

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
24th August, 1939.*

Hon. Mr. Carrington.

ALSATIAN DOG.

ANALYSIS.

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A BILL INTITULED

AN ACT to more strictly control Alsatian Dogs. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority
5 of the same, as follows:—

1. This Act may be cited as the Alsatian Dog Act, Short Title.
1939.

2. In this Act, unless the context otherwise Interpretation.
requires,—

10 “ Alsatian dog ” means a dog, whether male or female, which is wholly or partly of the species or kind commonly known as “ Alsatian dog ” or “ Alsatian wolf-hound ”, or belongs wholly
15 by whatever name such variety may be known, but does not include any such dog the property of the State used for military or police purposes:

20 “ Local authority ” means a Borough Council, County Council, Town Board, or Road Board:

“ Owner ” means an owner as defined by section twenty-eight of the Dogs Registration Act, 1908.

Offence to keep
Alsation dog
unless
registered
under this Act.

3. (1) Every local authority shall, in addition to the register required to be kept under the Dogs Registration Act, 1908, keep a register in respect of Alsation dogs owned by persons in the district of that authority.

(2) The register shall be in such form and contain such particulars as may be prescribed by regulations made under this Act. 5

(3) Every Alsation dog shall be registered in accordance with the provisions of this Act.

(4) **Any person who after the expiry of *three* months from the date of the commencement of this Act keeps or has in his possession or under his control any Alsation dog which is not registered under this Act shall be guilty of an offence, and upon summary conviction shall be liable to a penalty not exceeding *twenty-five* pounds.** 10 15

(5) On the hearing of any charge of an offence against subsection *four* of this section the onus of proof that the dog has been registered shall be upon the defendant.

(6) Every Alsation dog without a collar having the proper registration label thereon shall be deemed to be unregistered, and any person upon whose land such dog is found, or his agent, or any person duly authorized by the local authority, may destroy such dog. 20

(7) **The fee under this Act to be paid for the registration of an Alsation dog shall be *two* pounds.** 25

Powers of local
authority.

4. (1) When any person is convicted of an offence against this Act, the Court before which he is convicted may order the Alsation dog in respect to which the offence was committed to be destroyed, and every local authority is hereby authorized to carry out within its district the provisions of this Act, and to appoint such inspectors or officers as may be necessary to ensure the due enforcement of such provisions. 30

(2) A local authority for the purposes of carrying out the provisions of this Act may give an order to an inspector or other officer of the local authority directing him to destroy the dog mentioned in the order. 35

(3) The inspector or officer so directed may enter upon any land or premises where such dog is or is reasonably believed to be, and may destroy the dog. 40

(4) The expenses of the inspector or officer in or about the destruction of any such dog may be recovered as a debt in any Court of competent jurisdiction by the local authority from the person to whom the order was given. The expenses shall include the cost incurred by 45

the inspector or officer in travelling to or from the land or premises and a proportionate part of the salary or wages of such inspector or officer, having regard to the time occupied by him on the work and in travelling to or from the land or premises.

5 **5.** (1) Any local authority may by resolution decide that Alsatian dogs shall not be allowed within its district.

Local authorities may prohibit Alsatian dogs within its district.

10 (2) On the passing of such resolution it shall forthwith cause to be published three times in a newspaper circulating in its district a notice to the effect that all Alsatian dogs must be removed from within its district within one month from the date of the notice.

15 **(3) Any person who keeps or has an Alsatian dog in his possession or under his control and fails to comply with the terms of the notice shall be guilty of an offence against this section, and shall be liable on summary conviction to a fine of ten pounds.**

20 **6.** (1) Every person who permits any Alsatian dog to go at large in any public place, or in or about any private premises where tradesmen, post-office officials, and others may be required to visit in the execution of their duties, whether with a registered collar affixed to it or not, without being muzzled in a manner sufficient to prevent the dog from causing injury by biting is
25 **liable for every such offence to a fine not exceeding ten pounds, and any such dog so at large may be forthwith seized and destroyed by any constable.**

Alsatian dogs to be muzzled.

30 (2) Any constable witnessing an attack by an Alsatian dog on any person may forthwith seize and destroy such dog.

35 **7.** (1) No person after *three* months from the date of the passing of this Act shall, without the consent of the Minister of Internal Affairs, introduce or import into New Zealand any Alsatian dog.

Alsatian dogs not to be imported without consent of Minister of Internal Affairs.

35 **(2) Every person who offends against this section is liable to a fine of fifty pounds or imprisonment for one month.**

40 **8.** The Governor-General may from time to time, by Order in Council, make regulations prescribing any matters for which regulations are contemplated or required under this Act or which he deems necessary for the efficient administration thereof.

Regulations.

9. This Act shall come into force on the *thirtieth* day of *April*, nineteen hundred and *forty*.

Commencement.