



Western Australia

Dog Act 1976

## **Dog Regulations 2013**



# Dog Regulations 2013

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**Defined terms**



## Dog Regulations 2013

### 1. Citation

These regulations are the *Dog Regulations 2013*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) regulation 4 — on 8 November 2013;
- (c) the rest of the regulations — on 1 November 2013.

### 3. Terms used

In these regulations, unless the contrary intention appears —

**ABN** means ABN (Australian Business Number) as defined in the *A New Tax System (Australian Business Number) Act 1999* (Commonwealth) section 41;

**ACN** means ACN as defined in the *Corporations Act 2001* (Commonwealth) section 9;

**close associate**, in relation to an applicant for the grant or renewal of a pet shop approval or the grant of a dog supply approval, means any of the following —

- (a) if the applicant is an individual —
  - (i) a spouse or de facto partner, or a parent, child or sibling, of the applicant; or
  - (ii) a parent, child or sibling of the applicant's spouse or de facto partner; or

- (iii) a body corporate, if the applicant or a person referred to in subparagraph (i) or (ii) is a director or secretary of the body corporate or a person involved in the management of the body corporate;
- (b) if the applicant is a body corporate —
  - (i) a director or secretary of the body corporate or of a related body corporate; or
  - (ii) a person involved in the management of the body corporate or of a related body corporate; or
  - (iii) a spouse or de facto partner, or a parent, child or sibling, of a person referred to in subparagraph (i) or (ii); or
  - (iv) a parent, child or sibling of the spouse or de facto partner of a person referred to in subparagraph (i) or (ii); or
  - (v) a related body corporate;

***criminal record check***, in relation to a person, means a document issued by the Police Force of Western Australia, the Australian Federal Police or another body or agency approved by the CEO that sets out, or summarises in a manner acceptable to the CEO, the criminal convictions of the person for offences under a law of this State, the Commonwealth, another State or a Territory;

***Form***, followed by a number, means the form of that number set out in Schedule 1;

***incorporated association*** has the meaning given in the *Associations Incorporation Act 2015* section 3;

***related body corporate***, in relation to a body corporate that is an applicant for the grant of a dog supply approval or the grant or renewal of a pet shop approval, means a body corporate that is related to the applicant under the *Corporations Act 2001* (Commonwealth) section 50;



**RWWA** means the body corporate called Racing and Wagering Western Australia established by the *Racing and Wagering Western Australia Act 2003* section 4;

**section** means section of the Act;

**significant veterinary treatment** includes veterinary treatment for any of the following —

- (a) a contagious or infectious disease;
- (b) parasites;
- (c) wounds or physical injuries.

[Regulation 3 amended: Gazette 23 Mar 2018 p. 1027;  
SL 2024/246 r. 4.]

### **3A. Supply of dogs to relevant pet shop businesses**

For the purposes of these regulations, a person supplies a dog to a relevant pet shop business if —

- (a) the person supplies the dog to the person who conducts the relevant pet shop business, or a person acting on their behalf; and
- (b) the person who conducts the relevant pet shop business, or the person acting on their behalf, is acting for the purposes of the business.

[Regulation 3A inserted: SL 2024/246 r. 5.]

### **4. Dangerous dog (restricted breed) breeds**

These breeds are prescribed as restricted breeds for the definition of **dangerous dog (restricted breed)** in section 3(1) —

- (a) dogo Argentino;
- (b) fila Brasileiro;
- (c) Japanese tosa;
- (d) American pit bull terrier;
- (e) pit bull terrier;

- (f) perro de presa Canario or presa Canario;
- (g) any other breed of dog the importation of which is prohibited absolutely by the *Customs (Prohibited Imports) Regulations 1956* (Commonwealth).

**5. Dog management facility operators**

These bodies are prescribed for paragraph (b) of the definition of *dog management facility* in section 3(1) —

- (a) The Royal Society for the Prevention of Cruelty to Animals, Western Australia;
- (b) Dogs' Refuge Home (W.A.) Inc.

*[Regulation 5 amended: Gazette 23 Mar 2018 p. 1027; SL 2024/246 r. 6.]*

**6. Microchip identification devices**

- (1) An identification device of a type that complies with both of the following Australian Standards is prescribed for the definition of *microchip* in section 3(1) of the Act —
  - (a) AS 5018 — 2001 Electronic Animal Identification — National coding scheme, as amended from time to time;
  - (b) AS 5019 — 2001 Electronic Animal Identification — Radiofrequency methods, as amended from time to time.
- (2) A person must not sell, supply or provide for implanting in a dog an identification device that is not a microchip.  
Penalty: a fine of \$5 000.
- (3) A person must not implant in a dog an identification device that is not a microchip.  
Penalty for an offence under this subregulation: a fine of \$5 000.

## 7. Microchip database company bodies

These bodies are prescribed for paragraph (a)(ii) of the definition of *microchip database company* in section 3(1) —

- (a) Royal Agricultural Society of NSW (ABN 69 793 644 351), trading as “Australasian Animal Registry”;
- (b) Central Animal Records (Aust) Pty. Ltd;
- (c) PetBase Pty Ltd, trading as “Petsafe”;
- (d) HomeSafeID;
- [(e) *deleted*]
- (f) OzChase Greyhound Racing System;
- (g) Global Microchip Registry Pty Ltd, trading as “Global Micro Animal Registry”.

[Regulation 7 amended: Gazette 20 May 2014 p. 1603; 23 Mar 2018 p. 1027.]

## 8. Microchip implanter: persons

These persons are prescribed for paragraph (a) of the definition of *microchip implanter* in section 3(1) —

- (a) a veterinarian;
- (b) a veterinary nurse, as defined in the *Veterinary Practice Act 2021* section 3.

[Regulation 8 amended: SL 2022/94 r. 7.]

## 9. Microchip implanter: qualifications

- (1) In this regulation —  
*registered training provider* has the meaning given by the *Vocational Education and Training Act 1996* section 5(1).

- (2) The qualifications for paragraph (b) of the definition of *microchip implanter* in section 3(1) comprise the successful completion of—
- (a) one or more of the following units of competency in microchip implantation of cats and dogs (provided by a registered training provider) —
    - (i) ACMMIC401A Implant microchip in cats and dogs;
    - (ii) ACMMIC401 Implant microchip in cats and dogs;
- and
- (b) 1 or more of the courses listed in the Table (provided by a registered training provider).

**Table**

ACMSS00001 Microchip Implantation for Dogs and Cats Skill Set	ACM40217 Certificate IV in Captive Animals
ACMSS00007 Microchip Implantation for Dogs and Cats Skill Set	ACM40221 and ACM40222 Certificate IV in Animal Facility Management
ACM30210 Certificate III in Animal Technology	ACM40310 Certificate IV in Companion Animal Services
ACM30219 Certificate III in Animal Technology	ACM40317 Certificate IV in Companion Animal Services
ACM30410 Certificate III in Companion Animal Services	ACM40321 Certificate IV in Animal Behaviour and Training

ACM30417 Certificate III in Companion Animal Services	ACM40322 Certificate IV in Animal Behaviour and Training
ACM40110 Certificate IV in Animal Control and Regulation	ACM40412 Certificate IV in Veterinary Nursing
ACM40117 Certificate IV in Animal Control and Regulation	ACM40418 Certificate IV in Veterinary Nursing
ACM40121 Certificate IV in Animal Regulation and Management	LGA40504 Certificate IV in Local Government (Regulatory Services)
ACM40122 Certificate IV in Animal Regulation and Management	LGAREGS404A Undertake Appointed Animal Control Duties and Responsibilities
ACM40210 Certificate IV in Captive Animals	

[Regulation 9 amended: Gazette 20 May 2014 p. 1603; SL 2020/9 r. 4; SL 2020/70 r. 4; SL 2024/246 r. 7.]

#### 10. Microchipping a dog

For the definition of *microchipped* in section 3(1), a dog is microchipped if it is implanted with a microchip in a manner in which a microchip implanter has been trained to implant a microchip in a dog.

**10A. Relevant pet shop business: business excluded from definition**

- (1) In this regulation —  
*veterinary practice business* has the meaning given in the *Veterinary Practice Act 2021* section 3.
- (2) For paragraph (b)(iii) of the definition of *relevant pet shop business* in section 3(1), a veterinary practice business is a class of business that is excluded from the definition if the business —
  - (a) provides either or both of the following services for stray, abandoned, seized or surrendered dogs otherwise than for the purpose of profit or gain —
    - (i) temporary shelter;
    - (ii) placing dogs with new owners;and
  - (b) does not involve supplying, or offering to supply, dogs otherwise than as part of those services.

*[Regulation 10A inserted: SL 2024/246 r. 8.]*

**11. Bodies having custody of dogs for which registration not required**

RWWA is prescribed for section 7(3)(b)(iii).

*[Regulation 11 amended: Gazette 23 Mar 2018 p. 1027.]*

**12. Training organisations for assistance dogs**

These organisations are prescribed for paragraph (a) of the definition of *assistance dog* in section 8(1) —

- (a) Assistance Dogs Australia Ltd;
- (b) Lions Hearing Dogs Inc.;

- (c) Seeing Eye Dogs Australia — a division of Vision Australia Ltd;
- (d) Royal Guide Dogs Associations of Australia and affiliated bodies;
- (e) VisAbility Limited.

*[Regulation 12 amended: SL 2020/98 r. 4.]*

**13. Review of CEO's decisions about assistance dogs**

A person aggrieved by a decision of the CEO not to approve —

- (a) a person to be a person to whom section 8(2) applies; or
- (b) a dog to be an assistance dog as defined in section 8(1),

may apply to the State Administrative Tribunal for a review of the decision.

**14. Certificates of authorisation**

The certificate required by section 11(3) is to be in the form of Form 1.

**15. Warrants**

- (1) An application for a warrant under section 12A(3) or 29(5a) is to be in the form of Form 2.
- (2) A warrant under section 12A(3) or 29(5a) is to be in the form of Form 3.

**16. Information to be recorded in register of dogs**

For section 14(3), this information is to be recorded —

- (a) the dog owner's full name;
- (b) the dog owner's residential address;

- (c) the dog owner's postal address (if different from the residential address);
- (d) the dog owner's date of birth;
- (e) the dog owner's contact telephone numbers — home, work and mobile;
- (f) the dog owner's email address;
- (g) details of the owner's delegate, if any;
- (h) the address at which the dog is normally kept;
- (i) the dog's name;
- (j) the dog's registration number;
- (k) the dog's sterilisation status;
- (l) if the dog is microchipped, the dog's microchip number;
- (m) the date of birth or age, breed (if known), colour and gender of the dog;
- (n) if the dog is a dangerous dog (declared), dangerous dog (restricted breed) or a commercial security dog;
- (o) if the dog is an assistance dog or a dog that is used in the droving or tending or stock.

**17. Registration fees**

- (1) In this regulation —  
*pensioner* means an eligible pensioner as defined in the *Rates and Charges (Rebates and Deferments) Act 1992* section 3(1).
- (2) For section 15(1), the amount of the registration fee is set out in item 1 of the Table.
- (3) For section 15(3), the concessional rates of registration fee set out in item 2 of the Table are payable for dogs other than dangerous dogs.



Table

Item	Description of fee	Fee (\$)
1.	(a) Registration of unsterilised dog other than a dangerous dog for one year (unless owned by pensioner) .. (b) Registration of a dangerous dog for one year ..... Note: s. 15(4), (5) and (6) of Act	50.00 50.00
2.	(a) Registration of unsterilised dog owned by pensioner for one year ..... (b) Registration of sterilised dog for one year — (i) for dog owned by pensioner .... (ii) otherwise ..... (c) Registration of sterilised dog for 3 years — (i) for dog owned by pensioner .... (ii) otherwise ..... (d) Registration of unsterilised dog for 3 years — (i) for dog owned by pensioner .... (ii) otherwise ..... (e) Registration of sterilised dog for its lifetime — (i) for dog owned by pensioner .... (ii) otherwise .....	25.00  10.00 20.00  21.25 42.50  60.00 120.00  50.00 100.00

<b>Item</b>	<b>Description of fee</b>	<b>Fee (\$)</b>
	(f) Registration of unsterilised dog for its lifetime —	
	(i) for dog owned by pensioner ....	125.00
	(ii) otherwise .....	250.00
	(g) Registration of dog kept in an approved kennel establishment licensed under s. 27 .....	200.00 per establishment
	Note: s. 15(5) and (6) of Act	

**18. Extended period of registration**

The period for section 15(3)(b) is a period of 3 years.

**19. Refund of portion of registration fees for subsequently sterilised dogs**

- (1) If an unsterilised dog is registered for a period of one year and is sterilised within that period, the owner is entitled to a refund for that registration period of an amount equal to the difference between the registration fee paid for that year and the registration fee which would have been payable for a sterilised dog.
- (2) If an unsterilised dog is registered for a period of 3 years and is sterilised in the first year of that period, the owner is entitled to a refund for that registration period of an amount equal to the difference between the registration fee paid for those 3 years and the 3 year registration fee that would have been payable for a sterilised dog.
- (3) If an unsterilised dog is registered for a period of 3 years and is sterilised in the second year of that period, the owner is entitled to a refund for that registration period of an amount equal to the difference between two-thirds of the registration fee paid for

those 3 years and two-thirds of the 3 year registration fee that would have been payable for a sterilised dog.

- (4) If an unsterilised dog is registered for a period of 3 years and is sterilised in the third year of that period, the owner is entitled to a refund for that registration period of an amount equal to the difference between one-third of the registration fee paid for those 3 years and one-third of the 3 year registration fee that would have been payable for a sterilised dog.
- (5) If an unsterilised dog is registered for its lifetime and is sterilised —
  - (a) in the 1<sup>st</sup> year after it is registered, the owner is entitled to a refund of an amount equal to the difference between the registration fee paid and the lifetime registration fee that would have been payable for a sterilised dog; or
  - (b) in the 2<sup>nd</sup> year after it is registered, the owner is entitled to a refund of an amount equal to the difference between two-thirds of the registration fee paid and two-thirds of the lifetime registration fee that would have been payable for a sterilised dog; or
  - (c) in the 3<sup>rd</sup> year after it is registered, the owner is entitled to a refund of an amount equal to the difference between one-third of the registration fee paid and one-third of the lifetime registration fee that would have been payable for a sterilised dog.

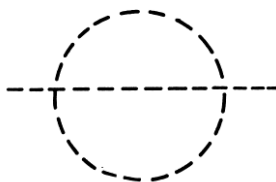
*[Regulation 19 amended: Gazette 24 Jan 2017 p. 746.]*

**20. Application for registration, evidence for concessional rates**

- (1) An application under section 16(1) is to be in the form of Form 4.
- (2) Persons intending to claim concessional rates of registration fee may be required to furnish satisfactory evidence as to eligibility.

- (3) The fee payable in respect of the registration of a dog must be assessed at the appropriate concessional rate for a sterilised dog if —
- (a) there is produced to the registration officer a certificate signed by a veterinarian, or a statutory declaration stating, that the dog has been effectively sterilised; or
  - (b) the registration officer is satisfied that there is a sterilisation tattoo on an ear of the dog.
- (4) For subregulation (3), a sterilisation tattoo must consist of a broken circle having a diameter of not less than 8 mm, with a bisecting broken line not less than 15 mm in length.

Example:



**21. Certificate of registration**

A certificate under section 16(6)(a) is to be in the form of Form 5.

**22. Owner's delegate appointment form**

An appointment under section 16AA(1) is to be in the form of Form 4 Parts A, B, E and F.

**23. Change of ownership form**

A notification under section 16A(1) is to be in the form of Form 4 Parts A, B, C, E and F.

**24. Particulars to be contained in registration tag**

These particulars are prescribed for section 18(1)(c) —

- (a) the registration number;
- (b) the name and telephone number of the local government by which it is issued;
- (c) the year of expiry of the registration to which it relates.

**25. Information to be given by microchip implanter to microchip database company**

For section 24, this information is to be given —

- (a) the microchip barcode information or sticker;
- (b) the microchip number;
- (c) the microchip implanter's full name;
- (d) if the microchip implanter is a part of a company or organisation, the name of that company or organisation;
- (e) full contact details for the microchip implanter's company or organisation (if applicable);
- (f) the date the dog was microchipped;
- (g) the dog owner's full name;
- (h) the dog owner's residential address;
- (i) the dog owner's contact telephone numbers — home, work and mobile;
- (j) the dog owner's email address;
- (k) the address at which the dog is normally kept;
- (l) the dog's name;
- (m) the date of birth or age, breed (if known), colour, gender and sterilisation status of the dog;
- (n) if the dog is a dangerous dog (declared), dangerous dog (restricted breed) or a commercial security dog.

**26. Notice of dog's seizure and detention form**

A notice under section 29(8)(a) or (8A)(a) is to be in the form of Form 6.

**27. Holding, tethering of dogs**

For sections 31(1), 32(2)(c) and 33GA(4)(b)(ii) and (iii) and (7)(a) and (b), the maximum length of a chain, cord, leash or harness is 2 metres measured from the base of the dog's neck.

**28. Training programme for greyhounds**

The training programme for section 33(1)(b) is that known as the "Greyhounds as Pets Program" conducted by RWWA.

*[Regulation 28 amended: Gazette 23 Mar 2018 p. 1028.]*

**29. Collars for dangerous dogs**

- (1) For section 33GA(1)(a), a collar worn by a commercial security dog must have alternating red and yellow stripes, each stripe being 25 mm wide and set at an angle of 45 degrees to the rim of the collar, with one of those colours being fluorescent so that the collar is visible in darkness.
- (2) For section 33GA(1)(b), a collar worn by a dangerous dog other than a commercial security dog must have alternating red and yellow stripes, each stripe being 25 mm wide and set at an angle of 45 degrees to the rim of the collar, with one of those colours being fluorescent so that the collar is visible in darkness.
- (3) For section 33GA(1)(a) and (b), a collar worn by a dangerous dog must —
  - (a) be made of durable materials; and
  - (b) be capable of being securely fastened; and
  - (c) be capable of being attached to a leash; and

- (d) have a minimum width —
  - (i) in the case of a dog weighing less than 10 kg, 15 mm; or
  - (ii) in the case of a dog weighing 10 kg or more but less than 20 kg, 25 mm; or
  - (iii) in the case of a dog weighing 20 kg or more but less than 40 kg, 40 mm; or
  - (iv) in the case of a dog weighing 40 kg or more, 50 mm.
- (4) A person must not put on a dog, or allow a dog to wear, a collar of a kind required to be worn by a dangerous dog or resembling such a collar unless the dog is a dangerous dog and the collar is of a kind required to be worn by that kind of dangerous dog.

Penalty for an offence under this subregulation: a fine of \$1 000.

Modified penalty for an offence under this subregulation: \$100.

*[Regulation 29 amended: Gazette 20 May 2014 p. 1604.]*

### **30. Warning signs about dangerous dogs**

- (1) For section 33GA(5), a warning sign must —
  - (a) be a white rectangle measuring 200 mm by 300 mm; and
  - (b) be made of a durable material; and
  - (c) contain the word “WARNING” in white capital letters 30 mm high on a red rectangular panel measuring 190 mm by 45 mm near the top of the rectangle referred to in paragraph (a); and
  - (d) contain below the panel referred to in paragraph (c) a red circle 160 mm in diameter containing a picture of the black head and neck of a dog 100 mm high wearing a collar mentioned in regulation 29(2) (whether in colour or black and white); and

- (e) contain below the circle referred to in paragraph (d) the words “DANGEROUS DOG” in capital letters 20 mm high.

Example:



- (2) A person must not display in or at premises, other than premises where a dangerous dog is ordinarily kept or ordinarily permitted to live, a sign resembling a warning sign required by section 33GA(5).

Penalty for an offence under this subregulation: a fine of \$1 000.

Modified penalty for an offence under this subregulation: \$100.

**31. Local government expenses as to dangerous dogs (declared)**

- (1) The maximum amount for section 33M(1)(a) is \$250.
- (2) The amount of the fixed charge for section 33M(1)(b)(ii) is \$100.

**32. Nuisance dog complaint form**

A complaint under section 38(2) is to be in the form of Form 7.



**33A. Form of order to prevent a dog being a nuisance**

An order under section 38(3) may be in the form of Form 8A.

*[Regulation 33A inserted: Gazette 20 May 2014 p. 1604.]*

**33AA. Refusal to grant or renew pet shop approval**

- (1) This regulation applies for section 38D(2)(d).
- (2) A local government may refuse to grant a pet shop approval if the local government is satisfied that any of the following circumstances apply —
  - (a) the applicant, or a close associate of the applicant, holds a dog supply approval;
  - (b) the application for the pet shop approval does not contain, or is not accompanied by, the information, documents or fee specified by regulation 36A;
  - (c) the applicant previously held a pet shop approval that was cancelled under section 38E(a), (c), (d), (e) or (f);
  - (d) The Royal Society for the Prevention of Cruelty to Animals, Western Australia gives the local government written notice setting out its grounds for objecting to the grant of the pet shop approval and the local government regards those grounds to be reasonable;
  - (e) the chief executive officer of the department of the Public Service principally assisting the Minister in the administration of the *Animal Welfare Act 2002* gives the local government written notice setting out its grounds for objecting to the grant of the pet shop approval and the local government regards those grounds to be reasonable;
  - (f) the applicant is not a fit and proper person to hold a pet shop approval.

- (3) When determining whether an applicant is a fit and proper person under subregulation (2)(f), the local government must have regard to —
- (a) whether the applicant is able to, in a way that ensures the safety, health and wellbeing of the dogs kept for the purposes of the relevant pet shop business —
    - (i) provide the dogs with adequate care; and
    - (ii) manage the relevant pet shop business;and
  - (b) whether the facilities that the applicant proposes to use, or uses, to keep dogs for the purposes of the relevant pet shop business are adequate, taking into consideration the maximum number of dogs to be kept at any one time; and
  - (c) how the applicant will assess the suitability of a person to be supplied with a dog in the course of the relevant pet shop business; and
  - (d) the terms and conditions on which the applicant will accept the return of a dog supplied to a person in the course of the relevant pet shop business; and
  - (e) whether the applicant is able to comply with section 38K.
- (4) A local government may refuse to renew a pet shop approval if the local government is satisfied that any of the following circumstances apply —
- (a) the applicant, or a close associate of the applicant, holds a dog supply approval;
  - (b) the application for the renewal of the pet shop approval does not contain, or is not accompanied by, the information, documents or fee specified by regulation 36B;
  - (c) The Royal Society for the Prevention of Cruelty to Animals, Western Australia gives the local government

- written notice setting out its grounds for objecting to the renewal of the pet shop approval and the local government regards those grounds to be reasonable;
- (d) the chief executive officer of the department of the Public Service principally assisting the Minister in the administration of the *Animal Welfare Act 2002* gives the local government written notice setting out its grounds for objecting to the renewal of the pet shop approval and the local government regards those grounds to be reasonable;
  - (e) the applicant is not a fit and proper person to hold a pet shop approval.
- (5) When determining whether an applicant is a fit and proper person under subregulation (4)(e), the local government must have regard to —
- (a) whether the applicant is able to, in a way that ensures the safety, health and wellbeing of the dogs kept for the purposes of the relevant pet shop business —
    - (i) provide the dogs with adequate care; and
    - (ii) manage the relevant pet shop business;and
  - (b) whether the applicant has complied with any conditions imposed on the pet shop approval; and
  - (c) for the previous period during which the applicant's pet shop approval was in effect — whether the applicant was able to ensure the safety, health and wellbeing of the dogs kept for the purposes of the relevant pet shop business, taking into consideration —
    - (i) the total number of dogs kept for the purposes of the relevant pet shop business; and
    - (ii) the total period of time that each dog was kept for the purposes of the relevant pet shop business; and

- (iii) the total number of dogs kept for the purposes of the relevant pet shop business that were unable to be supplied in the period, and the whereabouts of each of those dogs.

*[Regulation 33AA inserted: SL 2024/246 r. 9.]*

**33AB. Information for relevant dog to be kept by person who conducts relevant pet shop business**

- (1) In this regulation —  
**relevant dog** has the meaning given in section 38K(1).
- (2) For section 38K(2)(a), the information to be contained in a record is —
  - (a) in relation to the personal characteristics and particulars of the relevant dog —
    - (i) the relevant dog's name; and
    - (ii) the relevant dog's date of birth or age (if known), breed (if known), colour, gender, distinguishing features or marks, sterilisation status and vaccination and parasite treatment history; and
    - (iii) the unique identification number for the relevant dog's microchip and a copy of any notice in relation to the relevant dog given to a microchip database company under section 26C; and
    - (iv) if the relevant dog is registered — the registration number allocated to the dog under section 16(6)(a); and
    - (v) the relevant dog's history as a stray, abandoned, seized or surrendered dog; and
    - (vi) any document relating to the temperament of the relevant dog and whether any training has been given to the relevant dog;

and

- (b) in relation to the supply of the relevant dog by a holder of a dog supply approval to the relevant pet shop business —
  - (i) a copy of the health certificate for the relevant dog; and
  - (ii) the date the relevant dog was supplied to the relevant pet shop business; and
  - (iii) the unique number for the dog supply approval issued under section 38U(1)(b) to the person who supplied the relevant dog;and
- (c) veterinary information for any treatment given to the relevant dog while the dog is kept for the purposes of the relevant pet shop business; and
- (d) any changes to, or additional information in relation to, the information specified in paragraph (a) or (c); and
- (e) in relation to the supply of the relevant dog to a person in the course of the relevant pet shop business —
  - (i) the date the relevant dog is supplied to the person; and
  - (ii) the name and contact details of the person who is supplied with the relevant dog; and
  - (iii) if the person who is supplied with the relevant dog has been issued with a dog owner number — that number;and
- (f) if a relevant dog supplied to a person in the course of the relevant pet shop business is returned to the relevant pet shop business — the date the dog was returned and the reasons (if any) for the return given by the person who returned the dog; and

- (g) the reasons for the return of the relevant dog by the person who conducts the relevant pet shop business to the holder of the dog supply approval.
- (3) For section 38K(4) —
- (a) a record for the information specified in subregulation (2)(a) or (b) must be made within 7 days after the day on which the relevant pet shop business is supplied the relevant dog; and
  - (b) a record for the information specified in subregulation (2)(c) or (d) must be made within 7 days after the day on which the information is received by the person who conducts the relevant pet shop business; and
  - (c) a record for the information specified in subregulation (2)(e)(i) to (iii) must be made within 7 days after the day on which the person who conducts the relevant pet shop business supplies the relevant dog to a person in the course of the relevant pet shop business; and
  - (d) a record for the information specified in subregulation (2)(f) must be made within 7 days after the day on which the relevant dog is returned by the person to the relevant pet shop business; and
  - (e) a record for the information specified in subregulation (2)(g) must be made within 7 days after the day on which the person who conducts the relevant pet shop business returns the relevant dog to the holder of the dog supply approval.

*[Regulation 33AB inserted: SL 2024/246 r. 9.]*

**33AC. Information for health certificate**

- (1) In this regulation each of the following terms has the meaning given in the *Veterinary Practice Act 2021* section 3 —
- interstate veterinarian***

***veterinary practice business******WA veterinarian***

- (2) For section 38N(2)(a), the information in relation to the health status of the dog is —
- (a) the date the veterinarian completed the health assessment of the dog; and
  - (b) the dog's name; and
  - (c) the dog's registration number; and
  - (d) the unique identification number for the dog's microchip; and
  - (e) the dog's date of birth or age (if known), breed (if known), colour, gender, distinguishing features or marks, sterilisation status and vaccination and parasite treatment history; and
  - (f) the details of the assessment of the health of the dog carried out by the veterinarian, including whether the dog has any signs of —
    - (i) being sick or injured; or
    - (ii) an abnormality, defect, deformity or disease that causes, or is likely to cause, a significant impact on its health;
- and
- (g) any details of the medical history of the dog (if known); and
  - (h) any other observations as to the health of the dog.
- (3) A health certificate must contain the following information about the veterinarian who completed the health assessment of the dog —
- (a) the veterinarian's name;
  - (b) a statement as to whether the veterinarian is a WA veterinarian or an interstate veterinarian;

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- (c) if the veterinarian is a WA veterinarian — the veterinarian’s registration number referred to in the *Veterinary Practice Act 2021* section 32(2)(c);
  - (d) the name of the veterinarian’s veterinary practice business (if any);
  - (e) the address of the premises at which the health assessment was completed.
- (4) A health certificate must contain the following information about the holder of the dog supply approval who obtained the health certificate —
- (a) the person’s name and address;
  - (b) the unique number for the dog supply approval issued under section 38U(1)(b) to the person.

*[Regulation 33AC inserted: SL 2024/246 r. 9.]*

**33AD. Application for grant of dog supply approval**

- (1) In this regulation —  
***applicant*** means a person described in section 38O(1).
- (2) For section 38O(2)(b), an application for the grant of a dog supply approval must contain the following information —
- (a) the applicant’s name and, if the applicant is an individual, the applicant’s date of birth;
  - (b) the applicant’s address;
  - (c) the name and contact details of the contact person for the application (if different from the applicant);
  - (d) in relation to the refuge operations or dog management facility conducted or operated by the applicant —
    - (i) if the applicant is not a local government — the registered business name and trading name (if different from the registered business name); and



- (ii) the ACN if the applicant has an ACN (but if not, the ABN); and
  - (iii) the street address of the refuge operations or dog management facility;
- (e) if the applicant is a body corporate that is not an incorporated association or a local government —
  - (i) the names of each of the directors; and
  - (ii) the postal address of each of the directors; and
  - (iii) the full name and ACN of any related body corporate and the description of the relationship;
- (f) a description of the facilities that the applicant proposes to use, or uses, to keep dogs as part of the refuge operations or in the dog management facility;
- (g) photographs of the facilities described in paragraph (f);
- (h) how training on the dog care plan referred to in subregulation (3) will be provided to persons who provide care to dogs kept as part of the refuge operations or in the dog management facility;
- (i) the maximum number of dogs to be kept as part of the refuge operations or in the dog management facility at any one time;
- (j) a declaration by the applicant that the applicant is a person who conducts refuge operations or is the operator of a dog management facility;
- (k) a declaration by the applicant that neither the applicant, nor a close associate of the applicant, holds a pet shop approval;
- (l) a declaration by the applicant that the applicant will not supply the following types of dogs to a relevant pet shop business —
  - (i) a dangerous dog (declared);
  - (ii) a dog that requires significant veterinary treatment;

- (iii) an unsterilised dog;
  - (m) a criminal record check in respect of the applicant (if the applicant is not a local government);
  - (n) a statement by the applicant that the applicant agrees to allow an inspection of the facilities that the applicant proposes to use, or uses, to keep dogs as part of the refuge operations or in the dog management facility to be carried out by an authorised person or a designated person for the purpose of verifying the accuracy of the information referred to in paragraph (f);
  - (o) a statement by the applicant as to whether the applicant has previously held a dog supply approval that was cancelled under section 38Q(a), (c), (d), (e), (f) or (g);
  - (p) a statement by the applicant that the applicant is able to comply with section 38V.
- (3) In addition to the requirements set out in subregulation (2), an application for the grant of a dog supply approval must be accompanied by a plan (a ***dog care plan***) for the level of care given to dogs kept as part of the refuge operations or in the dog management facility.
- (4) The dog care plan must contain the following information —
- (a) a description of the care provided to the dogs, including a description of the manner in which stress and aggression in dogs will be identified, assessed and managed;
  - (b) a description of the provision of overnight accommodation to the dogs;
  - (c) a description of the way the physical health and wellbeing of the dogs will be supported, including details of —
    - (i) the provision of routine veterinary care, including vaccinations and parasite treatments; and

- (ii) a physical exercise regime; and
  - (iii) the dogs' diet and frequency of meals; and
  - (iv) the frequency of the provision of fresh drinking water;
- (d) evacuation and emergency procedures to be followed in case of an emergency occurring at the facilities used for dogs kept as part of the refuge operations or in the dog management facility, including procedures for obtaining urgent veterinary treatment or assistance;
- (e) the terms and conditions on which the applicant will accept the return of a dog supplied by the applicant to a person who holds a pet shop approval if the dog —
  - (i) is no longer able to be cared for by the person who holds the pet shop approval; or
  - (ii) is not able to be supplied by the person who holds the pet shop approval to another person.
- (5) If an applicant has an exemption granted under section 26(3) in respect of the premises that the applicant proposes to use, or uses, to keep dogs as part of the refuge operations or in the dog management facility, the applicant must provide a copy of the exemption with the application for the grant of a dog supply approval.
- (6) If the premises that the applicant proposes to use, or uses, to keep dogs as part of the refuge operations or in the dog management facility are licensed under section 27 as an approved kennel establishment, the applicant must provide a copy of the licence with the application for the grant of a dog supply approval.

Note for subregulations (5) and (6):

Section 38P(2)(c) provides that the CEO may refuse to grant a dog supply approval if the CEO is satisfied that the dog management facility or the facilities that the applicant uses to keep dogs for the

purposes of the refuge operations do not meet the requirements of any relevant written law.

*[Regulation 33AD inserted: SL 2024/246 r. 9.]*

**33AE. Refusal to grant dog supply approval**

- (1) For section 38P(2)(e), the circumstances are —
  - (a) the applicant, or a close associate of the applicant, holds a pet shop approval; or
  - (b) the applicant previously held a dog supply approval that was cancelled under section 38Q(a), (c), (d), (e), (f) or (g); or
  - (c) The Royal Society for the Prevention of Cruelty to Animals, Western Australia gives the CEO written notice setting out its grounds for objecting to the grant of the dog supply approval and the CEO regards those grounds to be reasonable; or
  - (d) the chief executive officer of the department of the Public Service principally assisting the Minister in the administration of the *Animal Welfare Act 2002* gives the CEO written notice setting out its grounds for objecting to the grant of the dog supply approval and the CEO regards those grounds to be reasonable; or
  - (e) the application for the dog supply approval does not contain, or is not accompanied by, the information or documents set out under regulation 33AD; or
  - (f) the applicant is not a fit and proper person to hold a dog supply approval.
- (2) When determining whether an applicant is a fit and proper person under subregulation (1)(f), the CEO must have regard to —
  - (a) whether the applicant is able to, in a way that ensures the safety, health and wellbeing of the dogs kept as part

of the refuge operations or in the dog management facility —

- (i) provide the dogs with adequate care; and
- (ii) manage the refuge operations or the dog management facility;

and

- (b) whether the facilities that the applicant proposes to use, or uses, to keep dogs as part of the refuge operations or in the dog management facility are adequate, taking into consideration the maximum number of dogs to be kept at any one time; and
- (c) whether the applicant will provide adequate training to any persons working in the refuge operations or the dog management facility on the dog care plan referred to in regulation 33AD(3); and
- (d) the criteria by which the applicant will assess the suitability of a relevant pet shop business for the purpose of supplying the relevant pet shop business with dogs; and
- (e) whether the applicant is able to comply with section 38V.

Note for this subregulation:

Subregulation (2)(b) is in addition to section 38P(2)(c).

*[Regulation 33AE inserted: SL 2024/246 r. 9.]*

### **33AF. Cancellation of dog supply approval**

For section 38Q(g), the circumstances are —

- (a) the person has supplied a dog to a relevant pet shop business that is —
  - (i) a dangerous dog (declared); or
  - (ii) a dog that requires significant veterinary treatment; or

- (iii) an unsterilised dog;
- or
- (b) the person has not supplied a dog to a relevant pet shop business for a period of at least 1 year.

*[Regulation 33AF inserted: SL 2024/246 r. 9.]*

**33AG. Review of CEO's decisions for dog supply approvals**

- (1) In this regulation —  
*person affected*, in relation to a decision of the CEO, means —
  - (a) in the case of a decision referred to in section 38R(1)(a) — the applicant for the dog supply approval; or
  - (b) in the case of a decision referred to in section 38R(1)(b) or (c) — the holder of the dog supply approval to which the decision relates.
- (2) For section 38R(3), a person affected by a decision of the CEO may apply to the State Administrative Tribunal for a review of the decision.
- (3) If an application has been made under subregulation (2) for a review of a decision, the effect of the decision is suspended until the determination of the application by the State Administrative Tribunal.
- (4) Subregulation (3) does not apply if the State Administrative Tribunal orders that the effect of a decision referred to in section 38R(1)(b) or (c) should not be suspended while the review is underway.

*[Regulation 33AG inserted: SL 2024/246 r. 9.]*

**33AH. Record of dog supply approval in centralised registration system**

For section 38S(1), the CEO is to enter the following information in the centralised registration system —

- (a) the date the application for the grant of a dog supply approval is received;
- (b) the date of the decision to grant or refuse to grant a dog supply approval;
- (c) the information contained in the application for the grant of a dog supply approval set out in regulation 33AD(2)(a) to (e);
- (d) if a dog supply approval is granted — the unique number for the dog supply approval issued under section 38U(1)(b) to the applicant;
- (e) if an application is made to the State Administrative Tribunal under regulation 33AG(2) for a review of the decision —
  - (i) the date the application is made; and
  - (ii) the date the application is decided; and
  - (iii) the determination of the application by the State Administrative Tribunal;
- (f) if a dog supply approval is cancelled — the date of the cancellation.

*[Regulation 33AH inserted: SL 2024/246 r. 9.]*

**33AI. Certificate for dog supply approval**

- (1) In this regulation —

**holder** means a person who holds a dog supply approval granted to the person under section 38P(1).

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- (2) For section 38U(1)(a), a certificate for a dog supply approval must contain the following information —
- (a) the name of the holder;
  - (b) if the holder is not a local government — the holder's registered business name and trading name (if different from the registered business name);
  - (c) the holder's ABN;
  - (d) any conditions imposed on the dog supply approval;
  - (e) the unique number for the dog supply approval issued under section 38U(1)(b) to the holder.

*[Regulation 33AI inserted: SL 2024/246 r. 9.]*

**33AJ. Records to be kept by person who holds a dog supply approval**

- (1) For section 38V(1)(a), the information to be contained in a record is —
- (a) the dog's name; and
  - (b) the dog's date of birth or age (if known), breed (if known), colour, gender, distinguishing features or marks, sterilisation status and vaccination and parasite treatment history; and
  - (c) the unique identification number for the dog's microchip and a copy of any notice in relation to the dog given to a microchip database company under section 26C; and
  - (d) the date the dog came into the possession of the person who holds the dog supply approval; and
  - (e) the name and contact details of the person who provided the dog to the person who holds the dog supply approval (if different from the name and contact details of the previous owner of the dog); and
  - (f) the name and contact details of the previous owner of the dog (if known); and



- (g) the dog owner number issued to the previous owner of the dog (if known); and
  - (h) the circumstances of the dog's abandonment or surrender by, or seizure from, the previous owner of the dog; and
  - (i) the name and contact details of the person who provided the information referred to in paragraph (h) (if different from the name and contact details of the previous owner of the dog); and
  - (j) the health certificate for the dog; and
  - (k) any document relating to the temperament of the dog and whether any training has been given to the dog.
- (2) For section 38V(3), a record for the information specified in subregulation (1) must be made within 7 days after the day on which the person who holds the dog supply approval supplies the dog to the relevant pet shop business.
- (3) A person who holds a dog supply approval may provide a copy of a record kept under subregulation (1) to a person who conducts a relevant pet shop business if the record is kept in relation to a dog supplied to the relevant pet shop business.

*[Regulation 33AJ inserted: SL 2024/246 r. 9.]*

**33. Modified penalties for offences under the principal Act: authorised persons**

- (1) For section 45A(1)(a), the offences under a provision of the Act specified in column 2 of the Table are offences in relation to which a modified penalty applies.
- (2) The amount specified in column 4 of the Table in relation to an offence is the modified penalty payable in respect of that offence if dealt with under regulation 35 if the dog that is the subject of the offence is a dog other than a dangerous dog.

- (3) The amount specified in column 5 of the Table in relation to the offence is the modified penalty payable in respect of that offence if dealt with under regulation 35 if the dog that is the subject of the offence is a dangerous dog.
- (4) The amount specified in column 6 of the Table in relation to the offence is the modified penalty payable in respect of that offence if dealt with under regulation 35 whether the dog that is the subject of the offence is or is not a dangerous dog.

**Table**

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
1.	s. 7(1)	Unregistered dog	200	400	
2.	s. 16A(1)	Failure to notify local government of new owner	200		
3.	s. 20(1)(d)	Registration tag, certificate offences	200	400	
4.	s. 20(2)	Unlawful application of sterilisation tattoo			200
5.	s. 21(1), (2)	Failure to ensure dog microchipped	200		

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
6.	s. 22(2)	Failure to ensure dangerous dog microchipped		400	
7.	s. 23(1)	Failure to notify local government of microchip details			200
8.	s. 26A	Removing, interfering with, dog's microchip			200
9.	s. 26B(1)	Transfer of ownership of unmicro-chipped dog			200
10.	s. 26C	Failure to notify microchip database company of new owner			200

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
11.	s. 26D	Failure to notify local government, microchip database company of information changes			200
12.	s. 26(4)	Keeping more than the prescribed number of dogs	200	400	
13.	s. 27(2)	Breach of kennel establishment licence			200
14.	s. 30(2)	Dog not wearing collar with attached registration tag	200		

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
15.	s. 31(3)	Dog not held or tethered in public place or dog in specified public place at prohibited time	200		
16.	s. 32(4)	Dog in exercise areas, rural areas offences	200		
17.	s. 33(3)	Greyhound not muzzled	200		
18.	s. 33A(3)	Dog in place without consent	200	400	
19.	s. 33D(1)	Dog attack or chase causing physical injury	400		

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
20.	s. 33D(2A)	Dog attack or chase causing no physical injury	200	400	
21.	s. 33GA(1)	Dangerous dog not wearing prescribed collar with prescribed information		400	
22.	s. 33GA(2)	Not complying with dangerous dog enclosure requirement		400	
23.	s. 33GA(4)	Not complying with commercial security dog requirements		400	

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
24.	s. 33GA(5)	Warning signs about dangerous dogs not displayed		400	
25.	s. 33GA(6)	Dangerous dog not muzzled		400	
26.	s. 33GA(7)	Dangerous dog not held or tethered		400	
27.	s. 33GA(8)	Dangerous dog not controlled by capable person		400	
28.	s. 33GA(9)	Dangerous dog in prohibited place		400	
29.	s. 33GB(1)	Dangerous dog (restricted breed) not sterilised		400	

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
30.	s. 33GC(2)	Dangerous dog (restricted breed) or pup advertised		400	
31.	s. 33GC(3)	Dangerous dog (restricted breed) or pup sold		400	
32.	s. 33GC(4)	Dangerous dog (restricted breed) or pup transferred		400	
33.	s. 33GC(5)	Buying or accepting ownership of dangerous dog (restricted breed) or pup		400	



<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
34.	s. 33GD	Breeding, or breeding from, dangerous dog (restricted breed)		400	
35.	s. 33GE(2)	Dangerous dog (declared) sold or transferred to under 18 year old		400	
36.	s. 33K(1)	Failure to notify person of responsibilities under Part VI Div. 2		400	
37.	s. 33K(2)	Failure to notify local government of a dangerous dog event		400	

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
38.	s. 33K(3)	Failure to notify new local government that dangerous dog kept in its district		400	
39.	s. 33K(4)	Failure to provide a notice to new owner about a dangerous dog (declared)		400	
40.	s. 33K(5A)	Failure to provide written notice to new owner about a dangerous dog (restricted breed) or dangerous dog (commercial security dog)		400	

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
41.	s. 33K(5)	Failure to notify local government of dangerous dog's new district or death		400	
42.	s. 38(5)	Failure to comply with a nuisance dog order	200	400	
42A.	s. 38I(a)	Failure to ensure a person supplied with a dog is provided with the prescribed information and pet shop number			500
42B.	s. 38I(b)	Failure to ensure a person to whom the supply of a			200

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty for dogs other than dangerous dogs</b> \$	<b>Modified penalty for dangerous dogs</b> \$	<b>Modified penalty whether or not dog is a dangerous dog</b> \$
		dog is offered is, on the request of the person, provided with the prescribed information and pet shop number			
43.	s. 43(2)	Failure to produce document when so required	200	400	
44.	s. 43A(2)	Failure to give name, date of birth or address on demand	200	400	
45.	s. 54C	Failure to notify local government of a change to any of the information prescribed under			200

Item	Provision of Act	Nature of offence	Modified penalty for dogs other than dangerous dogs \$	Modified penalty for dangerous dogs \$	Modified penalty whether or not dog is a dangerous dog \$
		section 54B(1), within 7 days of the change			

*[Regulation 33 amended: Gazette 20 May 2014 p. 1604; 11 Mar 2016 p. 689; SL 2024/246 r. 10.]*

**33B. Modified penalties for offences under the principal Act: designated persons**

- (1) For section 45A(1)(a), the offences under a provision of the Act specified in column 2 of the Table are offences in relation to which a modified penalty applies.
- (2) The amount specified in column 4 of the Table in relation to an offence is the modified penalty payable in respect of that offence if dealt with under regulation 35A.

**Table**

Item	Provision of Act	Nature of offence	Modified penalty \$
1.	s. 38N(2)	Failure to provide a pet shop with a health certificate for a dog when supplying the pet shop with the dog	200

<b>Item</b>	<b>Provision of Act</b>	<b>Nature of offence</b>	<b>Modified penalty \$</b>
2.	s. 38T	Failure to notify CEO of a change to information prescribed under section 38S(1) in respect of a dog supply approval	200
3.	s. 38V(4)	Failure to keep certain records, keep records in the prescribed way or make certain records within the time prescribed	200
4.	s. 38W(4)	Failure to provide a record, information or evidence to the CEO within a specified time	200
5.	s. 43A(2)	Failure to give name, date of birth or address on demand	200

*[Regulation 33B inserted: SL 2024/246 r. 11.]*

**34. Modified penalties for offences under the regulations**

An offence under these regulations that has following its penalty provision the words “modified penalty” is an offence that is prescribed for section 45A(1)(b), and the modified penalty specified immediately after the penalty provision is the modified penalty payable in respect of that offence if dealt with under regulation 35.

**35. Dealing with alleged offenders without prosecuting them: authorised persons**

- (1) Where an authorised person has reason to believe that a person has committed an offence mentioned in regulation 33 or 34, the authorised person may serve on the alleged offender a notice in the form of Form 8 (an *infringement notice*) informing the alleged offender that, if he or she does not wish to be prosecuted in court for the alleged offence, he or she may pay to the local government specified in the notice, within the time specified in the notice, the amount prescribed as the modified penalty.
- (2) An infringement notice may be served on an alleged offender personally or by posting it to his or her address as ascertained from the alleged offender, at the time of or immediately following the occurrence giving rise to the allegation of the offence, or as recorded by the local government under the Act.
- (3) Where a person who receives an infringement notice fails to pay the prescribed penalty within the time specified in the notice, or within such further time as may in any particular case be allowed, the person must be regarded as having declined to have the allegation dealt with by way of a modified penalty.
- (4) An alleged offender on whom an infringement notice has been served may, within the time specified in that notice or such further time as may in any particular case be allowed, send or deliver to the local government specified in that notice the amount of the prescribed penalty, with or without a reply as to the circumstances giving rise to the allegation, and then —
  - (a) the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment; or
  - (b) the local government, or an authorised person acting on behalf of the local government, may withdraw the infringement notice under subregulation (5) and refund the amount so paid.

- (5) An infringement notice may, whether or not the prescribed penalty has been paid, be withdrawn by the local government, or an authorised person acting on behalf of the local government, by the sending of a notice in the form of Form 9 to the alleged offender at the address specified in the notice or his or her last known place of residence or business and in that event any amount received by way of modified penalty must be refunded and any acknowledgment of the receipt of that amount must for the purposes of any proceedings in respect of the alleged offence be regarded as not having been issued.
- (6) An authorised person who serves an infringement notice under subregulation (1) cannot withdraw the infringement notice on behalf of the local government under subregulation (5).

*[Regulation 35 amended: SL 2020/213 r. 12.]*

**35A. Dealing with alleged offenders without prosecuting them: designated persons**

- (1) Where a designated person has reason to believe that a person has committed an offence mentioned in regulation 33B, the designated person may serve on the alleged offender a notice in the form of Form 8 (an ***infringement notice***) informing the alleged offender that, if the alleged offender does not wish to be prosecuted in court for the alleged offence, the alleged offender may pay to the designated person, within the time specified in the notice, the amount prescribed as the modified penalty.
- (2) An infringement notice may be served on an alleged offender personally or by posting it to the alleged offender's address as ascertained from the alleged offender, at the time of or immediately following the occurrence giving rise to the allegation of the offence, or as recorded by the CEO under the Act.
- (3) Where a person who receives an infringement notice fails to pay the prescribed penalty within the time specified in the notice, or within such further time as may in any particular case be



allowed, the person must be regarded as having declined to have the allegation dealt with by way of a modified penalty.

- (4) An alleged offender on whom an infringement notice has been served may, within the time specified in that notice or such further time as may in any particular case be allowed, send or deliver to the designated person the amount of the prescribed penalty, with or without a reply as to the circumstances giving rise to the allegation, and then —
- (a) the CEO may appropriate that amount in satisfaction of the penalty in which event the designated person must issue an acknowledgment; or
  - (b) the CEO, or a designated person acting on behalf of the CEO, may withdraw the infringement notice under subregulation (5) and refund the amount so paid.
- (5) An infringement notice may, whether or not the prescribed penalty has been paid, be withdrawn by the CEO, or a designated person acting on behalf of the CEO, by the sending of a notice in the form of Form 9 to the alleged offender at the address specified in the notice or the alleged offender's last known place of residence or business and in that event any amount received by way of modified penalty must be refunded and any acknowledgment of the receipt of that amount must for the purposes of any proceedings in respect of the alleged offence be regarded as not having been issued.
- (6) A designated person who serves an infringement notice under subregulation (1) cannot withdraw the infringement notice on behalf of the CEO under subregulation (5).

*[Regulation 35A inserted: SL 2024/246 r. 12.]*

*[36. Omitted under the Reprints Act 1984 s. 7(4)(e).]*

**36A. Application for grant of pet shop approval**

- (1) For section 54A(1)(b), an application for the grant of a pet shop approval must contain the following information —
- (a) the applicant's name and, if the applicant is an individual, the applicant's date of birth;
  - (b) the applicant's address;
  - (c) the name and contact details of the contact person for the application (if different from the applicant);
  - (d) in relation to the relevant pet shop business —
    - (i) the registered business name and trading name (if different from the registered business name); and
    - (ii) the ACN if the applicant has an ACN (but if not, the ABN); and
    - (iii) the street address of the pet shop;
  - (e) if the applicant is a body corporate —
    - (i) the names of each of the directors; and
    - (ii) the postal address of each of the directors; and
    - (iii) the full name and ACN of any related body corporate and the description of the relationship;
  - (f) a description of the facilities that the applicant proposes to use, or uses, to keep dogs for the purposes of the relevant pet shop business;
  - (g) photographs of the facilities described in paragraph (f);
  - (h) the maximum number of dogs to be kept for the purposes of the relevant pet shop business at any one time;
  - (i) a description of the assessment that the applicant will carry out in order to determine a person's suitability to be supplied with a dog in the course of the relevant pet shop business;

- (j) the terms and conditions on which the applicant will accept the return of dogs supplied in the course of the relevant pet shop business;
  - (k) a declaration by the applicant that the relevant pet shop business does not include —
    - (i) refuge operations; or
    - (ii) operations conducted at, in or from a dog management facility by the operator of the dog management facility; or
    - (iii) a business, or a part of a business, of a class referred to in regulation 10A(2);
  - (l) a declaration by the applicant that no close associate of the applicant is a person who conducts refuge operations or is an operator of a dog management facility;
  - (m) a criminal record check in respect of the applicant;
  - (n) a statement that the applicant agrees to allow an inspection of the facilities described in paragraph (f) to be carried out by an authorised person for the purpose of verifying the accuracy of the information provided;
  - (o) a statement by the applicant as to whether the applicant has previously held a pet shop approval that was cancelled under section 38E(a), (c), (d), (e) or (f);
  - (p) a statement by the applicant that the applicant is able to comply with section 38K.
- (2) In addition to the requirements set out in subregulation (1), an application for the grant of a pet shop approval must be accompanied by a plan (a *dog care plan*) for the level of care given to dogs kept for the purposes of the relevant pet shop business.
- (3) The dog care plan must contain the following information —
- (a) a description of the care provided to the dogs, including a description of the manner in which stress and

- aggression in dogs will be identified, assessed and managed;
- (b) a description of the provision of overnight accommodation to the dogs;
  - (c) a description of the way the physical health and wellbeing of the dogs will be supported, including details of —
    - (i) the provision of routine veterinary care, including vaccinations and parasite treatments;
    - (ii) a physical exercise regime;
    - (iii) the dogs' diet and frequency of meals;
    - (iv) the frequency of the provision of fresh drinking water;
  - (d) evacuation and emergency procedures to be followed in case of an emergency occurring at the facilities used for dogs kept for the purposes of the relevant pet shop business, including procedures for obtaining urgent veterinary treatment or assistance;
  - (e) the procedures to be followed in the event a dog is no longer able to be cared for, or is not able to be supplied to another person by the relevant pet shop business;
  - (f) how training on the dog care plan will be provided to persons who provide care to a dog kept for the purposes of the relevant pet shop business.
- (4) For section 54A(1)(c), an application for the grant of a pet shop approval must be accompanied by a fee of \$1 984.00.

*[Regulation 36A inserted: SL 2024/246 r. 13.]*

**36B. Application for renewal of pet shop approval**

- (1) For section 54A(1)(b), an application for the renewal of a pet shop approval must contain the following information —
  - (a) the applicant's name and, if the applicant is an individual, the applicant's date of birth;
  - (b) the applicant's address;
  - (c) the name and contact details of the contact person for the application (if different from the applicant);
  - (d) in relation to the relevant pet shop business —
    - (i) the registered business name and trading name (if different from the registered business name); and
    - (ii) the ACN if the applicant has an ACN (but if not, the ABN); and
    - (iii) the street address of the pet shop;
  - (e) if the applicant is a body corporate —
    - (i) the names of each of the directors; and
    - (ii) the postal address of each of the directors; and
    - (iii) the full name and ACN of any related body corporate and the description of the relationship;
  - (f) a description of the facilities that the applicant proposes to use, or uses, to keep dogs for the purposes of the relevant pet shop business;
  - (g) photographs of the facilities described in paragraph (f);
  - (h) the maximum number of dogs to be kept for the purposes of the relevant pet shop business at any one time;
  - (i) a description of the assessment that the applicant will carry out in order to determine a person's suitability to be supplied with a dog in the course of the relevant pet shop business;

- (j) the terms and conditions on which the applicant will accept the return of dogs supplied in the course of the relevant pet shop business;
- (k) a declaration by the applicant that the relevant pet shop business does not include —
  - (i) refuge operations; or
  - (ii) operations conducted at, in or from a dog management facility by the operator of the dog management facility; or
  - (iii) a business, or a part of a business, of a class referred to in regulation 10A(2);
- (l) a declaration by the applicant that no close associate of the applicant is a person who conducts refuge operations or is an operator of a dog management facility;
- (m) a criminal record check in respect of the applicant;
- (n) a statement that the applicant complied with any conditions imposed on the pet shop approval;
- (o) for the previous period during which the applicant's pet shop approval was in effect —
  - (i) the total number of dogs kept for the purposes of the relevant pet shop business; and
  - (ii) for each dog kept for the purposes of the relevant pet shop business — the name of the person who supplied the dog to the relevant pet shop business and the unique number for the dog supply approval issued under section 38U(1)(b) to the person; and
  - (iii) the total period of time that each dog was kept for the purposes of the relevant pet shop business; and
  - (iv) the total number of dogs kept for the purposes of the relevant pet shop business that were unable to

- be supplied during that period and the details of the whereabouts for each of those dogs;
- (p) a statement that the applicant agrees to allow an inspection of the facilities described in paragraph (f) to be carried out by an authorised person for the purpose of verifying the accuracy of the information provided;
  - (q) a dog care plan referred to in regulation 36A(2) and (3).
- (2) For section 54A(1)(c), an application for the renewal of a pet shop approval must be accompanied by a fee of \$1 984.00.

*[Regulation 36B inserted: SL 2024/246 r. 13.]*

**36C. Record of decision in centralised registration system**

For section 54B(1), the local government is to enter the following information in the centralised registration system —

- (a) the date an application for a grant or renewal of a pet shop approval is received;
- (b) the date of a decision to grant or refuse to grant a pet shop approval, or to renew or refuse to renew a pet shop approval;
- (c) the name of the local government that made the decision;
- (d) as the case requires —
  - (i) the information contained in the application for the grant of a pet shop approval set out in regulation 36A(1)(a) to (d), and (e) (if applicable); or
  - (ii) the information contained in the application for the renewal of a pet shop approval set out in regulation 36B(1)(a) to (d), and (e) (if applicable);
- (e) the pet shop number;

**r. 36D**

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- (f) if an objection to a decision is lodged with a local government under section 54F(1) —
  - (i) the date the objection is lodged; and
  - (ii) the date the objection is decided;
- (g) if a person makes an application to the State Administrative Tribunal under section 54H(1) — the date the application is made;
- (h) if a pet shop approval is cancelled — the date of the cancellation.

*[Regulation 36C inserted: SL 2024/246 r. 13.]*

**36D. Certificate for pet shop approval**

For section 54D(1)(a) and (2), a certificate for a pet shop approval must contain the following information —

- (a) the name of the holder of the pet shop approval;
- (b) the pet shop number;
- (c) the street address of the pet shop;
- (d) the registered business name and trading name (if different from the registered business name) of the relevant pet shop business;
- (e) the ACN if the holder of the pet shop approval has an ACN (but if not, the ABN);
- (f) any conditions imposed on the approval;
- (g) the name of the local government that issued the certificate;
- (h) the date the certificate was issued;
- (i) the date of expiry of the approval.

*[Regulation 36D inserted: SL 2024/246 r. 13.]*



**36E. Objection to decision in relation to pet shop approval**

For section 54F(2), an objection to a decision must contain the following information —

- (a) the name and contact details of the person lodging the objection;
- (b) the street address of the pet shop to which the decision relates;
- (c) the date on which the person was given the written notice of the decision by the local government under section 54E(2);
- (d) confirmation that the person has not applied for a review of the decision under section 54H;
- (e) whether the objection has been lodged in relation to —
  - (i) a decision to refuse to grant a pet shop approval; or
  - (ii) a decision to refuse to renew a pet shop approval; or
  - (iii) a decision to cancel a pet shop approval; or
  - (iv) a decision to impose or amend conditions on a pet shop approval;
- (f) the reasons for the objection.

[Regulation 36E inserted: SL 2024/246 r. 13.]

**37. Transitional regulation: provisions of certain local laws have no effect after 31 July 2014**

- (1) In this regulation —

***place control provision*** means a provision of a local law that was made under the *Dog Act 1976* section 51(b), (ba) or (bb) before 1 November 2013 (the day on which section 51(b), (ba) and (bb) were deleted by the *Dog Amendment Act 2013* section 56(a)).

- (2) Each place control provision has no effect after 31 July 2014.  
*[Regulation 37 inserted: Gazette 20 May 2014 p. 1604.]*

**38. Prescribed date: relevant pet shop businesses**

For the definition of *application day* in section 65(1), the date is 26 May 2025.

*Regulation 38 inserted: SL 2024/246 r. 14.]*

**Schedule 1 — Forms**

**Form 1**

[r. 14]

[Heading inserted: SL 2020/213 r. 13.]

*Dog Act 1976* s. 11(3)

**Certificate of authorisation**

(1)

[Photograph of  
authorised  
person]

This is to certify that <sup>(2)</sup>.....  
has been appointed by the <sup>(1)</sup>.....  
..... to exercise the powers of a  
registration officer in accordance with the provisions  
of the *Dog Act 1976*.

Signed .....  
CEO of the <sup>(1)</sup>.....

.....  
Signature of authorised person

.....  
Date

**Insert:**

- (1) name of local government;
- (2) name of authorised person.

[Form 1 inserted: SL 2020/213 r. 13.]

**Form 2**

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**Form 2**

[r. 15]

*Dog Act 1976* s. 12A(3) and 29(5a)

**Application for warrant to enter and inspect premises  
or to seize and detain attack dog or pups of  
dangerous dog (restricted breed)**

I, <sup>(1)</sup> \_\_\_\_\_  
of <sup>(2)</sup> \_\_\_\_\_  
in the State of Western Australia, make oath and say as follows —

1. I am <sup>(3)</sup> \_\_\_\_\_ a police officer, ⊕  
<sup>(4)</sup> a \_\_\_\_\_ appointed by the  
<sup>(5)</sup> \_\_\_\_\_, ⊕ and authorised  
to exercise the powers mentioned in section(s) 12A(2) and/or 29⊕ of the  
*Dog Act 1976*.
- 2.⊕ I apply for a warrant to be issued under the *Dog Act 1976* section 12A(3)  
to enter and inspect premises at \_\_\_\_\_  
\_\_\_\_\_ <sup>(8)</sup> for the purpose of  
\_\_\_\_\_ (relating to the enforcement  
of the Act). The grounds for seeking the warrant are  
\_\_\_\_\_
- 3.⊕ I apply for the issue of a warrant under the *Dog Act 1976* section 29(5a)  
authorising the seizure and detention of a dog <sup>(6)</sup> \_\_\_\_\_  
that has attacked <sup>(7)</sup> \_\_\_\_\_  
and that has or may have caused injury or damage. The premises to be  
entered are at \_\_\_\_\_ <sup>(8)</sup>  
The grounds for seeking the warrant are \_\_\_\_\_

4.⊕ I apply for the issue of a warrant under the *Dog Act 1976* section 29(5a) authorising the seizure and detention of the pups of a dangerous dog (restricted breed) that may be the subject of an offence under the *Dog Act 1976* section 33GD (breeding of dangerous dogs (restricted breed)).

The premises to be entered are at \_\_\_\_\_<sup>(8)</sup>

The grounds for seeking the warrant are \_\_\_\_\_

\_\_\_\_\_  
Applicant's signature

Sworn at  
this    day of  
by the applicant  
before me

} \_\_\_\_\_  
J.P.

**Insert:**

- (1) name of applicant;
- (2) address of applicant;
- (3) number, rank or description;
- (4) description of employment (e.g. "ranger");
- (5) name of local government;
- (6) description of dog;
- (7) name or description of person, animal or property attacked;
- (8) address or description of premises.

⊕ Delete if not appropriate.

*[Form 2 amended: Gazette 20 May 2014 p. 1605.]*

**Form 3**

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**Form 3**

[r. 15]

*Dog Act 1976* s. 12A(3) and 29(5a)

**Warrant to enter and inspect premises or to  
seize and detain attack dog or pups of  
dangerous dog (restricted breed)**

I, a justice of the peace, being satisfied that there are reasonable grounds for doing so, issue this warrant under the *Dog Act 1976* section 12A(3) for \_\_\_\_\_<sup>(1)</sup>, a person authorised to exercise powers mentioned in section 12A(2) and all police officers, to enter and inspect premises at \_\_\_\_\_<sup>(2)</sup> for the purpose of \_\_\_\_\_ (relating to the enforcement of the Act).

OR

I, a justice of the peace, being satisfied that on the balance of probabilities that an attack by a dog<sup>(3)</sup> \_\_\_\_\_ has or may have caused injury or damage to \_\_\_\_\_<sup>(4)</sup>, issue this warrant under the *Dog Act 1976* section 29(5a) for \_\_\_\_\_<sup>(1)</sup>, a person authorised to exercise powers mentioned in section 29(5a) and all police officers, to seize and detain the dog. By issuing this warrant the authorised person may, under the *Dog Act 1976* section 29(5a)(b), enter any premises if the person has reasonable grounds to believe that it is necessary to do so for the purpose of seizing the dog.

OR

I, a justice of the peace, being satisfied that on the balance of probabilities that a dangerous dog (restricted breed) has given birth to one or more pups, issue this warrant under the *Dog Act 1976* section 29(5a) for \_\_\_\_\_<sup>(1)</sup>, a person authorised to exercise powers mentioned in section 29(5a) and all police officers, to seize and detain each pup. By issuing this warrant the authorised person may, under the *Dog Act 1976* section 29(5b)(b), enter any premises if the person has reasonable grounds to believe that it is necessary to do so for the purpose of seizing the pups.

Signed \_\_\_\_\_  
Justice of the Peace

Dated \_\_\_\_\_

**Insert:**

- (1) name of person to whom warrant is issued;
- (2) address or description of premises;
- (3) description of dog;
- (4) name or description of person attacked.

*[Form 3 inserted: Gazette 11 Mar 2016 p. 689-90.]*

**Form 4**

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**Form 4**

[r. 20, 22 and 23]

**Application/information form**

**Part A — Owner details**

Dog owner's full name \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address  
(if different from above) \_\_\_\_\_

Age (dd/mm/yy) \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
(owner must be 18 years or older)

Contact telephone number  
(home, work, mobile) (H) \_\_\_\_\_

(W) \_\_\_\_\_

(M) \_\_\_\_\_

Email address (if available) \_\_\_\_\_

Can your local government use this email address to issue renewal notices and other relevant information?

**Yes/No** (delete one)

**Owner's delegate contact details** (optional)

Name of alternative \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address  
(if different from above) \_\_\_\_\_



Age (dd/mm/yy) \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
(must be 18 years or older)

Contact telephone number

(home, work, mobile) (H) \_\_\_\_\_

(W) \_\_\_\_\_

(M) \_\_\_\_\_

**Part B — Dog details**

Address where dog is normally kept

(if different from above) \_\_\_\_\_  
\_\_\_\_\_

Number of dogs to be located at these premises \_\_\_\_\_

Will the dog/s be effectively confined in or at the premises identified above?

**Yes/No** (delete one)

**Dog details**

Dog's name \_\_\_\_\_

Age (dd/mm/yy) \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
(must be 18 years or older)

Breed (if known) \_\_\_\_\_

Colour \_\_\_\_\_

Gender \_\_\_\_\_

Microchip number \_\_\_\_\_

Microchip database company \_\_\_\_\_

Is the dog sterilised? **Yes/No** (delete one)

Any distinguishing features or marks?

\_\_\_\_\_  
\_\_\_\_\_

**Form 4**

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Is the dog kept, or to be kept, as a commercial security dog?

**Yes/No** (*delete one*)

Has the dog been declared a dangerous dog?

**Yes/No** (*delete one*)

If yes, please provide details \_\_\_\_\_

\_\_\_\_\_

Is the dog a pit bull terrier, an American pit bull terrier or a mix of one or both of those breeds?

**Yes/No/Unknown** (*delete two*)

Is the dog kept for the purposes of the Crown?

**Yes/No** (*delete one*) (If yes, note that the *Dog Act 1976* does not apply: section 6(4).)

**Part C — Notification of new owner**

New dog owner's name \_\_\_\_\_

\_\_\_\_\_

New owner's residential address \_\_\_\_\_

\_\_\_\_\_

New owner's contact numbers

(*home, work, mobile*) (H) \_\_\_\_\_

(W) \_\_\_\_\_

(M) \_\_\_\_\_

**Part D — Registration**

Application or renewal for —

• a period of 1 year (✓):

• a period of 3 years (✓):

Application for lifetime registration (✓):

Prescribed fee for —

• a period of 1 year (✓):

• a period of 3 years (✓):

Prescribed lifetime fee (✓):

Assistance dog (✓):

Dog for droving or tending stock (✓):

Are you eligible for a pensioner concession? ? **Yes/No** (*delete one*)

Previous local government where dog was registered (*if known*)

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Registration number

(*to be issued by local government*) \_\_\_\_\_

**Part E — Previous convictions, relevant orders**

Do you have any convictions for offences against the *Dog Act 1976*, *Cat Act 2011* or *Animal Welfare Act 2002* in past 3 years?

**Yes/No** (*delete one*)

If yes, please give details, specifying the date of the conviction(s), nature of the offence and the legislation involved

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Are you currently banned, or have you ever been banned, from owning or keeping a dog under an order under the *Dog Act 1976* section 46A(2) either permanently or for a period specified in the order?

**Yes/No** (*delete one*)

If yes, please give details of the order

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**Form 4**

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**Part F — Declaration**

The local government may refuse an application if any or all of the required information is not provided within the time period specified in the legislation.

I, \_\_\_\_\_  
*(person's full name or organisation/company name)*

\_\_\_\_\_

of \_\_\_\_\_  
*(address)*

\_\_\_\_\_

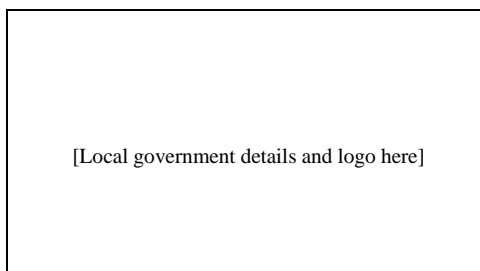
*(postcode)*

declare that the information I have provided is true and correct.

I am aware that it is an offence to provide false and misleading information.

Signature \_\_\_\_\_

**[A signature is not required to effect the form when the form is lodged through a local government website.]**



Payment options:

[Each local government is to detail their payment options here]

Further details required by local government

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**Part G — Local government use only**

Registration approved (✓):

- Assigned registration number \_\_\_\_\_

*[Form 4 amended: Gazette 20 May 2014 p. 1605.]*

**Form 5**

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**Form 5**

[r. 21]

*Dog Act 1976 s. 16(6)(a)*

**Certificate of registration**

This is to certify that —

Name of dog \_\_\_\_\_

Description of dog \_\_\_\_\_  
*(gender, age, sterilisation status, breed (if known), colour)*

Has been registered by —

Name \_\_\_\_\_  
*(person's full name or organisation/company name)*

Street Address \_\_\_\_\_

Suburb/Town \_\_\_\_\_ Postcode \_\_\_\_\_

By *(insert name of local government)*

\_\_\_\_\_  
\_\_\_\_\_

Registration number of dog \_\_\_\_\_

This registration expires on \_\_\_\_/\_\_\_\_/\_\_\_\_

Fee paid \$ \_\_\_\_\_

**Form 6**

[r. 26]

*Dog Act 1976 s. 29(8)(a) and (8A)(a)*

**Notice of the seizure and detention of a dog**

(Place) \_\_\_\_\_

(Date) \_\_\_\_\_

To \_\_\_\_\_  
(insert name and address of owner or owner's delegate)

TAKE NOTICE that a dog, of which you are the owner or owner's delegate, has been seized and detained under the powers conferred by the *Dog Act 1976* section 29(3)(d) OR under a warrant issued under the *Dog Act 1976* section 29(5a) (*delete whichever does not apply*)

and is now at \_\_\_\_\_  
\_\_\_\_\_

The registered number of the dog is \_\_\_\_\_

If not claimed within 7 days from the date of the service of this notice, the dog will be destroyed or otherwise disposed of in accordance with the *Dog Act 1976* and the owner is liable for the cost of the dog's destruction and disposal.

If the dog is seized and detained under the *Dog Act 1976* section 29(3)(d), the owner is liable for the costs of the dog's detention, return and maintenance in addition to fees, charges, expenses and penalties in accordance with section 29(4).

If the dog is seized and detained under a warrant the owner is liable for the costs of the dog's maintenance in accordance with section 29(8A)(e).

\_\_\_\_\_  
(to be signed by a police officer  
or an authorised person)

**Form 7**

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**Form 7**

[r. 32]

*Dog Act 1976 s. 38(2)*

**Complaint as to a nuisance created by a dog**

To \_\_\_\_\_  
(insert name of local government)

TAKE NOTICE that a dog, believed to be a \_\_\_\_\_<sup>(1)</sup>

has created a nuisance by<sup>(2)</sup> \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The dog is believed to be owned by<sup>(3)</sup> \_\_\_\_\_

and is ordinarily kept at<sup>(4)</sup> \_\_\_\_\_

and I/we<sup>(5)</sup> \_\_\_\_\_ of \_\_\_\_\_

request the local government to institute proceedings if the nuisance does not stop and undertake —

- (a) to give full information to the local government as to this matter; and
- (b) to appear in court and give evidence as a witness to the truth of this complaint.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(to be signed by the complainant/s)

<sup>(1)</sup> Insert breed or kind of dog and, where possible, its name, gender and identifying marks.

<sup>(2)</sup> Describe details of the alleged nuisance, including the kind of nuisance and, where possible, the dates and time on or between which the nuisance occurred, and where the dog was at the time of the nuisance.



- (3) State name and address of the person believed to be the owner.
- (4) State, if known, where the dog is ordinarily kept.
- (5) Insert name and address of each person making the complaint.

*[Form 7 amended: Gazette 20 May 2014 p. 1605.]*

**Form 8A**

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**Form 8A**

[r. 33A]

*Dog Act 1976 s. 38(3)*

**Order to prevent a dog being a nuisance**

To \_\_\_\_\_  
*(insert name of person liable for the control of the dog)*

I am satisfied that a dog \_\_\_\_\_<sup>(1)</sup>

is a nuisance by<sup>(2)</sup> \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The dog is believed to be owned by<sup>(3)</sup> \_\_\_\_\_

and is ordinarily kept at<sup>(4)</sup> \_\_\_\_\_

THIS ORDER requires you to prevent the nuisance behaviour described above  
by ...../...../ 20.....

This order will be in effect for a period of 6 months after the day on which it is  
issued.

Failure to comply with the order during the period in which it has effect may  
result in a penalty.<sup>(5)</sup>

Issued the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
*(Name and signature of authorised person)*

(1) Insert breed or kind of dog, registration number and, where possible, its name, gender and identifying marks.

(2) Describe details of the nuisance, including the kind of nuisance and, where possible, the dates and time on or between which the nuisance occurred, and where the dog was at the time of the nuisance.

(3) State name and address of the person believed to be the owner.

- (4) State, if known, where the dog is ordinarily kept.
- (5) Penalty for an offence relating to a dangerous dog — a fine of \$10 000 with a minimum of \$500 and a fine of \$500 for each separate and further offence.

Penalty for an offence relating to a dog other than a dangerous dog — a fine of \$5 000.

*[Form 8A inserted: Gazette 20 May 2014 p. 1605-6.]*

**Form 8**

**Form 8**

[r. 35(1)]

**Infringement notice**

<i>Dog Act 1976</i>		Infringement notice no.
<b>Infringement notice</b>		
<b>Alleged offender</b>	Name	Family name
	Given names	
	or	Company name
	ACN	
	Address	
		Postcode
<b>Alleged offence</b>	Description of offence	
	<i>Dog Act 1976 s.</i>	
	or	
	<i>Dog Regulations 2013 r.</i>	
Date	/ /20	Time a.m./p.m.
Modified penalty \$		
<b>Authorised person/designated person/officer issuing notice</b>	Name	
	Signature	
	Office	
<b>Date</b>	Date of notice / /20	

<p><b>Notice to alleged offender</b></p>	<p>It is alleged that you have committed the above offence.</p> <p>If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p><b>If you do not pay</b> the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver’s licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.</p> <p><b>If you need more time</b> to pay the modified penalty, you can apply for an extension of time by writing to the Authorised Person or designated person at the above postal address.</p> <p><b>If you want this matter to be dealt with by prosecution in court</b>, sign here —</p> <hr/> <p>and post this notice to —</p> <p>CEO — <i>Dog Act 1976 [relevant local government and address]</i></p> <p><i>Or</i></p> <p>Designated person — <i>Dog Act 1976 [Department and address]</i></p> <p>within 28 days after the date of this notice.</p>
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[Form 8 amended: SL 2020/99 r. 8; SL 2020/169 r. 8; SL 2024/246 r. 15.]

**Form 9**

**Form 9**

[r. 35(5)]

**Withdrawal of infringement notice**

<i>Dog Act 1976</i>		Withdrawal no.
<b>Withdrawal of infringement notice</b>		
<b>Alleged offender</b>	Name Family name	
	Given names	
	or	Company name
	ACN	
	Address	
Postcode		
<b>Infringement notice</b>	Infringement notice no.	
	Date of issue / /20	
<b>Alleged offence</b>	Description of offence	
	<i>Dog Act 1976 s.</i>	
	or <i>Dog Regulations 2013 r.</i>	
Date / /20		Time a.m./p.m.
<b>CEO withdrawing</b>	Name	
	Signature	

<b>notice/designated person acting on behalf of the CEO withdrawing notice</b>	<i>[Relevant local government or Department]</i>
<b>Date</b>	Date of withdrawal / /20
<b>Withdrawal of infringement notice</b>  <i>[*delete whichever is not applicable]</i>	<p>The above infringement notice issued against you has been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence you are entitled to a refund.</p> <p>* Your refund is enclosed.</p> <p>or</p> <p>* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to —</p> <p>CEO — <i>Dog Act 1976 [relevant local government and address]</i></p> <p>or</p> <p>CEO/designated person acting on behalf of the CEO — <i>Dog Act 1976 [Department and address]</i></p> <p>Signature / /20</p>

*[Form 9 amended: SL 2024/246 r. 16.]*



## Notes

This is a compilation of the *Dog Regulations 2013* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

### Compilation table

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Dog Regulations 2013</i>	31 Oct 2013 p. 4831-78	r. 1 and 2: 31 Oct 2013 (see r. 2(a)); Regulations other than r. 1, 2 and 4: 1 Nov 2013 (see r. 2(c)); r. 4: 8 Nov 2013 (see r. 2(b))
<i>Dog Amendment Regulations 2014</i>	20 May 2014 p. 1602-6	r. 1 and 2: 20 May 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 21 May 2014 (see r. 2(b))
<i>Dog Amendment Regulations 2016</i>	11 Mar 2016 p. 688-90	r. 1 and 2: 11 Mar 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 12 Mar 2016 (see r. 2(b))
<i>Dog Amendment Regulations 2017</i>	24 Jan 2017 p. 746	r. 1 and 2: 24 Jan 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Jan 2017 (see r. 2(b))
<b>Reprint 1: The <i>Dog Regulations 2013</i> as at 1 Sep 2017</b> (includes amendments listed above)		
<i>Local Government Regulations Amendment (Cat and Dog) Regulations 2018 Pt. 3</i>	23 Mar 2018 p. 1025-8	24 Mar 2018 (see r. 2(b))
<i>Dog Amendment Regulations 2020</i>	SL 2020/9 25 Feb 2020	r. 1 and 2: 25 Feb 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 26 Feb 2020 (see r. 2(b))
<i>Dog Amendment Regulations (No. 2) 2020</i>	SL 2020/70 5 Jun 2020	r. 1 and 2: 5 Jun 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Jun 2020 (see r. 2(b))
<i>Dog Amendment Regulations (No. 3) 2020</i>	SL 2020/98 30 Jun 2020	r. 1 and 2: 30 Jun 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2020 (see r. 2(b))



<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Local Government Regulations Amendment (Payment Method) Regulations 2020 Pt. 4</i>	SL 2020/99 30 Jun 2020	1 Jul 2020 (see r. 2(b))
<i>Local Government Regulations Amendment (Infringement Notices) Regulations 2020 Pt. 4</i>	SL 2020/169 25 Sep 2020	29 Sep 2020 (see r. 2(b) and SL 2020/159 cl. 2(a))
<i>Local Government Regulations Amendment Regulations (No. 2) 2020 Pt. 4</i>	SL 2020/213 6 Nov 2020	7 Nov 2020 (see r. 2(b) and SL 2020/212 cl. 2)
<i>Local Government Regulations Amendment (Veterinary Practice) Regulations 2022 Pt. 3</i>	SL 2022/94 17 Jun 2022	18 Jun 2022 (see r. 2(b) and SL 2022/81 cl. 2)
<i>Dog Amendment Regulations 2024</i>	SL 2024/246 27 Nov 2024	r. 1 and 2: 27 Nov 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Nov 2024 (see r. 2(b) and SL 2024/241 cl. 2))

## Defined terms

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
ABN .....	3
ACN .....	3
applicant.....	33AD(1)
application day .....	37(2)
close associate.....	3
criminal record check.....	3
dog care plan .....	33AD(3), 36A(2)
Form.....	3
holder .....	33AI(1)
incorporated association.....	3
infringement notice .....	35(1), 35A(1)
interstate veterinarian.....	33AC(1)
pensioner.....	17(1)
person affected .....	33AG(1)
place control provision.....	37(1)
registered training provider.....	9(1)
related body corporate.....	3
relevant dog.....	33AB(1)
RWWA .....	3
section .....	3
significant veterinary treatment .....	3
veterinary practice business .....	10A(1), 33AC(1)
WA veterinarian.....	33AC(1)

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