

Frequently Asked Questions

Note: Terms used in this document are based on definitions provided in the *Prevention of Cruelty to Animals Act 1979*.

Q: What is the definition for a 'female adult dog'?

Under the legislation, a 'female adult dog' is a female dog that is more than 6 months of age and does not include the following:

- a dog that has been rendered permanently infertile (i.e. is de-sexed),
- a racing greyhound
- a dog kept for the purposes of breeding an assistance animal within the meaning of the Companion Animals Act 1998, if the occupier of the relevant dog premises is a member of the International Guide Dog Federation or an accredited member of Assistance Dogs International.

Q: What is the definition of a 'dog premises'?

A dog premises includes residential and commercial premises, used or intended to be used for the accommodation, shelter or care of dogs.

This can also include a vehicle, aircraft, vessel, trailer or caravan, whether or not attached to another vehicle. If any of these are on or adjacent to a dog premises, they will be taken to be part of the dog premises.

Q: What is the maximum number of female adult dogs I can keep?

For new breeders

A maximum cap of 20 female adult dogs on any one dog premises is now in place, however breeders can operate multiple dog premises. Each dog premises must also comply with the provisions in the *Prevention of Cruelty to Animals Act 1979* and the Animal Welfare Code of Practice – Breeding dogs and cats, where it is applicable.

For existing breeders

If a breeder had more than 20 female adult dogs on their premises as of 24 October 2024, they will be eligible to apply for a temporary exemption to the cap, which comes into effect from 1 December 2025.

Each individual dog premises a breeder operates will require its own exemption.

Breeders can apply online via the NSW Pet Registry website at: [NSW Pet Registry](#)

If an existing breeder is granted an exemption to keep more than 50 female adult dogs on a dog premises they must ensure no more than 50 female adult dogs are kept on the premises on or after 1 December 2026, however they can operate multiple premises.

Large breeders who choose not to apply for an exemption, or are refused an exemption, must comply with the cap of 20 female adult dogs by 1 December 2025 by scaling down their current operations in a controlled and ethical manner.

Q: If I am temporarily caring for another breeder's female adult dogs on my dog premises, do they count towards my cap?

Yes, any female adult dogs over the age of 6 months kept on a premises will count towards the maximum cap on that dog premises, regardless of ownership.

Q: If my female dog is de-sexed, does she count in the female adult dog cap?

No, any female dog that has been permanently rendered infertile (i.e. is de-sexed) is not considered a female adult dog under this provision and will not count within the cap.

Q: Is there a fee to apply for an exemption?

Yes, the application fee is \$550 for each exemption application.

Q: Do I need a Breeder Identification Number (BIN) before I can apply for an exemption?

Yes, all persons (or organisations) applying for an exemption must have a current BIN. If a breeder does not have a current BIN, they will be issued one free of charge when they create a breeder profile on the [NSW Pet Registry](#).

Q: How long will it take for me to obtain an exemption?

The Office of Local Government will endeavour to notify all applicants of the result of their application within 8 weeks of it being submitted.

There are a number of steps involved in the process of obtaining an exemption, and the information breeders provide in their applications will be assessed by the Office of Local Government to ensure any exemptions granted are subject to a thorough and robust approval process.

Q: What happens if I don't apply for an exemption, or am refused an exemption, and am found with keeping more than 20 dogs on my premises?

Breeders found in breach of the maximum cap may be subject to heavy penalties:

- For an individual – 1,000 penalty units (\$110,000) or imprisonment for 2 years, or both
- For a corporation – 5,000 (\$550,000) penalty units.

Q: If I don't intend to breed my female adult dogs, can I keep more than 20 without obtaining an exemption?

No. If anyone has more than 20 female adult dogs on their premises they will need an exemption, providing they had the dogs as of 24 October 2024. If owners are not intending to breed their female adult dogs, they should consider desexing some of them, so they have 20 or less that are fertile, eliminating the need to obtain an exemption.

Q: If I operate a rescue or rehoming organisation, does the maximum cap on female adult dogs apply to me?

Rescue and rehoming organisations will not be required to obtain an exemption for the purposes of rehoming any surrendered or seized animals, providing they have been allocated a Rehoming Organisation Number (RON) under the *Companion Animals Act 1998*.

However, if a deliberate breeding program is operated by a rescue or rehoming organisation they will be required to obtain a Breeder Identification Number (BIN)

through the NSW Pet Registry, and comply with the provisions included in the *Prevention of Cruelty to Animals Act 1979*.

Q: What do I do if I currently have more than 20 dogs and know I'm unlikely to be eligible for an exemption? Or if I apply for an exemption and my application is refused?

In either of these scenarios, breeders will need to take action as soon as possible to start scaling down their operations in a controlled and ethical manner, so they have 20 female adult dogs or less on their dog premises by 1 December 2025.

This could involve selling some female adult dogs, desexing some dogs, or working with rehoming organisations to find suitable homes for female adult dogs above the maximum cap of 20.

A list of rehoming organisations can be found on the Office of Local Government's website at: [Approved Rehoming Organisations](#).

The POCTAA enforcement agencies, RSPCA NSW and AWL NSW, may also be able to provide advice on actions breeders can take to become compliant with the new requirements.

Q: If I am a breeder of working dogs, do I need to apply for an exemption if I have more than 20 female adult dogs?

Yes. Working dogs are subject to the same provisions under the new legislation as other female adult dogs, however breeders of working dogs are not required to obtain a mandatory Breeder Identification Number (BIN) when selling their dogs. This means the maximum cap of 20 dogs is now in force for new breeders of working dogs. For existing breeders, the maximum cap commences 1 December 2025 unless they have obtained an exemption.

Examples / Scenarios

Q. If I have 18 female adult dogs, 2 female dogs that are de-sexed, and 7 male dogs, do I need an exemption?

A. No. An exemption is not required as the number of female adult dogs (as defined in the Act) is below 20.

Q. If I have 35 female adult dogs, and 10 male dogs, do I need an exemption?

A. Yes. Because you have 35 female adult dogs (as defined in the Act) you will require an exemption.

Alternatively, you could reduce the number of female adult dogs to 20, by having some of them de-sexed, or by selling some to a suitable home.

Q. I am an existing breeder and had 20 female adult dogs as of the determination date of 24 October 2024. One of my dogs has had a litter and there are two 12-week old female puppies I want to keep. Do I need an exemption?

A. As you did not have more than 20 dogs prior to the determination date, you are not eligible to apply for an exemption and can only keep a maximum of 20 female adult dogs on any one dog premises.

Once the puppies reach six months of age, you would have 22 female adult dogs, and be in breach of the Act, so would need to either sell or de-sex two dogs to ensure you remain below the maximum cap of 20 female adult dogs.

Q. I have 65 female adult dogs on my premises, which I have had since 24 October 2024. Do I need an exemption? Am I able to keep all my dogs at the same premises?

A. Yes, you will require an exemption to the maximum cap of 20 dogs per premises, but this exemption will only allow you to keep all 65 female adult dogs at the same premises until 1 December 2026.

Prior to this date, the exemption holder is responsible for taking action to ensure no more than 50 female adult dogs are kept on any one dog premises after 1 December 2026.

All exemption holders must scale down the number of female adult dogs to ensure no more than 20 are kept on any one dog premises after 1 December 2035. This can be achieved by de-sexing, selling or giving away dogs, or setting up a new (separate) dog premises with under 20 female adult dogs.

Q. If I have 20 female adult dogs on my premises, and my spouse/child also has 15 female adult dogs on the same premises (which we both had as of 24 October 2024) does one of us need an exemption? Or would we both need an exemption?

A. Yes, an exemption will be required, however there can only be one exemption per dog premises. The person who has management or control of a premises (i.e. owner, lease holder or person in charge) would need to apply for the exemption, even if not all the dogs are owned by that person.

The maximum cap applies to each dog premises, not to individuals. You must not keep more than 20 female adult dogs at the dog premises, and would be required to obtain an exemption to keep the current number of dogs.