

13<sup>th</sup> February 2026  
Dog and Cat Management  
Department for Environment and Water  
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### **Breeder Reforms: Standards and Guidelines, Limits and Regulations for dog and cat breeders**

Animal Care Australia is a national incorporated association established to consult with government in advocating for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.

Animal Care Australia provides the following feedback to the review of proposed breeder reforms under the Dog and Cat Management Act 1995.

Firstly, Animal Care Australia highlights the dubious use of ‘direction leading’ questions in the online survey. As a national organisation that has responded to multiple reviews, the use of surveys to satisfy the requirement of having consulted is not supported by Animal Care Australia, especially when questions are leading or misdirecting in nature. Recorded and claimed outcomes are not always truthfully reflective of the actual responses by key stakeholders as those responses are significantly outnumbered by individuals who have been misled or are naïve to how legislation works. It should also be noted that online surveys are easily targeted by campaign organisers/activists seeking a specific outcome.

Equally, Animal Care Australia questions the Dog and Cat Management Boards motives when consulting on these and previous amendments to the Act. It appears to us that most of the determinations have already been made and this consultation is purely for ‘visual effect.’

This is supported by the results within the Consultation Report:

*“There were a number of themes in additional comments to the survey and in written submissions, these included:*

- ***Calls for less stringent licensing requirements for small breeders and owners of small numbers of entire male dogs and cats.”***

And yet here we are ignoring that and licensing everyone. Equally the questions in that survey were predominantly focussed on puppy factories and large-scale breeders, AND still the feedback highlighted the need for **LESS STRINGENT LICENSING REQUIREMENTS**.

The support for ANY licensing system received only 61% - not exactly the strong public support claimed in the overview for these amendments.

Animal Care Australia is acutely aware of the animal rights influence and interference from within the Board, and this clear by the inclusion of a number of amendments that were strongly opposed during the previous consultations cited in the Overview of the Explanatory Guide.

This submission supports the intent of the reforms to improve animal welfare outcomes, increase transparency, and reduce irresponsible and large-scale low-welfare breeding operations. However, there are significant concerns that aspects of the proposed framework may create unintended consequences for small-scale, ethical and reputable breeders who already operate to high welfare standards.

South Australia already has an established regulatory environment, including mandatory breeding and trading standards introduced in 2017. The proposed changes therefore represent not just a change in some standards, but a structural shift in how breeding activity is regulated.

It is important that reforms target poor practice, and Animal Care Australia acknowledges this is the intent, however these must be introduced without unintentionally displacing responsible breeders who contribute positively to animal welfare, breed preservation, and responsible ownership.

While the policy objectives are supported, several aspects of the proposed framework risk:

- Imposing commercial-scale facility expectations on home-based breeders
- Increasing compliance costs to a level that makes small ethical breeding operations unviable
- Creating regulatory uncertainty through broad discretionary powers
- Discouraging transparency around health testing and genetic disclosure
- Reducing the number of reputable breeders, thereby increasing demand for less regulated supply sources

That said, Animal Care Australia provides the following key concerns and feedback:

### **Breeder Licensing Scheme**

Again, Animal Care Australia questions the effectiveness of a breeders licensing scheme. The intent of any legislative amendment should be to see an improvement in animal welfare outcomes. In what world (other than the ideological world of animal rights) does a licensing system capture and encompass those who are currently not meeting their obligations? Responsible breeders currently pay registration fees to Councils, and membership fees to recognised breeding associations. Those who do not, make that decision either based on ignorance, defiance or for financial reasons.

That is NOT going to change, simply because the government 'might' penalise someone with a \$10 thousand fine if caught breeding without a license. Instead, this will force more breeders underground where animal welfare will decline and any opportunities to educate so-called 'backyard breeders' will continue to be unheard and unwanted through fear of being caught. How many of these dog and cat owners do you think will have or know how to have 'management plans in place to care for animals responsibly' and will therefore simply not bother applying and continue breeding non-compliantly! The grounds for this are already highlighted in the FAQs for the new scheme.

*"Where a dog or cat experiences an accidental pregnancy or litter, the **owner would be expected to apply for a breeder licence** as soon as the pregnancy is identified.*

*Since 2018, **South Australia has had mandatory desexing laws for dogs and cats**. This means that owners must have a desexing exemption to have a fertile dog or cat."*

In other words, by simply applying for a breeder's license for an accidental litter – they are admitting to having broken mandatory desexing laws. Who will do that?

Animal Care Australia does not believe a licensing scheme/system will be of any benefit to the dogs and cats in South Australia. On the whole animal licensing/registration schemes have a high failure rate and are rarely able to be policed/audited.

In 2017 the Victorian Government introduced changes to the Domestic Animals Act which essentially required a breeder with more than 10 fertile females to be registered and licensed as a commercial entity – a Domestic Animal Business (DAB) - a breeders licensing scheme that in all intents and purposes has failed to prevent the unethical breeders from breeding and has resulted in a decrease of responsible breeders.

It should be noted, in spite of the DAB and legislative changes of regulation of breeders in Victoria, now eight years later, and the RSPCA Vic is still discovering unlicensed, unregulated large-scale breeders (puppy farms) in that state and making claims they cannot continue to enforce those laws

as it is simply too difficult to adequately enforce without substantial funding. All Local Councils are also citing their inability to enforce the laws.

In 2021, NSW the Minister for Agriculture tried to introduce a Breeders License, and the department was smart enough to recognise it would not work and quashed it.

Now, South Australia wants to do this with ALL dog and cat breeders?

It is difficult to ascertain within the documentation provided online as to whether a breeder's license will only be valid for a year – equal to the current registration requirements. If so, this is ridiculous, as the mere ability to be able to legally breed their animal does not extend beyond just one litter. Responsible breeders have breeding plans for each female animal that usually incorporate terms of up to three phases/years.

Phase one: pregnancy

Phase two: weaning and caring for litter

Phase three: resting and preparing to be bred again.

Granted each phase does not equate to an exact year, however, it is close enough – especially for dogs. A one-year approval does not give a breeder any surety to go from that one year to the next with breeding plans/programs. Then perhaps that is the ideological goal – make it so cumbersome to breed dogs and cats and people will stop. Ideological because we have already seen in Victoria the reality is vastly different.

**Animal Care Australia recommends the license period should be for a minimum of three years.**

There is also no reference to the exact requirements that are needed to ensure a successful application for a breeder license. Why is that?

There should be a checklist of requirements of an applicant in order for proper stakeholder scrutiny of who the Board is approving and rejecting.

## **Proposed Regulations**

**Animal Care Australia totally opposes 15 (2) (b) as it is currently worded.**

### ***Substitution of regulation 15***

*Regulation 15—delete the regulation and substitute:*

#### ***15—Power to destroy cats***

*(1) For the purposes of section 63(1)(f)(ii)(B) of the Act, a person or body approved by the Board is specified.*

*(2) For the purposes of section 63(2) of the Act, the following circumstances are prescribed:*

*(a) if the authorised person finds the cat—*

*(i) in a reserve or sanctuary (within the meaning of the National Parks and Wildlife Act 1972) or a wilderness protection area or zone (within the meaning of the Wilderness Protection Act 1992); or*

*(ii) in an area declared to be a designated area under section 63(4) of the Act;*

*(iii) in a place that is more than the prescribed distance (within the meaning of section 63(6) of the Act) from any genuine place of residence; or*

*(b) the circumstances referred to in section 63(1)(a), (b) or (c) of the Act (being circumstances in which the authorised person could, if they were a person performing functions under an Act referred to in those paragraphs, **lawfully destroy or injure a cat**).*

While we acknowledge this is simply a transfer of the existing Act, it still provides the opportunity to amend and correct this unconscionable clause.

Animal Care Australia does not support the ability of anyone to lawfully ‘injure’ an animal without further explanation or definition. Under what exact circumstances would it be okay to injure a cat (or dog) found in one of the prescribed locations? Trapping a cat (or dog) for seizing would either require the animal to remain trapped and removed or, as per the Animal Welfare Act Regulation to be ‘HUMANELY’ euthanised on the spot whilst still within the trap. The use of poisons is also covered within the Animal Welfare Act and subsequently it is not necessary to be included here.

In fact, Animal Care Australia does not support the inclusion of ‘lawfully’ in this context. Lawfully should be replaced with humanely.

Animal Care Australia draws your attention to the ongoing saga in NSW with the culling of brumbies. It was ascertained and agreed by the Parliamentary Inquiry that the shooting of brumbies with between 7 and 15 shots while *lawful* was not and could never be considered ‘humane’ and in the best welfare outcomes of those horses. These killings were carried out by authorised persons.

The mere inclusion of an ‘exception’ to lawfully injure a cat/dog (even as an authorised person) is far too open to misuse, misinterpretation and therefore abuse – especially where no restriction or clarifications are included within the Dog and Cat Management Act or the Animal Welfare Act, to ensure the highest welfare outcomes or guidance as to what circumstance/s might bring about a reasonable determination to injure a cat under this exception clause.

Many would argue that stray cats that might be actual domestic cats would and are wandering beyond the legislated 1km from a premise requirement for trapping, and as such, unless cat containment legislation is active within that local government area, there is a strong likelihood a proportion of the cats would in fact be pet cats and should ethically be seized and delivered to local council pounds/shelters for identification, rehoming OR if deemed to be unowned then euthanased.

### **Proposed Standards and Guidelines:**

Animal Care Australia continues to not support the following definitions. Note: We have objected to this definition previously:

#### ***Adult dog/cat means a dog or cat six months of age or older***

The definition of an adult dog or cat should be in line with when they are able to be mated as per S5.6.1 - All animals must be physically mature and at least 12 months old prior to mating.

#### **The definition of “facility” to include private homes**

The draft standards define a facility as any property used for the accommodation or shelter of breeding animals, including private homes. This risks applying commercial infrastructure expectations to small, home-based breeders whose dogs live as companion animals within a household environment.

Similarly, the definition of a house dog includes requirements relating to unrestrained access to the residence for set periods each day. This may unintentionally restrict normal, welfare-appropriate management practices such as rotational access, separation during heat cycles, whelping management, or rest periods.

Potential unintended consequences:

- Ethical hobby breeders withdrawing from breeding due to regulatory complexity
- Reduced home-raised litters despite strong welfare and socialisation benefits

#### ***House dog/House cat – means a dog or cat which has unfettered access to one or more rooms of the breeder’s bona-fide residence for at least fourteen hours per day.***

Note: We have objected to this definition previously. Animal Care Australia strongly supports the separation of Codes of Practice and subsequent Standards & Guidelines to include kennel dogs, yard dogs, yard cats and cattery cats. It is one of the best approaches in the nation.

However, the inclusion of the 14-hour time limit on defining the cat or dog to be a house cat/dog is ill-founded. This may unintentionally restrict normal, welfare-appropriate management practices such as rotational access, separation during heat cycles, whelping management, or rest periods.

On a broader scale, how does one prove in a court room that their animal does indeed spend at least fourteen hours inside? Must all owners install nanny cameras and maintain footage? Must one keep a diary of when their animal went outside? While this may seem trivial, the fact remains the definition is a part of legislation and subsequently a person can be fined or found guilty of a breach of the Code if unable to prove they were not. This becomes relevant when we know magistrates are far more inclined to believe the written statement of an RSPCA Inspector over that of a 'charged' animal abuser.

This definition should be worded in the same manner as that of the other similar definitions:

*Cattery cat means a cat predominantly housed in a cattery.*

*Kennel dog means a dog which is predominantly kept in a kennel.*

*Yard dog / cat means a dog or cat which has unfettered access to a yard in which they can run freely for at least eight hours per day but does not have regular access to the owner's residence.*

Note: With cat containment legislation requiring cats be contained, how does the inclusion of an enclosed verandah OR a cat run (not a cattery) that is accessed through windows of the house assist or complicate the determination of 14 hour time frames – when technically the cat would be entering and exiting all the duration it is awake, keeping in mind cats sleep between 12 and 16 hours per day. Would a cat who is utilising an enclosed balcony to sleep in be a house cat or a yard cat – when the cat is in fact NEVER utilising the actual yard OR in a room within the house for at least 14 hours?

Potential unintended consequences:

- Ethical hobby breeders withdraw from breeding due to regulatory complexity
- Reduced home-raised litters despite strong welfare and socialisation benefits

Animal Care Australia strongly recommends the House cat/house dog definition should be worded: '**means a dog/cat which has continual unfettered access to the bona-fide residence.**' This is then further defined by the yard dog/cat definition.

### ***S3.3.2 Licensed breeders must comply with any education requirements set as a condition of their breeder licence***

What are the education requirements under the breeder license system? How can we agree or support this Standard without knowing what the conditions are?

***G3.3 Owners and assistants employed to care for animals should have formal qualifications received through an Australian Government accredited course (see [www.yourcareer.gov.au](http://www.yourcareer.gov.au)) and have appropriate experience in animal care and management.***

While recognising this a Guideline, it is not reasonable or realistic for an owner of a couple of cats or dogs for breeding to have formal accredited training. This should be required for large-scale breeding only.

### ***G4.2.3 Animals should not be displayed in shop windows or shop fronts.***

Given this Code is not for pet shops – what is the relevance of this Guideline? Is the Board/department suggesting breeders sell through their own shop front premises?

***S4.4.3 Temperature of indoor areas must be maintained within the range of 10 to 32 degrees Celsius.***

***S4.4.4 Ventilation of animal housing must be sufficient to keep them free of odours, moisture, condensation, and dampness.***

***S4.4.5 Fully enclosed animal housing must***

- ***have an air change rate of 8–12 changes per hour to prevent the build-up of foul odours.***
- ***have ventilation devices that distribute fresh air evenly to all of the housing areas.***
- ***have an air change rate sufficient to distribute fresh air evenly to all animals.***

These Standards are confusing. Are we referring to an indoor space which is part of an outdoor enclosure or as part of a facility – which now includes the residence? If including air conditioning and ventilation does this include animals kept inside residences? While appropriate for high-density commercial breeding environments, these are disproportionate for small-scale home-based settings.

Temperature control between 10 - 32 degrees is ambiguous and certainly not practical (even inside a home) as it would involve some form of air conditioning to heat & cool (outdoor) enclosures? This implies kennels or catteries cannot be placed in yards, as they would require air-conditioning to combat the elements throughout winter and summer – and thus become a ‘facility.’

Potential unintended consequences:

- Significant capital costs for retrofitting ventilation systems or structural upgrades
- Financial pressure forcing responsible breeders to exit the sector
- Movement away from home-integrated breeding environments toward more facility-style setups

***S5.6.2 A bitch or queen must not be mated after reaching six (6) years of age.***

**Animal Care Australia does not support this.**

Some animals do not come into season frequently and a healthy dog or cat at 6 years of age who has only had 1 or 2 litters should not hold any health risks.

The Standard MUST require a vet health check and scope provided to allow for the fact not all cats are regular so being able to do limit to a set age prior to mating is not practical in some cats or breeds.

***S7.1.1 Owners must not transfer the ownership of puppies or kittens unless they are at least eight weeks old.***

**Not supported by Animal Care Australia.**

Kittens should be at least 10 weeks of age. 8 weeks is way too young to have been vaccinated & microchipped (& desexed). 10 to 14 weeks is more reasonable & realistic.

***S10.3.1 Each cat must have its own individual litter tray that contains a sufficient depth of litter material such as commercial cat litter, sawdust, shavings, sand, or shredded paper.***

**This is ambiguous.**

It is not practical for each cat to have its “own individual” litter tray. Does the breeder need to name each tray and train their cat in how to read or recognise it?

It is more practical to say there must be 1 litter tray per cat & remove the word “individual”.

### **Table 2: Minimum sizes for catteries (not including external exercise areas)**

Animal Care Australia takes issue with the minimum width & floor space outlined in this table. 60cm wide enclosure with a floor space of 75cm is not adequate and should be considered.

***G10.1 Cat housing areas should have multiple levels and built-in hiding spots to allow cats to climb, hide, and feel safe and secure.***

**Animal Care Australia would prefer to see this as a Standard and not a guideline.**

Cats need to be able to get up off the floor and need a hiding spot as a minimum standard (in a specific permanent cattery / enclosure situation). Indoor cats with access to couches, tables, scratching posts etc and are therefore different.

### ***G10.3 Noise from tom cats or calling queens***

The word ‘stud cat’ should be used instead of ‘tom cat.’

Tom does imply the author/s of these guidelines has no expertise in cats or cat breeding. Breeders do not call their boys “tom” cats, it is more commonly used to refer to not desexed stray male cats.

### **Additional feedback on multiple Standards & Guidelines:**

#### **Increased administrative burden and documentation requirements**

The draft standards require documented programs for pest control, cleaning schedules, and related processes to be maintained and made available to authorised officers.

Potential unintended consequences:

- Increased time spent on compliance documentation rather than direct animal care
- Technical non-compliance risks for minor administrative oversights

#### **Heritable disease disclosure framework**

The draft framework requires disclosure of known heritable defects identified by veterinary assessment or genetic testing. While transparency is strongly supported, the current structure may unintentionally penalise breeders who actively test and disclose genetic results.

Potential unintended consequences:

- Greater disclosure obligations placed on those who undertake testing
- Discouragement of proactive health testing if disclosure requirements create legal or commercial risk

#### **Broad discretionary powers granted to the Board**

The draft regulations allow for multiple matters to be determined by the Board, including additional requirements, exemptions, and enforcement directions.

Potential unintended consequences:

- Uncertainty for breeders about future compliance expectations
- Reduced confidence in entering or remaining within the licensed breeding system

#### **Impact on Reputable Breeders and the Broader Sector**

Ethical, small-scale breeders play a critical role in maintaining genetic diversity, providing well-socialised dogs, conducting health testing, and supporting puppy buyers throughout the lifetime of the dog.

If reforms unintentionally force these breeders out of the sector:

- Demand may shift toward interstate or unregulated sources
- Puppy buyers may have fewer transparent and responsible options

- Enforcement resources may be spread across compliant operators rather than focused on high-risk activities

### **Recommendations**

In addition to the highlighted recommendations above and in order to support the intent of the reforms while reducing unintended negative impacts, the following refinements are recommended:

1. Introduce a tiered compliance model based on scale and risk.
2. Adopt outcome-based standards where possible.
3. Clarify definitions relating to home-based breeding.
4. Support transparency in health testing without penalising disclosure.
5. Provide clear, published criteria for Board decisions.
6. Ensure proportionate enforcement focused on welfare outcomes.

### **Conclusion**

The proposed breeder reforms present an opportunity to strengthen animal welfare outcomes across South Australia. However, without careful calibration, the framework risks imposing disproportionate burdens on reputable breeders who already operate to high standards.

A balanced, risk-based approach that supports ethical breeding while targeting genuinely harmful practices will deliver stronger long-term welfare outcomes, maintain transparency in the sector, and preserve responsible breeding communities.

This submission can be publicly listed.

Should you require further details please do not hesitate to reach out as we would be happy to meet with you and further discuss this matter.

Kind regards,



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## **About Animal Care Australia**

As a nationally recognised animal welfare organisation, Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, companion animals, animals used for educational or entertainment purposes or kept for conservation.

Animal Care Australia was founded in early 2018 to establish an organisation run solely by volunteers to lobby for real animal welfare. With extreme animal rights and animal liberationist ideologies influencing government legislation, regulation, and policy at our expense and to the detriment of our animals and pets, it has become necessary to provide government with a balancing voice.

By uniting the broad spectrum of animal groups, collectively we offer an experienced, sensible approach to animal welfare.

By educating our members and the public about the importance of treating animals with kindness and respect for their needs and promoting the humane treatment of animals to improve animal welfare outcomes, Animal Care Australia is in the unique position of lobbying and advocating for all animals within our care.

Animal Care Australia provides priority to the following:

- advocating for stronger welfare outcomes
- advocating to increase education of the public in animal welfare and best care techniques
- educate the public on handling their animals with kindness & respect and the importance of their needs
- educate the public in the differences between animal welfare and animal rights