DOGS NSW COMPLAINTS PROCEDURES

1. DOGS NSW will not deal with anonymous complaints, whether by telephone, email or in writing.
2. DOGS NSW will not discuss complaint matters over the telephone. All enquiries or discussion of complaints must be by email or in writing.
3. DOGS NSW will not become involved in disputes between members in relation to the sale of dogs. These are usually private matters to be determined by the contractual agreements between parties. Disputes on such matters should be resolved through NSW Fair Trading/NCAT or the Courts and not by DOGS NSW.
4. Complaints must be submitted directly by the complainant to DOGS NSW (not via a third party).
5. The complainant must, in the first instance, make all attempts to resolve the problem with the member who is the subject of their complaint, eg, breeder; ie, discuss options of refund, partial refund or replacement, DNA testing, etc.
6. If unable to come to an agreement, the complainant should submit the complaint on the DOGS NSW Complaint Lodgement Form to DOGS NSW, along with all evidence such as documentary proof they have attempted to resolve the matter and, where the breeder/seller has refused, proof of the breeder's/seller's refusal, receipt/proof of purchase, veterinary report, photographic evidence, etc.
7. Members are advised that all formal complaints must be lodged in accordance with the DOGS NSW Complaint Procedure and be submitted along with the following:

REQUIRED

- Completed Complaint Lodgement Form
- Complaint Lodgement Form **MUST** specify the Regulation/Article of Association which is alleged to have been breached. DOGS NSW Regulations can be viewed on the website at: dogsnsw.org.au/resources/regulations
- Payment of the Complaint Fee of **$250.00** in accordance with DOGS NSW Regulations Part XI – Inquiries, Investigations & Appeals, Section 3.4(a) ** see below
- Covering letter of complaint "no more than 350 words"
- Any Witness Statement/s – character references are **NOT** accepted.
- Vet report/s where applicable, identifying the dog by Microchip Number
- Only relevant factual correspondence between parties
- Only relevant screenshots
- Only relevant copies of advertisement, Facebook Post, text message, photographic evidence that identifies the issue.

**The Complaint fee is an administrative fee which will be refunded on request in the case where the matter proceeds to an Inquiry Hearing and is made out.

AND, FURTHER

DOGS NSW Regulations Part XI – Inquiries Investigations & Appeals, Clause 5.3(c), reads as follows:

5.3(c) In respect of written submissions made following the notification of an Inquiry, such written submissions must be made no less than 10 working days prior to the Hearing date and any written submissions received after that time will not be accepted. *(11/14) (09/23)*

It should be noted that in some cases, a complaint lodgement fee of $250.00 is required in order for the complaint to progress. (Refer Regulations Part XI – Inquiries, Investigations & Appeals, Section 3.4(a), which states:

3.4(a) Until the Board of Directors otherwise determines, a fee of $250.00 is payable upon the lodgment of a complaint with the RNSWCC Secretary. *(03/2023)*

Upon receipt of all the above requirements and confirmation that the respondent is a current financial member of DOGS NSW, the complaint will be forwarded to the DOGS NSW Disputes Assessment Panel for consideration.

VIRGINIA GAGAN-WILSON
Company Secretary

TYPES OF COMPLAINTS

PLEASE BE ASSURED THAT DOGS NSW TAKES ANY COMPLAINTS ABOUT ITS MEMBERS IN A SERIOUS MANNER. As you may be aware, there are various types of complaints received by DOGS NSW Office and these are dealt with as follows:

NON-RECEIPT OF REGISTRATION PAPERS No complaint fee

This complaint does **NOT** attract a complaint fee.

ETHICS & WELFARE COMPLAINTS No complaint fee

These complaints relate to issues such as unethical breeding, sale of a dog in ill health and other similar clauses in the Code of Ethics, however, it should be noted that DOGS NSW Regulations Part XIII – Code of Ethics, Clause 23 states:

> **23.** Members shall at, or prior to, the sale or transfer of a dog provide to the purchaser or transferee written notice of any medical condition, disease or injury from which the dog is suffering. It is a defence to any complaint against a Member for contravention of this Clause if the Member proves that it was not reasonably practicable for the Member to know that the dog was suffering from the medical condition, disease or injury at the time of sale or transfer. It is recommended that members obtain a receipted copy of any notice given pursuant to this Regulation. *(05/18)*

Ethics and welfare complaints do **NOT** attract a complaint fee.

ANIMAL WELFARE & COMMUNITY LIAISON COMPLAINTS No complaint fee

These complaints relate to matters such as:

- Advertising by a DOGS NSW Member of unregistered dogs, cross breeds, unrecognised breeds, dogs sold without papers, etc,
- Non-display of membership number on an advertisement or advertising to be a registered breeder when they are not
- Complaints of poor kennel conditions or over breeding
- Other matters that may require an inspection of a DOGS NSW Member's premises.

AWCLO complaints do **NOT** attract a complaint fee and should be referred to the Company Secretary for onforwarding to the Animal Welfare & Community Liaison Officer.

DISPUTES ASSESSMENT COMPLAINTS Complaint fee $250.00

These complaints are generally direct breaches of ANKC Ltd and/or DOGS NSW Regulations, such as:

- Altercation at a show (Misconduct)
- Unsportsmanlike behaviour (Misconduct)
- Failure to resolve a Non-supply of Registration papers matter
- 3rd Offence breach of Code of Ethics
- Disparage a Judge at a Show
- Incorrectly enter a dog in a show
- Forging documents
- Making derogatory or disparaging remarks by a DOGS NSW member on Facebook or other forms of social media that is a breach of DOGS NSW Articles or Regulations
- Cyber bullying by a DOGS NSW Member
- DOGS NSW Member using obscene or sexually explicit language or material in any form of media

Disputes Assessment Panel complaints **DO** attract a complaint fee of **$250.00** and are referred to the Disputes Assessment Panel for consideration and determination as to whether the matter should proceed to an Inquiry Hearing.

The above lists are not exhaustive lists, only examples.

COMPLAINT LODGEMENT FORM

Complaint Submitted By:

Membership No:

(Where submitted by DOGS NSW Board – Minute reference)

Complaint Lodged Against:

Allegation:

Articles/Regulations Allegedly Breached:

Statement by Complainant Attached:

☐ Yes – written statement attached (a written statement must be attached)

Name of any Witness/s upon which Complaint Relies:

Witness Statements Attached:

☐ Yes ☐ No

If a complainant is relying on the evidence of a witness, a witness statement should be attached

Is there any other supporting documentation attached?

☐ Yes ☐ No

Signature of Complainant: *Use Adobe Reader to click here and sign digitally*

Date:

PAYMENT METHOD Complaint Fee $250.00 – where applicable (Disputes Assessment complaints)

OPTION 1 ☐ **Paid via DOGS NSW Secure Payment Portal**

Payment to be made at www.dogsnsw.org.au/payments

OPTION 2 ☐ **Bank transfer**

Please include a copy of payment with your application. Use your invoice or membership number as the reference.

Account	**DOGS NSW**	BSB	**062-597**
Bank	**CommBank**	Acc No.	**10254964**

OPTION 3 ☐ **Invoice me**

DOGS NSW will issue an invoice for the fees payable on this application. Include the email address you would like the invoice sent to.

EMAIL INVOICE TO

OPTION 4 ☐ **Credit card** Please charge my credit card

CARD TYPE ☐ Mastercard ☐ Visa

CARD NUMBER

EXPIRY (MM/YY)

CCV

AMOUNT ($)

SIGNATURE OF CARDHOLDER *Use Adobe Reader to click here and sign digitally*

DATE (DD/MM/YYYY)

OFFICE USE ONLY

File No:

Membership Type/Status:

Complaint Fee Paid:

HOW TO LODGE

Send your completed form to

Attention: The Secretary, DOGS NSW

EMAIL
Email this form to
info@dogsnsw.org.au

POST
Post to
DOGS NSW, PO Box 632, St Marys NSW 1790

PHONE
Enquiries
(02) 9834 3022