

**DOG.**

9° Elizabeth II., No. XLII.

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No. 42 of 1960.

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**AN ACT to amend the Dog Act, 1903-1948.**

[Assented to 15th November, 1960.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. (1) This Act may be cited as the *Dog Act Amendment Act, 1960*.

Reprinted  
as approved  
for reprint  
25th August,  
1959.

(2) In this Act the Dog Act, 1903-1948, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Dog Act, 1903-1960.

2. Section six a of the principal Act is amended by adding after the word, "nature" being the last word in subsection (1), the words, "or is suffering from any infectious or contagious disease." S. 6A  
amended.

3. Section ten of the principal Act is repealed and re-enacted as follows:—

10. (1) Every registration shall be in force from the day upon which it is made until the thirtieth day of June next ensuing and no longer and shall be again made in like manner from year to year.

(2) Every registration made within twenty-one days of the first day of July in any year shall be deemed to have been made on that day.

4. Section nineteen of the principal Act is repealed and re-enacted as follows:— S. 19  
repealed and  
re-enacted.

19. (1) Where a dog is found wandering at large any member of the Police Force of the State or any officer of a local authority in whose district the dog is so found who is authorised for the purpose may seize and keep the dog or if that local authority is maintaining a pound for the impounding of dogs, the member or officer may place the dog in the pound. Power to  
seize  
stray dogs.

(2) Where no such pound is being maintained the member or officer,

- (a) if the dog is registered and has a collar around its neck with a registration label attached thereto, shall keep the dog in his custody and as soon as practicable serve on the owner of the dog a notice in the form of the Fourth Schedule and shall continue to keep the dog in his custody for a period of at least forty-eight hours next following the service of the notice; or

- (b) if the dog has no collar around its neck with such a label attached, shall keep the dog in his custody for at least forty-eight hours next following the seizure.

(3) If before the expiration of the time referred to in subsection (2) of this section which is relevant in the circumstances, the owner of the dog or some person on his behalf—

- (a) has not claimed the dog;  
 (b) has not paid a reasonable sum due to the member or officer for the maintenance of the dog while it was kept by him;

the member or officer may cause the dog to be destroyed without cruelty and by some speedy means and the carcass disposed of.

(4) Where the dog is placed in a pound it shall be dealt with in accordance with the by-laws of the local authority regulating the pound and the animals impounded therein.

(5) In all cases where a dog seized under this section is returned to its owner the owner shall produce the registration of the dog or pay the fee for the registration of the dog before resuming possession of the dog.

S. 21A  
added.

5. The principal Act is amended by adding after section twenty-one the following section:—

21A. The owner—

- (a) of any dog which is found in any shop within any city, town or townsite, not being a shop where dogs are sold or treated for illness, or in any school grounds within any city, town or townsite; or  
 (b) of any dog, not being a dog that is being used in the droving of stock, which is found in the district of any

Dogs in  
certain  
places to be  
on leash.

local authority on any bathing beach specified for the purposes of this section by order of the local authority published once in the *Gazette* and once in some newspaper circulating in the district,

and which is not under the effective control of some person by means of a chain, cord or leash, commits an offence.

Penalty: For a first offence, five pounds, and for a second or any subsequent offence, ten pounds.

6. Section twenty-nine of the principal Act is amended— S. 29 amended.

(a) by adding after the section number, "29" the subsection designation, "(1)";

(b) by adding before the word, "Whenever" in line ten, the subsection designation, "(2)"; and

(c) by adding the following subsection:—

(3) The provisions of this section do not apply to the South-West Division of the State as defined in section twenty-eight of the Land Act, 1933.

7. The principal Act is amended by adding after section twenty-nine the following section:— S. 29A added.

29A. (1) Where a dog is found to be suffering from any contagious or infectious disease, the owner of the dog shall cause the dog to be examined by a registered veterinary surgeon or in his absence a medical practitioner or health inspector and isolated or destroyed in such manner as that official may require. Diseased dogs to be isolated or destroyed.

(2) Where upon representation being made by any person to a Justice of the Peace that the dog is in such a condition that notwithstanding its being isolated, it is likely to spread

disease, the Justice may on the advice of a registered veterinary surgeon, medical practitioner or health inspector order the dog to be destroyed and the carcass disposed of by the owner in such manner as that official may require.

Penalty: Ten pounds.

S. 30  
amended.

8. Section thirty of the principal Act is amended by adding after the word, "person" being the last word in the section, the words, "or being *bona fide* kept and being trained to be used as a guide for any blind person."

Third  
Schedule  
amended.

9. The Third Schedule to the principal Act is amended—

(a) by substituting for the passages contained in lines four and five the following passages:—

For every dog	....	....	....	....	0	10	0
For every bitch	....	....	....	....	1	0	0

Where in respect of any dog of either sex there is produced to the registering officer a certificate of and signed by a registered veterinary surgeon, or a statutory declaration certifying that the dog of either sex has been effectively sterilised the fee shall be five shillings. ;

(b) by adding after line nine the following passage:—

For every premises where the owner or occupier thereof carries on the business of breeding, buying, selling or caring for dogs, in lieu of any individual registration fee on any dog in those premises	....	5	0	0
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