

2021

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Transport and City Services)

Domestic Animals Legislation Amendment Bill 2021

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Domestic Animals Legislation Amendment Bill 2021

A Bill for

An Act to amend legislation about domestic animals

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 2021*.

4 **2 Commencement**

5 This Act commences on 1 July 2021.

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

8 **3 Legislation amended**

9 This Act amends the following legislation:

- 10 • [Domestic Animals Act 2000](#)
11 • [Domestic Animals Regulation 2001](#)
12 • [Magistrates Court \(Domestic Animals Infringement Notices\)](#)
13 [Regulation 2005](#).

Part 2 Domestic Animals Act 2000

4 Offences against Act—application of Criminal Code etc Section 4A, note 1, new dot point

insert

- s 10A (Keeper must comply with reminder notice)

5 Section 9

substitute

9 Registration—duration

The registration of a dog remains in force for 12 months unless it is sooner surrendered, cancelled or renewed.

6 New sections 10, 10A and 10B

insert

10 Reminder notice for registration renewal

- (1) The registrar must give the registered keeper of a dog a written notice (a *reminder notice*) at least 14 days before the day the dog's registration ends.
- (2) The reminder notice must state—
 - (a) the date on which the dog's registration ends; and
 - (b) that the keeper is required to confirm or update information about the dog's registration that is recorded, or that is required to be recorded, on the register; and
 - (c) either—
 - (i) the information about the dog's registration required to be confirmed or updated; or

- 1 (ii) how the keeper of the dog may electronically access
2 information on the register about the dog's registration;
3 and
- 4 (d) that if the keeper is less than 16 years old and resides with a
5 parent or guardian, the keeper must provide written consent to
6 the renewal of registration by the parent or guardian; and
- 7 (e) how the keeper may comply with the notice; and
- 8 (f) that it is an offence for the keeper to fail to comply with the
9 notice before the dog's registration ends; and
- 10 (g) any other information prescribed by regulation.

11 **10A Keeper must comply with reminder notice**

- 12 (1) A registered keeper of a dog commits an offence if the keeper—
13 (a) is given a reminder notice in accordance with section 10; and
14 (b) fails to comply with the reminder notice.

15 Maximum penalty: 10 penalty units.

16 *Note* It is an offence to make a false or misleading statement, give false or
17 misleading information or produce a false or misleading document (see
18 [Criminal Code](#), pt 3.4).

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

20 **10B Registration—automatic renewal**

21 The registration of a dog is renewed if the registered keeper of the
22 dog—

- 23 (a) is given a reminder notice under section 10; and
24 (b) complies with the reminder notice.

7 Registration numbers and certificates
New section 11 (1A)

insert

- (1A) If the registration of a dog is renewed, the registrar must give the registered keeper of the dog a registration certificate for the dog.

8 New section 12A

insert

12A Registrar may request information

- (1) The registrar may, by written notice to the keeper of a registered dog, require the keeper to give the registrar information that is reasonably necessary for carrying out a function under this Act.
- (2) The written notice must state—
- (a) the information required to be given; and
 - (b) how the keeper may give the information; and
 - (c) the period, of not less than 28 days after the notice was given, in which the notice must be complied with; and
 - (d) that the dog's registration may be cancelled if the keeper fails to comply with the notice.

Note 1 It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

Note 2 The [Legislation Act](#), s 170 deals with the application of the privilege against self-incrimination.

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1 (3) Subsection (2) does not apply if the registration is sooner surrendered,
2 cancelled or renewed.

3 (4) In this section:

4 *next anniversary*, of a registration date, means the first anniversary
5 of the registration date occurring after 1 July 2021.

6 **165 Expiry—pt 13**

7 This part expires on 30 June 2022.

8 *Note* A transitional provision is repealed on its expiry but continues to have
9 effect after its repeal (see [Legislation Act](#), s 88).

Part 3 Domestic Animals Regulation 2001

12 Dog registration information—Act, s 8 Section 5 (a)

substitute

- (a) the name, address and, if known, other contact details of the keeper of the dog;
- (aa) any conviction or finding of guilt of the keeper of the dog within the last 10 years against an animal welfare offence or an offence against the Act (other than an excluded offence);

13 New section 5 (ba)

insert

- (ba) the dog's name, if known;

14 New section 5 (i) to (l)

insert

- (i) if the dog has been de-sexed—a statement to that effect;
- (j) if ownership of the dog, or who keeps the dog, has changed—the name, address and, if known, other contact information of the former owner or keeper;
- (k) if the registrar is told in writing or becomes aware that the dog has died—a statement that the dog is deceased;
- (l) if the registration of the dog is renewed—the date of the renewal.

- 1 **15 Information on dog registration certificates—Act s 11 (2)**
2 **New section 6 (g) and (h)**
- 3 *insert*
- 4 (g) if the registrar registers a dog—the date of registration, and the
5 date the registration ends;
- 6 (h) if the registrar renews the registration of a dog—the date of
7 renewal of registration, and the date the registration ends.
- 8 **16 Reviewable decisions**
9 **Schedule 1, item 1, column 2**
- 10 *substitute*
- 11 [Act](#), 7 (1) (b)
- 12 **17 Schedule 1, item 2, column 2**
- 13 *substitute*
- 14 [Act](#), 13 (2)
- 15 **18 Dictionary, note 3**
- 16 *insert*
- 17 • animal welfare offence
- 18 • de-sex
- 19 • excluded offence

1 **Part 4** **Magistrates Court (Domestic**
2 **Animals Infringement Notices)**
3 **Regulation 2005**

4 **19 Domestic animals legislation infringement notice**
5 **offences and penalties**
6 **Schedule 1, part 1.1, new item 1A**

7 *before item 1, insert*

1A	10A (1)	keeper must comply with reminder notice	10	150
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Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 31 March 2021.

2 Notification

Notified under the [Legislation Act](#) on 2021.

3 Republications of amended laws

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