



**THE DOG CONTROL (PRESCRIBED FORMS)
REGULATIONS 1996**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of August 1996

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 78 (1) of the Dog Control Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Dog Control (Prescribed Forms) Regulations 1996.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Forms—Subject to regulations 3 and 4 of these regulations,—

- (a) The forms set out in the Schedule to these regulations are hereby prescribed as the forms required for the purposes of the Act; and
- (b) The particulars contained in those forms are prescribed as particulars required under the Act.

3. Alterations to forms—Without limiting the generality of section 5 (i) of the Acts Interpretation Act 1924, the forms prescribed by these regulations—

- (a) May be altered in design to suit the business processes of territorial authorities; and
- (b) May contain additional material not inconsistent with the prescribed particulars; and
- (c) May be varied to suit the circumstances of any case.

4. Transitional provision relating to existing application form—
Nothing in regulation 2 of these regulations shall prevent a territorial authority accepting any application for the registration of a dog for the registration year ending on the 30th day of June 1997 that is made in accordance with section 36 of the Dog Control and Hydatids Act 1982, notwithstanding that the application is not in Form 6 in the Schedule to these regulations and that that Act has been repealed.

SCHEDULE

Forms

- Form 1: Notice of Seizure and Removal of Dog.
 - Form 2: Notice of Classification as a Probationary Dog Owner.
 - Form 3: Notice of Disqualification from Dog Ownership.
 - Form 4: Notice of Classification of Dog as a Dangerous Dog.
 - Form 5: Application for Name and Address of Registered Owner of Dog.
 - Form 6: Application to Register Dog.
 - Form 7: Notice of Removal of Barking Dog.
 - Form 8: Infringement Notice.
 - Form 9: Notice of Retention of Dog Threatening Public Safety.
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SCHEDULE—continued

Reg. 2

Form 1

[Territorial Authority]

NOTICE OF SEIZURE AND REMOVAL OF DOG

Section 15, Dog Control Act 1996

To: [Name of owner or, if the owner is not present, name of person appearing to be in charge of land or premises]

Or, if no persons present—

To: The Occupants

Address:

Dog: [Description]

This is to notify you that this dog has been seized and removed from this address under section 15 (1)(c) of the Dog Control Act 1996.

This was done because—

- The dog was believed to be without access to proper and sufficient food or water or both; and
- There was reasonable cause to suspect that the dog would not be given access to proper and sufficient food or water or both within the ensuing 24 hours.

You may apply for the return of the dog and should contact [Names and designations of officers of territorial authority] at [Address and/or telephone number].

You may be required to pay any fees incurred in the seizure, custody, sustenance, and transport of the dog.

.....
Dog Control Officer/Dog Ranger

.....
Date

SCHEDULE—continued

Form 2

Reg. 2

[Territorial Authority]

NOTICE OF CLASSIFICATION AS A PROBATIONARY DOG OWNER

Section 21, Dog Control Act 1996

To: [Name of owner]

Address:

This is to notify you that you have been classified as a probationary owner under section 21 of the Dog Control Act 1996.

This follows—

- Your conviction for [Details of offences referred to in section 21 (1)]; or
- 3 or more infringement offences having been committed by you within a continuous period of 24 months.

The classification will apply until [Date under section 23 (1)] unless earlier terminated by the [Territorial authority].

A summary of the effect of the classification and your right to object is provided below.

.....
[Officer of territorial authority]

.....
Date

EFFECT OF CLASSIFICATION AS PROBATIONARY OWNER

Sections 23 and 24, Dog Control Act

During the classification period, you may not become the registered owner of any dog which is not presently registered by you.

A surcharge of 50% is payable on all dog control fees payable during the period of classification. If the surcharge is not paid, the dog will cease to be registered under the Act. If you have already paid registration fees for the current year, you must pay a surcharge of 5% of those fees for each remaining whole month of the registration year (1 July to 30 June) within 4 weeks of the date of this notice, or the registration will cease. The [Territorial authority] can assist you to calculate how much must be paid.

You are required within 14 days of the date of this notice to dispose of every unregistered dog owned by you.

Full details of the effect of classification as a probationary owner are provided in the Dog Control Act.

SCHEDULE—*continued*Form 2—*continued*

DISQUALIFICATION OF PROBATIONARY OWNER FROM DOG OWNERSHIP

Sections 25 and 28, Dog Control Act

If, while classified as a probationary owner, you commit certain offences relating to dog control or cruelty to dogs, you may be disqualified from owning any dog for a period of up to 5 years.

This could occur if, as a probationary owner, you—

- Are convicted of any offence (other than an infringement offence) under the Dog Control Act 1996; or
- Are convicted of an offence of cruelty to any dog under the Animals Protection Act 1960; or
- Are convicted of an offence under the Conservation Act 1987 or the National Parks Act 1980 in relation to dogs on conservation land or in a national park; or
- Commit 2 infringement offences under the Dog Control Act 1996.

If disqualified, you will be required to dispose of every dog owned (and not to any person residing at the same address), and will not be permitted to own or have possession, even temporarily, of any dog during the disqualification period.

RIGHT OF OBJECTION

Section 22, Dog Control Act

You may object to classification as a probationary owner by lodging a written objection with the [*Territorial authority*] setting out the grounds on which you object. You are entitled to be heard in support of the objection and will be notified of the time and place when your objection will be heard. No objection can be lodged within 12 months of the hearing of any previous objection to the same classification. If an objection is lodged within 14 days after the date of this notice, the requirement to dispose of every unregistered dog owned by you will be suspended until the territorial authority has determined the objection.

SCHEDULE—continued

Form 3

Reg. 2

[Territorial Authority]

NOTICE OF DISQUALIFICATION FROM DOG OWNERSHIP

Section 25, Dog Control Act 1996

To: [Name of owner]

Address:

This is to notify you that you have been disqualified under section 25 of the Dog Control Act 1996 from owning any dog from the date of this notice until [Date].

This follows—

- Your conviction, while a probationary owner, for [Details of offences referred to in section 25 (1)]; or
- 2 or more infringement offences having been committed by you, while a probationary owner.

A summary of the effect of the disqualification and your right to object is provided below.

.....
[Officer of territorial authority]

.....
Date

EFFECT OF DISQUALIFICATION

Section 28, Dog Control Act

You are required to dispose of every dog owned by you within 14 days of the date of this notice.

You may not dispose of any dog to any person who resides at the same address as you. You may not dispose of any dog in a manner that constitutes an offence against the Dog Control Act or any other Act.

You cannot become the owner, even on a temporary basis, of any dog while you are disqualified, nor may you have possession of a dog, even on a temporary basis.

You will commit an offence and be liable on conviction to a fine not exceeding \$1,500 if you—

- Fail to dispose of every dog owned by you within 14 days of this notice; or
- Dispose of any such dog to any person who resides at the same address as you or dispose of any such dog in a manner that constitutes an offence against the Dog Control Act or any other Act; or

SCHEDULE—*continued*Form 3—*continued*

- At any time while disqualified, become the owner of any dog.

If you are convicted of any of these offences, your period of disqualification may be further extended.

Any person will commit an offence and be liable on conviction to a fine not exceeding \$1,500 who disposes or gives custody or possession of any dog to any person, knowing that person to be disqualified from ownership under section 25 of the Dog Control Act.

Full details of the effect of disqualification are provided in the Dog Control Act.

RIGHT OF OBJECTION TO DISQUALIFICATION

Section 26, Dog Control Act

You may object to the disqualification by lodging with the [*Territorial authority*] a written notice setting out the grounds on which you object. You are entitled to be heard in support of your objection and will be notified of the time and place when your objection will be heard. No objection can be lodged within 12 months of the hearing of any previous objection to the disqualification. If an objection is lodged within 14 days after the date of this notice, the requirement to dispose of every dog owned by you will be suspended until the territorial authority has determined the objection.

There is a further right of appeal to a District Court if you are dissatisfied with the decision of the [*Territorial authority*] on your objection.

SCHEDULE—continued

Form 4

Reg. 2

[Territorial Authority]

NOTICE OF CLASSIFICATION OF DOG AS A DANGEROUS DOG

Section 31, Dog Control Act 1996

To: [Name of owner]

Address:

Dog: [Description]

This is to notify you that this dog has been classified as a dangerous dog under section 31 (1) of the Dog Control Act 1996.

This is because [Reason under section 31 (1)].

A summary of the effect of the classification and your right to object is provided below.

.....
[Officer of territorial authority]

.....
Date

EFFECT OF CLASSIFICATION AS A DANGEROUS DOG

Section 32, Dog Control Act

You are required,—

- (a) Within one month after receipt of this notice, to ensure that the dog is kept within a securely fenced portion of your property which it is not necessary to enter to obtain access to at least one door of any dwelling on the property; and
- (b) Not to allow the dog to be at large or in any public place or in any private way, other than when confined completely within a vehicle or cage, without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (c) To produce to the territorial authority, within one month after receipt of this notice, a certificate issued by a registered veterinary surgeon and certifying—
 - (i) That the dog is or has been neutered; or
 - (ii) That for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (d) Where a certificate under paragraph (c)(ii) is produced to the territorial authority, to produce to the territorial authority,

SCHEDULE—*continued*Form 4—*continued*

within one month after the date specified in that certificate, a further certificate under paragraph (c); and

- (e) In respect of every registration year commencing after receipt of this notice, to pay dog control fees for that dog at 150% of the level that would apply if the dog were not classified as a dangerous dog; and
- (f) Not to dispose of the dog to any other person, without the written consent of the territorial authority in whose district the dog is to be kept.

You will commit an offence and be liable on conviction to a fine not exceeding \$1,500 if you fail to comply with any of the matters in paragraphs (a) to (f) above. In addition, the Court must order the destruction of the dog unless satisfied that the circumstances of the offence were exceptional and do not justify the destruction of the dog.

You will also commit an offence and be liable on conviction to a fine not exceeding \$1,500 if you sell or otherwise transfer the dog, or offer to do so, to any other person without disclosing that the dog is classified as a dangerous dog.

Full details of the effect of classification as a dangerous dog are provided in the Dog Control Act.

RIGHT OF OBJECTION TO CLASSIFICATION

Section 31 (3), Dog Control Act

If the dog is classified as a dangerous dog because it is believed to constitute a threat to public safety, you may object to the classification by lodging with the [Territorial authority] a written notice within 14 days of receipt of this notice setting out the grounds on which you object. You are entitled to be heard in support of your objection and will be notified of the time and place when your objection will be heard.

SCHEDULE—continued

Form 5

Reg. 2

[Territorial Authority]

APPLICATION FOR NAME AND ADDRESS OF REGISTERED OWNER OF DOG

Section 35, Dog Control Act 1996

Application is hereby made to the [Territorial authority] for the disclosure of the name and address of the registered owner of the following dog:

Registration number of collar, label, or disc (if known):

Colour:

Breed/cross (if known):

Other identifying particulars:

Address where dog is ordinarily kept/location where dog encountered:

The information is required by me for the purpose of: [Describe]

Name of Applicant:

Applicant's Address:

You are required to provide your name and address and the purpose for which you require the information because section 35 of the Dog Control Act 1996 prohibits a territorial authority from supplying the information unless it is satisfied of the identity of the applicant and that the information is required for one of a limited number of purposes specified in that section. The territorial authority may keep a record of your application.

Signed

.....
Date

For use of territorial authority

Means of identification of applicant produced to the [Territorial authority]:

Application: Accepted/Declined

SCHEDULE—continued

Reg. 2

Form 6

[Territorial Authority]

APPLICATION TO REGISTER DOG

For the year 1 July to 30 June

Section 36, Dog Control Act 1996

PARTICULARS OF OWNER

Owner's name in full:

Date of birth:

Your date of birth is required to enable you to be distinguished from other persons with the same name. Certainty of identification is required in the enforcement of the provisions of the Dog Control Act 1996.

Postal address:

Telephone numbers (Business/residential):

Address at which dog is ordinarily kept:

Where there is more than one owner, give these particulars in respect of each of the owners.

The above information will be kept by the territorial authority but may only be used for lawful official purposes and will not be generally available to the public. However, section 35 of the Dog Control Act 1996 allows the name and address of the owner of any specified dog to be made available to any person who has made a written application for that information. The territorial authority must be satisfied of the identity of that applicant and that the information is required for one of a limited number of specified purposes, such as returning a lost dog to its owner or seeking compensation for damage.

PARTICULARS OF DOG

Name:

Colour:

Breed/cross:

Sex: M/F

Neutered/Not neutered

Whether working dog: Yes/No

Distinguishing marks:

Description of any tattoo or other permanent identification:

Age of dog:

Whether the dog is classified as a dangerous dog under section 31 of the Dog Control Act 1996: Yes/No

SCHEDULE—continued
Form 6—continued
PARTICULARS OF LAST REGISTRATION

Details of the last registration of the dog (if any)—

Territorial authority: Year:

Registration number of collar, label, or disc:

FEES

Fees submitted with this application:

Where lower fee is claimed for working dog, state specified class of working dog:

Please note that failure to supply any of the information requested in this form that is relevant to your application may prevent the registration of your dog. You are encouraged to request the territorial authority to correct or amend any of these details if you discover a mistake or if the relevant circumstances change. You are required to notify any change of address or change in the ownership of the dog.

Signed

.....
Date

For use by territorial authority

Registration number of collar, label, or disc:

Fees:

NOTES ON REGISTRATION

All dog owners with dogs ordinarily kept in the [Territorial authority] district must register with the territorial authority.

All dogs over the age of 3 MONTHS must be registered.

It is an offence to keep a dog older than 3 months which is unregistered. On conviction, a Court may impose a fine of up to \$1,500.

The application form properly completed, together with the appropriate fees payable, may be posted to the Dog Registrar [Address] or delivered to the office of the [Territorial authority].

It is an offence, in making an application for the registration of a dog, to make any written statement knowing that statement to be false. On conviction, a Court may impose a fine of up to \$1,500.

Replacement discs and collars may be obtained from the territorial authority if the current disc or collar has been lost or stolen.

SCHEDULE—*continued*Form 6—*continued*

Any dog not wearing a collar having a current registration label or disc attached will, until the contrary is proven, be deemed to be unregistered.

On change of ownership of any registered dog, both the previous owner and the new owner must, within 14 days, give written notice to the [Territorial authority or authorities] concerned, of the change of ownership and the residential address of the new owner and the address at which the dog will be kept.

If the owner's address is changed within the district, the owner must, within 14 days, give **written** notice of the change to the [Territorial authority].

If any dog is transferred to and kept in the district of another territorial authority, other than the one in which it has been kept, for one month or more, the owner shall within 6 weeks of the transfer, give **written** notice of the transfer to both authorities, setting out the address at which the dog will be kept.

Where the fee for the registration of a dog is paid and that dog dies, a refund will be made on request as follows:

- Where a dog dies before the commencement of the year, the full fee will be refunded:
- Where the dog dies during the year, 1/12th of the annual fee for each complete month remaining in the registration year after the date of application for a refund will be refunded.

Where any dog is first required to be registered after 1 August in any registration year, the fee shall be 1/12th of the annual fee for each complete month remaining in the registration year after the date of such registration.

The registration fees include GST.

Owners wishing to claim a reduced fee for neutered dogs must produce a veterinary surgeon's certificate certifying that the dog has been neutered.

If any dog over the age of 3 months not wearing a collar having a current registration label or disc attached is found on land or premises other than its owners or in any public place, the dog may be seized and impounded.

CONTROL OF DOGS

Section 52, Dog Control Act

The owner of any dog must keep that dog under control at all times.

A dog will be deemed to be not under control—

- If it is found at large on any land or premises other than a public place or a private way without the consent (express or implied) of the occupier or person in charge of the land or those premises; or
- If it is found at large in any public place or in any private way in contravention of any regulation or bylaw.

You will commit an offence and be liable on conviction to a fine not exceeding \$500 or an infringement fee of \$200 if you fail to comply with this provision.

SCHEDULE—*continued*

Form 6—*continued*

OBLIGATIONS OF DOG OWNER

Section 54, Dog Control Act

The owner of any dog must—

- Ensure that the dog receives proper care and attention and is supplied with proper and sufficient food, water, and shelter; and
- Ensure that the dog receives adequate exercise.

You will commit an offence and be liable on conviction to imprisonment for up to 3 months or to a fine not exceeding \$5,000 if you fail to comply with this provision.

SCHEDULE—continued

Reg. 2

Form 7

[Territorial Authority]

NOTICE OF REMOVAL OF BARKING DOG

Section 56, Dog Control Act 1996

To: [Name of owner or, if the owner is not present, name of person appearing to be in charge of land or premises]

Or, if no persons present—

To: The Occupants

Address:

Dog: [Description]

This is to notify you that this dog has been removed from this address under section 56 (2) of the Dog Control Act 1996 and has been taken into custody following receipt of a further complaint of barking.

You may apply at any time for the return of the dog and should contact [Names and designations of officers of territorial authority] at [Address and/or telephone number].

The dog will be released, if the [Territorial authority] is satisfied the return of the dog will not result in the resumption of the nuisance. You have a right of appeal to the District Court against a refusal to release the dog.

Unless returned, the dog shall be kept in custody until such time as the [Territorial authority] is satisfied—

- That proper provision in relation to the dog has been made on the property specified in the notice issued under section 55 of the Dog Control Act; or
- You have made arrangements for the dog to be kept on a property other than the property from which it has been removed.

You may be required to pay fees for the sustenance of the dog while in custody before it will be released.

If any fees are not paid, the [Territorial authority] may dispose of the dog by means of sale, destruction, or otherwise and that disposal will not relieve you of liability for payment of the fees.

.....
Dog Control Officer/Dog Ranger

.....
Date



SCHEDULE—continued
Form 8
INFRINGEMENT NOTICE

Reg. 2

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NUMBER

NOTICE

TERRITORIAL AUTHORITY

[Territorial Authority]

Your receipt may be machine printed here

Name of dog owner:	Forenames	Surname
Address:		
Date of birth:		

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date:	Time:	Day of Week: S M T W T F S
Road/Street:		Locality:
Offence:		<i>Infringement Fee Payable</i>
Reg. No. or Description of Dog		\$

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after:	(Earliest date notice delivered personally, or posted)	
OFFICER NUMBER:	THE INFRINGEMENT FEE MAY BE PAID AT THE ADDRESS SHOWN BELOW. CHEQUES OR MONEY ORDERS SHOULD BE "NOT TRANSFERABLE"	
THE INFRINGEMENT FEE MAY BE PAID TO:		DO NOT DETACH Please present both copies of this notice when making payment

IMPORTANT—PLEASE READ THE SUMMARY OF RIGHTS PRINTED OVERLEAF

SCHEDULE—*continued*Form 8—*continued*

SUMMARY OF RIGHTS

1. This notice sets out an alleged infringement offence. In terms of section 2 of the Dog Control Act 1996, you are liable as the owner of a dog if—

- You own the dog; or
- You have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- You are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

PAYMENTS

2. If you pay the infringement fee within 28 days of the issue of this notice no further action will be taken. Payment may be made at places indicated on the front of this notice.

DEFENCES

3. You have a complete defence against proceedings if the infringement fee has been paid to the [*Territorial authority*] at any of the places for payment shown on the front page of this notice before or within 28 days after you have been served with a reminder notice. NOTE that late payment or payment at any other place will not be a defence.

FURTHER ACTION

4. If you wish to—

- (a) Raise any matter relating to the alleged offence for consideration by the [*Territorial authority*]; OR
- (b) Deny liability for the offence and request a Court hearing (refer to paragraphs 5 and 9 below); OR
- (c) Admit liability for the offence, but wish to have a Court consider written submissions as to penalty or otherwise (refer to paragraphs 6 and 9 below),—

you should write to the [*Territorial authority*] at the address shown on the front page of this notice. Any such letter should be personally signed.

5. You have a right to a Court hearing. If you deny liability for the offence and request a hearing, the [*Territorial authority*] will serve you with a notice of hearing setting out the place and time at which the matter will be heard by the Court (unless it decides not to start Court proceedings). NOTE that if the Court finds you guilty of the offence, costs will be imposed in addition to any penalty.

6. If you admit the offence but want the Court to consider your submissions as to penalty or otherwise, you should in your letter—

- (a) Ask for a hearing; AND
- (b) Admit the offence; AND
- (c) Set out the written submissions you wish to be considered by the Court.

SCHEDULE—*continued*Form 8—*continued*

The [Territorial authority] will then file your letter with the Court (unless it decides not to commence Court proceedings). There is no provision for an oral hearing before the Court if you follow this course of action.

NOTE that costs will be imposed in addition to any penalty.

NON-PAYMENT OF FEE

7. If you do not pay the infringement fee and do not request a hearing within 28 days after the issue of this notice you will be served with a reminder notice (unless the [Territorial authority] decides otherwise).

8. If you do not pay the infringement fee and do not request a hearing within 28 days after being served with the reminder notice, the [Territorial authority] may file the reminder notice in the Court and you will become liable to pay COSTS IN ADDITION TO THE INFRINGEMENT FEE, under section 21 (5) of the Summary Proceedings Act.

QUERIES/CORRESPONDENCE

9. When writing or making payment please include—

- (a) The date of the infringement; AND
- (b) The infringement notice number; AND
- (c) The identifying number of the alleged offence and the course of action you are taking in respect of it; AND
- (d) Your address for replies.

NOTICE OF LIABILITY FOR CLASSIFICATION AS A PROBATIONARY OWNER

If you commit 3 or more infringement offences over a period of 24 months, the territorial authority may classify you as a probationary owner.

You will be deemed to have committed an infringement offence if you—

- Are ordered to pay a fine and costs under section 78A(1) of the Summary Proceedings Act 1957, or are deemed to have been so ordered under section 21 (5) of that Act; or
- Pay the infringement fee specified in the infringement notice.

Probationary ownership starts from the date of the 3rd infringement notice in the 24 month period. Unless terminated earlier by the territorial authority, probationary ownership runs for a period of 24 months.

CONSEQUENCES OF CLASSIFICATION AS A PROBATIONARY OWNER

While a dog owner is classified as probationary,—

- He or she may only register a dog of which that person was already the registered owner on the date of the 3rd infringement offence; and
- A surcharge of 50% is payable on all dog control fees.

Where the dog control fees have already been paid at the time of classification, the surcharge shall be paid within 4 weeks after the date on which the probationary owner is notified of the classification. If the surcharge is not paid within 4 weeks, the dog will cease to be registered under the Dog Control Act 1996.

SCHEDULE—*continued*Form 8—*continued*

If the territorial authority terminates the probationary ownership, any surcharge paid in respect of the period after termination will be refunded. Where probationary ownership covers only part of a registration year, the surcharge will be 5% per month.

FURTHER CONSEQUENCES LEADING TO DISQUALIFICATION FROM OWNERSHIP

Where a probationary owner—

- Commits 2 infringement offences during the period of probationary ownership; or
- Is convicted of an offence (not being an infringement offence) against—
 - (i) The Dog Control Act 1996; or
 - (ii) Sections 3 or 4 of the Animals Protection Act 1960 in respect of a dog; or
 - (iii) Section 26zzp of the Conservation Act 1987; or
 - (iv) Section 56i of the National Parks Act 1980,—

the territorial authority may disqualify that person from being the owner of any dog.

The probationary owner may object to the disqualification, and if the person is dissatisfied with the decision of the territorial authority, he or she may appeal to the District Court within 14 days of the date the territorial authority informs the objector of its decision.

FULL DETAILS OF YOUR RIGHTS AND OBLIGATIONS ARE IN SECTION 66 OF THE DOG CONTROL ACT 1996 AND SECTION 21 (10) OF THE SUMMARY PROCEEDINGS ACT 1957.

NOTE: ALL QUERIES AND ALL CORRESPONDENCE REGARDING THIS INFRINGEMENT NOTICE MUST BE DIRECTED TO THE [TERRITORIAL AUTHORITY] AT THE ADDRESS SHOWN.

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SCHEDULE—continued

Form 9

Reg. 2

[Territorial Authority]

NOTICE OF RETENTION OF DOG THREATENING PUBLIC SAFETY

Section 71, Dog Control Act 1996

To: [Name of owner]

Address:

Dog: [Description]

This is to notify you that this dog will be retained in custody under section 71 (1) of the Dog Control Act 1996 pending the conclusion of the prosecution against you for an offence under section [57 or 58] of the Act. The territorial authority believes that the release of the dog would threaten public safety.

You may apply at any time for the release of the dog.

If the territorial authority is satisfied that the release of the dog will not threaten the safety of any person, stock, poultry, domestic pet, or protected wildlife, the dog will be returned.

You have a right of appeal to the District Court against a refusal to return the dog.

You may be required to pay fees for the sustenance of the dog while in custody before it will be released.

If any fees are not paid, the [Territorial authority] may dispose of the dog by means of sale, destruction, or otherwise and that disposal will not relieve you of liability for payment of the fees.

.....
[Officer of territorial authority]

.....
Date

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the day after the date of their notification in the *Gazette*, prescribe the form of various notices and applications under the Dog Control Act 1996.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 15 August 1996.

These regulations are administered in the Department of Internal Affairs.