

Mr Elliott

DOGS REGISTRATION AMENDMENT

ANALYSIS

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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, as follows:

1. **Short Title**—This Act may be cited as the Dogs Registration Amendment Act 1977 and shall be read together with and be deemed part of the Dogs Registration Act 1955 (hereinafter referred to as the principal Act).
2. The principal Act is hereby amended by inserting after section 7 the following section:
- “7A. **Owner to declare pups**—(1) Where an unspayed bitch is registered pursuant to section 7 of this Act, the owner shall state in respect of each pup born live of that bitch within the 12 months preceding registration, on a form provided by the local authority:
- “(a) A description and such further reasonable particulars as may be specified;

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“(b) Whether it has died or been destroyed since birth;
or

“(c) Whether it has been sold or otherwise transferred or removed from his possession, ownership or control, and if so, the name and address (if known) of the person upon or to whom the owner’s rights in respect of the pup have devolved or been transferred.” 5

“(2) The information arising from subsection (1) (b) and (c) of this section shall be provided at the next ensuing registration of the bitch in respect of any pup which, at the time the information was first given, was in the possession, ownership or control of the owner.” 10

“(3) Every person commits an offence and is liable on conviction to a fine not exceeding \$100 who fails to comply with or who knowingly makes a false statement in respect of any matter provided for in subsection (1) or subsection (2) of this section.” 15

3. The principal Act is hereby amended by repealing section 15 (1) and (2) and substituting the following subsections: 20

“15. **Dogs found wandering**—(1) Where any dog is found on any land without the consent of the occupier, a person duly authorised in writing by the local authority (either generally or in a particular case) or the occupier of the land or his agent or any constable may: 25

“(a) Destroy the dog, if it is over the age of 3 months and is not wearing a visible indication of current registration; or

“(b) In any other case, or in lieu of destroying it, seize the dog.” 30

“(2) Where the owner fails to claim the dog and pay the expenses of its keep within 7 days from the day on which the dog was seized, the local authority may sell the dog to any person who shall thereupon become its lawful owner.” 35

4. **Bonds**—Where the Court makes an order under section 22 (1) or section 24 (2) or section 29 (1) of the principal Act that a dog be kept under proper control, the Court may order the owner to enter into a bond with Her Majesty the Queen, with or without sureties, in a sum not exceeding \$200 for a period of 6 months or less from the date of the order. 40

5. Impounding of dogs—Section 30A of the principal Act (as inserted by section 2 of the Dogs Registration Amendment Act 1962) is hereby amended by adding the following subsection:

- 5 “(5) In addition to any power conferred upon a local authority by this section, any bylaw made under this section may provide for a fine, not exceeding \$100, for any breach thereof.”

6. Destruction of dogs—(1) Where it is provided in the
10 principal Act that a dog may be destroyed forthwith, such provision shall be read as if, in each case, the words “or seize and as soon thereafter as may be reasonably practicable, destroy . . .” had been added.

- 15 (2) If an owner whose dog is ordered by the Court to be destroyed fails to carry out that order within 3 days of its being made, the local authority may thereupon seize and destroy the dog. In such a case the costs of and incidental to the destruction of the dog incurred by the local authority shall be recoverable from the owner as a debt due and pay-
20 able to the local authority.