

## DOG AMENDMENT (STOP PUPPY FARMING) BILL 2020

### *Consideration in Detail*

#### **Clause 1: Short title —**

**Mr R.S. LOVE:** I want to get up before the member for Nedlands, who, along with other members, wants to contribute to this bill. As we know, the bill is entitled the Dog Amendment (Stop Puppy Farming) Bill 2020. Can the minister explain why the bill title includes “Stop Puppy Farming” when no definition of “puppy farming” is found in the bill? Can the minister provide an explanation of what puppy farming is, because it is not in the bill?

**Mr D.A. TEMPLEMAN:** The member is well aware that the government is committed to preventing and stopping puppy farming in Western Australia and improving the health and wellbeing of dogs. That is the focus of the bill. The bill seeks to regulate dog breeding to ensure both transparency and traceability to identify where dogs come from. The bill is the result of extensive consultation and policy work that goes back some years. Indeed, the intention is that the bill will ensure that dogs can be traced throughout their lives. The expectation is that it will reduce the number of dogs that ultimately end up needing to be rehomed. The important thing is that stamping out puppy farming practices involves a coordinated approach. That is why a range of measures, effectively, have been embedded in the legislation to achieve this outcome. The bill not only deals with large-scale operations, but also addresses issues and concerns about backyard breeders who do not provide adequate health and wellbeing for dogs or who breed dogs in inadequate conditions. It is about people breeding dogs in poor conditions.

The inclusion of a definition of “puppy farming” in the Dog Act, effectively, would limit the scope of the bill, because there are a range of approaches to achieve its outcomes. Of course, “stop puppy farming” is referred to in the title because that is our very clear intention and it was an election commitment. During the second reading debate, it was highlighted that this government strongly believes in the bill. The measures embedded in the bill seek to achieve the outcome of stopping puppy farming in Western Australia. That is the focus of the bill. “Stop Puppy Farming” is in the title because, cumulatively, that is what the government intends to achieve.

**Mr R.S. LOVE:** I raise this because I know the minister has outlined different aspects of the bill besides commercial or backyard operators. The bill also encompasses people who wish to raise dogs to exchange with neighbours et cetera on farms. A range of issues around the cultural use of and the relationship with dogs by Aboriginal people must also be taken into account. There are a whole range of other areas besides what I think everybody has in mind when they think about puppy farming—that is, a particular pet shop on Beaufort Street with a sign that says “Puppies for sale”, where people can go and find puppies for sale that have been sourced from unknown and unregulated places. People do not know whether those dogs have been raised appropriately or if they are going to good homes. We know nothing about that trade. I understand that. However, by not including a definition of “puppy farming”, the bill encompasses other areas that I think are perfectly legitimate uses for dogs. People have had companion relationships with dogs, especially in the rural landscape, forever. By saying that this bill will stop puppy farming, we will not only stop those commercial operators and those types of seedy operations that I am sure everybody has in mind, but also, because of the very broad nature of the bill’s ambit, affect the breeding of every dog. That means a whole list of exemptions will have to be set up. It would have been far better if the bill had included a definition of puppy farming so that we and future regulators would know what that means when setting out to exempt certain classes of dogs by regulation. I understand some amendments on the notice paper will touch on those areas, but the minister should have been able to include regulations in the bill to exempt certain classes of dogs. On what basis is the government making those exemptions if there is no clear description of what the government is trying to achieve in this bill?

I think the lack of a description or definition of “puppy farming” could become a real issue for regulators in the future to develop meaningful regulations that balance the need to stop the abhorrent practice, which I am sure we all want to stop, without impinging upon the rights of ordinary Western Australians to enjoy a relationship with a dog at a reasonable cost and from a gene pool that is wide enough to avoid any selective inbreeding faults. For that reason, I suggest that when this bill goes to the other place, the minister should think of inserting into the bill a definition of puppy farming so that in the future there is a description of what the government is seeking to achieve and what sort of activities will be exempt.

**Mr D.A. TEMPLEMAN:** I thank the member for the question. One of the reasons that a definition is not proposed is that the legislation outlines a range of measures aimed at addressing the issue of puppy farming more broadly. Puppy farming is effectively a practice of intensive dog breeding in a facility operating with inadequate conditions that fails to meet the dogs’ behavioural, health and wellbeing, social and psychological needs. As I said, if we were to insert a definition, it may mean that the legislation does not do what we want it to, because there are a range of measures embedded in it aimed at addressing the result of inappropriate raising of pups and dogs. It is a suite of reforms, and in this case we are amending the Dog Act, but there are also relevant matters that relate to the

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Animal Welfare Act, which we are not debating here, because they are being addressed through standards in that act. Cumulatively and collaboratively, these measures are aimed at addressing the serious issue of puppy farming and the terrible outcomes for many pups and dogs that that practice creates. I would not like us to have a definition that would not allow us to address that aim through the measures in this bill. We believe that defining will limit the bill's scope and effectiveness. I understand where the member is coming from, but he needs to understand that the aim is a range of measures that have been articulated and embedded in the legislation to address a major concern for many, many people in Western Australia. That is the intention. It is what we took to the election and it is why we have this bill before us today.

**Mr R.S. LOVE:** I thank the minister for that answer and for the definition he just read to the house. We know this bill now goes a lot further than is needed to address that definition. It addresses a whole range of other classes of dogs, and, as I have said before, farm dogs are a case in point, as are responsible dog owners under Dogs West, and we will discuss that further down the track. Although the bill has in its title "Stop Puppy Farming", it seems that it has a much wider ambit in achieving the aim of stopping the commercial operations of intensive puppy farming for profit that the minister has talked about. It is a much wider bill than just for stopping puppy farming, and it is a lot more onerous than it would appear on the surface. None of us would be opposed to stopping the practices the minister outlined in his definition, and, as we have stated before, we do and will support those measures being taken forward, provided that the ambit is restricted to what is necessary to stop puppy farming and not broadened to everybody else in the state who is not involved in those disgusting practices and happens to want to have a dog.

The other thing I want to briefly ask about is that although this bill aims to stop puppy farming, many dogs do not come from Western Australia. Are there any thoughts about how it can be ensured that this will not just transfer the problem interstate? Although this bill addresses the problem internally in Western Australia, many dogs are already purchased online and sent over here. What will stop that from happening in the future?

**Mr D.A. TEMPLEMAN:** First of all, I want to highlight something. Will a person who resides in another state or territory need to comply with the requirements inferred in the bill? If a person transfers a dog to a person in WA, they will need to comply with the transfer requirements under the Dog Act. If they do not have a dog-owner number, they can apply for one through the centralised registration system. Again, the centralised registration system is an important component. If a person in another state or territory advertises a dog online, they will need to comply with the requirements of the WA Dog Act. If a person from another state or territory advertises a dog online, for example, through the social medium of Gumtree, and actively states that the dog is available for supply to the WA market, they will need to comply with the requirements of the Dog Act. That is a very important aspect. If a person from another state or territory advertises a dog online, for example, through Gumtree, and the advertisement can be seen by people in WA, but they do not actively intend to supply a dog to the WA market, they will not need to comply with the Dog Act. A person from another state or territory who advertises in media that is only available in Western Australia will need to comply and obtain a dog-owner number to be quoted in the advertisement. Despite these intentions, when advertising a dog, a person who supplies a dog to someone in Western Australia will need to comply with the transfer requirements when transferring the dog to a person who lives in WA.

The good thing with us proposing stop puppy farming legislation, as we are doing, is that we know that in other parts of Australia similar legislation has been introduced and passed or is in conception. We ultimately want to make sure we are consistent, because if we are going to break intensive puppy farming anywhere in Western Australia and other states, consistency is an important consideration. I am aware that every state or territory does things differently, as is their will. For example, Victoria, South Australia, New South Wales and Queensland have all introduced various centralised registration systems. This is one of the important aspects of having a centralised registration system. It goes to the heart of why we need to ensure that we have a robust centralised registration system in place. From that comes the strength in traceability and accountability for the breeding of a pup and throughout its lifespan. Dog-breeder registration has been introduced in Queensland, South Australia, the Australian Capital Territory and Victoria, and we are aware that Victoria has transitioned pet shops into adoption centres, which it did in 2018. That is how this bill effectively deals with outside interests, if you like.

Essentially, there is a component of responsibility. We are also attempting to embed greater understanding by anybody who wants to purchase a pup or a dog about the nature of being a responsible pet owner. Any consumer will be encouraged to remember a range of matters. Yesterday, in the second reading debate the member for Maylands talked about the importance of ongoing education. We intend to do that as part of the passing and enacting of the bill to engage this constant reinforcement of important matters relating to responsible pet ownership. Consumers need to understand that if an advertisement is placed in WA and taken to the WA market, it must display a dog-owner number. That will be a requirement. If the dog is transferred to someone living in WA, the transferor must provide a dog-owner number, regardless of where the transferor is located. People should only obtain dogs from suppliers compliant to provide safeguards for themselves and their pets. The centralised registration system and other measures —

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**Mr S.J. PRICE:** I would like to hear some more from the minister, please.

**Mr D.A. TEMPLEMAN:** I thank the member for Forrestfield. The traceability issue is important. Ultimately, we want people to understand and to know exactly what they are buying. One of the challenges of the current situation is that there is no regulation. There are horror stories, and I mentioned that yesterday in my second reading concluding remarks. I am sure members opposite would be aware of horror stories of people outlaying significant amounts of money expecting that the dog they have bought will be a healthy and a robust animal that will provide wonderful comfort and love within their family, and it is not. That has occurred on a number of occasions. The measures in this bill are aimed at addressing such matters as well. That is why a centralised registration system, as one plank of this policy and legislation, is so important.

**Mr W.R. MARMION:** I thank the member for Moore for his questions. They covered most of the questions that I was going to ask on this clause. Can the minister advise what advice the government got to put the phrase “Stop Puppy Farming” in the short title? It is a cause for concern because it is hard to explain to people when talking about this bill without a definition. The government did not include a definition in the bill. Did the government consider not including the phrase in the short title? As the minister said, this legislation is all about licensing, breeding, sterilisation and supply. One of those words could have been put in brackets to explain what this bill is about. It is very broad. This is only one aspect of the broader picture of trying to stop puppy farming, which we endorse. Did the government get advice from Parliamentary Counsel on the wording of the short title?

**Mr D.A. TEMPLEMAN:** Normally, the short title of the bill is determined by what the bill is about and what it attempts to do. I think this short title does that. I have explained that embedded in this bill is a range of measures that are aimed at stopping puppy farming. They include the transition of pet shops to adoption centres, a centralised registration system and all those matters. That is the intent. I think that it would have been derelict if we had not included puppy farming in the short title, because this legislation would simply have been seen as an amendment to the Dog Act. A range of matters would have had to have been constantly explained in detail because it is a range of measures. This title defines, ultimately, our election policy. In 2017, we said that if we came to government, we would introduce legislation aimed at addressing the abhorrent practice of puppy farming, and that is what we have done. We have put that in the title because we want people to know that we are delivering on that election commitment.

**Mrs A.K. HAYDEN:** I refer to the short title. I note all the comments the minister has made in answer to previous questions. In his answer just then he said that the name of the bill should reflect what the bill is about. This bill will amend the Dog Act, which, in its current form, covers assistant dogs; transporting of dogs; registration; microchipping, and the process, the rules and regulations around all that; security dogs; how to look after the rights of a commercial security dog; what can and cannot be done with a security dog; greyhounds; the control of dogs; and dangerous dogs. We have all heard stories of dogs of the wrong breed being with the wrong owner and being mistreated and that having a massive impact on our communities. We have heard awful stories of dogs attacking children in parks and those dogs having had to be put down. The Dog Act also covers the destruction of dogs; the destruction of vermin and wild dogs, which we have in the regional parts of Western Australia; dogs in public places; and nuisance dogs. I do not think there would be one member in this place who has not received a phone call from a constituent complaining about a dog barking next door. I think that dog barking and dog noise is one of the biggest issues that local governments have to deal with. If we are going through the Dog Act and we are naming it to represent the meaning of the act, I think if we went by popularity, as in the need for the act, it would have to include “dog barking” and “dog noise”. Why does the title of this bill reflect on stopping puppy farming? It should include all the above that I have mentioned and plenty more that is in this bill. To say that the name reflects the meaning of the bill is not 100 per cent accurate. All the things I called out have a definition at the front. There is a definition of a security dog and what is a registered vet. There are definitions in the front of this bill that are not seen in the title of the bill, yet the words “Stop Puppy Farming” are in the title without a definition. I would like the minister to explain again why the terminology “Stop Puppy Farming” is in the title when it does not reflect the bill. It is not in the bill. It is about more than just stopping puppy farming. It is everything that I read out. Could the minister please justify, other than by saying that it was an election commitment, why we are changing the Dog Act 1976 with a measure titled Dog Amendment (Stop Puppy Farming) Bill 2020?

**Mr D.A. TEMPLEMAN:** I thank the member for the question. If the member were to look at the title, she would see that the title includes the word “amendment”. It is the Dog Amendment (Stop Puppy Farming) Bill. The member needs to understand that the Dog Act deals with the management of dogs. That is why this bill amends the Dog Act, which is inherent in the title. Of course, that is why the bill amends the Dog Act and not the Animal Welfare Act. The Cat Act includes the breeding of cats. This is an amendment bill. It is the intention of the bill to reflect our policy to stop puppy farming. That is why “Stop Puppy Farming” is in the title. If the member does not like that, she can oppose the bill, as she intends to do.

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**Mrs A.K. HAYDEN:** I thank the minister for that explanation that the title reflects the amendment. The fact that there is no definition of “puppy farming” in this amendment bill has been debated, and, I believe, not answered to satisfaction. Can the minister please point out in the bill which clause will stop puppy farming? If an illegal operation is found, and because we do not have a definition, we do not know what an illegal operation of puppy farming is, but if we find someone being cruel to an animal and it is living in bad conditions, which none of us want to see, what part of this bill will shut them down and prosecute them?

**Mr D.A. TEMPLEMAN:** I thank the member for the question. There is a suite of measures that will, in the government’s view, address the issue of puppy farming. That is why the bill has that intent included in the title. How will it stop puppy farming? Currently, the breeding of dogs in Western Australia is not regulated. This bill seeks to do that. Currently, we do not have a regulation process. That allows puppy farmers and indiscriminate dog breeders to disguise their operations and continue to breed dogs in inadequate conditions. Mandatory dog desexing and dog breeder registration will ensure that there is oversight of who is breeding. The centralised registration system will assist authorities in tracing a dog back to the breeder so that puppy farms can be identified and shut down. The transitioning of pet shops into adoption centres will ensure that puppy farmers will not be able to use pet shops as an outlet. As I said, a suite of measures embedded in this legislation are aimed at stopping puppy farming. That is our intention. If the member is not happy with the definition, she can continue to vote against this bill.

**Mrs A.K. HAYDEN:** I understand that there is a suite of measures in this bill to allow for the registration of breeders to understand and trace puppies. Once this bill has been passed and is in play, what will people be able to do if they find that someone is mistreating their animal by allowing it to have multiple pregnancies within a year and is overbreeding in cruel conditions? What provision in this legislation will enable that to be stopped immediately?

**Mr D.A. TEMPLEMAN:** There are measures. If this legislation is passed, one of the control measures will be that the breeder’s capacity to breed can be taken away. Currently, that is not the case for the breeding of dogs throughout Western Australia. Of course Dogs West, as an independent organisation, has some control over its members, but, as I said in the second reading speech, it does not cover all dog breeders in Western Australia. A suite of measures aimed at addressing the abhorrence of puppy farming in Western Australia are embedded in the legislation, and we will come to a number of those clauses as we debate the bill in consideration in detail.

**Mrs A.K. HAYDEN:** I have a final question on that and then I will move on. Can I just confirm that if someone mistreats an animal in, as the minister outlined, puppy farming conditions, under this legislation we will not be able to stop them; it will need to be done under the cruelty provisions of the Animal Welfare Act? Can the minister state that those powers lie under the Animal Welfare Act, not under the Dog Amendment (Stop Puppy Farming) Bill 2020? If he can clarify that that is where the powers lie, and not under this bill, that would be appreciated.

**Ms L.L. BAKER:** I just want to confirm a couple of things in following up on the member for Darling Range’s question. Let us take as an example any one of the number of successful prosecutions or attempted prosecutions that have failed. Am I right in saying that at the moment under the Animal Welfare Act, it is quite okay for breeders to keep dogs in conditions that the public would not agree are acceptable, provided the dogs have water and food and a certain amount of air can pass through the place in which they are kept, and that there is no requirement for a dog to be exercised? Therefore, a dog can be kept chained up in the backyard and get no exercise, as I know has happened for four years to two dogs in the suburb of Mirrabooka. Every time a ranger takes an inspector from the RSPCA onto that property to try to deal with the cruel ownership practices and the mistreatment of those animals, they fail because the dogs have water, even though they are on chains, have had limited contact for four years and have a piece of cardboard to sleep on. The Animal Welfare Act is absolutely useless in those circumstances.

Minister, would I be right in saying that the Department of Primary Industries and Regional Development’s new standards and guidelines for the health and welfare of dogs—standards, of course, are mandatory and guidelines are voluntary or recommended—outline a range of conditions that breeders and anyone who owns a dog will have to comply with?

In response to the member for Darling Range’s very good question about the interface between the changes and reforms that this bill will make to the Dog Act and the existing animal welfare legislation, the reforms to the Dog Act will strengthen the capacity of rangers and the RSPCA to take action upon complaint and will give security to breeders. If breeders are lucky enough to be a member of Dogs West, they have to adhere to high standards of behaviour. If all that fails, under these reforms, someone who has been granted approval to breed and is on the central register can be taken to court for breaching those standards and guidelines. That is the interface that I think the member was asking about. We will be able to say that they cannot do that because they are an approved breeder on the register and have agreed to abide by the state’s minimum standards. There is nothing to stop a breeder meeting much higher standards, as, I assume, members of Dogs West would, although, as the member would know, in the past, breeders registered with Dogs West have quite rightly been expelled for incorrect practices. Dogs West, as a very big organisation, does a great job of trying to police that, but all Dogs West can do when one of its members is caught

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doing something offensive is cancel their Dogs West membership. It cannot take any further action against that person, but, by law, we will be able to follow up on that because approved breeders on the central database will have agreed to meet these minimum standards. That is a fundamental improvement. Is that right, minister?

**Mr D.A. TEMPLEMAN:** The short answer is yes! I thank the member for the question. I do not disagree that it is not an important question. The member for Maylands has outlined the important interface between the dog amendment bill that we are debating currently and the standards and guidelines under the Animal Welfare Act, which I have a copy of. It would be worth members looking at these because they very clearly and succinctly outline guidelines for the general care of dogs et cetera. I am happy to table a copy of the “Health and Welfare of Dogs in Western Australia: Standards and Guidelines”, dated February 2020.

[See paper [3483](#).]

**Mr D.A. TEMPLEMAN:** Again, I do not want to get into a debate about the Animal Welfare Act; that is not what we are debating, but it is an important point to make about the interface between the two. This may be of interest to groups such as Dogs West and the Australian Federation for Livestock Working Dogs: a puppy must not be permanently separated from its dam and littermates for the purpose of transfer unless the puppy is at least eight weeks old and fully weaned; a dog must not be mated unless the dog’s health is checked by a vet and, in the case of a bitch, is at least 12 months old; and a breeder must not use a bitch to produce more than two litters in any 18-month period and five litters before the dog is retired from breeding. In tabling these standards and guidelines, I do not want to get into a long debate about some of them because that is not the point of the bill before us. Members need to be mindful that, ultimately, the health and welfare of dogs will be governed by these standards and guidelines. I think they are very good. Of course, they were subject to a three-year period of fairly extensive consultation, which goes to the point of the attempted criticism by those on the other side about the issue of consultation. The McGowan government is dinkum about animal welfare. That is why we are focused on making sure we have high-quality standards and guidelines under the Animal Welfare Act, and of course it is why, again, we have this legislation before the chamber today that focuses on stopping puppy farming. We are very, very focused on that and we are committed to it, and it is sad that the opposition has indicated that it is opposing this bill.

**Mrs A.K. HAYDEN:** I apologise; I said that I was going to ask one more question, but the member for Maylands raised some very important matters and topics. I thank the minister for tabling that document, which I would like to see shortly. It highlighted the very issue that we are raising—that stopping puppy farming, as stated in the title of the Dog Amendment (Stop Puppy Farming) Bill, falls under the Animal Welfare Act and the “Health and Welfare of Dogs in Western Australia: Standards and Guidelines”. The member for Maylands said that if a dog is in poor condition, we currently cannot prosecute its owners. We need to be discussing the Animal Welfare Act here today, not this bill. If that is where the problem lies—that animals are in poor conditions right now but the owners cannot be prosecuted because the Animal Welfare Act is not strong enough—why are we not debating that in this chamber today if we are serious about stopping puppy farming? That is where the real issue lies. It is not the fact that people are breeding dogs. If they are breeding dogs and doing the right thing, we have no problem with that. But if they are breeding dogs and doing the wrong thing, yes, we have a problem with that. Why are we talking about a bill that, when passed, will not be able to stop that, when the issue lies with the Animal Welfare Act? That is our biggest concern, and that is why we believe the title of the bill is misleading. It should be more about dog registration and welfare—how to care for an animal. This is not going to stop puppy farming. The government is trying to educate people, which is a brilliant thing. People need to understand how to look after their dog, that they are going to be watched and monitored, and, unless they abide by these rules, they will no longer be allowed to have their dog. I agree, but that will not stop puppy farming. Everyone in this chamber would love to see puppy farming eliminated, not just from WA, but across Australia. But let us call a spade a spade; if we are going to do it, bring on amendments to the Animal Welfare Act and let us stop it.

**Mr D.A. TEMPLEMAN:** I have answered the member’s question in various ways. This was an election commitment by this government. We are very proud of it. We are disappointed that the opposition is opposing it and has spoken in opposition to this bill. I think many Western Australians are very disappointed by the Liberal Party’s decision to oppose this bill. That is the party’s choice; it is opposing it and we are not. We have introduced it and it is about stopping puppy farming. The intention is embedded in the bill, with a range of measures to set about achieving that. There is an interface with the Animal Welfare Act, and I hope the opposition will be true to its word and support amendments to that act in the other place.

**Mrs A.K. Hayden** interjected.

**Mr D.A. TEMPLEMAN:** The member for Darling Range is opposing this bill. That is what she is doing. In our view, that demonstrates that the Liberal Party is not committed to the welfare of dogs, in this case. It is opposing the bill. I accept that it is opposing the bill and I am disappointed it is opposing the bill. We have put this up and

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we think it is a very important bill to ensure the welfare of dogs in Western Australia. We believe that there is strong support for the intentions of this bill and I am disappointed that the opposition does not support it.

**Mr Z.R.F. KIRKUP:** I imagine I will not be participating in the remainder of the consideration in detail stage, but given the latitude that the minister has provided to a number of members, including the member for Maylands, in responding to questions on clause 1, and the fact that he did not respond to any concerns that I had raised about Aboriginal communities in his second reading reply, I hope the minister will be able to provide some information to us about whether dogs in Aboriginal communities will be exempt from any of the amendments and whether Aboriginal communities will be fined for having camp dogs, town dogs and such things. I am curious to explore that a little more. If we can do that here, I would welcome that so that I can get it done and not have to worry about the rest of the bill; but, if not, I am sure we will get through it in due course.

**Mr D.A. TEMPLEMAN:** That is a very important question regarding some Indigenous communities, as was highlighted by a couple of members. I am aware that there was some consultation and discussion, including with ranger representatives in some of the council areas where there are communities. I understand that the rangers understood the important role that they will play in the education of and ongoing discussions with those communities. Ultimately, as the member is probably aware, there are already a range of practices in which veterinarian services are offered to control dog numbers in some of those communities and have been over time. The intention of this bill is that people will be required to comply, and as was highlighted in my second reading contribution and also in the member for Maylands' contribution, ongoing education about responsible dog ownership is an important factor in these particular matters. Of course, we know that sensitive cooperation, collaboration and consultation on these matters continues, but, ultimately, we want people to understand that responsible dog ownership is important, and that is an important consideration in our bill.

Regarding support for local governments to control dogs in Aboriginal communities, I understand a survey was undertaken with remote communities in the Kimberley and the Pilbara. Currently, funding is made available to organisations that offer sterilisation programs to visit a number of these communities. It is an issue; I am not denying that, and I think the member for Nedlands, with his previous experience of working in the Kimberley, highlighted that. Ultimately, local governments will be responsible for enforcing the Dog Act in their district. Many of them understand the sensitivities around some of these issues and of course local governments will enforce the requirements in accordance with their specific resources and capabilities. I think members will find that organisations that assist these communities with dog sterilisation et cetera will continue, and they will support the intent of the bill as has been presented.

**Mr Z.R.F. KIRKUP:** I thank the minister for that response. Obviously, my concern is that local governments in the north have even been reluctant to fly the Aboriginal flag, for example, at their council buildings. A local government that will be empowered by the legislation that this government is seeking to introduce might start heavily fining Aboriginal communities for having dogs that are not registered because the capacity for that community to register a dog is probably not as easy as it is for someone sitting at home in Mandurah, Nedlands or somewhere else in Perth. It is difficult for remote Aboriginal communities to register their dogs. There is the idea that they could simply register as breeders when a camp dog breeds, but that would be difficult. The government is not providing any exemptions for these communities, which goes to another concern that I have. Since the mid-1800s, the Dog Act has been utilised at different points in time to crack down on Aboriginal dog ownership. There is very little that distinguishes the value that some Aboriginal communities place on dingoes and dogs; they are both important to the cultural practice of those communities. I appreciate that the minister has said that projects are underway to help with the sterilisation of dogs and education, but it is possible that a local government, empowered by this bill, could go out to those communities and seek to heavily fine individuals for having multiple dogs, which simply occurs because they cannot get them sterilised, or for not registering their dogs. People might not understand their local government obligations, especially if they travel between lands. Why did the government not seek to exempt these communities when it has exempted other parties?

**Mr D.A. TEMPLEMAN:** This is an important issue, but the focus of the bill is to address puppy farming practices, which ultimately lead to inappropriate breeding. That is the focus. I am a little bit concerned that the member might be suggesting that some local governments currently do not work with their Indigenous communities.

**Mr Z.R.F. Kirkup:** I have not said that.

**Mr D.A. TEMPLEMAN:** A number of local governments understand the sensitivities and the issues in those communities and seek to work closely with them. Exempting all those communities would not assist us in ensuring that we address the issue of puppy farming. We have provided an exemption for the breeding of working dogs. One aspect of the bill is a mandated desexing process. That is important, because that will very much assist in situations in which large populations of dogs are being bred. We believe we have the balance correct. People are currently required to register their dog. That is the current requirement. That is the current situation. Of course, local

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governments will enforce that provision within their capabilities. I think we all understand that remote communities have specific circumstances due to distance, isolation and locality. As we know, it is difficult to even get into those communities at certain times of the year. I actually believe that the intended ongoing education focus of this policy and, ultimately, this legislation will assist us in working with those communities as we go forward.

**Mr Z.R.F. KIRKUP:** This will be my last question, I imagine, before the opposition moves a suspension of standing orders motion, which the government is aware of. I just make this point: I appreciate that there is a requirement to sterilise dogs at the moment. Not to verbal the member for Nedlands, but during conversations we have had he said that he had asked during a briefing how many dogs are registered to, I think, the Balgo mission. He was told that the number was three. I suspect there are far, far more dogs in the Balgo mission than three. The difference between what the government intends to do and what will happen is that this bill will empower local governments to start fining communities that have too many dogs. These communities will not have the capacity to register all their dogs or to identify a breeding program, as that is not a deliberate mechanism of those communities. The communities could now be fined for that activity. I find that remarkable, particularly from this government. Frankly, it is disappointing that an exception cannot be made for them. Remote communities are easily identifiable.

**Ms C.M. Rowe:** Is that your only comment on the whole bill?

**Mr Z.R.F. KIRKUP:** I am not sure whether the member for Belmont is aware, but we are on clause 1 of the bill. If the member for Belmont sits here for a while, she will hear me make further contributions. If the member for Belmont wants to ensure that we cannot raise these issues, she is welcome to move a motion that the clause be put. For the moment, we are raising this issue in a manner that, until the member spoke up, has been relatively collaborative.

Several members interjected.

**The ACTING SPEAKER (Ms L. Mettam):** Members! Are you seeking interjections or responding to them, member?

**Mr Z.R.F. KIRKUP:** No, I do not mind; that is fine.

Several members interjected.

**Mr Z.R.F. KIRKUP:** I am very relaxed.

As I said, I find it disappointing that there is not the capacity for those communities to be exempted. I recognise that the government's intent is to stop puppy farming. Outside of anything else—I cannot read your lips particularly well, member for Maylands; I apologise—I am curious about how many instances of puppy farming have occurred in remote communities. I suspect that there have been none. Perhaps I am wrong. The definition of a puppy farm is that it is a concerted effort, as we have seen in other jurisdictions. What has been proposed to ensure that dog breeding will be restricted in these communities? Their dogs will have to be registered on a centralised register. I think that will have a negative impact on those communities because they will be able to be fined. Outside of the need to have responsible dog ownership and the like in towns, camps and communities, I think it is disappointing that there could now be a mechanism to fine those communities for what has otherwise been normal practice in this state.

**Mr D.A. TEMPLEMAN:** I will put a scenario to the member of what could happen if an exemption were made—that is, the potential to exploit those communities. I would not want that loophole to be created through this legislation. The bill is focused on addressing issues around puppy farming through a range of measures, including the creation of a centralised registration system, which would enable dogs to be traced from birth to death through that database and make sure that people are aware, as best as possible, that what they are buying is what they get. Pet shops will also transition into adoption centres. I understand that there is evidence of potential exploitation. If we made an exemption, we would create an opportunity. I understand and absolutely support the need for an exemption for working dogs, as we have assured the member for Moore and members of the Nationals WA. I understand that, which is why we have committed to it. However, I would not like to create an exemption by which the very people whom the member speaks of could be exploited. I know the member for Maylands in particular has been made aware of that, and she may wish to comment on that at the appropriate time. We should also acknowledge that Murdoch University has a program in which teams of veterinary students and people with authority regularly visit the remote communities that the member is concerned about and spoke of to assist with the sterilisation of dogs. That does not stamp out dogs in those communities but assists in controlling their number. What the member proposes could in fact be very dangerous, as it could create opportunities for puppy farming to flourish through the exploitation of remote communities.

**Mr Z.R.F. Kirkup** interjected.

**Mr D.A. TEMPLEMAN:** Working dogs have a specific purpose. As the member for Dawesville knows, there is a strong case for an exemption and that is why we have agreed to an exemption. That is supported and dealt with in the regulations. I understand the member's intent and where he is coming from, but I highlight to him the

Mr Shane Love; Mr David Templeman; Mr Stephen Price; Mr Bill Marmion; Mrs Alyssa Hayden; Ms Lisa Baker; Mr Zak Kirkup

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potential loophole that that would create; indeed, it could lead to the unintended consequence of exploitation of people in remote and rural communities.

Debate was interrupted after the clause had been partly considered.

[Continued on page 4311.]