

# DOG AND CAT MANAGEMENT BOARD OF SA

## 9 March 2005 BULLETIN 1

### Index

<b>1.1 Introduction</b>
To ensure that all interested parties are aware of the Board's activities, it has been decided to distribute a bulletin after each monthly meeting.
<b>1.2 Training Rebates</b>
The Dog and Cat Management Act requires that councils provide a rebate for dogs that are trained. The Board has considered the issue of puppies and training.
<b>1.3 Acknowledgment of Board Funding</b>
The Board is currently determining its budget for the remainder of 2004 – 2005 and for 2005 – 2006. There is provision for funding certain activities. The Board expects recipients of such funding to acknowledge the Board's contribution.
<b>1.4 Registration of Businesses Involving Dogs</b>
There has been some confusion over the application of business registrations and the associated documentation, namely Form #4. <u>This form has been revised by the Board.</u> An explanation of business registration procedures is provided.
<b>1.5 Microchip Scanner Upgrade</b>
Some scanners distributed by the former Board have failed to detect Trovan FDX-A chips. This fault is being corrected.
<b>1.6 Your Dog, Your Cat Book</b>
The Your Dog, Your Cat booklet has been updated and reprinted and is now available for distribution to councils, vets, dog clubs and other interested persons.
<b>1.7 Dogs in Small Dwellings</b>
Many council by-laws only permit one dog in small dwellings unless there is explicit approval for more. The Board suggests that councils reconsider this provision.
<b>1.8 Dog Registration Fees 2005 - 2006</b>
The Board will recommend to the Minister that the maximum fee he approves for a full year registration of a dog remain at \$45.00. If councils wish to vary their fee structures, they must seek the endorsement of the Minister to do so.
<b>1.9 Strategic Planning Day</b>
The Board has held a strategic planning day and determined its funding and business priorities.
<b>1.10 Observers at Board meetings</b>
An LGA staff member will be invited to observe Board meetings and other guests may be invited to attend parts of meetings.

## **1.1 Introduction**

The Dog and Cat Management Board is keen to ensure that all interested parties are aware of the Board's activities and have the opportunity to contribute, provide suggestions and comment on Board proposals. To this end, the Board has decided to distribute a bulletin to interested individuals and groups on a monthly basis after each meeting. Your comments and feedback on any issues in the bulletin is welcome. The Board can be contacted through the Executive Officer:

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## **1.2 Puppies and the Training Rebate**

The Board has received correspondence from several members of the public who consider that the training dog registration rebate is unfair to owners of puppies because, by the age at which they must be registered, the puppy cannot be trained to the level required. To address this issue, the Board has decided that if the owner of a dog under one year of age has certification that the pup has completed a Puppy Pre-school course, the training rebate will be applied. This provision only applies for the first year of life.

## **1.3 Acknowledgment of Board Funding**

The Board is currently determining its budget for the remainder of 2004 – 2005 and for 2005 – 2006. Details of the finalised budget will be provided to stakeholders in a future bulletin. There will be provision for funding certain activities, projects or services. The Board expects recipients of such funding to acknowledge its contribution.

## **1.4 Business Registrations and Form #4**

The Dog and Cat Management Act provides two options for dog registration, namely the registration of individual dogs or the registration of a business.

### The Benefit Of Business Registration

A business registration allows all dogs over the age of 3 months that are bred or trained at a kennel, or used for the provision of security or other services involving dogs, to be regarded as registered while kept at the kennel or used in the business.

### Examples:

Dog breeders often retain puppies until they are about five months of age to determine the individual with the best conformation, they then sell the others. Over a twelve month period, they may have (for example) thirty dogs of registrable age, but only have fifteen at any one time. A business registration encompasses all these dogs and regards them as being registered.

A greyhound trainer may have fifty dogs at any one time, but those that do not perform on the track are not kept. Several hundred individual dogs may pass through the kennel in a year. A business registration allows the trainer to register the business, which provides the trainer with the flexibility to change dogs over the registration period without having to notify the local Council of these changes.

### Definition Of A “Business”

The Act defines a business as: *a kennel at which dogs are bred or trained; or the provision of security or other services involving the use of dogs,*

The owner of such a business: *may apply, in the manner and form approved by the Board, to the Registrar of the area in which the business is (or is to be) situated or from which the business is (or is to be) operated for registration of the business.*

Therefore if the dogs are being kept for any other purpose apart from a kennel for breeding or training, or for the provision of security or other services involving the use of dogs, they must be individually registered.

### Rebates For Desexed, Microchipped Or Trained Dogs

The Act states: *Without limiting the matters that may be taken into account when setting fees to be approved by the Minister, councils must provide for a percentage rebate of the fee that would otherwise be charged for the registration of a dog in the following cases:*

- (a) if the dog is desexed;*
- (b) if (i) the dog has been implanted with a microchip for the purposes of identification; and*
  - (ii) the information contained in the microchip is up-to-date;*
- (c) if the dog has passed a specified training program accredited by the Board, (and, if more than one rebate applies in respect of a particular dog, the rebates are to be aggregated and deducted from the registration fee that would otherwise be charged).*

Therefore rebates apply only to the registration of individual dogs and not to businesses.

### Fees For Registration Of A Business

Section 26(6) of the Act allows councils to charge fees for the registration of a business. These fees must be approved by the Minister prior to implementation.

#### For example:

A council may choose to determine a fee per dog held by the business, and then charge a multiple of that fee. If the fee is \$25 per dog and the business owner wishes to keep ten dogs at any one time, the total fee would be \$250. Alternatively, a council may choose to charge a flat fee for the registration of a business regardless of how many dogs are held. The business owner can determine whether they are financially advantaged by registering their business or individual dogs (thus being eligible for rebates).

### Form 4 Application For Registration Of A Business

The Form 4 does not currently ask the applicant the maximum number of dogs they wish to keep as part of their business, nor does it ask the purpose for which those dogs are held. Without this information it is difficult for the Registrar to be satisfied that the applicant genuinely owns or operates a business of the type referred to in s35(1) of the Act. If the council charges a fee based on the maximum number of dogs permitted without knowing how many dogs the applicant intend to have, they cannot determine the appropriate fee. For this reason, the Board has endorsed the amended Form #4 attached.

## **1.5 Microchip Scanner Upgrade**

The Board received reports from councils and shelters that the microchip scanners provided by the former Board do not always detect Trovan FDX-A microchips. The manufacturers have been contacted and have agreed that some of the scanners are faulty and do not detect these microchips. The Board has now received twenty replacement scanners, which have been distributed to metropolitan councils for use while their own scanners are repaired. When the repaired units are returned, they will be sent to another twenty councils and their scanners will be repaired. This will continue until all councils have effective scanners. The Board will contact councils to arrange suitable times for collection and delivery.

## **1.6 Your Dog, Your Cat Booklet**

The Your Dog, Your Cat booklets have been updated to reflect the amendments made to the legislation last year and have been reprinted. The Board is sending them out to all councils, vets, pet shops, and dog and cat clubs at no charge.

## **1.7 Dogs in Small Dwellings**

Councils may make by-laws for the management of dogs and cats and proposed by-laws must be forwarded to the Board for consideration. The Act requires Councils to consider any recommendation of the Board on proposed by-laws. Many of the by-laws sent to the Board contain a provision that small dwellings may only have one dog unless council expressly allows additional dogs. While the Board has not formally commented on this provision, it has expressed some concern. One large dog may be less appropriate in a small dwelling than two small dogs. In addition, a single dog is more likely to become bored and either bark or cause damage than a dog that has company when the owners are away. The Board suggests that Councils either consider allowing two dogs in small dwellings or only permit dogs in small dwellings on application. In this way, the council could determine the suitability of the dogs and the specific circumstances of the property and owners before the dog is purchased.

## **1.8 Dog Registration Fees 2005 - 2006**

The Board has decided that it will recommend to the Minister that the maximum registration fee for 2005 – 2006 remain at \$45.00. Councils are reminded that if they wish to modify their registration fees, or any other fee for functions required by the Act, the approval of the Minister must be sought.

## **1.9 Strategic Planning Day**

The Board held a Strategic Planning Day on 1 February 2005 to determine its strategic directions and funding priorities for the next 18 months. These are:

- ❖ Reduce dog attacks
- ❖ Assist councils in the development of Animal Management Plans
- ❖ Create a greater awareness of dog legislation across the state
- ❖ Formulate a plan to manage cats
- ❖ Develop training for animal management officers
- ❖ Develop a systematic public education program

Based on these priorities, the Board will now develop a strategic and business plan and budget for the consideration of the LGA and the Minister.

## **1.10 Observers at Board Meetings**

A Council officer has asked whether or not observers could attend Board meetings. LGA staff are invited to observe all meetings of the Board. Council representatives and other individuals are welcome to address the Board on specific issues or to attend for specific agenda items (for example an Australian Veterinary Association representative attended a recent meeting to demonstrate the Pet PEP Program to the Board). As many of the issues considered by the Board are sensitive in nature, the Board has decided not to invite additional observers. However, if there is a specific issue that any interested party wishes to raise with the Board, please contact us and we will ensure that the matter is considered and, in some cases, a person will be invited to address the Board on the issue.

FORM 4

**APPLICATION FOR REGISTRATION OF A BUSINESS INVOLVING DOGS**

To: The Registrar of Dog Management of \_\_\_\_\_  
(insert name of Council)

**Pursuant to Section 35 of the Dog and Cat Management Act 1995 (“the Act”) and the authority of the Dog and Cat Management Board of South Australia I/We \_\_\_\_\_ [insert name(s) of applicant] being the owner(s) / occupier(s) [delete inapplicable] of a business involving dogs apply for registration of the business and agree to pay any registration fee applicable pursuant to the Act and its Regulations.**

\_\_\_\_\_ (insert name of business)

\_\_\_\_\_ (insert home address)

\_\_\_\_\_ (insert business address)

\_\_\_\_\_ (insert home telephone number)

\_\_\_\_\_ (insert business telephone number)

The maximum number of dogs over three months of age to be held at any one time is:

\_\_\_\_\_ (insert maximum number of dogs)

In accordance with section 35 (1) of the Dog and Cat Management Act, the business to which this application applies involves (please select one):

The breeding of dogs π

The training of dogs π

The provision of dogs for security purposes π

Other π

If other, please specify purpose

\_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant(s)

\_\_\_\_\_  
Date