

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

**Government Amendments to the  
Domestic Animals Amendment Bill 2007**

- 1. Exemptions for a dog not wearing its registration tag**
- 2. Relaxing the Muzzling Requirement for Greyhounds which have undergone Approved Training**

**EXPLANATORY STATEMENT**

**Circulated by the authority of  
John Hargreaves MLA  
Minister for Territory and  
Municipal Services**

## **Government Amendment to the Domestic Animals Amendment Bill 2007**

### **1. Exemptions for a dog not wearing its registration tag**

### **2. Relaxing the Muzzling Requirement for Greyhounds which have undergone Approved Training**

#### **Outline**

This Amendment is to amend the Government's Domestic Animals Amendment Bill 2007 (the Bill). The Bill amends the *Domestic Animals Act 2001* (the Act). The Act and the Domestic Animals Regulation 2001 (the Regulation) provide the legislative basis for the management of domestic animals, primarily dogs and cats in the Territory.

The Domestic Animals Amendment Bill 2006 was released as an Exposure Draft Bill for public comment from 12 December 2006 until 28 February 2007. Three amendments were made to the Exposure Draft Bill in response to public comment. The current Bill was the final version of the Bill as presented to the Assembly on 7 June 2007.

#### **1. Exemptions for a Dog not wearing its Registration Tag**

Following presentation of the current Bill into the Assembly the ACT Government received representations from the ACT Canine Association forwarded to it via the office of Dr Deb Foskey MLA. In clause 9 of the Bill, new subsection 15(2) makes it an offence if the keeper of carer of a registered dog is in a public place with the dog and the dog is not wearing its registration tag or another tag that shows its registration number.

The ACT Canine Association submitted that there was a need for exceptions to this provision requiring registration tags which should be allowed for dogs competing in shows or other dog sports (as there is similar exemptions for dogs being off lead in public places under similar circumstances).

Legal advice was sought and it was recommended that the most efficient and practical way to achieve such exemptions would be to insert a provision at the end of section 15 stating that the offences specified in section 15 do not apply if the Registrar approves an exemption to the obligation to wear a registration tag. This exemption by the Registrar would be added to the existing provision which allows exemption from a registration tag on the advice of veterinary surgeon given for health or welfare reasons. Such an exemption might apply on a long standing basis for certain events or competitions or be applied specifically in particular individual cases.

If necessary, procedures for applying for exemption by the Registrar, processing applications, reviewing and/or appealing decisions could be provided by suitable provisions through amendment of the Domestic Animals Regulation 2001.

## **2. Relaxing the Muzzling Requirement for Greyhounds which have undergone Approved Training**

Following presentation of the current Bill into the Assembly the ACT Government received a representation from the Canberra Greyhound Adoption Service seeking a relaxation of the current mandatory requirement under the Act that greyhounds be muzzled in a public place for greyhounds that have undergone appropriate training. The Minister for Territory and Municipal Services agreed to review the muzzling provision and options to recognise greyhounds as companion animals when they are appropriately trained.

In summary, this Amendment inserts a new clause 13A in the Bill which inserts a new section 48(2A) in the Act which allows a greyhound not to be muzzled in a public place provided the greyhound and its keeper have undergone a course in behaviour or socialisation training approved by the Registrar of Domestic Animal Services.

If the Amendment is carried and the amended Bill is passed by the Assembly, greyhounds which have not undergone an approved course in behaviour or socialization training will continue to be required to be muzzled in a public place under subsections 48(1) and 48(2) of the Act.

No further amendments to the existing Act or the Regulation are necessary to allow greyhounds to be kept as companion animals.

### **Revenue and cost implications**

There are no significant revenue or cost implications.

## **Amendment Notes**

### **Amendment 1 – Clause 9. Proposed new section 15(7) Page 5, line 14**

This amendment omits the proposed section 15(7) and substitutes a new section 15(7) in its place.

#### **New section 15(7)**

This new section 15(7) provides that existing subsections 15(1), (2) and (3) do not apply if the dog is not wearing its registration tag, or another tag that shows its registration number either –

- (a) on the advice of a veterinary surgeon given for the dog’s health or welfare; or
- (b) in circumstances approved, in writing, by the registrar.

### **Amendment 2 – Proposed new Clause 13A. Page 6, line 22**

This amendment inserts a new Clause 13A at page 6, line 22 of the Bill. Clause 13A inserts a new section 48(2A) in the Act.

#### **New section 48(2A)**

The new section provides that existing subsections 48(1) and 48(2) do not apply if a greyhound and its keeper has undergone a course in behaviour or socialization training approved by the registrar.

Keepers of greyhounds would apply to the Registrar of Domestic Animal Services providing evidence of having undergone suitable training. Provided the Registrar was satisfied, approval would be granted to exercise the greyhound in a public place without a muzzle and a certificate would be issued to the keeper. A record of keepers who have been granted approval to exercise their greyhounds in a public place would be kept by the Registrar of Domestic Animal Services on the dog registration database.