

2019

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**DOMESTIC ANIMALS (DISQUALIFIED KEEPERS REGISTER)
AMENDMENT BILL 2019**

EXPLANATORY STATEMENT

**Presented by
Ms Nicole Lawder
Shadow Minister for Urban Services**

EXPLANATORY STATEMENT

This explanatory statement relates to the Domestic Animals (Disqualified Keepers Register) Amendment Bill 2019 (the bill) as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the bill and to help inform debate on it. It does not form part of the bill and has not been endorsed by the Legislative Assembly.

The statement must be read in conjunction with the bill. It is not, and is not meant to be, a comprehensive description of the bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Background

This bill amends the Domestic Animals Act 2000. The Act already has provisions for the disqualification of a person from keeping animals for various reasons. The court may find that if a person is convicted, or found guilty, of an animal welfare offence or an offence against this Act (other than an excluded offence), it may disqualify the person from keeping an animal for a period decided by the court. This disqualification may disqualify a person from keeping a particular animal, a particular kind of animal or any animal.

Persons may be disqualified for mistreating animal for animal welfare reasons including cruelty of keeping animals in an unsafe manner. The aim of this bill is to ensure that when a person is determined to be a disqualified keeper that there are mechanisms to ensure that the person adheres to the conditions of the disqualification.

Amendment to the Domestic Animals Act 2000.

The bill provides amends the current act under 5 sections.

Human Rights

This bill only affects the ownership rights of animal owners who have been found guilty of an offence which has resulted in an animal owner has been identified as a disqualified keeper. The human rights affected only relate to the right to keep animals.

Outline of Provisions

Clause 1 - Name of Act

This clause names the amendment Act.

Clause 2 - Commencement

This clause provides for the commencement of the Act.

Clause 3 - Legislation amended

This clause states the legislation that is amended by the amendment bill.

Clause 4 – New sections

- Creates the disqualified keepers register;
- Allows access (in a restricted form) to the register;
- Facilitates complaints regarding illicit ownership of animals and compels investigation in relation to those complaints;
- Empowers the registrar to act (seize and sell or otherwise dispose of) in circumstances of illicit animal ownership.

Clause 5 – Dictionary

- Inserts the new definition for “disqualified keeper register”