

2001

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

DOMESTIC ANIMALS REGULATIONS 2001

SUBORDINATE LAW NO. 17 OF 2001

EXPLANATORY STATEMENT

Circulated by authority of
Brendan Smyth MLA,
Minister for Urban Services

EXPLANATORY STATEMENT

Outline

These regulations allow for provisions identified in the *Domestic Animals Act 2000* (the Act) to be enacted.

The Act amalgamates and amends the requirements of the *Dog Control Act 1975* and the *Animal Nuisance Control Act 1975*. The *Dog Control Act 1975* and the *Animal Nuisance Act 1975* will be repealed on 21 June 2001 which is the commencement date for the Act.

The Act continues a dog registration and licensing scheme as well as introduces additional measures in relation to cats. These regulations provide for a number of the detailed issues required for administration and enforcement of the Act (as required by the Act.)

Formal Clauses

Part 1- Preliminary:

Clauses 1 and 2 are formal provisions dealing with the name and commencement date of the regulations. The regulations are to commence when section 3 of the Act commences, which is 21 June 2001.

Clause 3 specifies the identifying information that must be kept in the register in relation to the keeper of a registered dog.

Clause 4 specifies the information that will be recorded on a registration certificate concerning a registered dog.

Clause 5(1) specifies the means by which a dog or cat may be identified for the purpose of section 83(3)(a) of the Act (which requires that dogs and cats carry identification). **Clause 5(2)** specifies the information that must be provided on an identification tag. It should be noted that a registered dog wearing its registration tag will not require further identification under the Act.

Clause 6 relates to the issuing of infringement notices and penalties under the Act. The schedule to the regulations contains the list of infringement notice offences and the relevant penalties. It also specifies the additional fee payable if a reminder notice is issued for an unpaid infringement notice.

Clause 7 identifies the administering authority for an infringement notice issued under the Act.

Clause 8 and 9 identifies who is authorised for issuing infringement notices and reminder notices for offences committed under the Act.

Clause 10 requires that the administering authority must issue a unique identifying number to all officers authorised to issue infringement notices and reminder notices under the Act.

Clause 11 specifies the identifying particulars of a dog or cat to be included within an infringement notice when an authorised officer issues an infringement notice under the Act.

Clause 12 requires that all authorised officers must include their unique identifying number, as required by clause 10 of the regulations, on each infringement notice or reminder notice.

Clause 13 sets the cost of beginning proceedings. This is the additional amount that a person must pay if they dispute liability for an infringement notice but elect to pay the fine prior to the hearing of the matter in the Magistrates Court.

Clause 14 makes it so that a person who pays for a service under the Act by a cheque that is ultimately dishonoured must also pay the bank fees imposed on Government for the dishonoured cheque. It also makes it so that the person does not get the benefit of whatever they paid for until the payment is made good.

Schedule 1 details all offences that may be subject to an infringement notice.