

DOG CONTROL AMENDMENT ACT 2017

INFORMATION SHEET December 17

This information sheet covers the changes to the *Dog Control Act 2000* that have resulted from the *Dog Control Amendment Act 2017*.

Background

The Tasmanian Parliament passed the *Dog Control Amendment Act 2017* (Amendment Act) on 30 November 2017. The Amendment Act responds to feedback from local councils, TasRacing, dog rehoming organisations and the Tasmanian community regarding the operation of the *Dog Control Act 2000*.

Why are the changes being made?

Most of the changes provide clarity to assist local government in the implementation of the Act.

A key new provision allows greyhounds that have been assessed through a suitability program, approved by the Director of Racing, to go without a muzzle while on a lead in a public place.

When do the changes start?

The amendments come into force from 20 December 2017.

What are the main changes?

Recording microchip number (section 15A)

- A new provision requires the owner of a dog over the age of six months to notify the relevant council of the dog's microchip number.

Greyhounds and muzzles (section 18 and section 18A)

- A new provision enables greyhounds to go without a muzzle while on a lead in a public place if they have graduated from an approved suitability program to train and assesses greyhounds for the suitability to without a muzzle in a public place when on a lead.
- A new provision provides that the Director of Racing is able to approve suitability programs.

Permanently restricted areas (section 23)

- A new provision enables councils to restrict dogs permanently from a declared area controlled by council.

Transfer of dangerous dog (section 34BA)

- A new provision requires the owner of a dangerous or restricted breed dog who is transferring the dog permanently to another municipal area to notify the relevant council within 14 days of the dog's transfer.
- A new offence provision for failure to notify the relevant municipality within the 14 day period is also included.

Appealing a dangerous dog notice (section 39A)

- The owner of a dangerous dog served with a destruction notice may appeal the decision to a Magistrates Court within 28 days from the serving of the notice. This was changed from 14 days to be consistent with other legislation.

Seize and destroy (section 42)

- Section 42 provides clarification that a dog can be seized and destroyed if injured or has injured or killed another person/animal.

Effective control of dogs (section 4), greyhounds (section 18) and dangerous or restricted breed dogs (section 32)

- The Act now separates the effective control of dogs, greyhounds and dangerous or restricted breed dogs to provide clarity.
- Section 18 provides information related to the control of greyhounds which includes those who are able to be without a muzzle as per new provisions.

Primary production and dogs at large (section 41)

- Primary production, city and livestock have been defined to provide clarification about when a dog at large can be destroyed.

Collection of DNA (section 19AA and section 19)

- A new provision is included to enable appropriately trained council authorised officers who are responsible for investigating and gathering evidence related to dog attacks to collect a DNA sample from a dog that is suspected of being involved in an attack.
- Subsection 19(8) now enables councils to recover costs from the owner of a dog who has a DNA sample collected when it is suspected of and proven to be involved in an attack.

Removal of dog faeces (section 45)

- Tenants of rented premises now have the same exemption from removing faeces immediately as do owners of dogs who live in private premises.

Kennel licences (sections 50, 51, 55 and 59)

- Clarification has been provided so that businesses such as 'doggy day care' or commercial dog minding services, which look after various dogs for various amounts of time during the day, are required to have a kennel licence.

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