

**Application for Registration / Transfer of Registration /
Renewal of Registration of a Domestic Animal Business**
Domestic Animals Act 1994



Full name of Applicant: _____

Address of where business will be conducted: _____

Postal address if different to above: _____

Trading Name: _____

Town Planning approval (if applicable): (circle) Yes (approval attached) / No (not required)

Telephone Home: _____ Telephone Work: _____

Mobile: _____ Facsimile: _____

Email: _____

Type of domestic animal business being conducted: (tick appropriate box)

- # Training Establishment # Breeding & Rearing establishment # Pet shop
- # Boarding Establishment # Working & Guardian dog breeder # Animal shelter

Dogs		
Entire Dogs	Females _____	Males _____
Desexed Dogs	Females _____	Males _____
Total:	_____	_____

Cats		
Entire Cats	Females _____	Males _____
De-sexed Cats	Females _____	Males _____
Total:	_____	_____

I hereby apply for (tick appropriate box)

- # Registration # Renewal of Registration # Transfer of Registration

for the year ending 10 April 20..... Under the provisions of the Domestic Animals Act 1994 for the purpose described above.

I declare that the information above is true and correct. I declare that I fully understand all of my requirements under the Domestic Animals Act 1994, and all relevant Codes of Practice in relation to domestic animal businesses.

Signature of applicant: _____ Date of application: _____

Permit Fee: \$155.50 (includes State Government Levy of \$20). Payment must be made at time of application (Fees are subject to change 1 July each year).

By Mail – Cheques or money orders, made payable to “Moirá Shire Council” or complete Credit Card details below.

HOW TO PAY -

By Mail – PO Box 578 Cobram VIC 3643. Cheque or money order, made payable to Moirá Shire Council

In Person – Payment is accepted at the Administration Centre, 44 Station Street, Cobram and the Service Centre, 100 Belmore Street, Yarrawonga

Privacy Statement: The information provided on this form is necessary for administration and enforcement of the Domestic Animals Act 1994 and associated with Moirá Shire Council Local Law. It will be used to update the public animals register as prescribed under Section 18 of the Act.

Domestic Animals Act 1994

Part 4 – REGISTRATION AND CONDUCT OF DOMESTIC ANIMAL BUSINESS

45 Offence to conduct domestic animal business on unregistered premises

A person must not conduct a domestic animal business on a premises which is not registered for that purpose with the Council of the municipal district in which the business is conducted.

46 Application for registration

(1) A person may apply to a Council to register a premises as a premises on which a domestic animal business is conducted.

(2) The application must be made in the form approved by the Council.

47 Registration of premises

(1) If a person has applied to have a premises registered with the Council as a premises on which a domestic animal business may be conducted, the Council may register that premises for that purpose.

(1a) Before a Council registers premises under subsection (1), an authorised officer appointed by that Council may enter and inspect the premises to determine whether the premises complies with a relevant business code of practice made under section 59.

(2) The Council may impose any terms, conditions, limitations or restrictions on that registration.

(3) If a premises has been registered for the purposes of a domestic animal business, the person who conducts the business must comply with the terms, conditions, limitations or restrictions, if any, on that registration.

48 Term and renewal of registration

(1) A registration under this Part may be renewed annually and continues in force until 10 April in the year following the registration or renewal or until a change in ownership of the business.

(2) The proprietor of a domestic animal business may renew the registration of the premises on which that business is conducted by applying to the Council in writing in the form approved by the Council no less than 30 days before the registration is due to expire.

49 Fees for registration and renewal of registration

(1) A person who has applied for registration or renewal of registration of premises on which a domestic animal business is being conducted, must pay the fee fixed by the Council with that application.

(2) The Council may refund the whole or any part of a fee fixed for applications under this Division.

51 Surrender of registration

The proprietor of a domestic animal business may surrender the registration of the premises on which that business is conducted by notice to the Council in writing.

52 Transfer of registration

(1) If the proprietor of a domestic animal business proposes to transfer the business to a new premises he or she must notify the Council.

(2) The notice must be— (a) in writing in a form approved by the Council; and (b) given to the Council at least 30 days before the transfer is made; and (c) accompanied by the fee fixed by the Council.

(3) If the Council has received notice in writing of a transfer of premises under this section, it may register the new premises as a premises upon which the business may be conducted and may impose any terms, conditions, limitations or restrictions on that registration.

54 Powers of Council

(1) A Council may—

- (a) refuse to register or to renew the registration of a premises; or
- (b) refuse to transfer registration to a new premises; or
- (c) suspend the registration of a premises; or
- (d) revoke the registration of a premises.

(2) Subject to subsection (3), a Council may act under subsection (1) if it is satisfied that—

(a) the proprietor or person applying for registration has failed to comply with the Act, the regulations, any business code of practice applying to the business, or the terms, conditions, limitations or restrictions on registration; or

(b) the proprietor or person applying for registration has been found guilty of an offence under the **Prevention of Cruelty to Animals Act 1986**.

(3) A Council must refuse to register or renew the registration of a premises in relation to a breeding domestic animal business if the Council is satisfied that a relevant person has, at any time within 10 years preceding the date of the application for registration—

- (a) been found guilty of a specified offence; or
- (b) been the subject of an order made under section 12(1) of the **Prevention of Cruelty to Animals Act 1986**; or

(c) been the subject of an order registered under section 12A(2) of the **Prevention of Cruelty to Animals Act 1986**.

(4) For the purposes of this section—

relevant person, in relation to an application to register or renew the registration of a premises in relation to a breeding domestic animal business, means any of the following—

- (a) the proprietor of a breeding domestic animal business to which the premises relates;
- (b) the person who conducts a breeding domestic animal business to which the premises relates;
- (c) the person applying for registration;

specified offence means an offence against any of the following provisions of the **Prevention of Cruelty to Animals 1986 Act**—

- (a) section 9(1); (b) section 10(1); (c) section 12(7); (d) section 12A(8); (e) section 15C(1); (f) section 15C(2).

55 Council to give notice

If a Council proposes to exercise its powers under section 54 it must give notice of that intention to the proprietor or person applying for registration before acting under that section.

56 Council to hear proprietor or applicant

(1) Before acting under section 54 the Council must give the proprietor or person applying for registration an opportunity to make both oral and written submissions to it.

(2) The Council must take into consideration any submissions made to it.

57 Notice of Council's decision

(1) The Council must serve notice of its decision on the proprietor or person applying for registration, either in person or by registered post, within 7 days after the making of the decision.

(2) The Council must give reasons for its decision in the notice.

57A Court may cancel or revoke registration

(1) If, in any proceedings before a court—

(a) the holder of a registration under Division 1 of Part 4 of a premises on which a domestic animal business may be conducted is convicted or found guilty of an offence against this Act or the regulations or an offence against the **Prevention of Cruelty to Animals Act 1986** or the regulations made under that Act; and

(b) the court is of the opinion that the registration should be suspended or revoked — the court may make an order under subsection (2) or refer the matter to the Council that registered the premises.

(2) For the purposes of subsection (1) the court may—

- (a) order that the registration be suspended for a period not exceeding one year; or
- (b) order that the registration be revoked.

(3) The Registrar or other relevant officer of the court must immediately forward a copy of an order made under subsection (2) to the Council.

59 Making of business codes of practice

(1) The Minister may make Codes of Practice which specify standards for the conduct of domestic animal businesses.

(2) A business code of practice may be prepared for any particular kind of business.

(3) A business code of practice may specify all or any of the following— (a) standards for the keeping, treatment, handling and care of animals; (b) standards for the facilities, equipment and conditions at business premises; (c) standards for the procedures and practices to be adopted with animals.

(4) A business code of practice may apply, adopt or incorporate any matter contained in any document, standard, rule, specification or method, formulated, issued, prescribed or published by any person whether—

- (a) wholly or partially or as amended by the Code; or
- (b) as formulated, issued, prescribed or published at the time the Code is made or at any time before then.

63A Non-compliance with business code of practice an offence

(1) A person or body must not conduct a domestic animal business that does not comply with the relevant business code of practice made under section 59.