



Victorian Canine Association Inc

trading as DOGS Victoria

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Domestic Animal Management Plans – Exemptions from Compulsory De-Sexing of Dogs for Members of DOGS Victoria

All Local Government Councils are currently in the process of developing draft Domestic Animal Management Plans (DAM Plans) that detail their policies towards the breeding, keeping and welfare of dogs. These drafts are currently out for consultation in many local government areas. Members have been requested to watch for these in your local Government area and advise the Office of any areas of concern so that a response can be sent to the Council.

The issue of compulsory de-sexing has been a recent concern to members in some DAM Plans seen recently. All of these DAM Plans **must** conform with the state regulations prescribed within the Domestic (Feral and Nuisance) Animals Act 1994 - 10(B). This act provides for exemptions for dogs and cats from de-sexing on any of six grounds. The most important of these in our view is 10B (1)b which exempts a dog or cat owned by a person who is a member of an applicable organisation, and the animal is registered with that organisation.

So for members of DOGS Victoria whose dogs are registered with our organisation, there is an exemption from compulsory de-sexing of their dogs.

The Bureau of Animal Welfare has confirmed that Section 10B of the Act provides exemption from compulsory de-sexing for ANY of the six listed categories—including exemption as a member of a recognised organisation **OR** as a person conducting a registered animal breeding business, **OR** a dog that is the subject of written veterinary advice that the health of the dog is liable to be significantly prejudiced if it is de-sexed, etc.

In several DAM Plans the word **OR** has not been included and sets up ambiguity and confusion. In particular, the responsible Whitehorse Council Manager has recently confirmed that the intent of their draft plan was to conform with the above exemptions, and that no change to the status quo in the Whitehorse area is intended.

The Mornington Peninsula Shire Council has outlined their more explicit plan, and included the **OR** as follows:

de-sexing is required for all dogs being sold or given away, with the following exceptions:

- **successful applicants for a Local Laws Permit (\$50 Application Fee), or**
- **dogs over the age of 10 years (too old for breeding), or**
- **Registered Domestic Animal Business Breeding Establishments, or**
- **Registered Domestic Animal Business Pet Shops, or**
- **members of the Victorian Canine Association, when the dog is also registered with the VCA**