

2018

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Transport and City Services)

Domestic Animals Legislation Amendment Bill 2018

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2018

THE LEGISLATIVE ASSEMBLY
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(As presented)

(Minister for Transport and City Services)

Domestic Animals Legislation Amendment Bill 2018

A Bill for

An Act to amend legislation about domestic animals, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Domestic Animals Legislation Amendment Act 2018*.

4 **2 Commencement**

5 (1) This Act (other than schedule 1) commences on the commencement
6 of the *Domestic Animals (Racing Greyhounds) Amendment*
7 *Act 2017*, section 3.

8 *Note* The naming and commencement provisions automatically commence on
9 the notification day (see [Legislation Act](#), s 75 (1)).

10 (2) Schedule 1 commences immediately before the commencement of
11 the *Domestic Animals (Racing Greyhounds) Amendment Act 2017*,
12 section 3.

13 **3 Legislation amended**

14 This Act amends the following legislation:

- 15 • *Domestic Animals Act 2000*
16 • *Domestic Animals Regulation 2001*.

17 *Note* This Act also amends the *Domestic Animals (Racing Greyhounds)*
18 *Amendment Act 2017* (see sch 1).

1 Part 2 Domestic Animals Act 2000

2 4 Offences against Act—application of Criminal Code etc 3 Section 4A

4 *insert*

- 5 • s 12 (Change of keeper)
- 6 • s 14 (Unregistered dogs)
- 7 • s 16 (Change of address)
- 8 • s 23 (Licensing of keepers of dangerous dogs)
- 9 • s 27 (Dangerous dogs in public places)
- 10 • s 41 (Prohibited areas)
- 11 • s 42 (Prohibited places)
- 12 • s 45 (Dogs on private premises to be restrained)
- 13 • s 46 (Disposal of faeces)
- 14 • s 47 (Female dogs on heat)
- 15 • s 53CA (Carer must be given copy of control order)
- 16 • s 112 (7) (Issue of nuisance notices)

17 5 Change of keeper 18 Section 12 (1) and note

19 *substitute*

- 20 (1) If ownership of a dog is transferred, a person who was a keeper of
21 the dog before the transfer must tell the registrar, in writing, of the
22 name and address of the new owner of the dog within 14 days
23 beginning the day after the transfer.

24 Maximum penalty: 10 penalty units.

25 6 Section 12 (2), penalty

26 *substitute*

27 Maximum penalty: 10 penalty units.

7 New section 12 (2A)

insert

(2A) An offence against this section is a strict liability offence.

**8 Unregistered dogs
Section 14 (1)**

substitute

(1) A person must not keep—

(a) an unregistered dog; or

(b) a registered dog if the person is not the dog's registered keeper.

Maximum penalty: 15 penalty units.

9 New section 14 (1A)

insert

(1A) An offence against this section is a strict liability offence.

10 Section 16

substitute

16 Change of address

(1) If the address of a registered keeper changes, the keeper must tell the registrar, in writing, of the new address within 14 days beginning the day after the change.

Maximum penalty: 5 penalty units.

(2) If the address where a registered dog is kept changes, the registered keeper must tell the registrar, in writing, of the new address within 14 days beginning the day after the change.

Maximum penalty: 5 penalty units.

1 (3) An offence against this section is a strict liability offence.

2 **11 Requirement to be licensed if multiple dogs**
3 **New section 18 (3) (da)**

4 *insert*

5 (da) a dog kept by the holder of a racing greyhound controller
6 licence; or

7 **12 Multiple dog licences—conditions**
8 **Section 21 (3) and (4)**

9 *substitute*

10 (3) Subsection (2) does not limit the matters the registrar may consider.

11 (4) The conditions may include—

12 (a) a condition prescribed by regulation; and

13 (b) any other condition the registrar considers appropriate.

14 **13 New section 21 (6)**

15 *insert*

16 (6) An offence against this section is a strict liability offence.

17 **14 Licensing of keepers of dangerous dogs**
18 **Section 23 (1)**

19 *substitute*

20 (1) A person commits an offence if the person—

21 (a) keeps a dangerous dog; and

22 (b) does not—

23 (i) hold a dangerous dog licence for the dog; or

1 (ii) comply with a condition of the dangerous dog licence for
2 the dog.

3 Maximum penalty: 100 penalty units.

4 (1A) An offence against this section is a strict liability offence.

5 **15 Dangerous dog licences—conditions**
6 **Section 26 (3)**

7 *substitute*

8 (3) The conditions may include—

9 (a) a condition prescribed by regulation; and

10 (b) any other condition the registrar considers appropriate.

11 **16 Section 27**

12 *substitute*

13 **27 Dangerous dogs in public places**

14 (1) A person commits an offence if—

15 (a) the person is the carer of a dangerous dog; and

16 (b) the person is with the dog in a public place; and

17 (c) the dog is not wearing a muzzle.

18 Maximum penalty: 20 penalty units.

19 (2) A person commits an offence if—

20 (a) the person is the keeper of a dangerous dog; and

21 (b) the dog is in a public place without the keeper or a carer.

22 Maximum penalty: 20 penalty units.

23 (3) An offence against this section is a strict liability offence.

1 **17 Signs on premises about dangerous dogs**
2 **New section 28 (1A)**

3 *insert*

4 (1A) An offence against this section is a strict liability offence.

5 **18 Presumption greyhound is racing greyhound**
6 **Section 39B (2)**

7 *omit*

8 gives the registrar a statutory declaration stating

9 *substitute*

10 makes a statement to the registrar, in writing,

11 **19 Racing greyhounds—registration**
12 **Section 39C (2)**

13 *substitute*

14 (2) If the registrar receives an application under subsection (1), the
15 registrar must—

16 (a) register the greyhound as a racing greyhound; or

17 (b) refuse to register the greyhound as a racing greyhound.

18 (2A) For subsection (2) (b), the registrar—

19 (a) must refuse to register the greyhound as a racing greyhound if
20 the applicant is—

21 (i) disqualified from keeping a dog or any other animal; or

22 *Note* Section 138A deals with the disqualification of a person
23 from keeping an animal.

24 (ii) disqualified or suspended from participation in
25 greyhound racing under a gaming law or a rule of racing
26 or betting (in the ACT or elsewhere); or

- 1 (b) may refuse to register the greyhound as a racing greyhound
2 if—
- 3 (i) the dog is not implanted with an identifying microchip as
4 required under this Act; or
- 5 (ii) the registrar reasonably believes that the applicant has
6 failed, or is unable, to exercise responsible dog
7 management, care or control.

8 **20 Racing greyhounds—registration numbers etc**
9 **Section 39E**

10 *omit*

11 Section 11 (1), (2), (4) and (5) (Registration numbers, certificates
12 and tags)

13 *substitute*

14 Section 11 (Registration numbers and certificates)

15 **21 Section 39F**

16 *substitute*

17 **39F Racing greyhounds—cancellation of registration**

- 18 (1) The registrar must cancel the registration of a greyhound as a racing
19 greyhound if—
- 20 (a) the keeper of the racing greyhound tells the registrar, in
21 writing, that the dog—
- 22 (i) has died; or
- 23 (ii) is no longer a racing greyhound; or
- 24 (b) the dog is destroyed under this Act; or
- 25 (c) registration of the dog is cancelled under section 13
26 (Registration—cancellation); or

- 1 (d) the keeper of the dog is disqualified from keeping a dog or any
2 other animal; or
- 3 (e) the keeper of the dog is disqualified or suspended from
4 participation in greyhound racing under a gaming law or a rule
5 of racing or betting (in the ACT or elsewhere).
- 6 *Note* Section 138A deals with the disqualification of a person from
7 keeping an animal.
- 8 (2) The registrar may cancel the registration of a greyhound as a racing
9 greyhound if—
- 10 (a) the keeper of the dog tells the registrar, in writing, that the
11 person is no longer the owner of the dog; or
- 12 (b) the registrar reasonably believes that the dog's keeper has
13 failed, or is unable, to exercise responsible dog management,
14 care or control.

15 **22 Racing greyhound controller licences—approval or**
16 **refusal**
17 **New section 39I (2) (ca)**

18 *insert*

- 19 (ca) the applicant is able to exercise responsible dog management,
20 care and control; and

21 **23 New section 39I (3) (h)**

22 *insert*

- 23 (h) the safety of the public and other animals.

24 **24 Racing greyhound controller licences—conditions**
25 **New section 39J (2) (d)**

26 *insert*

- 27 (d) the safety of the public and other animals.

1 **25 Prohibited areas**
2 **Section 41 (5)**

3 *substitute*

4 (5) A person must not take a dog into a prohibited area.

5 Maximum penalty: 5 penalty units.

6 (5A) An offence against this section is a strict liability offence.

7 **26 Prohibited places**
8 **Section 42 (1) to (4)**

9 *substitute*

10 (1) A person commits an offence if the person—

11 (a) takes a dog into the grounds of a child-care centre, preschool or
12 primary school; and

13 (b) does not have the permission of the principal or person in
14 charge of the centre or school to take the dog into the grounds;
15 and

16 (c) does not live on the grounds of the centre or school.

17 Maximum penalty: 15 penalty units.

18 (2) A person commits an offence if the person—

19 (a) takes a dog into the grounds of a high school or secondary
20 college during school hours or when school sport, including
21 sport training, is being conducted; and

22 (b) does not have the permission of the principal or person in
23 charge of the school or college to take the dog into the
24 grounds; and

25 (c) does not live on the grounds of the school or college.

26 Maximum penalty: 10 penalty units.

1 (3) A person commits an offence if the person takes a dog onto a field
2 or playing area where authorised sport or training is being played or
3 conducted on the field or area.

4 Maximum penalty: 10 penalty units.

5 (4) A person commits an offence if the person—

6 (a) takes a dog into a public place; and

7 (b) the public place is within 10m of—

8 (i) anything designed for play by children in the public place
9 and that children are playing on; or

10 (ii) a fixed fireplace or heating appliance in the public place
11 designed for cooking food and that people are using; or

12 (iii) a swimming area as defined by a sign erected or
13 displayed under the *Lakes Act 1976*, section 15 (a) (iv).

14 Maximum penalty: 10 penalty units.

15 (4A) An offence against this section is a strict liability offence.

16 **27 Section 42 (5), new definition of *authorised sport or***
17 ***training***

18 *insert*

19 ***authorised sport or training***, in relation to a field or playing area,
20 means a sport or recreational activity, or training for the sport or
21 activity, that has been authorised to be played or conducted on the
22 field or area by the entity responsible for management of the field or
23 area.

24 **28 Dogs in public places must be controlled**
25 **New section 44 (3A)**

26 *insert*

27 (3A) An offence against this section is a strict liability offence.

29 New section 44 (6)

insert

- (6) For this Act, a dog is under the *effective control* of a person if the person can prevent the dog from approaching other animals or people by—
- (a) use of a leash; or
 - (b) holding or confining the dog; or
 - (c) the dog—
 - (i) being in sight of the person; and
 - (ii) responding to and following the person's commands.

Example

Pete is walking his large dog, Reggie, on a leash. However, Pete is not strong enough to stop Reggie pulling and approaching other dogs. Reggie is not under the effective control of Pete.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

**30 Dogs on private premises to be restrained
Section 45 (1)**

substitute

- (1) A carer of a dog commits an offence if—
- (a) the carer is with the dog on private premises; and
 - (b) the dog is not restrained by a leash; and
 - (c) the carer does not have the consent of the occupier of the premises.

Maximum penalty: 10 penalty units.

31 Section 45 (3)

substitute

- (3) A keeper of a dog commits an offence if—
- (a) the keeper is with the dog on private premises; and
 - (b) the dog is not restrained by a leash; and
 - (c) the keeper does not have the consent of the occupier of the premises.

Maximum penalty: 10 penalty units.

32 Section 45 (5)

substitute

- (5) A keeper of a dog commits an offence if—
- (a) the dog is on private premises; and
 - (b) the dog is not with a carer; and
 - (c) the keeper does not have the consent of the occupier of the premises.

Maximum penalty: 15 penalty units.

- (5A) An offence against this section is a strict liability offence.

33 Section 46

2 *substitute*

46 Disposal of faeces

- 4 (1) The carer of a dog must hygienically dispose of any faeces dropped
5 by the dog in a public place or in a stormwater drain or channel
6 (whether on public or private land).

7 Maximum penalty: 5 penalty units.

8 Example—hygienic disposal

9 using a plastic bag or sealable container and placing the bag or container in a
10 garbage bin

11 *Note* An example is part of the Act, is not exhaustive and may extend, but
12 does not limit, the meaning of the provision in which it appears (see
13 [Legislation Act](#), s 126 and s 132).

- 14 (2) The carer of a dog commits an offence if the carer—

15 (a) takes the dog into a public place or a stormwater drain or
16 channel (whether on public or private land); and

17 (b) is not carrying equipment suitable for the hygienic disposal of
18 faeces dropped by the dog.

19 Maximum penalty: 5 penalty unit.

- 20 (3) An offence against this section is a strict liability offence.

**34 Female dogs on heat
Section 47 (1)**

23 *substitute*

- 24 (1) A keeper or carer of a female dog must not allow the dog to enter or
25 remain in a public place if the dog is on heat.

26 Maximum penalty: 15 penalty units.

- 27 (1A) An offence against this section is a strict liability offence.

1 **35 Obligations of keeper or carer if dog attacks**
2 **Section 50B (3)**

3 *substitute*

- 4 (3) If the attack caused serious injury to a person or animal, the keeper
5 or carer must tell the registrar about the attack within 5 days after
6 the day of the attack.

7 Maximum penalty: 50 penalty units.

- 8 (4) An offence against subsection (3) is a strict liability offence.

9 **36 Dealing with attacking dogs—death or serious injury to**
10 **person or death of animal**
11 **Section 53B (6), except notes**

12 *substitute*

- 13 (6) If the registrar decides not to destroy the dog, the registrar—
14 (a) may issue a control order for the dog to the dog's keeper or
15 carer; and
16 (b) if the registrar issues a control order to a carer of the dog—
17 must give a copy of the order to the dog's keeper.

18 **37 Section 53B (6), note 2**

19 *after*

20 keeper

21 *insert*

22 or carer

1 **38** **Dealing with attacking, harassing or menacing dogs**
2 **generally**
3 **Section 53C (4), except notes**

4 *substitute*

- 5 (4) If the registrar decides not to destroy the dog, the registrar—
6 (a) may issue a control order for the dog to the dog's keeper or
7 carer; and
8 (b) if the registrar issues a control order to a carer of the dog—
9 must give a copy of the order to the dog's keeper.

10 **39** **Section 53C (4), note 2**

11 *after*

12 keeper

13 *insert*

14 or carer

15 **40** **New sections 53CA and 53CB**

16 *insert*

17 **53CA** **Meaning of *control order***

18 For this Act, a *control order*, for a dog, means an order issued by
19 the registrar to the dog's keeper or carer requiring the dog's keeper
20 or carer to do—

- 21 (a) a thing prescribed by regulation; and
22 (b) any other thing the registrar considers appropriate.

1 **53CB Control orders—carers**

2 (1) This section applies if a control order is issued to the keeper of a
3 dog.

4 (2) The keeper must give a copy of the control order to a carer of the
5 dog.

6 Maximum penalty: 50 penalty units.

7 (3) An offence against this section is a strict liability offence.

8 **41 Offence—failure to comply with control order**
9 **Section 53E (a)**

10 *after*

11 keeper

12 *insert*

13 or carer

14 **42 Section 53E (b)**

15 *substitute*

16 (b) is issued with, or given a copy of, a control order for the dog;
17 and

18 **43 New section 53E (2)**

19 *insert*

20 (2) An offence against this section is a strict liability offence.

1 **44 Notice to affected neighbours**
2 **Section 55B (1) (b) and (c)**

3 *after*
4 keeper
5 *insert*
6 or carer

7 **45 Section 55B (2)**

8 *after*
9 dog is kept
10 *insert*
11 , or being cared for

12 **46 Seizure of dogs—general**
13 **Section 56 (2) (c)**

14 *after*
15 keeper
16 *insert*
17 or carer

1 **47 Seizure of dogs—investigation of complaints about**
2 **attacking, harassing or menacing dogs**
3 **Section 56A (3)**

4 *substitute*

- 5 (3) If an authorised person seizes a dog, the authorised person must—
- 6 (a) impound the dog until the investigation is completed; or
- 7 (b) if the authorised person is reasonably satisfied that the dog can
- 8 be kept by the keeper or carer on suitable and secure
- 9 premises—direct the keeper or carer orally, or in writing, to
- 10 keep the dog on the premises in accordance with any stated
- 11 conditions until the investigation is completed.
- 12 (3A) The conditions may include—
- 13 (a) a condition prescribed by regulation; and
- 14 (b) any other condition the authorised person considers
- 15 appropriate.

16 **48 New section 56A (6)**

17 *insert*

- 18 (6) An offence against this section is a strict liability offence.

19 **49 Impounding of dogs seized**
20 **Section 60 (1) (b) (i) and (ii)**

21 *substitute*

- 22 (i) if the identity of the dog's keeper or carer is not known—
- 23 must make reasonable inquiries to find out who is the
- 24 keeper or carer; or
- 25 (ii) if the identity of the dog's keeper or carer is known—
- 26 must give oral or written notice to the keeper or carer in
- 27 accordance with section 61 about the dog's seizure.

50 Section 60 (3)

2 *substitute*

3 (3) For subsection (1) (a), if the authorised person is reasonably
4 satisfied that the dog can be kept by the keeper or carer on suitable
5 and secure premises, the authorised person may direct the keeper or
6 carer orally, or in writing, to keep the dog on the premises in
7 accordance with any stated conditions until the investigation is
8 completed.

9 (3A) The conditions may include—

10 (a) a condition prescribed by regulation; and

11 (b) any other condition the authorised person considers
12 appropriate.

51 New section 60 (6)

14 *insert*

15 (6) An offence against this section is a strict liability offence.

**52 Returning seized dog to its keeper
Section 70 (1) and (2)**

18 *after*

19 keeper

20 *insert*

21 or carer

53 Section 70 (4)

substitute

- (4) The registrar may return the dog to its keeper or carer and—
- (a) may issue a control order for the dog to the keeper or carer;
and
 - (b) if the registrar issues a control order to a carer of the dog—
must give a copy of the order to the dog's keeper.

54 Section 70 (5)

after

keeper

insert

or carer

**55 Breeding licence—conditions
Section 72E (3)**

substitute

- (3) A breeding licence is subject to the condition that the licensee complies with—
- (a) any relevant breeding standard determined under the *Animal Welfare Act 1992*, section 15B (Intensive breeding of cats or dogs); and
 - (b) any relevant mandatory code of practice approved under the *Animal Welfare Act 1992*, section 23 (Mandatory code of practice).

1 **56 Sale of older dogs and cats not de-sexed**
2 **Section 74A (3)**

3 *substitute*

4 (3) Subsection (1) does not apply to—

5 (a) a dog or cat if a veterinary surgeon certifies, in writing, before
6 the dog was sold that de-sexing the animal would be a serious
7 health risk to the animal; or

8 (b) a registered racing greyhound.

9 **57 Issue of nuisance notices**
10 **Section 112 (7)**

11 *substitute*

12 (7) A person commits an offence if the person fails to comply with a
13 nuisance notice.

14 Maximum penalty: 5 penalty units.

15 (8) An offence against this section is a strict liability offence.

16 **58 Seizure, impounding and return of nuisance animals**
17 **Section 114 (1) and (2) (a)**

18 *after*

19 keeper

20 *insert*

21 or carer

1 **59 Section 114 (2) (b) (i) and (ii)**

2 *substitute*

- 3 (i) if the identity of the animal's keeper or carer is not
4 known—make reasonable inquiries to find out who is the
5 keeper or carer; or
- 6 (ii) if the identity of the animal's keeper or carer is known—
7 give oral or written notice to the keeper or carer in
8 accordance with section 114A about the animal's seizure.

9 **60 Section 114 (4)**

10 *after*

11 keeper

12 *insert*

13 or carer

14 **61 Section 114 (5)**

15 *substitute*

- 16 (5) If the registrar releases a dog, the registrar—
- 17 (a) may issue a control order for the dog to the dog's keeper or
18 carer; and
- 19 (b) if the registrar issues a control order to a carer of the dog—
20 must give a copy of the order to the dog's keeper.

21 **62 Inspection of animals**
22 **New section 134A (3)**

23 *insert*

- 24 (3) An offence against this section is a strict liability offence.

1 **63 New section 137**

2 *insert*

3 **137 Approved animal welfare entities**

4 (1) The registrar may approve an entity responsible for animal welfare
5 or rehousing abandoned animals to keep or sell animals seized under
6 this Act.

7 (2) An approval is a notifiable instrument.

8 *Note* A notifiable instrument must be notified under the [Legislation Act](#).

9 **64 Dictionary, new definitions**

10 *insert*

11 *approved animal welfare entity* means an entity approved by the
12 registrar under section 137.

13 *breed*, a litter from a cat or dog, includes—

14 (a) inseminate the animal or do any other act intended to make the
15 animal pregnant or assist the animal in becoming pregnant; and

16 (b) assist the birth of the litter; and

17 (c) whelp or wean a kitten or pup in the litter.

18 **65 Dictionary, definition of *control order***

19 *substitute*

20 *control order*, for a dog—see section 53CA.

1 **66 Dictionary, new definitions**

2 *insert*

3 *effective control*—see section 44 (6).

4 *impound*, a seized animal, means—

5 (a) keep the animal on Territory premises; or

6 (b) arrange for the animal to be kept on the premises of an
7 approved animal welfare entity.

8 **67 Dictionary, definition of sell**

9 *substitute*

10 *sell*, a seized animal, includes give the animal to an approved animal
11 welfare entity.

1 **Part 3** **Domestic Animals**
2 **Regulation 2001**

3 **68 Dog registration information—Act, s 8**
4 **New section 5 (g) and (h)**

5 *insert*

6 (g) if the dog is a racing greyhound—a statement to that effect;

7 (h) if the dog is a registered racing greyhound—a statement to that
8 effect.

9 **69 Information on dog registration certificates—Act s 11 (2)**
10 **Section 6 (f)**

11 *before*

12 keeper

13 *insert*

14 registered

15 **70 New sections 6A to 6E**

16 *insert*

17 **6A Multiple dog licence prescribed conditions—Act,**
18 **s 21 (4) (a)**

19 A multiple dog licence may include 1 or more of the following
20 conditions:

21 (a) the licence only applies to stated premises;

22 (b) each dog must be registered and, if required under the Act,
23 de-sexed and microchipped;

24 (c) the registration and microchip details for each dog must be
25 up-to-date;

- 1 (d) the total area of the yard in which the dogs are held must not be
2 less than a stated minimum area;
- 3 (e) no part of the yard in which the dogs are held may be less than
4 2m from a boundary fence;
- 5 (f) each dog must have its own permanent shelter that allows it to
6 be sheltered all day and night from sun, wind and rain;
- 7 (g) no more than 3 of the dogs may be taken into a public place by
8 the same keeper or carer at the same time;
- 9 (h) the dogs must be kept in a yard that is enclosed by a fence
10 that—
- 11 (i) is higher than a stated minimum height; and
- 12 (ii) is constructed in a stated way or from a stated material;
13 and
- 14 (iii) is in good repair and structurally sound; and
- 15 (iv) has no gaps or holes in or under it large enough to allow a
16 dog to escape;
- 17 (i) any gate or door to a yard in which the dog is kept must—
- 18 (i) be spring-latched and self-closing; and
- 19 (ii) be padlocked when the keeper or carer is not in the yard;
20 and
- 21 (iii) be of a stated minimum height; and
- 22 (iv) be constructed in a stated way or from a stated material;
23 and
- 24 (v) be in good repair and structurally sound; and
- 25 (vi) not have any gaps or holes in or under it large enough to
26 allow the dog to escape;

1 (j) the keeper, any carer and a stated dog must complete a stated
2 course in behavioural or socialisation training for dogs;

3 (k) a stated thing must be done in relation to a stated dog within a
4 stated time.

5 **Examples—par (k)**

6 1 de-sexing a dog within 14 days

7 2 stated veterinary treatment of a dog must be undertaken within 7 days

8 3 stated evidence of compliance with a stated condition must be given to the
9 registrar within 28 days eg a certificate from a veterinarian

10 *Note* An example is part of the regulation, is not exhaustive and may extend,
11 but does not limit, the meaning of the provision in which it appears (see
12 [Legislation Act](#), s 126 and s 132).

13 **6B Dangerous dog licence prescribed conditions—Act,**
14 **s 26 (3) (a)**

15 A dangerous dog licence may include 1 or more of the following
16 conditions:

17 (a) the dog must be kept at a stated address for the duration of the
18 licence unless otherwise authorised by the registrar;

19 (b) the registration and microchip details for the dog must be
20 up-to-date;

21 (c) the dog must be kept in a yard that is enclosed by a fence
22 that—

23 (i) is higher than a stated minimum height; and

24 (ii) is constructed in a stated way or from a stated material;
25 and

26 (iii) is in good repair and structurally sound; and

27 (iv) has no gaps or holes in or under it large enough to allow
28 the dog to escape through;

- 1 (d) any gate or door to a yard in which the dog is kept must—
- 2 (i) be spring-latched and self-closing; and
- 3 (ii) be padlocked when the keeper is not in the yard; and
- 4 (iii) be of a stated minimum height; and
- 5 (iv) be constructed in a stated way or from a stated material;
- 6 and
- 7 (v) be in good repair and structurally sound; and
- 8 (vi) not have any gaps or holes in or under it large enough to
- 9 allow the dog to escape;
- 10 (e) if the dog leaves the premises at which the dog is kept, the dog
- 11 must—
- 12 (i) only be in the care of the keeper or another stated person
- 13 who is at least 18 years old; and
- 14 (ii) be restrained by a leash, or muzzle, of a stated kind; and
- 15 (iii) be under the effective control of the keeper or other
- 16 person; and
- 17 (iv) not be taken into, or within a stated distance of, an
- 18 off-lead area or another stated place;
- 19 (f) the dog must not leave the premises at which the dog is kept or
- 20 may only leave the premises within a stated time or for a stated
- 21 period;
- 22 (g) the keeper, any carer and the dog must complete a stated
- 23 course in behavioural or socialisation training for the dog;

1 (h) a stated thing must be done in relation to the dog within a
2 stated time.

3 **Examples—par (h)**

4 1 a certificate of completion of behavioural or socialisation training must be
5 provided within 28 days

6 2 do stated repairs to a fence

7 3 affix signs about the dog to stated parts of premises

8 *Note* An example is part of the regulation, is not exhaustive and may extend,
9 but does not limit, the meaning of the provision in which it appears (see
10 [Legislation Act](#), s 126 and s 132).

11 **6C Information on greyhound registration certificates—Act,
12 s 39E**

13 A registration certificate for a greyhound registered as a racing
14 greyhound must state the following information:

15 (a) the registration number allotted to the racing greyhound;

16 (b) the registration number allotted to the greyhound under the
17 [Act](#), section 11;

18 (c) the name and address of the registered keeper of the dog.

19 **6D Prescribed control orders—Act, s 53CA (a)**

20 (1) A control order in relation to a dog may require the keeper or carer
21 to do 1 or more of the following things:

22 (a) keep the dog at a stated address for a stated period unless
23 otherwise authorised by the registrar;

24 (b) register, de-sex or microchip the dog;

25 (c) up-date the dog's registration and microchip details;

26 (d) ensure that the dog is kept in a yard enclosed by a fence that—

27 (i) is higher than a stated minimum height; and

- 1 (ii) is constructed in a stated way or from a stated material;
2 and
- 3 (iii) is in good repair and structurally sound; and
- 4 (iv) has no gaps or holes in or under it large enough to allow
5 the dog to escape;
- 6 (e) ensure that any gate or door to a yard in which the dog is
7 kept—
- 8 (i) is spring-latched and self-closing; and
- 9 (ii) is padlocked when the keeper or carer is not in the yard;
10 and
- 11 (iii) is of a stated minimum height; and
- 12 (iv) is constructed in a stated way or from a stated material;
13 and
- 14 (v) is in good repair and structurally sound; and
- 15 (vi) does not have any gaps or holes in, or under it, large
16 enough to allow the dog to escape through;
- 17 (f) ensure that a warning sign is displayed on all gates and doors at
18 the premises where the dog is kept so that it can be readily seen
19 by a person about to enter the premises through any gate or
20 door;
- 21 (g) ensure that if the dog leaves the premises at which the dog is
22 kept, the dog must—
- 23 (i) only be in the care of the keeper or another stated person
24 who is at least 18 years old; and
- 25 (ii) be restrained by a leash, or muzzle, of a stated kind; and
- 26 (iii) be under the effective control of the keeper or other
27 person; and

- 1 (iv) not be taken into, or within a stated distance of, an
2 off-lead area or another stated place;
- 3 (h) ensure that the dog does not leave the premises at which the
4 dog is kept or ensure that the dog only leaves the premises
5 within a stated time or for a stated period; and
- 6 (i) must complete a stated course in behavioural or socialisation
7 training with the dog;
- 8 (j) a stated thing in relation to the dog within a stated time.

9 **Examples—par (j)**

10 a certificate of completion of behavioural or socialisation training must be
11 provided within 28 days

12 *Note* An example is part of the regulation, is not exhaustive and may extend,
13 but does not limit, the meaning of the provision in which it appears (see
14 [Legislation Act](#), s 126 and s 132).

15 (2) In this section:

16 *door*—see the [Act](#), section 28 (2).

17 *warning sign*—see the [Act](#), section 28 (2).

18 **6E Home impoundment prescribed conditions—Act,**
19 **s 56A (3A) (a) and s 60 (3A) (a)**

20 A keeper or carer may be directed to keep a dog on stated premises
21 in accordance with 1 or more of the following conditions:

- 22 (a) the dog must be kept at the premises for a stated period unless
23 otherwise authorised by the registrar;
- 24 (b) the dog must be kept in a yard that is enclosed by a fence
25 that—
- 26 (i) is higher than a stated minimum height; and
- 27 (ii) is constructed in a stated way or from a stated material;
28 and

- 1 (iii) is in good repair and structurally sound; and
- 2 (iv) has no gaps or holes in or under it large enough to allow
- 3 the dog to escape;
- 4 (c) any gate or door to a yard in which the dog is kept must—
- 5 (i) be spring-latched and self-closing; and
- 6 (ii) be padlocked when the keeper is not in the yard; and
- 7 (iii) be of a stated minimum height; and
- 8 (iv) be constructed in a stated way or from a stated material;
- 9 and
- 10 (v) be in good repair and structurally sound; and
- 11 (vi) not have any gaps or holes in or under it large enough to
- 12 allow the dog to escape through;
- 13 (d) if the dog leaves the premises at which the dog is kept, the dog
- 14 must—
- 15 (i) only be in the care of the keeper or another stated person
- 16 who is at least 18 years old; and
- 17 (ii) be restrained by a leash, or muzzle, of a stated kind; and
- 18 (iii) be under the effective control of the keeper or other
- 19 person; and
- 20 (iv) not be taken into, or within a stated distance of, an
- 21 off-lead area or another stated place;
- 22 (e) the dog must not leave the premises at which the dog is kept or
- 23 may only leave the premises within stated times or for stated
- 24 periods;

1 (f) a stated thing must be done in relation to the dog within a
2 stated time.

3 **Example—par (f)**

4 do stated repairs to a fence

5 *Note* An example is part of the regulation, is not exhaustive and may extend,
6 but does not limit, the meaning of the provision in which it appears (see
7 [Legislation Act](#), s 126 and s 132).

8 **71 How dogs must be identified—Act, s 83**
9 **Section 7 (1) and (2)**

10 *omit*

11 **72 Section 7 (3)**

12 *omit*

13 also

14 **73 Reviewable decisions**
15 **Schedule 1, item 9, column 3**

16 *omit*

17 multiple dog licence or dangerous dog licence

18 *substitute*

19 special licence

74 Schedule 1, new items 10A to 10C

2 *insert*

10A	Act , 39C (2) (b)	refuse to register racing greyhound	applicant for registration
10B	Act , 39I (1) (b)	refuse to issue racing greyhound controller licence	applicant for licence
10C	Act , 39J (1)	issue racing greyhound controller licence on conditions	applicant for licence

75 Schedule 1, item 32, column 4

4 *omit*

5 keeper or animal

6 *substitute*

7 keeper of animal

76 Dictionary, new definition of *off-lead area*

9 *insert*

10 *off-lead area* means an area declared under the [Act](#), section 40.

77 Dictionary, note 2

12 *insert*

- 13 • control order
- 14 • dangerous dog licence
- 15 • effective control
- 16 • multiple dog licence
- 17 • public place

1 **Schedule 1 Other amendments—Domestic**
2 **Animals (Racing Greyhounds)**
3 **Amendment Act 2017**

4 (see s 3)

5 **[1.1] Section 4**

6 *omit*

- 7 • s 12 (2) (Change of keeper)
8 • s 72 (1A) (Offence—breeding dogs or cats without licence)

9 **[1.2] Section 8 etc**

10 *omit*

- 11 • section 8
12 • section 10
13 • sections 12 to 16
14 • section 25
15 • sections 28 and 29
16 • sections 34 to 38
17 • schedule 1, amendment 1.4

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 22 March 2018.

2 Notification

Notified under the [Legislation Act](#) on 2018.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
