



Australian Capital Territory

Domestic Animals Legislation Amendment Act 2018

A2018-11

Contents

	Page
Part 1	Preliminary
1	Name of Act 2
2	Commencement 2
3	Legislation amended 2
Part 2	Domestic Animals Act 2000
4	Offences against Act—application of Criminal Code etc Section 4A 3
5	Change of keeper Section 12 (1) and note 3

J2018-5

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Contents

	Page	
6	Section 12 (2), penalty	3
7	New section 12 (2A)	4
8	Unregistered dogs Section 14 (1)	4
9	New section 14 (1A)	4
10	Section 16	4
11	Requirement to be licensed if multiple dogs New section 18 (3) (da)	5
12	Multiple dog licences—conditions Section 21 (3) and (4)	5
13	New section 21 (6)	5
14	Licensing of keepers of dangerous dogs Section 23 (1)	5
15	Dangerous dog licences—conditions Section 26 (3)	6
16	Section 27	6
17	Signs on premises about dangerous dogs New section 28 (1A)	7
18	Presumption greyhound is racing greyhound Section 39B (2)	7
19	Racing greyhounds—registration Section 39C (2)	7
20	Racing greyhounds—registration numbers etc Section 39E	8
21	Section 39F	8
22	Racing greyhound controller licences—approval or refusal New section 39I (2) (ca)	9
23	New section 39I (3) (h)	9
24	Racing greyhound controller licences—conditions New section 39J (2) (d)	9
25	Prohibited areas Section 41 (5)	10
26	Prohibited places Section 42 (1) to (4)	10
27	Section 42 (5), new definition of <i>authorised sport or training</i>	11

Contents

	Page	
28	Dogs in public places must be controlled New section 44 (3A)	11
29	New section 44 (6)	12
30	Dogs on private premises to be restrained Section 45 (1)	12
31	Section 45 (3)	13
32	Section 45 (5)	13
33	Section 46	14
34	Female dogs on heat Section 47 (1)	14
35	Obligations of keeper or carer if dog attacks Section 50B (3)	15
36	Dealing with attacking dogs—death or serious injury to person or death of animal Section 53B (6), except notes	15
37	Section 53B (6), note 2	15
38	Dealing with attacking, harassing or menacing dogs generally Section 53C (4), except notes	16
39	Section 53C (4), note 2	16
40	New sections 53CA and 53CB	16
41	Offence—failure to comply with control order Section 53E (a)	17
42	Section 53E (b)	17
43	New section 53E (2)	17
44	Notice to affected neighbours Section 55B (1) (b) and (c)	18
45	Section 55B (2)	18
46	Seizure of dogs—general Section 56 (2) (c)	18
47	Seizure of dogs—investigation of complaints about attacking, harassing or menacing dogs Section 56A (3)	19
48	New section 56A (6)	19
49	Impounding of dogs seized Section 60 (1) (b) (i) and (ii)	19
50	Section 60 (3)	20

Contents

	Page
51	New section 60 (6) 20
52	Returning seized dog to its keeper Section 70 (1) and (2) 20
53	Section 70 (4) 21
54	Section 70 (5) 21
55	Breeding licence—conditions Section 72E (3) 21
56	Sale of older dogs and cats not de-sexed Section 74A (3) 22
57	Issue of nuisance notices Section 112 (7) 22
58	Seizure, impounding and return of nuisance animals Section 114 (1) and (2) (a) 22
59	Section 114 (2) (b) (i) and (ii) 23
60	Section 114 (4) 23
61	Section 114 (5) 23
62	Inspection of animals New section 134A (3) 23
63	New section 137 24
64	Dictionary, new definitions 24
65	Dictionary, definition of <i>control order</i> 24
66	Dictionary, new definitions 25
67	Dictionary, definition of <i>sell</i> 25
 Part 3 Domestic Animals Regulation 2001	
68	Dog registration information—Act, s 8 New section 5 (g) and (h) 26
69	Information on dog registration certificates—Act s 11 (2) Section 6 (f) 26
70	New sections 6A to 6E 26
71	How dogs must be identified—Act, s 83 Section 7 (1) and (2) 34
72	Section 7 (3) 34
73	Reviewable decisions Schedule 1, item 9, column 3 34

Contents

	Page	
74	Schedule 1, new items 10A to 10C	35
75	Schedule 1, item 32, column 4	35
76	Dictionary, new definition of <i>off-lead area</i>	35
77	Dictionary, note 2	35
Schedule 1	Other amendments—Domestic Animals (Racing Greyhounds) Amendment Act 2017	36



Australian Capital Territory

Domestic Animals Legislation Amendment Act 2018

A2018-11

An Act to amend legislation about domestic animals, and for other purposes

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

Part 1 Preliminary

1 Name of Act

This Act is the *Domestic Animals Legislation Amendment Act 2018*.

2 Commencement

- (1) This Act (other than schedule 1) commences on the commencement of the *Domestic Animals (Racing Greyhounds) Amendment Act 2017*, section 3.

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

- (2) Schedule 1 commences immediately before the commencement of the *Domestic Animals (Racing Greyhounds) Amendment Act 2017*, section 3.

3 Legislation amended

This Act amends the following legislation:

- *Domestic Animals Act 2000*
- *Domestic Animals Regulation 2001*.

Note This Act also amends the *Domestic Animals (Racing Greyhounds) Amendment Act 2017* (see sch 1).

Part 2 Domestic Animals Act 2000

4 Offences against Act—application of Criminal Code etc Section 4A

insert

- s 12 (Change of keeper)
- s 14 (Unregistered dogs)
- s 16 (Change of address)
- s 23 (Licensing of keepers of dangerous dogs)
- s 27 (Dangerous dogs in public places)
- s 41 (Prohibited areas)
- s 42 (Prohibited places)
- s 45 (Dogs on private premises to be restrained)
- s 46 (Disposal of faeces)
- s 47 (Female dogs on heat)
- s 53CA (Carer must be given copy of control order)
- s 112 (7) (Issue of nuisance notices)

5 Change of keeper Section 12 (1) and note

substitute

- (1) If ownership of a dog is transferred, a person who was a keeper of the dog before the transfer must tell the registrar, in writing, of the name and address of the new owner of the dog within 14 days beginning the day after the transfer.

Maximum penalty: 10 penalty units.

6 Section 12 (2), penalty

substitute

Maximum penalty: 10 penalty units.

7 New section 12 (2A)

insert

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

**8 Unregistered dogs
Section 14 (1)**

substitute

- (1) A person must not keep—
- (a) an unregistered dog; or
 - (b) a registered dog if the person is not the dog's registered keeper.

Maximum penalty: 15 penalty units.

9 New section 14 (1A)

insert

- (1A) An offence against this section is a strict liability offence.

10 Section 16

substitute

16 Change of address

- (1) If the address of a registered keeper changes, the keeper must tell the registrar, in writing, of the new address within 14 days beginning the day after the change.

Maximum penalty: 5 penalty units.

- (2) If the address where a registered dog is kept changes, the registered keeper must tell the registrar, in writing, of the new address within 14 days beginning the day after the change.

Maximum penalty: 5 penalty units.

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

**11 Requirement to be licensed if multiple dogs
New section 18 (3) (da)**

insert

- (da) a dog kept by the holder of a racing greyhound controller licence; or

**12 Multiple dog licences—conditions
Section 21 (3) and (4)**

substitute

- (3) Subsection (2) does not limit the matters the registrar may consider.
- (4) The conditions may include—
- (a) a condition prescribed by regulation; and
 - (b) any other condition the registrar considers appropriate.

13 New section 21 (6)

insert

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

**14 Licensing of keepers of dangerous dogs
Section 23 (1)**

substitute

- (1) A person commits an offence if the person—
- (a) keeps a dangerous dog; and
 - (b) does not—
 - (i) hold a dangerous dog licence for the dog; or

- (ii) comply with a condition of the dangerous dog licence for the dog.

Maximum penalty: 100 penalty units.

- (1A) An offence against this section is a strict liability offence.

15 Dangerous dog licences—conditions **Section 26 (3)**

substitute

- (3) The conditions may include—
 - (a) a condition prescribed by regulation; and
 - (b) any other condition the registrar considers appropriate.

16 Section 27

substitute

27 Dangerous dogs in public places

- (1) A person commits an offence if—
 - (a) the person is the carer of a dangerous dog; and
 - (b) the person is with the dog in a public place; and
 - (c) the dog is not wearing a muzzle.Maximum penalty: 20 penalty units.
- (2) A person commits an offence if—
 - (a) the person is the keeper of a dangerous dog; and
 - (b) the dog is in a public place without the keeper or a carer.Maximum penalty: 20 penalty units.
- (3) An offence against this section is a strict liability offence.

**17 Signs on premises about dangerous dogs
New section 28 (1A)**

insert

- (1A) An offence against this section is a strict liability offence.

**18 Presumption greyhound is racing greyhound
Section 39B (2)**

omit

gives the registrar a statutory declaration stating

substitute

makes a statement to the registrar, in writing,

**19 Racing greyhounds—registration
Section 39C (2)**

substitute

- (2) If the registrar receives an application under subsection (1), the registrar must—
- (a) register the greyhound as a racing greyhound; or
 - (b) refuse to register the greyhound as a racing greyhound.
- (2A) For subsection (2) (b), the registrar—
- (a) must refuse to register the greyhound as a racing greyhound if the applicant is—
 - (i) disqualified from keeping a dog or any other animal; or
- Note* Section 138A deals with the disqualification of a person from keeping an animal.
- (ii) disqualified or suspended from participation in greyhound racing under a gaming law or a rule of racing or betting (in the ACT or elsewhere); or

- (b) may refuse to register the greyhound as a racing greyhound if—
- (i) the dog is not implanted with an identifying microchip as required under this Act; or
 - (ii) the registrar reasonably believes that the applicant has failed, or is unable, to exercise responsible dog management, care or control.

**20 Racing greyhounds—registration numbers etc
Section 39E**

omit

Section 11 (1), (2), (4) and (5) (Registration numbers, certificates and tags)

substitute

Section 11 (Registration numbers and certificates)

21 Section 39F

substitute

39F Racing greyhounds—cancellation of registration

- (1) The registrar must cancel the registration of a greyhound as a racing greyhound if—
- (a) the keeper of the racing greyhound tells the registrar, in writing, that the dog—
 - (i) has died; or
 - (ii) is no longer a racing greyhound; or
 - (b) the dog is destroyed under this Act; or
 - (c) registration of the dog is cancelled under section 13 (Registration—cancellation); or

- (d) the keeper of the dog is disqualified from keeping a dog or any other animal; or
- (e) the keeper of the dog is disqualified or suspended from participation in greyhound racing under a gaming law or a rule of racing or betting (in the ACT or elsewhere).

Note Section 138A deals with the disqualification of a person from keeping an animal.

- (2) The registrar may cancel the registration of a greyhound as a racing greyhound if—
 - (a) the keeper of the dog tells the registrar, in writing, that the person is no longer the owner of the dog; or
 - (b) the registrar reasonably believes that the dog's keeper has failed, or is unable, to exercise responsible dog management, care or control.

22 Racing greyhound controller licences—approval or refusal
New section 39I (2) (ca)

insert

- (ca) the applicant is able to exercise responsible dog management, care and control; and

23 New section 39I (3) (h)

insert

- (h) the safety of the public and other animals.

24 Racing greyhound controller licences—conditions
New section 39J (2) (d)

insert

- (d) the safety of the public and other animals.

**25 Prohibited areas
Section 41 (5)**

substitute

- (5) A person must not take a dog into a prohibited area.
Maximum penalty: 5 penalty units.
- (5A) An offence against this section is a strict liability offence.

**26 Prohibited places
Section 42 (1) to (4)**

substitute

- (1) A person commits an offence if the person—
- (a) takes a dog into the grounds of a child-care centre, preschool or primary school; and
 - (b) does not have the permission of the principal or person in charge of the centre or school to take the dog into the grounds; and
 - (c) does not live on the grounds of the centre or school.
- Maximum penalty: 15 penalty units.
- (2) A person commits an offence if the person—
- (a) takes a dog into the grounds of a high school or secondary college during school hours or when school sport, including sport training, is being conducted; and
 - (b) does not have the permission of the principal or person in charge of the school or college to take the dog into the grounds; and
 - (c) does not live on the grounds of the school or college.
- Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person takes a dog onto a field or playing area where authorised sport or training is being played or conducted on the field or area.

Maximum penalty: 10 penalty units.

- (4) A person commits an offence if the person—
- (a) takes a dog into a public place; and
 - (b) the public place is within 10m of—
 - (i) anything designed for play by children in the public place and that children are playing on; or
 - (ii) a fixed fireplace or heating appliance in the public place designed for cooking food and that people are using; or
 - (iii) a swimming area as defined by a sign erected or displayed under the *Lakes Act 1976*, section 15 (a) (iv).

Maximum penalty: 10 penalty units.

- (4A) An offence against this section is a strict liability offence.

27 Section 42 (5), new definition of *authorised sport or training*

insert

authorised sport or training, in relation to a field or playing area, means a sport or recreational activity, or training for the sport or activity, that has been authorised to be played or conducted on the field or area by the entity responsible for management of the field or area.

**28 Dogs in public places must be controlled
New section 44 (3A)**

insert

- (3A) An offence against this section is a strict liability offence.

29 New section 44 (6)

insert

- (6) For this Act, a dog is under the *effective control* of a person if the person can prevent the dog from approaching other animals or people by—
- (a) use of a leash; or
 - (b) holding or confining the dog; or
 - (c) the dog—
 - (i) being in sight of the person; and
 - (ii) responding to and following the person's commands.

Example

Pete is walking his large dog, Reggie, on a leash. However, Pete is not strong enough to stop Reggie pulling and approaching other dogs. Reggie is not under the effective control of Pete.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

**30 Dogs on private premises to be restrained
Section 45 (1)**

substitute

- (1) A carer of a dog commits an offence if—
- (a) the carer is with the dog on private premises; and
 - (b) the dog is not restrained by a leash; and
 - (c) the carer does not have the consent of the occupier of the premises.

Maximum penalty: 10 penalty units.

31 Section 45 (3)

substitute

- (3) A keeper of a dog commits an offence if—
- (a) the keeper is with the dog on private premises; and
 - (b) the dog is not restrained by a leash; and
 - (c) the keeper does not have the consent of the occupier of the premises.

Maximum penalty: 10 penalty units.

32 Section 45 (5)

substitute

- (5) A keeper of a dog commits an offence if—
- (a) the dog is on private premises; and
 - (b) the dog is not with a carer; and
 - (c) the keeper does not have the consent of the occupier of the premises.
- Maximum penalty: 15 penalty units.
- (5A) An offence against this section is a strict liability offence.

33 Section 46

substitute

46 Disposal of faeces

- (1) The carer of a dog must hygienically dispose of any faeces dropped by the dog in a public place or in a stormwater drain or channel (whether on public or private land).

Maximum penalty: 5 penalty units.

Example—hygienic disposal

using a plastic bag or sealable container and placing the bag or container in a garbage bin

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) The carer of a dog commits an offence if the carer—
- (a) takes the dog into a public place or a stormwater drain or channel (whether on public or private land); and
 - (b) is not carrying equipment suitable for the hygienic disposal of faeces dropped by the dog.

Maximum penalty: 5 penalty unit.

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

**34 Female dogs on heat
Section 47 (1)**

substitute

- (1) A keeper or carer of a female dog must not allow the dog to enter or remain in a public place if the dog is on heat.

Maximum penalty: 15 penalty units.

- (1A) An offence against this section is a strict liability offence.

**35 Obligations of keeper or carer if dog attacks
Section 50B (3)**

substitute

- (3) If the attack caused serious injury to a person or animal, the keeper or carer must tell the registrar about the attack within 5 days after the day of the attack.

Maximum penalty: 50 penalty units.

- (4) An offence against subsection (3) is a strict liability offence.

**36 Dealing with attacking dogs—death or serious injury to person or death of animal
Section 53B (6), except notes**

substitute

- (6) If the registrar decides not to destroy the dog, the registrar—
- (a) may issue a control order for the dog to the dog's keeper or carer; and
 - (b) if the registrar issues a control order to a carer of the dog—must give a copy of the order to the dog's keeper.

37 Section 53B (6), note 2

after

keeper

insert

or carer

38 **Dealing with attacking, harassing or menacing dogs generally**
Section 53C (4), except notes

substitute

- (4) If the registrar decides not to destroy the dog, the registrar—
- (a) may issue a control order for the dog to the dog’s keeper or carer; and
 - (b) if the registrar issues a control order to a carer of the dog— must give a copy of the order to the dog’s keeper.

39 **Section 53C (4), note 2**

after

keeper

insert

or carer

40 **New sections 53CA and 53CB**

insert

53CA **Meaning of *control order***

For this Act, a ***control order***, for a dog, means an order issued by the registrar to the dog’s keeper or carer requiring the dog’s keeper or carer to do—

- (a) a thing prescribed by regulation; and
- (b) any other thing the registrar considers appropriate.

53CB Control orders—carers

- (1) This section applies if a control order is issued to the keeper of a dog.
- (2) The keeper must give a copy of the control order to a carer of the dog.
Maximum penalty: 50 penalty units.
- (3) An offence against this section is a strict liability offence.

**41 Offence—failure to comply with control order
Section 53E (a)**

after

keeper

insert

or carer

42 Section 53E (b)

substitute

- (b) is issued with, or given a copy of, a control order for the dog;
and

43 New section 53E (2)

insert

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

**44 Notice to affected neighbours
Section 55B (1) (b) and (c)**

after

keeper

insert

or carer

45 Section 55B (2)

after

dog is kept

insert

, or being cared for

**46 Seizure of dogs—general
Section 56 (2) (c)**

after

keeper

insert

or carer

**47 Seizure of dogs—investigation of complaints about attacking, harassing or menacing dogs
Section 56A (3)**

substitute

- (3) If an authorised person seizes a dog, the authorised person must—
- (a) impound the dog until the investigation is completed; or
 - (b) if the authorised person is reasonably satisfied that the dog can be kept by the keeper or carer on suitable and secure premises—direct the keeper or carer orally, or in writing, to keep the dog on the premises in accordance with any stated conditions until the investigation is completed.
- (3A) The conditions may include—
- (a) a condition prescribed by regulation; and
 - (b) any other condition the authorised person considers appropriate.

48 New section 56A (6)

insert

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

**49 Impounding of dogs seized
Section 60 (1) (b) (i) and (ii)**

substitute

- (i) if the identity of the dog's keeper or carer is not known—must make reasonable inquiries to find out who is the keeper or carer; or
- (ii) if the identity of the dog's keeper or carer is known—must give oral or written notice to the keeper or carer in accordance with section 61 about the dog's seizure.

50 Section 60 (3)

substitute

- (3) For subsection (1) (a), if the authorised person is reasonably satisfied that the dog can be kept by the keeper or carer on suitable and secure premises, the authorised person may direct the keeper or carer orally, or in writing, to keep the dog on the premises in accordance with any stated conditions until the investigation is completed.
- (3A) The conditions may include—
- (a) a condition prescribed by regulation; and
 - (b) any other condition the authorised person considers appropriate.

51 New section 60 (6)

insert

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

**52 Returning seized dog to its keeper
Section 70 (1) and (2)**

after

keeper

insert

or carer

53 Section 70 (4)

substitute

- (4) The registrar may return the dog to its keeper or carer and—
- (a) may issue a control order for the dog to the keeper or carer; and
 - (b) if the registrar issues a control order to a carer of the dog— must give a copy of the order to the dog’s keeper.

54 Section 70 (5)

after

keeper

insert

or carer

**55 Breeding licence—conditions
Section 72E (3)**

substitute

- (3) A breeding licence is subject to the condition that the licensee complies with—
- (a) any relevant breeding standard determined under the *Animal Welfare Act 1992*, section 15B (Intensive breeding of cats or dogs); and
 - (b) any relevant mandatory code of practice approved under the *Animal Welfare Act 1992*, section 23 (Mandatory code of practice).

**56 Sale of older dogs and cats not de-sexed
Section 74A (3)**

substitute

- (3) Subsection (1) does not apply to—
- (a) a dog or cat if a veterinary surgeon certifies, in writing, before the dog was sold that de-sexing the animal would be a serious health risk to the animal; or
 - (b) a registered racing greyhound.

**57 Issue of nuisance notices
Section 112 (7)**

substitute

- (7) A person commits an offence if the person fails to comply with a nuisance notice.
- Maximum penalty: 5 penalty units.
- (8) An offence against this section is a strict liability offence.

**58 Seizure, impounding and return of nuisance animals
Section 114 (1) and (2) (a)**

after

keeper

insert

or carer

59 Section 114 (2) (b) (i) and (ii)

substitute

- (i) if the identity of the animal's keeper or carer is not known—make reasonable inquiries to find out who is the keeper or carer; or
- (ii) if the identity of the animal's keeper or carer is known—give oral or written notice to the keeper or carer in accordance with section 114A about the animal's seizure.

60 Section 114 (4)

after

keeper

insert

or carer

61 Section 114 (5)

substitute

- (5) If the registrar releases a dog, the registrar—
 - (a) may issue a control order for the dog to the dog's keeper or carer; and
 - (b) if the registrar issues a control order to a carer of the dog—must give a copy of the order to the dog's keeper.

**62 Inspection of animals
New section 134A (3)**

insert

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

63 New section 137

insert

137 Approved animal welfare entities

- (1) The registrar may approve an entity responsible for animal welfare or rehousing abandoned animals to keep or sell animals seized under this Act.
- (2) An approval is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](#).

64 Dictionary, new definitions

insert

approved animal welfare entity means an entity approved by the registrar under section 137.

breed, a litter from a cat or dog, includes—

- (a) inseminate the animal or do any other act intended to make the animal pregnant or assist the animal in becoming pregnant; and
- (b) assist the birth of the litter; and
- (c) whelp or wean a kitten or pup in the litter.

65 Dictionary, definition of *control order*

substitute

control order, for a dog—see section 53CA.

66 Dictionary, new definitions

insert

effective control—see section 44 (6).

impound, a seized animal, means—

- (a) keep the animal on Territory premises; or
- (b) arrange for the animal to be kept on the premises of an approved animal welfare entity.

67 Dictionary, definition of *sell*

substitute

sell, a seized animal, includes give the animal to an approved animal welfare entity.

Part 3 Domestic Animals Regulation 2001

68 Dog registration information—Act, s 8 New section 5 (g) and (h)

insert

- (g) if the dog is a racing greyhound—a statement to that effect;
- (h) if the dog is a registered racing greyhound—a statement to that effect.

69 Information on dog registration certificates—Act s 11 (2) Section 6 (f)

before

keeper

insert

registered

70 New sections 6A to 6E

insert

6A Multiple dog licence prescribed conditions—Act, s 21 (4) (a)

A multiple dog licence may include 1 or more of the following conditions:

- (a) the licence only applies to stated premises;
- (b) each dog must be registered and, if required under the Act, de-sexed and microchipped;
- (c) the registration and microchip details for each dog must be up-to-date;

- (d) the total area of the yard in which the dogs are held must not be less than a stated minimum area;
- (e) no part of the yard in which the dogs are held may be less than 2m from a boundary fence;
- (f) each dog must have its own permanent shelter that allows it to be sheltered all day and night from sun, wind and rain;
- (g) no more than 3 of the dogs may be taken into a public place by the same keeper or carer at the same time;
- (h) the dogs must be kept in a yard that is enclosed by a fence that—
 - (i) is higher than a stated minimum height; and
 - (ii) is constructed in a stated way or from a stated material; and
 - (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow a dog to escape;
- (i) any gate or door to a yard in which the dog is kept must—
 - (i) be spring-latched and self-closing; and
 - (ii) be padlocked when the keeper or carer is not in the yard; and
 - (iii) be of a stated minimum height; and
 - (iv) be constructed in a stated way or from a stated material; and
 - (v) be in good repair and structurally sound; and
 - (vi) not have any gaps or holes in or under it large enough to allow the dog to escape;

- (j) the keeper, any carer and a stated dog must complete a stated course in behavioural or socialisation training for dogs;
- (k) a stated thing must be done in relation to a stated dog within a stated time.

Examples—par (k)

- 1 de-sexing a dog within 14 days
- 2 stated veterinary treatment of a dog must be undertaken within 7 days
- 3 stated evidence of compliance with a stated condition must be given to the registrar within 28 days eg a certificate from a veterinarian

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

6B Dangerous dog licence prescribed conditions—Act, s 26 (3) (a)

A dangerous dog licence may include 1 or more of the following conditions:

- (a) the dog must be kept at a stated address for the duration of the licence unless otherwise authorised by the registrar;
- (b) the registration and microchip details for the dog must be up-to-date;
- (c) the dog must be kept in a yard that is enclosed by a fence that—
 - (i) is higher than a stated minimum height; and
 - (ii) is constructed in a stated way or from a stated material; and
 - (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow the dog to escape through;

- (d) any gate or door to a yard in which the dog is kept must—
 - (i) be spring-latched and self-closing; and
 - (ii) be padlocked when the keeper is not in the yard; and
 - (iii) be of a stated minimum height; and
 - (iv) be constructed in a stated way or from a stated material; and
 - (v) be in good repair and structurally sound; and
 - (vi) not have any gaps or holes in or under it large enough to allow the dog to escape;
- (e) if the dog leaves the premises at which the dog is kept, the dog must—
 - (i) only be in the care of the keeper or another stated person who is at least 18 years old; and
 - (ii) be restrained by a leash, or muzzle, of a stated kind; and
 - (iii) be under the effective control of the keeper or other person; and
 - (iv) not be taken into, or within a stated distance of, an off-lead area or another stated place;
- (f) the dog must not leave the premises at which the dog is kept or may only leave the premises within a stated time or for a stated period;
- (g) the keeper, any carer and the dog must complete a stated course in behavioural or socialisation training for the dog;

- (h) a stated thing must be done in relation to the dog within a stated time.

Examples—par (h)

- 1 a certificate of completion of behavioural or socialisation training must be provided within 28 days
- 2 do stated repairs to a fence
- 3 affix signs about the dog to stated parts of premises

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

6C Information on greyhound registration certificates—Act, s 39E

A registration certificate for a greyhound registered as a racing greyhound must state the following information:

- (a) the registration number allotted to the racing greyhound;
- (b) the registration number allotted to the greyhound under the [Act](#), section 11;
- (c) the name and address of the registered keeper of the dog.

6D Prescribed control orders—Act, s 53CA (a)

- (1) A control order in relation to a dog may require the keeper or carer to do 1 or more of the following things:
 - (a) keep the dog at a stated address for a stated period unless otherwise authorised by the registrar;
 - (b) register, de-sex or microchip the dog;
 - (c) up-date the dog's registration and microchip details;
 - (d) ensure that the dog is kept in a yard enclosed by a fence that—
 - (i) is higher than a stated minimum height; and

- (ii) is constructed in a stated way or from a stated material; and
 - (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow the dog to escape;
- (e) ensure that any gate or door to a yard in which the dog is kept—
 - (i) is spring-latched and self-closing; and
 - (ii) is padlocked when the keeper or carer is not in the yard; and
 - (iii) is of a stated minimum height; and
 - (iv) is constructed in a stated way or from a stated material; and
 - (v) is in good repair and structurally sound; and
 - (vi) does not have any gaps or holes in, or under it, large enough to allow the dog to escape through;
- (f) ensure that a warning sign is displayed on all gates and doors at the premises where the dog is kept so that it can be readily seen by a person about to enter the premises through any gate or door;
- (g) ensure that if the dog leaves the premises at which the dog is kept, the dog must—
 - (i) only be in the care of the keeper or another stated person who is at least 18 years old; and
 - (ii) be restrained by a leash, or muzzle, of a stated kind; and
 - (iii) be under the effective control of the keeper or other person; and

- (iv) not be taken into, or within a stated distance of, an off-lead area or another stated place;
- (h) ensure that the dog does not leave the premises at which the dog is kept or ensure that the dog only leaves the premises within a stated time or for a stated period; and
- (i) must complete a stated course in behavioural or socialisation training with the dog;
- (j) a stated thing in relation to the dog within a stated time.

Examples—par (j)

a certificate of completion of behavioural or socialisation training must be provided within 28 days

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) In this section:

door—see the [Act](#), section 28 (2).

warning sign—see the [Act](#), section 28 (2).

6E Home impoundment prescribed conditions—Act, s 56A (3A) (a) and s 60 (3A) (a)

A keeper or carer may be directed to keep a dog on stated premises in accordance with 1 or more of the following conditions:

- (a) the dog must be kept at the premises for a stated period unless otherwise authorised by the registrar;
- (b) the dog must be kept in a yard that is enclosed by a fence that—
 - (i) is higher than a stated minimum height; and
 - (ii) is constructed in a stated way or from a stated material; and

- (iii) is in good repair and structurally sound; and
 - (iv) has no gaps or holes in or under it large enough to allow the dog to escape;
- (c) any gate or door to a yard in which the dog is kept must—
- (i) be spring-latched and self-closing; and
 - (ii) be padlocked when the keeper is not in the yard; and
 - (iii) be of a stated minimum height; and
 - (iv) be constructed in a stated way or from a stated material; and
 - (v) be in good repair and structurally sound; and
 - (vi) not have any gaps or holes in or under it large enough to allow the dog to escape through;
- (d) if the dog leaves the premises at which the dog is kept, the dog must—
- (i) only be in the care of the keeper or another stated person who is at least 18 years old; and
 - (ii) be restrained by a leash, or muzzle, of a stated kind; and
 - (iii) be under the effective control of the keeper or other person; and
 - (iv) not be taken into, or within a stated distance of, an off-lead area or another stated place;
- (e) the dog must not leave the premises at which the dog is kept or may only leave the premises within stated times or for stated periods;

- (f) a stated thing must be done in relation to the dog within a stated time.

Example—par (f)

do stated repairs to a fence

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

**71 How dogs must be identified—Act, s 83
Section 7 (1) and (2)**

omit

72 Section 7 (3)

omit

also

**73 Reviewable decisions
Schedule 1, item 9, column 3**

omit

multiple dog licence or dangerous dog licence

substitute

special licence

74 Schedule 1, new items 10A to 10C*insert*

10A	Act , 39C (2) (b)	refuse to register racing greyhound	applicant for registration
10B	Act , 39I (1) (b)	refuse to issue racing greyhound controller licence	applicant for licence
10C	Act , 39J (1)	issue racing greyhound controller licence on conditions	applicant for licence

75 Schedule 1, item 32, column 4*omit*

keeper or animal

substitute

keeper of animal

76 Dictionary, new definition of *off-lead area**insert**off-lead area* means an area declared under the [Act](#), section 40.**77 Dictionary, note 2***insert*

- control order
- dangerous dog licence
- effective control
- multiple dog licence
- public place

Schedule 1 Other amendments—Domestic Animals (Racing Greyhounds) Amendment Act 2017

(see s 3)

[1.1] Section 4

omit

- s 12 (2) (Change of keeper)
- s 72 (1A) (Offence—breeding dogs or cats without licence)

[1.2] Section 8 etc

omit

- section 8
- section 10
- sections 12 to 16
- section 25
- sections 28 and 29
- sections 34 to 38
- schedule 1, amendment 1.4

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 22 March 2018.

2 Notification

Notified under the [Legislation Act](#) on 18 April 2018.

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 Legislation Amendment Bill 2018, which was passed by the Legislative Assembly on 10 April 2018.

Acting Clerk of the Legislative Assembly

© Australian Capital Territory 2018