

Australian Capital Territory

Domestic Animals (Fees) Determination 2006 (No 1)

Disallowable Instrument DI 2006-9

made under the

Domestic Animals Act 2000, Section 144 - Determination of Fees

EXPLANATORY STATEMENT

Section 144 of the *Domestic Animals Act 2000* (the Act) allows for the Minister to determine fees for the Act.

Fees have been payable for the sale of dogs from the pound since commencement of the Act in 2001. However, previous instruments have provided that this fee is to be “as determined by the Registrar”.

This Legal Affairs Committee raised concerns about the legality of determining the fee in this way.

By this instrument the Minister, rather than the Registrar, determines that the fee for the ‘sale of a dog from the pound’ will be \$45.00. It also clarifies that the Registrar may waive the fee payable for the ‘sale of a dog from the pound’. The Registrar currently waives the fee that would otherwise be payable for the sale of a dog from the pound where dogs are released to members of a dog rescue program. Examples of organisations operating such programs include ACT Rescue and Foster Inc., Australian Cattle Dog Rescue, and Siberian Husky Breed Rescue (among others).

All other fees have remained unchanged, although some minor editorial changes have been made to the instrument to improve clarity and consistency.

The new fee determination takes effect on the day after notification on the ACT Government Legislation Register.