

17 March 2021



PATRON:  
Her Excellency General The Honourable  
Margaret Beazley AO QC,  
Governor of New South Wales

Ms Jenny Aitchison  
Member for Maitland  
Shadow Minister for Primary Industries  
Investment and Tourism  
Medical Research  
**By Email:** [ElectorateOffice.Maitland@parliament.nsw.gov.au](mailto:ElectorateOffice.Maitland@parliament.nsw.gov.au)

Dear Minister

Further to our recent meeting, DOGS NSW has now become aware of the amendment, below, to the PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2021, proposed by the Shooters Fishers Farmers Party.

This proposed amendment to POCTAA that will redefine what it means to be Animal Trade.

Adoption of the amendment will require animal welfare agencies to perform checks and balances prior to entering small hobby or recreational breeders' properties and imposing large penalties or confiscating animals relating to breaches of the Code for Breeding Dogs and Cats but NOT for matters relating to Cruelty to Animals.

It must be noted that this amendment in no way relieves our members of the Legislation regarding Prevention to Cruelty to Animals, which are not being challenged.

**Proposed Amendment to POCTA proposed by the Shooters, Fishers and Farmers Party  
NSW Inc:-**

Meaning of "animal trade"

[1A] Section 4(1), definition of "animal trade"

Omit the definition. Insert instead-

**Animal trade** means a trade, business or profession-

- (a) the proceeds of which have generated income for a person in the previous financial year on which income tax would have been payable under the Income Tax Assessment Act 1997 of the Commonwealth, even if the person were to have had no other source of income, and
- (b) In the course of which an animal is kept or used for a purpose prescribed for the purposes of this definition, but not if-
  - (i) The animal is a greyhound, and
  - (ii) It is kept or used for an activity by the greyhound racing industry participant who is registered under the Greyhound Racing Act 2017 to carry on that activity.

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**Promoting Responsible Dog Ownership**



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During our meeting, we discussed the adverse impact of the current RSPCA Breeder Compliance Unit auditing of hobbyists or recreational breeders, on the basis that these breeders were Animal Traders and, as such, Commercial Breeders which has resulted in great anxiety throughout the community.

It is our deep concern that this may lead to the extinction of many pure bred breeds in NSW, paving the way for the proliferation of the large Commercial businesses, where puppies are raised in, albeit sterile, but impersonal, battery style facilities. For many years DOGS NSW has advocated for an amendment to the definition of Animal Trade. A recent review of our current Breeder statistics revealed that this proposed amendment will bring relief to approximately 98% of our membership holding a current prefix.

DOGS NSW strongly urges both you and your Party to fully support this amendment to the Bill, which we believe is the most appropriate way to address the unintended consequences now being enforced upon non-commercial breeders. Noting that the current Codes for Breeding of Dogs and Cats are: Largely written to regulate Commercial Breeding Facilities and contain many elements that are outdated and averse to AVA recommendations, including and very importantly - Vaccination protocols and fence heights contrary to many Local Government regulations, etc.

If you require further information in relation to this matter, I can be contacted directly by email via [president@dogsnsw.org.au](mailto:president@dogsnsw.org.au) .

Kind Regards

**Dr Karen Hedberg BVSc**  
DOGS NSW President