Dear Member of parliament,

**RE: THE DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016**

We would like to draw your attention and request your support to resolve an urgent issue regarding sections of the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016 affecting the sale of birds and other animals. On Tuesday 15th November Sam Davis, Charles Hider and David Renshaw will be holding a number of meeting with various members of Parliament including Peter Walsh the Leader of the Nationals. On Wednesday the 16th November from 9.00am until 10.00am the Parliamentary Committee have asked that both the Canary and Cage Bird Federation of Australia and the Victorian Avicultural Council participate in a joint presentation. Each group will have 5minutes to present an overview followed by 50min of questioning by the committee. This process is being used to combine a number of other groups. The Groups represented and the people involved are:-

**Victorian Avicultural Council Inc.**
David Renshaw, President, Victorian Avicultural Council Inc.
Lou Dall’Est, President, The Australian Avicultural Society of Australia Inc.
Mark Reynolds, President, Goulbourn Valley Branch, The Australian Avicultural Society Inc.

**Canary and Cage Bird Federation of Australia**
Sam Davis, Vice President, Canary and Cage Bird Federation of Australia
Stacey Gelis, Avian Veterinarian
Charles Hider, Hon. Solicitor - Victorian Pigeon Federations

The above mentioned Groups are acting also in the best interests of The Budgerigar Council of Victoria.

The Budgerigar Council of Victoria Incorporates the following Clubs:-
***Ballarat, Baw Baw, Bendigo, Border District, Colac, Dandenong, Eastern District, Geelong, Gippsland, Glenroy, Goulburn Valley, Horsham, Kyabram, Melton, Monash, Mountain Districts, Mount Gambier, Myrtleford, Nepean, Riverina, South West Victoria, United and Western Suburbs.*** The Budgerigar Council of Victoria Hosts Three Unifying Shield Events (Shows) over the course of the year which sees all of the above Clubs participate in a Teams Competition. The Budgerigar Council of Victoria also supplies Diplomas (Best Young Bird Awards) for the above mentioned clubs.

The Budgerigar Council of Victoria also participates in the Australian National Budgerigar Championships that are hosted in a different State each year – and obviously in Victoria upon our turn at the Rotation. There are also the monthly meeting nights and sale/auction events that are held by all clubs during the course of the year as well.

The Budgerigar Council of Victoria has been monitoring and has given substantial feedback and information back to the key people involved above who have arranged meetings on the 15th and who have been invited to present on the 16th of November at the Parliamentary Meetings regarding this matter. Details can be confirmed on the below website link.

<http://www.parliament.vic.gov.au/eic/article/3173>

The current Section 96 of the Domestic Animals Act 1994 was unknown to bird groups until it was un-covered prior to the Mornington Peninsula Avicultural Society Annual Bird Expo in 2015. Thousands of community bird club based events had unwittingly been occurring since 1994. Based on Hansard and recollections of MPs present in 1994, the aim of Section 96 was to shut down trade in animals at “car boot” style markets. ***We support this aim.***

We request your support to redress the unintended effect of Section 96 on community bird (and other animal) club events. Unfortunately, consultation during the drafting of the current amendment Bill has been less than satisfactory. We recommend the following amendments. Option 1 is preferred, however option 2 is also acceptable.

**Option 1. – Replaces (removes) Animal Sale Permits Completely.**

Replace Section 93 with the following.

**93 Offence to sell certain animals outside certain places**

After section 96(aa) of the Principal Act insert—

*"(ab) unless the sale is organised by an incorporated association whose purpose includes the welfare of the animals to be sold and the relevant council has been notified of date/time and location of the sale at least 14 days prior; or".*

Delete Section 32 in its entirety

**32 New Division 3B inserted in Part 4**

**Option 2. – Adds our amendment without removing Animal Sale Permits.**

Replace Section 93 with the following.

**93 Offence to sell certain animals outside certain places**

After section 96(aa) of the Principal Act insert—

*“(ab) unless the animal is sold at a place specified in an animal sale permit and under and in accordance with that permit; or”*

*"(ac) unless the sale is organised by an incorporated association whose purpose includes the welfare of the animals to be sold and the relevant council has been notified of date/time and location of the sale at least 14 days prior; or".*

**Explanatory Notes**

The above amendment options are supported by approximately 195 bird clubs operating throughout Victoria – including the Budgerigar Council of Victoria Incorporated and the Affiliated Clubs. Each club runs events, such as general meetings, shows, exhibitions, sales and auctions where budgerigars are routinely traded. For many clubs these events have occurred routinely for more than one hundred years – the Formation of the Victorian Budgerigar, Canary and Caged Bird Society was 1886!!

1. Budgerigar Clubs are the primary Budgerigar Welfare educators and regulators. Welfare of Budgerigars is a central purpose of all Budgerigar Clubs and is a common topic at many events. Clubs have been self-regulating for over one hundred years with few, if any welfare incidents recorded.
2. The proposed animal sale permit system does not promote positive animal welfare outcomes. Its provisions are unworkable and will shut down trading at club regulated events, whilst encouraging alternative markets (such as internet trading) which are exceedingly difficult to regulate. We have major concerns that implementation of the proposed system will result in significant negative animal welfare outcomes.
3. The proposed animal sale permit system involves significant red tape and cost to councils and state government. Council staff do not possess the expertise to assess welfare of the broad range of diverse avian species in aviculture, so extensive training at enormous cost will be required. The application process is arduous for both applicants, councils and government, incurring additional cost. The proposed system is costly, unworkable and will prevent club controlled and organised sales.
4. Minister Pulford recently initiated a review of animal welfare via the document *Improving the Welfare of Animals – Draft Action Plan 2016-2021.* We applaud the strong intention to consult with stakeholders that is a central theme of this plan. Unfortunately, there has been no meaningful consultation with the Budgerigar Council of Victoria or our affiliates prior to the formulation of the proposed animal permit system and hence the proposed system shows a lack of understanding of the issues affecting animal welfare for Budgerigars at club self-regulated events.

Budgerigars for our membership is a passion. A thorough understanding of budgerigars as individual beings with their own specific needs is the central theme. The knowledge and skills of Australian Budgerigar enthusiasts is renowned world-wide. Our network of Budgerigar Clubs have a proud unblemished history regarding animal welfare which we wish to continue.

Thank you for your prompt consideration of this matter. Please do not hesitate to call if we can assist with further details.

Kind regards.