

2009

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Territory and Municipal Services)

## Domestic Animals Amendment Bill 2009

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## **Domestic Animals Amendment Bill 2009**

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### **A Bill for**

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

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

1 **1 Name of Act**

2 This Act is the *Domestic Animals Amendment Act 2009*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

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

7 **3 Legislation amended**

8 This Act amends the *Domestic Animals Act 2000*.

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

10 **4 New section 55A**

11 *in division 2.6, insert*

12 **55A Access to information about dog attacks**

13 (1) This section applies if—

14 (a) the registrar is satisfied that a person (the *victim*) has suffered  
15 injury or other loss because a dog has attacked or harassed the  
16 victim or the victim's animal; and

17 (b) the registrar holds information about the attack or harassment;  
18 and

19 (c) the information would help the victim identify the owner of the  
20 dog.

21 (2) If an application is made by a relevant person to the registrar for  
22 access to the information, the registrar must give the applicant the  
23 information.

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

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

8   **5        Seizure—attacking and harassing dogs**

9   **Section 59**

- 10           *omit*
- 11           the officer
- 12           *substitute*
- 13           the authorised person

14   **6        Seizure of cats**

15   **Section 86 (2)**

- 16           *omit*
- 17           the officer
- 18           *substitute*
- 19           the authorised person

20   **7        Sections 89 and 90**

- 21           *omit*
- 22           the officer or provider
- 23           *substitute*
- 24           the authorised person or approved provider

1 **8 Returning seized cat to its keeper**  
2 **Section 92 (5)**

3 *omit*  
4 the officer  
5 *substitute*  
6 the authorised person

7 **9 Guidelines about returning seized cats**  
8 **Section 93 (1)**

9 *omit*  
10 authorised officer's  
11 *substitute*  
12 authorised person's

13 **10 Entry to premises for nuisance animal**  
14 **Section 114A (5)**

15 *omit*  
16 authorised officer's  
17 *substitute*  
18 authorised person's

19 **11 Powers on entry**  
20 **Section 114B, note**

21 *omit*  
22 the officer's  
23 *substitute*  
24 the authorised person's

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

3 *substitute*

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

6 **13 Search warrants**  
7 **Section 133 (5)**

8 *omit*

9 the officer

10 *substitute*

11 the authorised person

12 **14 New section 158**

13 *insert*

14 **158 Authorised officers to continue to exercise functions**  
15 **under Act—transitional**

16 (1) A person appointed as an authorised officer under section 123  
17 (Authorised people) before the commencement of the *Domestic*  
18 *Animals Amendment Act 2009* is taken to be an authorised person.

19 (2) This section expires 3 months after the day it commences.

20 (3) This is a provision to which the Legislation Act, section 88 (Repeal  
21 does not end effect of transitional laws etc) applies.

22 **15 Dictionary, definition of *authorised officer***

23 *substitute*

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

1 **16 Further amendments, mentions of *authorised officer***

2 *omit*

3 authorised officer

4 *substitute*

5 authorised person

6 *in*

- 7 • section 45 (6)
- 8 • section 54 (1)
- 9 • sections 56 to 59
- 10 • section 79
- 11 • sections 86 and 87
- 12 • sections 89 to 93
- 13 • sections 114 to 114B
- 14 • sections 116 and 117
- 15 • sections 123 to 125
- 16 • sections 128 to 134

17 **17 Further amendments, mentions of *the officer***

18 *omit*

19 the officer

20 *substitute*

21 the authorised person or police officer

22 *in*

- 23 • section 54 (1)
- 24 • sections 116 and 117
- 25 • section 134 (1)



1 **18 Further amendments, mentions of *authorised officers***

2 *omit*

3 authorised officers

4 *substitute*

5 authorised people

6 *in*

- 7
- 8 • section 123 heading
  - 9 • division 9.2 heading
  - 10 • dictionary, definition of *connected*
  - 11 • dictionary, definition of *enter*
  - dictionary, definition of *offence*

1 **Schedule 1 Consequential amendments**

2 (see s 3)

3 **Part 1.1 Domestic Animals**  
4 **Regulation 2001**

5 **[1.1] Section 15 heading**

6 *substitute*

7 **15 Identifying microchip to be implanted only by vet or**  
8 **authorised identifier**

9 **Part 1.2 Magistrates Court (Domestic**  
10 **Animals Infringement Notices)**  
11 **Regulation 2005**

12 **[1.2] Section 14**

13 *omit*

14 An authorised officer

15 *substitute*

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

18 **[1.3] Dictionary, definition of *authorised officer***

19 *omit*

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2009.

**2 Notification**

Notified under the Legislation Act on 2009.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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