

DOG.

No. 64 of 1983.

AN ACT to amend section 6 of the Dog Act 1976-1977.

[Assented to 13 December 1983.]

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

1. (1) This Act may be cited as the *Dog Amendment Act 1983*. Short title and citation.

(2) In this Act the Dog Act 1976-1977 is referred to as the principal Act. Act No. 58 of 1976 as amended by Act No. 57 of 1977.

(3) The principal Act as amended by this Act may be cited as the Dog Act 1976-1983.

Commence-
ment.

2. If the Highways (Liability for Straying Animals) Act 1983 comes into operation—

- (a) before the day on which this Act is assented to by the Governor, this Act shall be deemed to have come into operation; or
- (b) on or after the day on which this Act is assented to by the Governor, this Act shall come into operation,

on the day on which that Act comes into operation.

Section 6
amended.

3. Section 6 of the principal Act is amended by inserting—

- (a) after “6.” the following—

“ (1) ”; and

- (b) after the existing section the following subsections—

“ (2) Subject to subsection (3) of this section, this Act applies subject to the Highways (Liability for Straying Animals) Act 1983, so that, where a provision of that Act is inconsistent with a provision of this Act, the provision of that Act prevails and the provision of this Act is inoperative to the extent of the inconsistency.

(3) Subsection (2) of this section does not prevent or in any way affect the liability in tort under this Act of—

- (a) the owner; or

- (b) a person deemed under this Act to be the owner,

of a dog in respect of—

(c) bodily injury to a person
caused by the dog wounding
the person; or

(d) damage to the clothing of a
person caused by the dog,

in the course of attacking the person
referred to in paragraph (c) or (d), as
the case requires, on a highway. ”.
