

NSW Companion Animals Act 1998. Funding - is it adequate for animal management?

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BACKGROUND

The Dog Act 1966

There is no doubt that NSW legislation needed an overhaul. Nothing, save the introduction of 'Dangerous Dog' provisions had been updated in the NSW Dog Act (1966) since 1972, including registration fees. Annual fees for an entire dog were \$12, a desexed dog \$4 and pensioners \$1.50. This, of course, was way out of step with the rest of the country.

Monies collected by Councils from annual registrations, together with income from fines were used to implement the Dog Act and fund education. Needless to say, the bulk of funds came from Council general revenue. Warringah, for instance, had an annual income of approximately \$56,000 from registrations and about \$45,000 from penalties — just over \$100,000 to manage dogs within the area. However, the total cost exceeded \$275,000.

This cost included: salaries for the Animal Advisory Officer, two dedicated Dog Rangers, their vehicles and all the other costs associated with animal management such as signage, advertising, uniforms, administration and the annual contribution to the animal shelter which alone is over \$42,000.

Therefore, with animal management being seen as such a burden on general revenue it has always been difficult to argue those additional funds be spent on education. The 'we will only do what we have to' mentality is still a major problem in some NSW Councils.

The Companion Animals Act 1998

The NSW State Government implemented the identification and registration component of the Act on 1st July 1999. The new system was introduced where dog owners (and for the first time cat owners), have to have a pet chipped by the age of 12 weeks, or earlier if the animal changes hands. A one-off registration fee is then paid for the life of their pet at the age of 6 months.

The Government predicated the fees on the average of a dog living for 10 years. They kept in mind the original fees under the Dog Act and multiplied those fees by 10 and subtracted a bit. Therefore an entire dog at \$12 under the Dog Act became \$100 under the new legislation; a desexed dog at \$4.00 became \$35 and a pension dog at \$1.50 became \$15.00. It should be noted that pensioners with entire dogs are not given any discount. The fees are the same for cats born after 1st July 1999.

The new system requires Councils to collect monies for registration on behalf of the State Government. A monthly reconciliation is done and all fees collected sent to the Department of Local Government. Each quarter, the Government reimburses Councils a proportion of the fees after taking amounts for the running of the Register and the Companion Animals Advisory Board with its associated costs.

IMPLEMENTATION

(The first year)

Due to the hasty introduction of the new system of lifetime registration and with little or no hands-on training, Councils were on the back foot from the beginning. Also no one had any idea of how to forecast a budget. There was the expectation that large amounts of money would be received initially from dog owners changing from yearly to lifetime registration and then not much after that. It should be noted that this has not been the case. There has been a steady increase in the number of registrations and it has been forecast by the Department of Local Government to continue.

Warringah Council predicated its budget on one third of dog owners changing over in the first year. The Council register had just over 12,000 dogs and about 3,000 changed over. Expectations from Councils were that they would receive an 85% reimbursement from the State Government. This amount had been talked about at Government workshops and meetings although it was never set down in legislation.

Due to the fact that there were huge teething problems with the Register, the amount of reimbursement to Councils for the first year was only about 60%. This, together with a very unfriendly data entry system that saw applications pile up everywhere, requiring Councils to employ additional staff, resulted in budgets that were well in deficit. Warringah Council's budget blow-out was in the order of \$50,000. This experience was mirrored in varying degrees across the majority of NSW Councils.

However, the second year of operation has seen a vast improvement. Firstly, the register has undergone two rounds of improvements to make it faster and more user friendly which has reduced staff costs. Therefore Councils now have a better handle of what their projected income will be. The State Government in its last remittance to Councils for a six months period refunded 80% of all fees. Definitely more in line with expectations.

Costs

Costs to implement the Act in its early stages were so high that it negated any increase in revenue.

What were the costs?

Warringah Council employed a casual staff member for 4 months at a cost in excess of \$20,000 including large amounts of overtime.

Full time staff were also deployed on overtime at an additional cost of \$10,000.

The Animal Advisory Officer's additional costs were \$8,000.

In order that local residents could understand what is an extremely complex piece of legislation, extensive advertising campaigns were undertaken. Even in consideration that Warringah shared costs in some advertising with two other Councils the cost blowout amounted to \$7,000. Additionally there were posters, flyers and other materials distributed at a cost of \$5,000.

Member Councils of the Councils Unite for Pets group (a group of 12 Sydney metropolitan Councils dedicated to improving companion animal management by networking and resource sharing), also reported experiencing large budget deficits. Councils could have taken the 'it will get done eventually' approach but this was not the case. The staff involved with companion animals recognised that at the end of the day, the pet owner had a right to expect their pet would be safe by knowing their animals were on a data base that could be accessed immediately; that's what the new legislation promised and that's what Councils endeavoured to deliver. In the circumstances, I believe, through all the difficulties and frustration that's what has been delivered.

Revenue

Income from lifetime registration fees and fines under the Act increased enough to potentially cover those additional costs. However, because the reimbursement to Councils was so far below expectation, the blowouts occurred.

Warringah Council budgeted for \$174,000 in the first year and received just over \$80,000, less than half the expected income. As previously stated, we were in a financial no win situation.

(The Second Year and beyond)

The initial upheaval seems to be over and a solid foundation on which to build is emerging. Animals are being reunited with their owners that otherwise would not have been under the old system. The functions of the Companion Animals Register are becoming more user friendly and Councils are finally able to forecast budgets. Warringah Council expects a balanced budget in 2001/2002.

An ongoing problem exists, however, which relates to the data entry of identified animals. Just three and a half months into the legislation, Councils were directed by the Department of Local Government to enter data on behalf of authorised identifiers. The legislation requires authorised identifiers (veterinarians and others) to enter the details of microchipped animals onto the Register within 7 days of identification.

Unfortunately, this did not happen mainly because over 50% of vets in NSW do not have a computer in their practice. Therefore, Councils undertook the task. It has resulted in a huge drain on resources.

Warringah Council has estimated that a bare cost to data enter identification information, produce a certificate and mail it out is \$3.00 per application. This is the going fee for outside organisations that data enter on behalf of Councils. However, they do not pay for envelopes and postage. Warringah Council data enters anything from 250 to 400 forms per month on behalf of authorised identifiers, costing Council well over \$1000. Councils in rural and semi-rural areas where breeding kennels are situated have a much greater number of applications to data enter. Not only does it further erode a Council's ability to direct resources towards education, it also takes a lot of time with means that time cannot be spent doing animal management which is what the whole aim of the legislation is about.

There are a number of questions which must be addressed in assessing the NSW Companion Animals Act and its ability to provide Councils with a viable means of animal management in their local areas.

What proportion of dogs and cats in NSW are being registered for life?

A survey of 3 Councils in the Councils Unite for Pets group show a difference between the numbers of dogs registered under the old and new Acts. Figures show the total numbers of registered dogs has decreased. The average is about 20% less registered than under the old system. Under the old Dog Act it was estimated that around 20% of dogs living in NSW were registered. Whilst the conclusion can be drawn that even less dogs are registered than before, it must be noted that there are far more dogs microchipped.

This then begs the question of whether pet owners actually understand the legislation. Time and time again Councils hear from dog and cat owners who believe that because their pet is chipped it is all they have to do. Local Councils must work with their vets, pet shops and breeders to educate their staff in explaining the requirements of lifetime registration being a two-step process which in turn, will lift the rate of compliance.

Is the current compliance rate enough so that Councils can fund their animal management programs?

Councils do have the ability to generate more income to raise the level of compliance, which, in turn will raise the amount of income for animal management. The State Government has put in place a system whereby Councils can download from the Register a list of all dogs and cats which are over the age of 6 months but not yet registered for life. Warringah has taken advantage of this mechanism for increased revenue with a very favourable outcome.

The cost of the exercise was in the vicinity of \$2,000 taking into account overtime and postage. The income directly resulting from the process was over \$17,000 from the commencement of the Act on 1 July 1999 to 21 March 2001. Warringah Council will now take advantage of this process on a regular basis and feel that the exercise is well worth the effort.

It also had the added benefit of alerting people who had sold or transferred ownership of their animal, that the Councils can increase revenue and have better, more up to date records for pet owners in their Council area. All in all, this has been a very good initiative by the State Government.

Should the NSW Government be allocating more resources for state-wide education campaigns?

The Department of Local Government has undertaken two community education campaigns, both of which have been well researched and professionally delivered. Educational brochures have been produced and distributed to Councils together with standard advertisements and media releases to enable Councils to promote the legislation at the local level.

The catch-22 situation for a lot of Councils was that because they didn't have additional funds, they didn't undertake the level of community education needed at the time of commencement of the legislation.

For Councils to have good animal management both compliance and education must be undertaken jointly at the local level. Now that Councils have a handle on their finances, forward planning can be done and this vital link to the community put in place.

For the Government's part, the education campaigns overall have failed to target the wider community. Councils have long advocated a television campaign. However, the Department of Local Government says they do not have the funds to undertake this type of advertising. However, Section 85 of the Companion Animals Act 1998 relating to payments from the Companion Animals Fund says:

“(3) In particular, the Director-General is to seek the advice of the Board regarding priorities for the allocation of money from the Fund with regard to the following:

- a. ongoing community education programs in relation to the benefits of having companion animals
- b. provision of programs to enable responsible ownership by all members of the community who have companion animals.”

So far the thrust of Government advertising campaigns has been towards compliance, but the overall level of compliance relating to registration has decreased. Therefore, it is difficult to count advertising campaigns to date as a success. The NSW Government should now be concentrating on the provisions of the legislation and promoting the benefits of pet ownership along with the advantages of the new legislation in relation to identification and lifetime registration. I believe this should be the key strategy.

What can be done at the local level to increase compliance?

The local community in any Council has the expectation that companion animals will be managed so that pet and non-pet owners can live in harmony in a healthy environment. Therefore it is incumbent upon Councils to provide a service to residents and visitors. Any approach should be balanced between a Council's obligation to administer the law and education.

Many of the initiatives previously mentioned should be employed. To increase compliance Councils can — advertise, send letters to dog and cat owners whose pets are over 6 months but not registered, call on vets, pet shops and breeders to pass on accurate information, hold microchipping days and special event days for dog and cat owners. Councils can render penalties for non-compliance, but above all, deal in a compassionate and reasonable manner with pet owners.

Should companion animal management be self-funding?

Never, since Councils have had laws to administer in relation to companion animals, have they been self-funding. Traditionally, ratepayers in any Council area, whether dog and cat owners or not, have borne the burden. And the same merry-go-round has played out year after year.

Because such large amounts of money have to come from general revenue just to administer the Act, Councils have not felt justified in allocating further resources for education.

New South Wales has seen a shift in attitude since the introduction of the Companion Animals Act. However, at this point the extra money promised as a result of the new lifetime registration system has not eventuated and so there are still difficulties.

Councils are now working smarter and have set up networks such as the Councils Unite for Pets group. They liaise closely using each other's ideas and this saves 're-inventing the wheel' and therefore resources.

Councils need to realise that owning pets is a valid community service that potentially impacts upon 100% of the community. Enormous amounts of money are spent each year on maintaining sporting fields and swimming pools, which are only used by certain sections of the community. A far larger proportion of the community own companion animals and at the very least the same consideration needs to be shown to pet owners otherwise not much will change.

CONCLUSION

A best guess is that pet owners have paid in the vicinity of \$9,000,000 in registration fees. This is based on roughly 200,000 registered dogs and cats. It appears that initially the Government has used a large proportion of this money on administrative functions such as refining the Companion Animals Register and in the process, pet owners may have been disadvantaged.

It is very easy to lay blame for the teething problems associated with the implementation of the Companion Animals Act at the door of the NSW State Government. They have certainly copped it from every quarter and I am sure, in hindsight, that the Government may have done things a little differently. But at the end of the day it took a certain amount of courage to tip companion animal management in NSW on its' ear with a radical new approach that may just have been a little ahead of its' time.

A great positive is that nearly 500,000 animals in NSW are now permanently identified. Stories are being told daily of pets being reunited in extraordinary circumstances. Some have been missing for months and without a microchip would have had no hope of being reunited with their owners. No one should forget that this is the centrepiece of the NSW legislation *and it is working!*

The NSW Government is now looking at creative ways to return money to local Councils to fund education campaigns that can be shared on a statewide basis. This aspect of pet ownership is vital and needs to be addressed if we are to progress to a balanced understanding of companion animals. Additionally, the Government is seeking to improve and strengthen the legislation.

It is the way in which we move forward which is crucial to the ongoing success of the Companion Animals Act in NSW. I firmly believe that, notwithstanding the many problems associated with its' implementation, it is a good piece of legislation, which with time, as with anything new, will prove the right choice for pet owners in NSW.

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The views in this paper are those of the author and not necessarily those of Warringah Council.

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Terry-Ann began working in the area of companion animals in 1972 with Uncle Ben's of Australia. Following was an appointment in 1974 to the NSW Royal Agricultural Society in the pedigree dog section and involvement with the organisation of the Royal Easter Show, dog section until 1978. Until her appointment with Warringah Council as the Animal Advisory Officer, Terry-Ann had a family and concentrated her efforts on a number of businesses. The skills gained in marketing and promotions have been utilised to great advantage in her position with Warringah Council. Terry-Ann was the first UAM Australian Animal Control Officer of the Year in 1995 and has presented at various conferences, assisted the Department of Local Government with education relating to the NSW Companion Animals Act and represents the Councils Unite for Pets group as an official observer to the NSW Companion Animals Advisory Board.

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