

TASMANIA

DOG CONTROL REGULATIONS 2020

STATUTORY RULES 2020, No.

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CONSULTATION DRAFT

DOG CONTROL REGULATIONS 2020

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Dog Control Act 2000*.

Dated 20 .

Governor

By Her Excellency's Command,

Minister for Local Government

1. Short title

These regulations may be cited as the *Dog Control Regulations 2020*.

2. Commencement

These regulations take effect on 9 June 2020.

3. Interpretation

In these regulations –

Act means the *Dog Control Act 2000*.

4. Prescribed details for microchip

For the purposes of section 15A(5) of the Act, the following details are prescribed as the details to be entered into an approved database if a dog is implanted with a microchip:

- (a) the name, residential address and contact telephone number of the owner of the dog;
- (b) the postal address of the owner of the dog, if different from the residential address;
- (c) the email address of the owner of the dog, if known;
- (d) the address and municipal area in which the dog generally resides;
- (e) the name of the dog, if known;
- (f) the breed of the dog or, in the case of a mixed breed, the closest known breeds of the dog;
- (g) the sex of the dog and whether or not the dog has been desexed;
- (h) the colouring of the dog and any other distinctive markings or features of the dog;
- (i) details of any aggressive behaviour of the dog, if known;

- (j) each declaration made in respect of the dog under Division 3 of Part 3 of the Act, if applicable;
- (k) the microchip number of the microchip implanted in the dog and the date on which it was implanted;
- (l) the full name and address of the person who implanted the dog with the microchip.

5. Requirements for enclosure for dangerous dog

- (1) For the purposes of section 32(2)(a) of the Act, an enclosure for housing a dangerous dog must –
 - (a) be fully enclosed; and
 - (b) be childproof; and
 - (c) have a minimum height of 1.8 metres and a minimum width of 1.8 metres; and
 - (d) have a floor area of at least 10 square metres for each dog in the enclosure; and
 - (e) have the walls, roof and the door, or gate, made of brick, timber, concrete, iron or mesh, or a combination of these materials, of sufficient strength and durability to prevent the escape of a dog; and
 - (f) have a sufficient weatherproof sleeping area for each dog in the enclosure; and

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- (g) have a sealed, graded concrete floor; and
 - (h) be situated so as not to require a person to pass through it to gain access to other parts of the property on which it is situated; and
 - (i) if fitted with a door or gate –
 - (i) be fitted with a self-closing and self-latching mechanism for the door or gate; and
 - (ii) be locked from the outside when a dog is inside the enclosure; and
 - (iii) have a clearly legible sign saying “Dangerous Dog” displayed on the door or gate; and
 - (j) be sufficient to prevent each dog in it from escaping.
- (2) If the walls, roof, door or gate of an enclosure are made of mesh, the mesh must be –
- (a) chain mesh of at least 3.15 millimetre gauge, with a maximum spacing of 50 millimetres; or
 - (b) weldmesh of at least 4 millimetres gauge, with a maximum spacing of 50 millimetres.
- (3) A wall, door or gate of an enclosure may have a gap of not more than 50 millimetres at the top and bottom of the wall, door or gate to provide ventilation and drainage.

6. Offences under Act

For the purposes of section 64 of the Act –

- (a) an offence specified in column 1 in the table in Schedule 1 is a prescribed offence; and
- (b) the penalty specified in column 3 of that table in respect of a prescribed offence is the penalty payable in respect of that offence.

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SCHEDULE 1 – OFFENCES

Regulation 6

	Section of Act	Penalty units
1.	4(5)	1
2.	8(1)	1
3.	8(2)	1
4.	10(3)(a)	1
5.	10(3)(b)	1
6.	10(3)(c)	1
7.	10(3)(d)	1
8.	11(1)	0.5
9.	11(3)	0.5
10.	11(4)	1
11.	12(1)	0.5
12.	13(1)	0.5
13.	13(2)	0.5
14.	15A(1)	1
15.	16(1)	1
16.	16(2)	0.5
17.	16(3)	1

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	Section of Act	Penalty units
18.	17(1)	1
19.	17(2)	2
20.	18(3)	1
21.	18(4)	1
22.	19(1)	1
23.	19(2)	2
24.	19(3A)	4
25.	19(5)	1
26.	19AA(7)(a)	2
27.	19AA(7)(b)	2
28.	19AC(10)	2
29.	22(2)	4
30.	23(2)	1
31.	28(1)	1
32.	30(1)	1
33.	33	2
34.	34	4
35.	34B(1)	4
36.	34BA	4

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	Section of Act	Penalty units
37.	34C(1)	4
38.	34D(2)	4
39.	36(1)	1
40.	40(1)(a)	2
41.	40(1)(b)	2
42.	41(4)(a)	1
43.	41(4)(b)	1
44.	45(1)	1
45.	46(1)	2
46.	49A(3)	4
47.	50(1)	1
48.	51(3)	0.5
49.	55(3)	1
50.	55(4)	1
51.	77(2)(a)	1
52.	77(2)(b)	1
53.	78(a)	1
54.	78(b)	1
55.	79	2

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 20 .

These regulations are administered in the Department of Premier and Cabinet.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) prescribe, for the purposes of the *Dog Control Act 2000* –
 - (i) certain details to be recorded in respect of a microchip implanted under that Act; and
 - (ii) requirements for enclosures for dangerous dogs; and
 - (iii) offences in respect of which an infringement notice may be issued under that Act; and
- (b) are made consequent on the repeal of the *Dog Control Regulations 2010* under section 11 of the *Subordinate Legislation Act 1992*.