

20 December 2024

New rules for dog breeders in NSW

What is changing?

On 21 November 2024, changes were made to the *Prevention of Cruelty to Animals Act 1979*, and the *Companion Animals Act 1998* to strengthen puppy and dog welfare by establishing minimum standards for dog breeders.

- These changes are coming in stages and will apply to all breeders across NSW. They will improve the identification and accountability of dog breeding activities by mandating compliance with minimum standards to strengthen animal welfare.

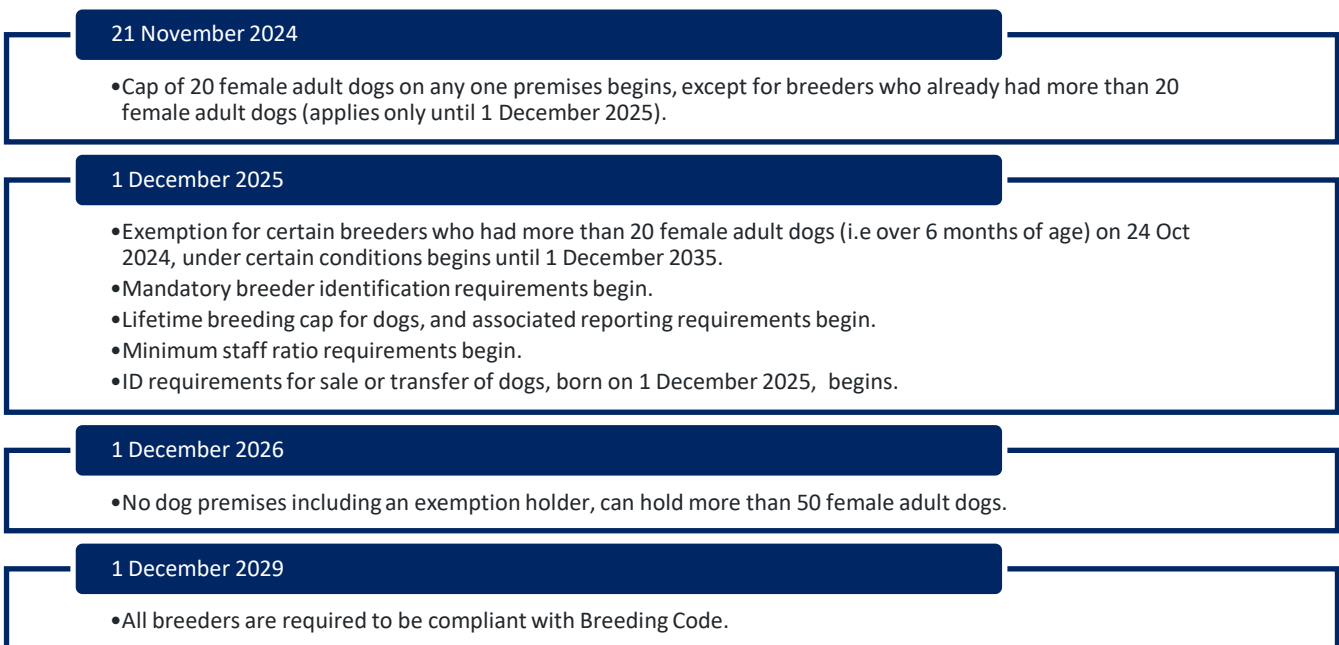


Figure 1: Timeline of key changes to rules for dog breeding in NSW.

Maximum number of female adult dogs

A new limit has been set following extensive stakeholder consultation to address key risks and animal health welfare concerns associated with breeding practices.

From 21 November 2024, a dog premises* must not have more than 20 female adult dogs over six months of age that have not been rendered permanently infertile (female adult dog)**. Transitional arrangements have been put in place to allow breeders that already had more than 20 female adult dogs to scale down their operations in a controlled manner to avoid adverse animal welfare outcomes.

Transitional arrangements include:

- Breeders that had more than 20 female adult dogs immediately before 21 November 2024 will not be subject to the maximum cap until 1 December 2025. However, they are not allowed to acquire additional female adult dogs above the number that was on the dog premises immediately before 21 November 2024.

A limited exemption will be available for certain breeders from 1 December 2025 until 30 November 2035. Breeders who had more than 20 female adult dogs on 24 October 2024 can apply for an exemption to keep more than 20 female adult dogs, subject to additional conditions. These include the requirement for no breeder to have more than 50 female adult dogs on any premises by 1 December 2026, compliance with the [Animal Welfare Code of Practice Breeding Dogs and Cats](#), submitting an annual report, and having the premises audited and inspected every two years. This exemption will be administered through the NSW Office of Local Government, with a fee of \$550.00 (ex GST) applying.

A new offence applies to breaches of the maximum cap of 20 female adult dogs:

- Penalty for individuals - a maximum of 1,000 penalty units (\$110,000), or 2 years imprisonment, or both; and for a corporation - a maximum of 5,000 penalty units (\$550,000).
- Penalty notice offence - \$1,000 for individuals, and \$5,000 for a corporation.

* A dog premises includes residential premises and commercial premises, used or intended to be used for the accommodation, shelter or care of dogs. This also includes a vehicle, an aircraft, a vessel, a trailer or caravan, whether or not attached to another vehicle. If any of these are on or adjacent to a dog premises, they will be taken to be part of the dog premises.

** The maximum female adult dog requirements do not apply in certain circumstances, such as the essential government services (i.e. police and corrections dogs) and specified animal welfare functions, such as for rehoming.

Mandatory breeder identification

New mandatory breeder identification provisions will apply to anyone breeding dogs, whether regular breeders, occasional breeders or those with accidental litters. This enhances transparency of dog breeding activities across NSW and assists people in acquiring a puppy to know that they are buying from a reputable breeder.

From 1 December 2025, anyone breeding dogs will be required to obtain a Breeder Identification Number (BIN), with some exceptions as detailed below. All existing BINs for breeding dogs will be cancelled on 1 December 2025. This means before that date:

- Breeders currently holding a voluntary BIN will be required to re-apply in order to comply with the new arrangements and provide updated details.
- Anyone using a membership number of a recognised dog breeder organisation will need to apply for a BIN, as these will no longer be accepted.
- If a dog becomes pregnant unexpectedly and the person in charge does not have a BIN they must apply for one either within 14 days after becoming aware of the pregnancy or 7 days after the dog gives birth, whichever comes first.

You must be 18 years or over to be a registered dog owner in NSW.

There are exemptions to having to apply for a new BIN, including:

- Farmers breeding working dogs for the purpose of working on the land on which they were bred will be exempt from obtaining a BIN whilst they remain on that land.

- Designated rehoming organisations who have custody of seized or surrendered dogs, and where one of these dogs is already pregnant or becomes pregnant accidentally, their Rehoming Organisation Number – known as a RON, will be accepted in lieu of a BIN.

There are also new rules for rehoming organisations that provide clear directions regarding breeding puppies.

If a designated rehoming organisation intentionally breeds dogs, it must obtain a BIN by 1 December 2025 to comply with the new mandatory identification rules.

The applications for BINs and RONs are administered through the NSW Office of Local Government, with fees applying

New offences for failing to obtain a BIN will apply:

- For individuals - a maximum of 100 penalty units (\$11,000), or 6 months imprisonment, or both; and for a corporation, a maximum of 500 penalty units (\$55,000).
- Penalty notice offence of \$500 for individuals, and \$2,500 for a corporation.

Lifetime breeding cap for dog litter limits and record keeping

A mandatory lifetime litter cap, setting out the maximum number of pregnancies and types of births will apply to all adult female dogs. Breeders will also be required to keep records of all births.

From 1 December 2025 a dog is limited to a maximum delivery of 5 litters or up to 3 caesareans litters, whichever comes first. Veterinary approval must be obtained before a dog becomes pregnant for a third time, if that dog has had two previous caesarean deliveries. The approval should certify that another birth will not pose a significant risk to the dog's health, and the existing maximum litter limit will still apply.

Written records must be made by breeders within 14 days of delivery and kept for three years in order to show on request. The records must specify:

- date of delivery
- mode of delivery - whether caesarean or other
- a copy of the veterinary certificate if veterinary approval was required
- the details of the veterinarian who performed the caesarean if it was required.

New offences for breaching lifetime litter limits:

- For individuals - a maximum of 1000 penalty units (\$110,000), or 2 years imprisonment, or both; and for a corporation, a maximum of 5000 penalty units (\$550,000).
- Penalty notice offence of \$1000 for individuals, and \$5000 for a corporation.

New offences for breaching record keeping requirements:

- For individuals - a maximum of 100 penalty units (\$1000), or 6 months imprisonment, or both; and for a corporation, a maximum of 500 penalty units (\$55,000).
- Penalty notice offence of \$500 for individuals, and \$2,500 for a corporation.

Minimum number of staff for dog breeding premises

Mandatory staffing ratios for dog breeding premises are being brought in to ensure proper and sufficient care for dogs.

From 1 December 2025, a dog premises must have a minimum ratio of one staff member present for every 20 dogs. The person who manages or controls the premises must also ensure each dog receives proper, sufficient care, food and water. This requirement does not require 24 hours a day care, unless there are circumstances where dogs may need additional care and supervision due to illness or under the advice of a veterinary practitioner.

Staff includes people working full-time or part-time, being an employee, a volunteer, an owner or manager, or family member of the owner or manager and must be aged 14 years and over.

For the purposes of the ratio, a dog over 12 weeks is counted as one dog, and a litter of dogs under 12 weeks of age will be counted as one dog, in recognition of the critical role played by the female parent.

The minimum number of staff is to be calculated by dividing the number of dogs at the premises by 20 and rounding up to the nearest whole number. For example, if there are 30 dogs at the dog premises, 30 must be divided by 20, which equals 1.5. 1.5 must then be rounded up to the nearest whole number, which gives a result of 2 staff members.

There is an exemption for dogs being bred for assistance animal purposes if the owner or manager is a member of either the International Guide Dog Federation or an accredited member of Assistance Dogs International.

New offences for breaching the staff to animal ratio and proper care requirement will apply:

- For individuals - a maximum of 400 penalty units (\$44,000); and for a corporation, a maximum of 2000 penalty units (\$220,000).
- Penalty notice offence of \$1000 for individuals, and \$5,000 for a corporation.

Sale or transfer of dogs

Requirements to provide identification numbers for the sale or transfer of dogs will be changing.

From 1 December 2025, any advertisement for the sale or transfer of dogs born after 1 December 2025 must include the animal's microchip number *and* the breeder's identification number, or in the case of a rehoming organisation where the identity of the breeder is not known, a rehoming organisation number. In circumstances where an advertisement is not made, this information must be provided to the purchaser before or at the time of sale.

| For dogs born <i>before</i> 1 December 2025 | For dogs born <i>from</i> 1 December 2025 |
|---|---|
| <ul style="list-style-type: none">• dog microchip number, or• a relevant breeder identification number, or• rehoming organisation number allocated under the <i>Companion Animals Act 1998</i>. | <ul style="list-style-type: none">• a microchip number, and• the breeder identification number allocated under the <i>Companion Animals Act 1998</i>, or• a rehoming organisation number allocated under the <i>Companion Animals Act 1998</i> |

Table 1. The information required to be disclosed when selling or transferring dogs, from 1 December 2025

There are some exceptions to these new arrangements:

- If a dog being sold or transferred is 6 months of age or older and the relevant identification and registration information required under the *Companion Animals Act 1998* has been recorded in the NSW Pet Registry, the dog's microchip number is sufficient.
- If a dog being advertised is 8 weeks of age or younger and it is not microchipped, the microchip of the female parent must be displayed and be clearly identified as the female parent. It is important to note that any dog must not be re-homed (sold or transferred) before they are over 8 weeks of age.
- If the dog being sold is a retired greyhound, the greyhound racing industry participant number allocated under the *Greyhound Racing Act 2017* may be used in lieu of a breeder identification number, however requirements for the animal's microchip number still apply.

New offences for breaching the requirements to provide identification during sale or transfer of dogs will apply:

- For individuals - a maximum of 150 penalty units (\$16,500), or 6 months imprisonment; and for a corporation, a maximum of 750 penalty units (\$82,500).
- Penalty notice offence of \$1000 for individuals, and \$5,000 for a corporation.

Animal Welfare Code of Practice – Breeding Dogs and Cats

It will become mandatory for *all* dog breeders to comply with the Animal Welfare Code of Practice – Breeding Dogs and Cats (Breeding Code) to ensure improved animal welfare outcomes for dogs in NSW.

From 1 December 2029, mandatory compliance will be required for all dog breeders, regardless of whether the breeding was intentional or otherwise, with the Breeding Code. Any person breeding dogs is also required to take steps to ensure all staff members comply with the Breeding Code of Practice, or relevant provisions of the Breeding Code for persons breeding dogs.

The Government will consult with stakeholders on the Breeding Code and make any necessary amendments prior to being mandated, to ensure it is fit for purpose for all breeders.

It is important to note that the current requirement to comply with the Breeding Code continues to apply for those businesses who breed dogs, or cats, for fee or reward.

New offences for breaching the requirements to comply with the Breeding Code will apply:

- For individuals - a maximum of 50 penalty units (\$5,500), or 6 months imprisonment; and for a corporation, a maximum of 200 penalty units (\$22,000).
- Penalty notice offence of \$500 for individuals, and \$1,500 for a corporation.

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