

Animal Welfare (Breeding Standard) Determination 2015 (No 1)

Disallowable instrument DI2015 – 257

made under the

Animal Welfare Act 1992, s 15B (Intensive breeding of cats or dogs)

EXPLANATORY STATEMENT

Section 15B (1) of the *Animal Welfare Act 1992* (the Act) provides that the Minister may determine a standard for the breeding of cats or dogs. Section 15B (3) of the Act provides the scope for the contents of a breeding standard as ‘any matter that the Minister reasonably considers is appropriate to protect the welfare, safety or health of fertile cats and dogs in relation to breeding’.

This instrument determines a breeding standard for the purposes of section 15B, including—

- the minimum ages of female cats and dogs before their first litter;
- the maximum frequency that female cats or dogs may be allowed to breed litters;
- the maximum number of litters a female cat may have in her lifetime; and
- the age at which a female dog must be retired from breeding.

Sections 15B (4) and (5) of the Act provide offences for contravening a breeding standard and thereby serve to prevent the intensive breeding of cats and dogs.

Section 15B (4) provides that a person commits an offence if the person is in charge of a female cat or dog and allows the cat or dog to breed while being reckless as to whether the breeding contravenes a breeding standard. The maximum penalty for an offence against section 15B (4) is 50 penalty units.

Section 15B (5) provides that a person commits an offence if the person is in charge of a female cat or dog and allows the cat or dog to breed in a way that contravenes a breeding standard and does so with the intention of making a profit or commercial gain. The maximum penalty for an offence against section 15B (5) is 100 penalty units.

The determination of a breeding standard is made by disallowable instrument.