
LOCAL GOVERNMENT

LG301*

Dog Act 1976

**Dog (Restricted Breeds) Amendment
Regulations (No. 2) 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council.

1. Citation

These regulations are the *Dog (Restricted Breeds) Amendment Regulations (No. 2) 2005*.

2. Commencement

These regulations come into operation on the day that is 3 months after the day on which they are published in the *Gazette*.

3. The regulations amended

The amendments in these regulations are to the *Dog (Restricted Breeds) Regulations (No. 2) 2002**.

[* Published in *Gazette* 9 August 2002, p. 3883-91.
For amendments to 30 November 2005 see *Western Australian Legislation Information Tables for 2004*, Table 4, p. 85, and *Gazette* 1 April 2005.]

4. Regulation 7 replaced

Regulation 7 is repealed and the following regulation is inserted instead —

“

7. Restricted breed dogs, control of

- (1) If, at a time when a restricted breed dog is not confined in accordance with regulation 6, the dog is not muzzled in such a manner that prevents it from biting a person or another animal, a person liable for the control of the dog contravenes these regulations.
- (2) If, at a time when a restricted breed dog is not confined in accordance with regulation 6, the dog is not on a leash or chain held by a person who is physically able to control the dog in all circumstances, a person liable for the control of the dog contravenes these regulations.
- (3) If, at a time when a restricted breed dog is not confined in accordance with regulation 6, a person under the age of 18 years is in control of the dog, that person and any other person liable for the control of the dog contravenes these regulations.

”

5. Regulation 8A inserted

After regulation 8 the following regulation is inserted —

“

8A. Restricted breed dogs to be sterilised

- (1) If requested by an authorised person, the owner of a restricted breed dog must either —
 - (a) immediately satisfy the authorised person that the dog has an ear tattoo conforming to that provided for in the Third Schedule to the *Dog Regulations 1976*;
 - (b) satisfy the authorised person, within 24 hours, that the dog is under the age of 6 months; or
 - (c) produce to the authorised person, within 24 hours, a certificate signed by a registered veterinary surgeon stating that the dog —
 - (i) was sterilised or sterile before the request by the authorised person was made;
 - (ii) has a physical condition that is likely to cause the dog to die if it is sterilised; or
 - (iii) is receiving a course of treatment, other than treatment to maintain or increase fertility, from the veterinary surgeon, and the effectiveness of treatment will

be reduced if the dog is sterilised during the course of treatment.

- (2) A certificate as described in subregulation (1)(c)(ii) or (iii) —
 - (a) must state the period for which the physical condition or the course of treatment, as the case may be, is expected to last; and
 - (b) ceases to have effect for the purposes of this regulation at the end of the period.
- (3) The owner of a restricted breed dog who does not obey a request under subregulation (1) contravenes these regulations.

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6. Regulation 13 amended

Regulation 13(1) is amended by deleting “6 or 7” and inserting instead —

“ 6, 7 or 8A ”.

7. Regulation 14 repealed

Regulation 14 is repealed.

By Command of the Lieutenant-Governor and Administrator,

G. M. PIKE, Clerk of the Executive Council.