



Western Australia

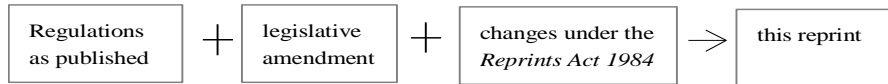
Dog Act 1976

Dog Regulations 1976

Reprint 2: The regulations as at 13 February 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

Dog Regulations 1976

CONTENTS

1.	Citation	1
2.	Interpretation	1
3.	Authorised persons	1
4.	Fees	1
4A.	Council expenses	2
5.	Extended registration	2
5A.	Refunds of registration fees	3
6.	Registration	4
7.	Appeals	5
8.	Change of ownership	6
9.	Prescribed bodies	6
10.	Notice of seizure	6
10A.	Maximum length of leash etc.	6
10B.	Collars and signs warning of a dangerous dog	7
11.	Destruction for health reasons	8
12.	Complaint as to nuisance	8
12A.	Complaint and warrant as to offences	8
13.	Infringement notices	8
	First Schedule	12
	Second Schedule	24
	Third Schedule	25

Contents

Notes

Compilation table

27



Reprinted under the
Reprints Act 1984 as
at 13 February 2004

Western Australia

Dog Act 1976

Dog Regulations 1976

1. Citation

These regulations may be cited as the *Dog Regulations 1976*¹.
[Regulation 1 amended in Gazette 18 Sep 1987 p. 3648.]

2. Interpretation

A reference in these regulations to “**the Act**” is a reference to the *Dog Act 1976*, and expressions used in these regulations have the same respective meanings as in the Act.

3. Authorised persons

A person who is authorised by a local government to exercise any power under the Act shall be furnished with a certificate in the form of Form 1 in the First Schedule.

[Regulation 3 amended in Gazette 13 Sep 1996 p. 4681-2.]

4. Fees

- (1) In relation to the several matters specified in column one of the Second Schedule the fees respectively shown as relating thereto in column 2 of the Second Schedule shall be payable.

r. 4A

- (2) The concessional registration rate in respect of dogs owned by pensioners is applicable only in respect of persons who are eligible pensioners as defined in the *Rates and Charges (Rebates and Deferments) Act 1992*.
- (3) The concessional registration rate in respect of dogs kept in an approved kennel establishment licensed under section 27 of the Act is applicable only where the person registering the dogs does not elect to pay a separate registration fee in respect of each such dog.
- (4) The concessional registration rate in respect of registration after 31 May in any year is applicable only in respect of an annual registration and not in respect of a 3 year registration period.

*[Regulation 4 amended in Gazette 16 Dec 1977 p. 4660;
29 Sep 1995 p. 4669.]*

4A. Council expenses

The charge which a local government may require an owner to pay under section 33M of the Act shall be —

- (a) if determined by the local government having regard to the actual expense incurred, an amount not exceeding \$100; and
- (b) if required to be paid as a fixed charge at a prescribed amount, \$50.

*[Regulation 4A inserted in Gazette 13 Sep 1996 p. 4675-6;
amended in Gazette 15 Aug 1997 p. 4683.]*

5. Extended registration

- (1) A local government may permit dogs to be registered for a 3 year period.
- (2) The prescribed proportion of the registration fee that shall be refunded under section 19 of the Act is one-third of the total registration fee paid for the period in respect of each full year of

that period not expired at the time when the registration tag is returned to the local government.

[Regulation 5 inserted in Gazette 18 Sep 1987 p. 3648; amended in Gazette 13 Sep 1996 p. 4681-2.]

5A. Refunds of registration fees

- (1) Refunds are only available under this regulation in respect of registration years commencing on or after 1 November 1995.
- (2) The owner of a dog that has been registered for 3 years who becomes a pensioner who is eligible for concessional registration under regulation 4(2) —
 - (a) during the first of those 3 years, is entitled to a refund of an amount equal to one-third of the registration fee paid for those 3 years; or
 - (b) during the second of those 3 years, is entitled to a refund of an amount equal to one-sixth of the registration fee paid for those 3 years.
- (3) If a dog that has been registered as an unsterilized dog is sterilized during a registration period, the owner is entitled to a refund for that registration period of an amount equal to —
 - (a) if the dog is registered for 1 year, the difference between the registration fee paid for that year and the registration fee which would have been payable for a sterilized dog; or
 - (b) if the dog is registered for 3 years and —
 - (i) is sterilized in the first of those 3 years, the difference between the 3-year registration fee for an unsterilized dog and the 3-year registration fee for a sterilized dog;
 - (ii) is sterilized in the second of those 3 years, the difference between the two-thirds of the 3-year registration fee for an unsterilized dog and two-thirds of the 3-year registration fee for a sterilized dog; or

- (iii) is sterilized in the third of those 3 years, the difference between the one-third of the 3-year registration fee for an unsterilized dog and one-third of the 3-year registration fee for a sterilized dog.

[Regulation 5A inserted in Gazette 29 Sep 1995 p. 4670.]

6. Registration

- (1) An application for the registration of a dog shall be made in the form of Form 2 in the First Schedule.
- (2) Persons intending to claim concessional rates of registration fee may be required to furnish satisfactory evidence as to eligibility.
- (3) Where in respect of any dog of either sex —
 - (a) there is produced to the registration officer a certificate signed by a registered veterinary surgeon, or a statutory declaration stating, that the dog has been effectively sterilized; or
 - (b) the registration officer is satisfied as mentioned in subregulation (3a),

the fee payable in respect of the registration of that dog shall be assessed at the appropriate concessional rate.

- (3a) The registration officer acting on behalf of a local government may take it to be proven that a dog has been sterilized if he is satisfied that a tattoo conforming to that provided for in the Third Schedule has been applied to an ear of the dog.
- (4) A certificate of registration shall be issued by the local government substantially in the form of Form 2 setting out a copy of the particulars therein furnished.
- (5) The registration tag shall show the registration number, the name of the local government by which it is issued, and the year of expiry of the registration to which it relates.

[Regulation 6 amended in Gazette 18 Sep 1987 p. 3648; 13 Sep 1996 p. 4681-2 and p. 4682.]

7. Appeals

- (1) Where a person desires to appeal to a Local Court pursuant to the Act he shall file in the Local Court held nearest to the office of the local government concerned a notice of appeal in writing in the form of Form 3 in the First Schedule setting forth —
 - (a) particulars of the matter appealed against and the date when the matter or decision came to his attention; and
 - (b) the grounds on which the appeal is based.
- (2) A person instituting an appeal to a Local Court pursuant to the Act shall within 2 days of filing the notice of the appeal in the Local Court serve a copy of the notice on the local government concerned.
- (3) The notice of appeal shall be filed in the Local Court in the case of an appeal pursuant to —
 - (a) section 17 of the Act, within 14 days;
 - (b) section 36 of the Act, within 7 days; or
 - (c) section 27 of the Act, within 28 days,of the service on the owner of a notice of the decision appealed against.
- (4) Upon notice of appeal being filed in a Local Court the clerk of the Court shall appoint a day and time for the hearing of the appeal, being —
 - (a) in the case of an appeal pursuant to section 36 of the Act, a day, where practicable, not more than 7 days after the filing of the notice; and
 - (b) in any other case, a day not less than 10 days after the filing of the notice,

and shall give notice of that day and time to the appellant and to the local government concerned.

[Regulation 7 amended in Gazette 13 Sep 1996 p. 4681-2.]

8. Change of ownership

The notice of change of ownership to be furnished under section 16A of the Act by the registered owner of a dog shall be in writing setting out the following particulars —

- (a) the name and address of the person transferring ownership;
- (b) the name and residential address of the new owner; and
- (c) the registered number of the dog,

and shall be dated and signed by the registered owner.

[Regulation 8 amended in Gazette 18 Sep 1987 p. 3648.]

9. Prescribed bodies

For the purposes of section 29 of the Act —

the Dogs Refuge Home (W.A.) Inc.

shall be a prescribed body.

10. Notice of seizure

Notice of the seizure or detention of a dog pursuant to section 29(8)(a) or (8a) of the Act shall be given in writing in the form of Form 4 in the First Schedule.

[Regulation 10 amended in Gazette 18 Sep 1987 p. 3648.]

10A. Maximum length of leash etc.

The maximum length of a chain, cord or leash for the purposes of sections 31(1) and 32(2)(c) of the Act is 2 metres measured from the point of attachment to the collar of the dog.

[Regulation 10A inserted in Gazette 18 Sep 1987 p. 3648; amended in Gazette 15 Aug 1997 p. 4683.]

10B. Collars and signs warning of a dangerous dog

- (1) For the purpose of section 33F(5) of the Act, the owner of a dangerous dog shall ensure that —
- (a) the dangerous dog wears a distinctive collar conforming to that provided for in Part 2 of the Third Schedule, as —
 - (i) the local government;
 - (ii) an authorised person acting on behalf of the local government; or
 - (iii) a person specifically authorised by the local government to make a declaration under section 33E of the Act,may require, to warn people that the dangerous dog is dangerous; and
 - (b) at each entrance to premises where the dangerous dog is kept a sign, conforming to that provided for in Part 3 of the Third Schedule, is displayed to warn people that a dangerous dog is kept there.
- (2) The owner of a dog which is not a dangerous dog must not put on the firstmentioned dog, or allow that dog to wear, a collar referred to in subregulation (1)(a) or a collar resembling such a collar.

Penalty: \$1 000.

- (3) A person must not display a sign resembling the sign referred to in subregulation (1)(b) on premises other than premises where a dangerous dog is kept.

Penalty: \$1 000.

[Regulation 10B inserted in Gazette 13 Sep 1996 p. 4676; amended in Gazette 15 Aug 1997 p. 4683.]

11. Destruction for health reasons

Where a local government proposes to destroy a dog pursuant to section 36(3) of the Act the owner shall be given a notice in writing in the form of Form 5 in the First Schedule.

[Regulation 11 amended in Gazette 13 Sep 1996 p. 4681-2.]

12. Complaint as to nuisance

A complaint as to a nuisance under section 38 of the Act shall be made in the form of Form 6 in the First Schedule.

12A. Complaint and warrant as to offences

- (1) A complaint seeking a warrant in respect of an offence to which section 29 of the Act applies may be made in the form of Form 4A in the First Schedule.
- (2) A warrant in respect of an offence to which section 29 of the Act applies may be issued in the form of Form 4B in the First Schedule.

[Regulation 12A inserted in Gazette 13 Sep 1996 p. 4676; amended in Gazette 15 Aug 1997 p. 4683.]

13. Infringement notices

- (1) The offences created by a provision specified in column 2 of the table set out in this regulation are prescribed pursuant to section 45A of the Act as offences in relation to which a modified penalty applies, and the amount appearing in column 4 of that table directly opposite an offence is the prescribed modified penalty payable in respect of that offence if dealt with pursuant to this regulation in respect of a dog which is not a dangerous dog, but if the dog is a dangerous dog the amount appearing in column 5 is the prescribed modified penalty in respect of that offence.

Item	Section	Matter to which section relates	General Penalty	Dangerous Dog Penalty
			\$	\$
1.	7(1)	Unregistered dog	100	200
2.	16A(1)	Failure to give notice of new owner	40	
3.	26(4)	Keeping more than prescribed number of dogs	100	
4.	27(2)	Breach of kennel establishment licence	200	
5.	30(2)	Dog in public place without collar or registration tag	50	100
6.	30(2)	Owner's name and address not on collar	50	100
7.	31(3)	Dog not held by a leash in certain public places	100	200
8.	32(4)	Failure to control dog in exercise areas and rural areas	100	200
9.	33(3)	Greyhound not muzzled	200	
10.	33A(3)	Dog in place without consent	100	200
11.	33L(1)(a) & (b)	Dangerous dog not muzzled		250
12.	33L(1)(a) & (b)	Dangerous dog not on leash in exercise area		200
13.	33L(1)(a) & (b)	Dangerous dog not under continuous supervision		200
14.	33L(1)(a) & (b)	Dangerous dog in specifically prohibited area		200
15.	33L(1)(a) & (b)	Dangerous dog enclosure requirement not complied with		200
16.	33L(1)(a) & (b)	Dangerous dog not wearing specified collar		200
17.	33L(1)(a) & (b)	Dangerous dog signs not displayed		200
18.	33L(1)(d)	Local government not advised of dangerous dog attack		200
19.	33L(1)(d)	Local government not advised of missing dangerous dog		200
20.	33L(1)(d)	Local government not advised of dangerous dog ownership change		200
21.	33L(1)(d)	Local government not advised of dangerous dog location change		200
22.	36(1)	Failure to take steps against parasites	50	
23.	38(1a)	Dog causing nuisance	100	200

r. 13

Item	Section	Matter to which section relates	General Penalty	Dangerous Dog Penalty
			\$	\$
24.	43(2)	Failure to produce document issued under Act	100	
25.	43A	Failure of alleged offender to give name and address	100	

- (1a) The offences created by regulation 10B(2) and (3) are prescribed under section 45A of the Act as offences in relation to which a modified penalty applies, and \$100 is the prescribed modified penalty for each of those offences if dealt with under this regulation.
- (2) Where an authorised person has reason to believe that a person has committed any such offence against the Act as is prescribed by this regulation, he may serve on that person a notice in the form of Form 7 in the First Schedule (in this regulation called “**an infringement notice**”) informing the person that, if he does not wish to have a complaint of the alleged offence heard and determined by a court, he may pay to the local government specified in the notice, within the time therein specified, the amount prescribed as the modified penalty.
- (3) An infringement notice may be served on an alleged offender personally or by posting it to his address as ascertained from him, at the time of or immediately following the occurrence giving rise to the allegation of the offence, or as recorded by the local government pursuant to the Act.
- (4) 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, he is deemed to have declined to have the allegation dealt with by way of a modified penalty.
- (5) 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 acknowledgement; or
 - (b) the local government, or an authorised person acting on behalf of the local government, may withdraw the infringement notice under subregulation (6) and refund the amount so paid.
- (6) 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 8 in the First Schedule to the alleged offender at the address specified in the notice or his last known place of residence or business and in that event any amount received by way of modified penalty shall be refunded and any acknowledgement of the receipt of that amount shall for the purposes of any proceedings in respect of the alleged offence be deemed not to have been issued.
- (7) A person appointed under section 29(1) of the Act to exercise the power of an authorised person to serve infringement notices under subregulation (2) is not eligible to be appointed under that subsection to exercise the power of an authorised person to withdraw infringement notices under subregulation (6).

[Regulation 13 amended in Gazette 18 Sep 1987 p. 3648-9; 13 Sep 1996 p. 4676-8 and 4681-2; 15 Aug 1997 p. 4683-4.]

First Schedule

First Schedule

Form 1

Western Australia

Dog Act 1976

[s. 11]

CERTIFICATE OF AUTHORISATION

(1)

This is to certify that ⁽²⁾
has been appointed by the ⁽¹⁾
to exercise the powers of a ⁽³⁾
and has been authorised for the purposes of the *Dog Act 1976*, to ⁽⁴⁾
.....
in accordance with the provisions of that Act.

Signed Clerk of the local government.

Signature of person authorised

Dated

Valid until

(1) Insert name of local government.

(2) Insert name of person authorised.

(3) Insert name of office, e.g. "registration officer", "pound keeper", "ranger".

(4) Insert brief description of duties, e.g. "register dogs", "impound dogs" "seize, detain and dispose of dogs".

[Form 1 amended in Gazette 13 Sep 1996 p. 4681-2 and p. 4682.]

Form 2

Western Australia

Dog Act 1976

[s. 15 and 16]

.....⁽¹⁾

APPLICATION FOR A CERTIFICATE OF REGISTRATION

I, ⁽²⁾ of ⁽³⁾
 the owner of the dogs particulars of which are listed in this application

† OR

I, ⁽⁴⁾ of
 as the duly authorised agent of ⁽²⁾
 of ⁽³⁾ the owner of the dogs
 particulars of which are listed in this application
 declare that —

- (a) † I am / the owner is not under 18 years of age; and
- (b) the particulars shown in this application are true to the best of my knowledge and belief,

and I certify, for the purposes of section 16(1a) of the Act, that means exist on the premises at which the dog will ordinarily be kept for effectively confining the dog within those premises.

Reg. No.	Premises where dog will ordinarily be kept	Name of dog	Sex	Colour and distinguishing marks ⁽⁶⁾	Breed or kind of dog	Concession claimed ⁽⁷⁾

(Signature)

Dated this day of 20.....

- ⁽¹⁾ Name of local government.
- ⁽²⁾ Insert name of owner.
- ⁽³⁾ Insert address of owner.
- ⁽⁴⁾ Insert name and address of applicant, if not the owner.
- ⁽⁵⁾ *deleted*
- ⁽⁶⁾ Show any markings, including any tattooed mark.

Dog Regulations 1976

First Schedule

- (7) Insert reason for claiming concession e.g. guide dog, dog used for droving or tending stock, sterilized dog or bitch, owned by pensioner.
- † Delete whichever does not apply.

For office use only

This registration is valid until
unless cancelled pursuant to section 16 of the Act.

Date of issue Signature of registration officer

[Form 2 amended in Gazette 18 Sep 1987 p. 3649; 13 Sep 1996 p. 4682.]

Form 3

Western Australia

Dog Act 1976

NOTICE OF APPEAL PURSUANT TO SECTION⁽¹⁾

To the Clerk of the Court, and to the Respondent.

In the Local Court at

BETWEEN, Appellant,

and

....., Respondent.

(Name of local government)

TAKE NOTICE that the above named Appellant whose address is

intends to appeal against⁽²⁾

pursuant to a notice served on⁽³⁾

The grounds of the appeal are

Dated the day of 20.....

(Signature of Appellant)

⁽¹⁾ Insert the number of the section of the Act pursuant to which the appeal is made.

⁽²⁾ Here insert the matter or decision giving rise to the appeal.

⁽³⁾ Insert date.

NOTE:

A copy of this notice has to be served by the Appellant on the local government within 2 days of the filing of this notice in the Local Court.

[Form 3 amended in Gazette 13 Sep 1996 p. 4682.]

First Schedule

Form 4

Western Australia

Dog Act 1976

[s. 29]

NOTICE OF THE SEIZURE OR DETENTION OF A DOG

(Place)

(Date)

To ⁽¹⁾

TAKE NOTICE that a dog, of which you are the owner, has been seized pursuant to the powers conferred by the *Dog Act 1976*, and is now at

If not claimed within 72 hours from the date of the service of this notice, the dog will be destroyed or otherwise disposed of pursuant to that Act.

The registered number of the dog is

.....
(to be signed by a member of the Police Force,
or an authorised person).

⁽¹⁾ Insert name and address of owner.

[Form 4 amended in Gazette 18 Sep 1987 p. 3649.]

Form 4A

Western Australia

Dog Act 1976

[section 29]

**COMPLAINT SEEKING WARRANT TO
SEIZE AND DETAIN DOG
AND TO ENTER PREMISES**

I, ⁽¹⁾

of ⁽²⁾

in the State of Western Australia, make oath and say as follows:

1. I am ⁽³⁾ a Police officer, ⊕
⁽⁴⁾ a
appointed by the ⁽⁵⁾ , ⊕ and authorised
to exercise the powers conferred by section 29 of the *Dog Act 1976*.
2. I believe on reasonable grounds that a dog ⁽⁶⁾
has or may have attacked a person ⁽⁷⁾
or is concerned in an offence to which section 29 of the Dog Act applies
namely ⁽⁸⁾ ,
and that it is reasonably necessary for the enforcement of the Act that the
dog be seized and detained.
3. I believe on reasonable grounds that in order to seize the dog to which
this complaint relates it is or may be necessary to enter premises
at ⁽⁹⁾
⊕ to which admission has been or may be refused;
⊕ which are apparently unoccupied;
⊕ where a request for admission might defeat the object of
entry.
4. I hereby seek the issue of a warrant under section 29 of the *Dog Act 1976*
authorising the seizure and detention of the dog under that Act.

Sworn at

this day of

by the said deponent

before me

}

.....

First Schedule

Insert:

- (1) name of complainant;
- (2) address of complainant;
- (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 attacked;
- (8) description of offence;
- (9) address or description of premises.

⊕ Delete if not appropriate

[Form 4A inserted in Gazette 13 Sep 1996 p. 4678.]

Form 4B

Western Australia
Dog Act 1976

[section 29]

**WARRANT TO SEIZE AND DETAIN DOG
AND TO ENTER PREMISES**

I, ⁽¹⁾
of ⁽²⁾
in the State of Western Australia, Justice of the Peace, being satisfied that a
dog ⁽³⁾
has or may have attacked a person ⁽⁴⁾ or is concerned
in an offence to which section 29 of the *Dog Act 1976* applies, namely ⁽⁵⁾
hereby grant to ⁽⁶⁾
a person authorised to exercise powers conferred by that section
this warrant, hereby authorising the seizure and detention of that dog under that
Act and authorising ⁽⁶⁾
and ⁽⁷⁾
or any Police officer to pursue the dog on, and if required to enter by force, the
premises at ⁽⁸⁾

Signed

Justice of the Peace

Dated

Insert:

- (1) name of Justice of the Peace;
- (2) address of Justice of the Peace;
- (3) description of dog;
- (4) name or description of person attacked;
- (5) description of offence;
- (6) name of person to whom warrant is issued;
- (7) name of person authorised to assist in execution of the warrant;
- (8) address or description of premises.

[Form 4B inserted in Gazette 13 Sep 1996 p. 4679.]

First Schedule

Form 5

Western Australia

Dog Act 1976

[s. 36]

NOTICE OF THE PROPOSED DESTRUCTION OF A DOG FOR HEALTH REASONS

(1)

(Date)

To ⁽²⁾

TAKE NOTICE that a dog, of which you are alleged to be the owner, has been seized for health reasons pursuant to section 36 of the *Dog Act 1976*, in that the dog is ⁽³⁾

and the dog will be destroyed after the expiry of the period of 7 days from the date of the service of this notice unless you appeal within that time to the

⁽⁴⁾ Local Court at ⁽⁵⁾

..... by a Notice of Appeal in Form 3 to the *Dog Regulations* and serve a copy of the Notice on the local government within 2 days of so doing.

The registered number of the dog is ⁽⁶⁾

Dated the day of 20.....

.....
(to be signed by an authorised person).

-
- (1) Insert name of local government.
 - (2) Insert name and address of alleged owner.
 - (3) Set out the reasons why the dog is a danger to health.
 - (4) Insert name of Court nearest to the office of the local government.
 - (5) Insert address of Court.
 - (6) Insert number, if known.

[Form 5 amended in Gazette 18 Sep 1987 p. 3649; 13 Sep 1996 p. 4682.]

Form 6

Western Australia

Dog Act 1976

[s. 38]

COMPLAINT AS TO A NUISANCE CREATED BY A DOG

To ⁽¹⁾
TAKE NOTICE that a dog, believed to be a ⁽²⁾
has created a nuisance by ⁽³⁾

.....
the dog is believed to be owned by ⁽⁴⁾
and is ordinarily kept at ⁽⁵⁾
and I ⁽⁶⁾ 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).

-
- ⁽¹⁾ Insert name of local government.
 - ⁽²⁾ Insert breed or kind of dog and, where possible, its sex and identifying marks.
 - ⁽³⁾ 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.
 - ⁽⁴⁾ State name and address of the person believed to be the owner.
 - ⁽⁵⁾ State, if known, where the dog is ordinarily kept.
 - ⁽⁶⁾ Insert name and address of complainant.

NOTE: This form is to be completed and signed by each complainant.

[Form 6 amended in Gazette 18 Sep 1987 p. 3649; 13 Sep 1996 p. 4682.]

First Schedule

Form 7

Western Australia

Dog Act 1976

INFRINGEMENT NOTICE

No.

Date/...../.....

(1) local government.
To (2)
It is alleged that at (3)
on the day of 20.....
you committed an offence in that you (4)
.....
.....

.....
(to be signed by an authorised person).

You may dispose of this matter —

- (a) by payment of a penalty of (5) \$..... within 21 days of the date of this Notice to (6)
- or
- (b) by having it dealt with by a court.

If this modified penalty is not paid within the time specified, court proceedings may be taken against you.

-
- (1) Insert name of local government.
 - (2) Insert name and address of alleged offender.
 - (3) Insert place of alleged offence.
 - (4) Insert short particulars of the offence alleged.
 - (5) Insert amount of penalty prescribed.
 - (6) Insert address of the office where payment may be made.

[Form 7 amended in Gazette 13 Sep 1996 p. 4681-2 and p. 4682.]

Form 8

Western Australia

Dog Act 1976

WITHDRAWAL OF INFRINGEMENT NOTICE

No.

Date/...../.....

(1) local government.

To (2)

Infringement Notice No. dated/...../.....

for the alleged offence of (3)

.....

.....

..... Penalty (4) \$..... is hereby

withdrawn.

† No further action will be taken.

† It is proposed to institute court proceedings for the alleged offence.

.....
(to be signed by an authorised person).

(1) Insert name of local government.

(2) Insert name and address of alleged offender.

(3) Insert short particulars of offence alleged.

(4) Insert amount of penalty prescribed.

† Delete whichever does not apply

[Form 8 amended in Gazette 13 Sep 1996 p. 4682.]

[First Schedule amended in Gazette 18 Sep 1987 p. 3649; 13 Sep 1996 p. 4678-9, p. 4681-2; and p. 4682.]

Second Schedule

Second Schedule

**Fees for registration years commencing on or after
1 November 1995**

1	Inspection of register	\$0.50
2	Certified copy of an entry in the register	\$1.00
3	Annual registration, unsterilized dog or bitch, unless a concessional rate applies	\$30.00
4	Concessional registration rates —	
a.	Sterilized dog or bitch, annual registration	\$10.00
b.	Guide dogs	Nil
c.	Dogs used for droving or tending stock	25% of fee otherwise payable
d.	Dogs owned by pensioners referred to in regulation 4(2)	50% of fee otherwise payable
e.	Foxhounds, <i>bona fide</i> kept together in a kennelled pack of not less than 10	\$40.00 per pack
f.	Registration after 31 May in any year, for that registration year	50% of fee otherwise payable
g.	Three year registration period —	
	Sterilized dog or bitch	\$18.00
	Unsterilized dog or bitch	\$75.00
h.	Dogs kept in an approved kennel establishment licensed under section 27 of the Act, where not otherwise registered	\$100 per establishment
i.	Dogs certified by the Director of the State Emergency Services as being tracker dogs used for the purposes of the State Emergency Services in the specified registration year	\$1.00

[Second Schedule amended in Gazette 16 Dec 1977 p. 4660; 18 Sep 1987 p. 3649-50; 30 Sep 1988 p. 4003; 29 Sep 1995 p. 4670-1; 13 Sep 1996 p. 4680.]

Third Schedule

[Regulations 6(3a) and 10B]

Part 1 — Proof of sterilization

Ear Tattoo

Specifications: Ear tattoo to 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.

Specimen:



Part 2 — Dangerous dogs to be identified

Specifications: The collar to be worn by a dangerous dog shall —

- (a) bear alternating red stripes and yellow stripes, each stripe being 25 mm wide and set at an angle of 45 degrees to the rim of the collar; and
- (b) reflect light from at least one of those colours so that the collar can be rendered visible in darkness; and
- (c) be made of durable materials; and
- (d) be capable of being securely fastened; and
- (e) be capable of being attached to a leash; and
- (f) 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.

Third Schedule

Part 3 — Signs to be displayed where a dangerous dog is kept

Specifications: The sign to be displayed at each entrance to premises where a dangerous dog is kept shall —

- (a) be a white rectangle measuring 200 mm by 300 mm; and
- (b) 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 the black head and neck of a dog 100 mm high wearing the collar provided for in Part 2 of this Schedule; and
- (e) contain below the circle referred to in paragraph (d) the words “DANGEROUS DOG” in capital letters 20 mm high.

A black and white version of that sign is shown below.

Dangerous dog sign



[Third Schedule inserted in Gazette 18 Sep 1987 p. 3650; amended in Gazette 13 Sep 1996 p. 4680-1.]

Notes

- ¹ This reprint is a compilation as at 13 February 2004 of the *Dog Regulations 1976* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Dog Act Regulations 1976</i> ²	24 Dec 1976 p. 5092-7	24 Dec 1976
Untitled regulations	16 Dec 1977 p. 4660	16 Dec 1977
<i>Dog Amendment Regulations 1987</i> ³	18 Sep 1987 p. 3648-50	18 Sep 1987
<i>Dog Amendment Regulations 1988</i> ⁴	30 Sep 1988 p. 4003	30 Sep 1988
<i>Dog Amendment Regulations 1995</i>	29 Sep 1995 p. 4669-71	29 Sep 1995
<i>Dog Amendment Regulations 1996</i>	13 Sep 1996 p. 4675-82	14 Sep 1996 (see r. 2 and <i>Gazette</i> 13 Sep 1996 p. 4675)
<i>Dog Amendment Regulations 1997</i>	15 Aug 1997 p. 4682-4	15 Aug 1997

Reprint of the *Dog Regulations 1976* as at 21 Nov 1997 (includes amendments listed above)

Reprint 2: The *Dog Regulations 1976* as at 13 Feb 2004 (includes amendments listed above)

- ² Now known as the *Dog Regulations 1976*; citation changed (see note under r. 1).
- ³ The *Dog Amendment Regulations 1987* r. 14 is a transitional provision of no further effect.
- ⁴ The *Dog Amendment Regulations 1988* r. 12 is an application provision.