

## DOGS REGISTRATION AMENDMENT BILL

### EXPLANATORY NOTE

This Bill amends the Dogs Registration Act 1955.

*Clause 1* relates to the Short Title.

*Clause 2* provides that where the owner of a dog is convicted of the offence of failing to register the dog and the dog is still unregistered at the expiration of 14 days after the date of the conviction, the owner commits a further offence and is liable to a fine not exceeding \$10 for every day after the expiration of that period on which the dog remains unregistered. Proceedings for an offence against this provision may be taken only on the information of a Registrar for the district in which the dog is required to be registered.

*Clause 3:* Section 5 of the principal Act provides that there must be kept at every registration office a supply of dog collars having labels securely affixed thereto, and a collar is to be supplied to every person who registers a dog.

This clause will enable the local authority to keep separate labels or discs, and the person registering a dog will have the option of receiving a separate label or disc for attaching to a collar owned by him.

*Clause 4* provides that where a dog is registered before the commencement of a registration year and dies before the commencement of that year, the registration fee paid is to be refunded.

*Clause 5* amends the definition of "working dog" in section 8 (5) of the principal Act. At present that subsection (as amended by section 126 (6) of the Agricultural Pests Destruction Act 1967) includes any dog owned by a Pest Destruction Board, or by a rabbitier employed by such a Board, and kept solely for the purpose of destroying rabbits.

This clause extends that definition to dogs owned by a Pest Destruction Board, or by an employee of such a Board, and kept solely for the purpose of destroying agricultural pests.

*Clause 6* is a drafting amendment of section 30A of the principal Act relating to the power of a local authority to make bylaws for the impounding of dogs, in order to make it clear that such bylaws may provide for the impounding of dogs found at large in breach of the bylaws, whether or not the dogs are wearing a proper collar.

*Clause 7:* Section 36A of the principal Act authorises a local authority to delegate its powers under that Act to another local authority or to an approved organisation under the Hydatids Act 1968.

Under that Act a local authority, a joint committee of local authorities, and an approved organisation may be appointed as a Hydatids Control Authority, and the existing power of delegation under section 36A of the principal Act cannot therefore be exercised where the Hydatids Control Authority is a joint committee.

This clause re-enacts section 36A in an amended form so as to enable a local authority to delegate its powers to any Hydatids Control Authority. It is retrospective to the date of commencement of the Hydatids Act 1968 in order to validate delegations made to Hydatids Control Authorities which are joint committees of local authorities.

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*Hon. Mr Seath*

## DOGS REGISTRATION AMENDMENT

### ANALYSIS

Title	4. Registration fees
1. Short Title	5. Meaning of "working dog"
2. Dogs to be registered	6. Impounding of dogs
3. Collars and labels to be kept at office	7. Delegation of powers by local authority

### A BILL INTITULED

#### An Act to amend the Dogs Registration Act 1955

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

1. **Short Title**—This Act may be cited as the Dogs Registration Amendment Act 1969, and shall be read together with and deemed part of the Dogs Registration Act 1955\* (hereinafter referred to as the principal Act).

10 2. **Dogs to be registered**—Section 3 of the principal Act is hereby amended by adding the following subsections:

“(3) Where—

“(a) The owner of any dog is convicted of an offence in  
15 respect of the dog under subsection (2) of this section or under this subsection; and

\*1957 Reprint, Vol. 4, p. 271

Amendments: 1961, No. 79; 1962, No. 64; 1965, No. 80; 1968, No. 77

“(b) He continues to be the owner of the dog at the expiration of fourteen days after the date of that conviction; and

“(c) The dog has not been registered under this Act before the expiration of that period,— 5  
he commits a further offence, and is liable to a fine not exceeding ten dollars for every day after the expiration of the said period of fourteen days on which the dog, being owned by him, is not for the time being registered under this Act. 10

“(4) Every information for an offence against subsection (3) of this section shall be laid by a Registrar for the district in which the dog is required to be registered.”

**3. Collars and labels to be kept at office—**(1) The principal Act is hereby further amended by repealing section 5, and 15 substituting the following section:

“5. (1) There shall be kept at every registration office a supply of dog collars having labels affixed thereon and a supply of separate labels or discs. The labels or discs, whether attached to collars or separate, shall be numbered consecutively and marked with the name of the district and the year for which they are issued. 20

“(2) Every person shall be entitled to receive a collar having a label affixed thereon, or at his option a separate label or disc for attachment to a collar owned by him, in 25 respect of each dog that he registers.

“(3) Duplicate collars having a label affixed thereon or, as the case may be, duplicate labels or discs shall be issued on payment of the cost thereof on affirmation that the original has been lost or stolen.” 30

(2) The principal Act is hereby further amended—

(a) By inserting in subsection (1) of section 6, after the word “collar” wherever it occurs, the words “or separate label or disc”:

(b) By adding to subsection (2) of section 7 the words “or, 35 as the case may be, a separate label or disc to be attached to a collar owned by that person and to be worn on the neck of the dog so registered”:

(c) By omitting from section 14, the words “label thereon”, and substituting the words “label or disc thereon 40 or attached thereto”:

(d) By omitting from subsection (1) of section 15 and also from subsection (2) the words “label thereon”, and substituting in each case the words “label or disc thereon or attached thereto”:

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(e) By inserting in section 16, after the word "label" wherever it appears, the words "or disc":

(f) By omitting from paragraph (b) of section 17 the words "label of registration affixed", and substituting the words "label or disc of registration affixed or attached":

(g) By inserting in section 17, after the words "collar or label", the words "or disc":

(h) By omitting from subsection (1) of section 30A (as inserted by section 2 of the Dogs Registration Amendment Act 1962) the words "label thereon", and substituting the words "label or disc thereon or attached thereto".

4. **Registration fees**—Section 8 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

"(1A) Where the fee for the registration of any dog for any registration year is paid before the commencement of that year and the dog dies before the commencement of that year, the local authority shall refund the fee to the person who paid it."

5. **Meaning of "working dog"**—Section 8 of the principal Act is hereby further amended by repealing paragraph (b) of subsection (5), and substituting the following paragraph:

"(b) Owned by a Pest Destruction Board, or by a person employed by a Pest Destruction Board, and kept solely for the purpose of destroying pests as defined in the Agricultural Pests Destruction Act 1967:"

6. **Impounding of dogs**—Section 30A of the principal Act (as inserted by section 2 of the Dogs Registration Amendment Act 1962) is hereby further amended by inserting in subsection (1), after the words "or of dogs", the words " , whether or not they are wearing a collar having the proper label or disc thereon or attached thereto,".

7. **Delegation of powers by local authority**—(1) The principal Act is hereby further amended by repealing section 36A (as inserted by section 3 of the Dogs Registration Amendment Act 1961), and substituting the following section:

“36A. (1) Any local authority may from time to time, by agreement with any Hydatids Control Authority within the meaning of the Hydatids Act 1968, delegate to that Hydatids Control Authority the functions, powers, and duties conferred on the local authority by this Act, except the powers conferred by section 30 or section 30A of this Act. 5

“(2) Any Hydatids Control Authority to which any functions, powers, and duties have been delegated under this section shall have and may exercise and perform those functions, powers, and duties in the district of the local authority making the delegation, as if— 10

“(a) Every reference in this Act to a local authority were a reference to the Hydatids Control Authority:

“(b) The term ‘district’, in relation to the Hydatids Control Authority, included the district of the local authority making the delegation: 15

“(c) Every reference in this Act to the ordinary general fund of a local authority were a reference to the Hydatids Control Account of the Hydatids Control Authority.” 20

(2) Section 3 of the Dogs Registration Amendment Act 1961 is hereby consequently repealed.

(3) This section shall be deemed to have come into force on the first day of April, nineteen hundred and sixty-nine, being the date of the commencement of the Hydatids Act 1968. 25