry into the Legislative and Regulatory Framework Relating to Restricted Breed Dogs recommended enabling the registration of restricted breed dogs. For full details of Inquiry findings and recommendations, visit parliament.vic.gov.au.

Allowing the registration of restricted breed dogs will improve community safety and benefit councils.

Community safety is enhanced as owners won't be tempted to hide restricted breed dogs as there is a pathway for registration.

Councils will have a better idea of the location of these dogs, and can ensure compliance with strict housing and ownership requirements. This will improve community safety through the identification of dogs and secure housing of dogs.

The change will save councils money by avoiding costs associated with seizing, holding and euthanasing dogs declared as restricted breeds.

The change encourages responsible ownership of existing dogs. The change allows restricted breed dogs to be identified and managed. Registering, identifying and appropriately housing these dogs will ensure community safety.

Will this increase the number of restricted breed dogs in Victoria?

No. Allowing registration of restricted breed dogs will not increase the number of these dogs in the community, as bans on breeding, adopting or transferring ownership remain in place.

Following the legislative amendment, any increase in the number of registered restricted breed dogs will simply reflect the fact that existing (previously unregistered) dogs have now been registered. Identifying these dogs improves community safety as requirements for secure housing, muzzles and identification collars are applicable.

It remains a criminal offence (with a maximum 6 months jail or 60 penalty units) for any person, whether or not they are the owner, to breed a restricted breed dog. The offence is committed if the person deliberately or recklessly allows the breeding. It applies whether or not both dogs are restricted breeds, and when the breeding results in progeny (whether or not any progeny is a restricted breed dog) born alive or stillborn.

Ultimately, the ban on breeding, along with the ban on importing, selling and changing ownership of restricted breed dogs, aims to phase out these breeds in Victoria.

How will community safety be maintained?

Allowing the registration of restricted breed dogs will not change any of the strict controls applying to restricted breed dogs currently in place.

Restricted breed dogs are still required to be:

- de-sexed
- microchipped
- kept on a leash and muzzled at all times when in public
- housed in such a way that they cannot escape, and are prevented from injuring visitors to the premises
- housed with warning signs at all entrances to the premises
- identified by wearing a red and yellow striped collar at all times.

Restricted Breed Dog on Premises



The registration and identification of dogs with prescribed collars enables community members to know these dogs are of a restricted breed. In turn, identifying these dogs will also alert community members to instances where they are not properly confined, and this can be reported to the local council.

How can community members report suspected unregistered restricted breed dogs?

Call the local council or the government hotline (1300 101 080). An authorised officer from the council will investigate.

What are details of the other key changes introduced through the Bill?

The Bill clarifies that retired guard dogs are still subject to the same housing and identification requirements as working guard dogs.

The Bill introduces an amendment requiring dangerous dog owners who sell, give away or transfer the ownership of that dog to another person, to notify that person in writing that the dog is deemed dangerous.

The Bill also increases the payments for registered dogs and cats made by Councils to the Treasurer under section 69(1) (a) and (aa) of the *Domestic Animals Act 1994*. This is known as the “pet registration payment”.

Payments are currently \$2.00 for every cat and \$3.50 for every dog. These payments have not increased since 2010, nor have they been indexed.

The Bill will increase the payment to \$4.00 per dog and \$4.00 per cat, and will index payments annually. Payments will increase from the 2018-19 financial year.

What is the pet registration payment used for, and why does it need to be increased?

The pet registration payment funds the Domestic Animals Unit, within the Department of Economic Development, Jobs, Transport and Resources (DEDJTR). The payment is utilised for promoting responsible dog and cat ownership and animal welfare, research into domestic animal management and supporting administration of the Act. The payment increase will ensure DEDJTR has sufficient funds to maintain and develop programs that educate expectant parents, preschool and school aged children on dog safety and responsible dog ownership.

The funds are also used to implement the government’s priorities, for example around restricted breed dogs, greyhounds and puppy farms.

Where can I get more information?

Call 136 186, visit www.vic.gov.au/pets or email pet.welfare@ecodev.vic.gov.au

Authorised by the Department of Economic Development, Jobs, Transport and Resources
1 Spring Street Melbourne Victoria 3000
Telephone (03) 9651 9999
© Copyright State of Victoria,
Department of Economic Development, Jobs, Transport and Resources 2017
Except for any logos, emblems, trademarks, artwork and photography this document is made available under the terms of the Creative Commons Attribution 3.0 Australia license.
This document is also available in an accessible format at economicdevelopment.vic.gov.au
ISBN 978-1-925629-72-9 (pdf/online)