



# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 95]

PERTH: TUESDAY, 17th NOVEMBER

[1964

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Crown Law Department,  
Perth, 11th November, 1964.

THE undermentioned regulations, made under the provisions of the Dog Act, 1903, and amended from time to time prior to the 14th September, 1964, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,  
Under Secretary for Law.

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DOG ACT, 1903.

### REGULATIONS

Published in the *Government Gazette* on the 12th May, 1939, and incorporating the amendments thereto published in the *Government Gazette* on the 14th March, 1941, the 17th December, 1954, the 31st December, 1954, the 9th February, 1961, and the 16th January, 1963, and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister for Justice, dated 11th November, 1964.

DOG ACT, 1903-1928.

Regulations.

1. These regulations may be cited as the Dog Act Regulations and shall come into operation on the 1st day of July, 1939.

2. Wherever in the Act the terms "great cattle" and "small cattle" are used—

"great cattle" means any horse, mare, gelding, colt, filly, ass, mule, bull, ox, cow, heifer, calf, camel, deer, and foal; and

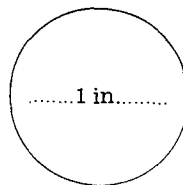
"small cattle" means any ram, ewe, sheep, wether, lamb, goat, kid, and pig.

3. Where application is made for registration of a dog to be used in or about the droving or tending of great cattle or small cattle, and such application is made under and with a view to the benefit of the proviso to section 11 of the Act, the application shall be made in accordance with Form A in the Second Schedule to the Act and, in addition to the particulars required therein, there shall be stated in the last column of the said form the number of great cattle or of small cattle, as the case may be, for the droving or tending whereof the dog sought to be registered will be used.

Amended by G.G. 14/3/41, p. 337.

4. (1) The registration label referred to in section 9 of the Act, shall be a flat piece of nickel-plated brass of No. 16 or No. 18 wire gauge thickness, inscribed on one side thereof as required by section 9 aforesaid, and on the other side thereof with the emblem of the State flag.

(2) For the year ending on the 30th day of June, 1940, the size and shape of the said registration label shall be as depicted hereunder:—



(3) The size and shape of the said registration label for each year ending the 30th day of June after the year ending on the 30th day of June, 1940, shall be such as shall be approved by the Minister for each such year and be depicted in a notice published in the *Government Gazette* before the beginning of such year.

Inserted by G.G. 17/12/54, p. 2258.

5. (1) The owner of a dog shall not allow it to enter or be on the land or any portion of the land comprising Reserve A ↑ 1162 (Perth Town Lot H55, Parliament House site) unless the dog is on a leash held by a person.

(2) Where a dog is found on the land comprising the reserve or any part of it contrary to subregulation (1) of this regulation, it may be seized by a member of the police force or an authorised officer of a local authority, and placed in a pound established and maintained for impounding dogs by the local authority constituted for the municipal district in which the dog is seized.

(3) A person who commits a breach of this regulation is liable to a penalty not exceeding five pounds.

6. Where application is made to register a dog of either sex alleged to have been effectively sterilised, the certificate of and signed by a registered veterinary surgeon, or as the case may be, the statutory declaration, certifying that the dog has been effectively sterilised, required to be produced to the registering officer, shall—

Inserted by G.G. 9/2/61, p. 356.

- (a) in the case of a certificate, be in the Form No. 1; and
- (b) in the case of a statutory declaration, be in the Form No. 2,

in the Appendix to these regulations.

7. Where the owner of a dog receives written notice of the direction of a local authority pursuant to section 6a of the Act and is desirous of appealing to a Local Court as provided by that section against that direction, such owner shall within fourteen days after receipt of such written notice file in the Local Court held nearest to the office of the local authority concerned a notice of appeal in writing in the Form No. 3 in the Appendix to these regulations setting forth—

Inserted by G.G. 16/1/63, p. 322.

- (a) particulars of the direction of the local authority appealed against and the date of receipt thereof; and
- (b) the grounds upon which the appeal is based.

8. The person instituting an appeal under regulation 7 of these regulations shall within two days after filing notice of the appeal in the Local Court serve a copy of the notice on the local authority concerned.

Inserted by G.G. 16/1/63, p. 323.

9. Upon notice of appeal being filed in a Local Court under regulation 7 of these regulations the clerk of the court shall appoint a day and time for the hearing of the appeal, being a day not less than ten days after the filing of the notice, and shall give notice of that day and time to the appellant and to the local authority concerned.

Inserted by G.G. 16/1/63, p. 323.

Appendix.

Form No. 1.

Dog Act, 1903-1960.

Reg. 6. Inserted by G.G. 9/2/61, p. 357.

CERTIFICATE OF STERILISATION OF DOG BY REGISTERED VETERINARY SURGEON.

I (insert name),....., being a registered Veterinary Surgeon practising at (insert address),....., hereby certify that on the..... day of....., 19....., I effectively sterilised by (insert castration or spaying, as the case requires)..... a dog described and distinguished as follows:—

- Sex.....
- Colour or distinguishing marks.....
- Breed.....
- Approximate age.....
- Name of owner.....
- Address of owner.....
- Signature.....
- Date.....

Inserted by G.G. 9/2/61, p. 357.

Form No. 2,

Dog Act, 1903-1960.

STATUTORY DECLARATION OF STERILISATION OF DOG.

I (insert name)....., of (address)....., (occupation)....., do solemnly and sincerely declare as follows:—

- (1) That I am the owner of a dog described as follows:— Sex..... Colour or distinguishing marks..... Breed..... Approximate age..... Name of dog.....

- (2) That although I am unable to produce a certificate from a registered Veterinary Surgeon to this effect, nevertheless the dog has been effectively sterilised by (insert castration or spaying as the case requires)....., and that this operation was carried out on or about the..... day of....., 19....., by (insert the name of the person who performed the operation).....

And I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906.

Declared at....., in the State of Western Australia, before me....., this..... day of....., 19.....

Signature of Declarant.

Signature of Witness.

Inserted by G.G. 16/1/63, p. 323.

Form No. 3.

Reg. 7.

Dog Act, 1903 (as amended).

NOTICE OF APPEAL.

In the Local Court at.....

BETWEEN....., Appellant, and....., Respondent. (Name of Local Authority)

TAKE notice that the abovenamed Appellant whose address is.....intends to appeal against the direction of the abovenamed Respondent to the registering officer directing him to refuse to register under the provisions of the Dog Act, 1903 (as amended), a dog of which the Appellant is the owner, written notice of which direction was served on the Appellant on the..... day of....., 19.....

The grounds of the appeal are as follows:—

.....

Dated the..... day of....., 19.....

Appellant.

To the Clerk of the Court and To the Respondent.