



AUSTRALIAN CAPITAL TERRITORY

Dog Control (Amendment) Act 1993

No. 29 of 1993

An Act to amend the *Dog Control Act 1975*

[Notified in ACT Gazette S89: 1 June 1993]

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

Short title

1. This Act may be cited as the *Dog Control (Amendment) Act 1993*.

Commencement

2. This Act commences on 1 July 1993.

Principal Act

3. In this Act, “Principal Act” means the *Dog Control Act 1975*.¹

Registration

4. Section 10 of the Principal Act is amended by omitting from subsection (1) “Subject to subsection (3), upon” and substituting “On”.

Powers of inspection

5. Section 18H of the Principal Act is amended by omitting from subsection (1) “section 18A” and substituting “this Act”.

Dog attacking or worrying person or animal

6. Section 25 of the Principal Act is amended by omitting from subsection (4) “may, if it thinks fit,” and substituting “shall, unless satisfied that there are extenuating or other special circumstances that justify not doing so,”.

Seizure

7. Section 28 of the Principal Act is amended—

- (a) by omitting from subsection (2) all the words after “seize the dog” and substituting “and may, for that purpose, enter upon any land”; and
- (b) by omitting subsection (3).

Detention of dogs that have attacked or worried persons or animals

8. Section 31 of the Principal Act is amended—

- (a) by omitting from subsection (1) “, (3) or (4), the dog shall be detained in such custody as the Registrar directs” and substituting “or (4), the Registrar shall cause the dog to be impounded at premises under the control of the Territory or at other premises approved by the Minister for the purpose”;
- (b) by omitting from paragraph (1) (a) “14” and substituting “28”;
- (c) by omitting from paragraph (1) (b) “14” and “16” and substituting “28” and “30”, respectively;
- (d) by omitting from subsection (2) “detaining the dog shall be borne by the Territory” and substituting “impounding the dog are payable to the Territory by the former keeper of the dog”; and
- (e) by omitting paragraphs (3) (a) and (b) and substituting the following paragraphs:
 - ”(a) before the expiration of 28 days after the day on which the dog was seized, the Registrar believes on reasonable grounds that the Director of Public Prosecutions will not institute proceedings for an offence against section 25;
 - (b) at the expiration of the period referred to in paragraph (a) proceedings for such an offence have not been instituted; or
 - (c) such proceedings have been instituted, but the court does not order the destruction of the dog;”.

NOTE

1. Reprinted as at 31 July 1992. See also Act No. 45, 1992.

[Presentation speech made in Assembly on 31 March 1993]

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