



Australian Capital Territory

Domestic Animals Amendment Act 2010

A2010-3

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Australian Capital Territory

Domestic Animals Amendment Act 2010

A2010-3

An Act to amend the *Domestic Animals Act 2000*, and for other purposes

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

1 Name of Act

This Act is the *Domestic Animals Amendment Act 2010*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This Act amends the *Domestic Animals Act 2000*.

Note This Act also amends other legislation (see sch 1).

4 New section 55A

in division 2.6, insert

55A Access to information about dog attacks

- (1) This section applies if—
 - (a) the registrar is satisfied that a person (the *victim*) has suffered injury or other loss because a dog has attacked or harassed the victim or the victim's animal; and
 - (b) the registrar holds information about the attack or harassment; and
 - (c) the information would help the victim identify the owner of the dog.
- (2) If an application is made by a relevant person to the registrar for access to the information, the registrar must give the applicant the information.

Note If a form is approved under s 147 for this provision, the form must be used.

- (3) Each of the following is a *relevant person*:
- (a) the victim;
 - (b) the victim's legal representative;
 - (c) if the victim does not have legal capacity—the victim's parent or guardian;
 - (d) anyone the registrar reasonably believes is a person mentioned in paragraph (a), (b) or (c).

**5 Seizure—attacking and harassing dogs
Section 59**

omit

the officer

substitute

the authorised person

**6 Seizure of cats
Section 86 (2)**

omit

the officer

substitute

the authorised person

7 Sections 89 and 90

omit

the officer or provider

substitute

the authorised person or approved provider

8 **Returning seized cat to its keeper**
Section 92 (5)

omit

the officer

substitute

the authorised person

9 **Guidelines about returning seized cats**
Section 93 (1)

omit

authorised officer's

substitute

authorised person's

10 **Entry to premises for nuisance animal**
Section 114A (5)

omit

authorised officer's

substitute

authorised person's

11 **Powers on entry**
Section 114B, note

omit

the officer's

substitute

the authorised person's

**12 Identity cards
Section 124 (1) (b)**

substitute

- (b) the name of the person, or any unique number given to the authorised person by the chief executive for this section; and

**13 Search warrants
Section 133 (5)**

omit

the officer

substitute

the authorised person

14 New section 158

insert

158 Authorised officers to continue to exercise functions under Act—transitional

- (1) A person appointed as an authorised officer under section 123 (Authorised people) before the commencement of the *Domestic Animals Amendment Act 2010* is taken to be an authorised person.
- (2) This section expires 3 months after the day it commences.
- (3) This is a provision to which the Legislation Act, section 88 (Repeal does not end effect of transitional laws etc) applies.

15 Dictionary, definition of *authorised officer*

substitute

authorised person means an authorised person under section 123, and includes the registrar and a deputy registrar.

16 Further amendments, mentions of *authorised officer*

omit

authorised officer

substitute

authorised person

in

- section 45 (6)
- section 54 (1)
- sections 56 to 59
- section 79
- sections 86 and 87
- sections 89 to 93
- sections 114 to 114B
- sections 116 and 117
- sections 123 to 125
- sections 128 to 134

17 Further amendments, mentions of *the officer*

omit

the officer

substitute

the authorised person or police officer

in

- section 54 (1)
- sections 116 and 117
- section 134 (1)

18 Further amendments, mentions of *authorised officers*

omit

authorised officers

substitute

authorised people

in

- section 123 heading
- division 9.2 heading
- dictionary, definition of *connected*
- dictionary, definition of *enter*
- dictionary, definition of *offence*

Schedule 1 Consequential amendments

(see s 3)

Part 1.1 Domestic Animals Regulation 2001

[1.1] Section 15 heading

substitute

15 Identifying microchip to be implanted only by vet or authorised identifier

Part 1.2 Magistrates Court (Domestic Animals Infringement Notices) Regulation 2005

[1.2] Section 14

omit

An authorised officer

substitute

A person appointed as an authorised person under the *Domestic Animals Act 2000*, section 123 (Authorised people)

[1.3] Dictionary, definition of *authorised officer*

omit

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 10 December 2009.

2 Notification

Notified under the Legislation Act on 17 February 2010.

3 Republications of amended laws

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

I certify that the above is a true copy of the Domestic Animals Amendment Bill 2010, which originated in the Legislative Assembly as the Domestic Animals Amendment Bill 2009 and was passed by the Assembly on 11 February 2010.

Acting Clerk of the Legislative Assembly

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