

A council may require probationary owners to undertake a dog education programme and/or a dog obedience course approved by the council.

## Fines

Most fines for court imposed penalties have been increased. The most significant is for owning a dog involved in a serious attack. The penalty has been increased from a maximum of 3 months imprisonment and/or fine of up to \$5,000 fine to 3 years imprisonment and/or a fine of up to \$20,000. Infringement fees, i.e. council-issued tickets, have also increased for most offences.

### Infringement Offences and Fees

- s 18 Wilful obstruction of dog control officer or dog ranger **Fine \$1000**
- s 19(2) Failure or refusal to supply information or wilfully stating false particulars **Fine \$1000**
- s 20(5) Failure to comply with any bylaw authorised by section 20 **Fine \$500**
- s 28(5) Failure to comply with effects of disqualification **Fine \$1000**
- s 32(4) Fraudulent sale or transfer of dangerous dog **Fine \$1000**
- s 36A Failure to implant microchip transponder in dog **Fine \$500**
- s 41 False statement relating to registration **Fine \$1000**
- s 42 Failure to register dog **Fine \$300**
- s 46(4) Fraudulent attempt to procure replacement label or disc **Fine \$1000**
- s 48(3) Failure to advise change of ownership **Fine \$100**
- s 49(4) Failure to advise change of address **Fine \$100**
- s 51(1) Removal or swapping of labels or discs **Fine \$1000**
- s 52A Failure to keep dog controlled or confined **Fine \$300**
- s 53(1) Failure to keep dog under control **Fine \$300**
- s 54A Failure to use or carry leash in public place **Fine \$100**
- s 62(1) Allowing dogs known to be dangerous to be at large unmuzzled **Fine \$1000**

## Dog Control Officers

Dog control officers can seize unregistered dogs, dogs that have attacked, and dogs not receiving adequate food, water, or shelter. They can also seize registered dogs not under direct control and not contained (free to leave property).

## Other Changes and Further Information

This pamphlet contains only a summary of the key changes to the Dog Control Act 1996. You should be familiar with the other changes within the Dog Control Amendment Act 2003. For further information contact your local council or you can find a copy of the Amendment Act on the website, [www.dogsafety.govt.nz](http://www.dogsafety.govt.nz)

## Your City or District Council

can also assist with more information

Visit our website:

[www.dogsafety.govt.nz](http://www.dogsafety.govt.nz)  
All about safety with dogs.



# changes to the dog control act



introducing changes  
to the act for  
better dog control



chris carter, minister of local government

# introduction

The changes to the Dog Control Act were made in the interests of public safety and to give dog owners a clear understanding of their responsibilities.

City and district councils are at the forefront of dog control. The Government has provided councils

tools and powers to ensure the Dog Control Act 1996 improves public safety while at the same time, protecting the right and ability of families to own and enjoy dogs.

## Existing Key Obligations

- Register your dog.
- Keep your dog under control at all times.
- Comply with bylaws.
- Ensure that your dog receives proper care and attention, is supplied with sufficient food, water, and shelter, and receives adequate exercise.
- Take all reasonable steps to ensure your dog does not injure, endanger, intimidate, or otherwise cause distress to any person.
- Owners must muzzle their dogs in public known to be dangerous.
- Owners must accept liability for damage done by their dog.



# a summary of key changes to the dog control act 1996

## Controlling Your Dog

All people taking dogs out in public will be required to use or carry a leash at all times, and use it in conjunction (or be consistent) with local bylaw and dog policy.

From 1 June 2004 dog owners must at all times ensure dogs on their owner's land or property, are under the direct control of a person, or is confined within the property so that it cannot freely leave of its own free will.

## Microchipping

All dogs first registered on or after 1 July 2006 will be required to be microchipped. Also from that date, all dogs that are classified as dangerous or menacing, including dogs classified since 1 December 2003, will be required to be microchipped.

## Menacing Dogs

A new category of 'menacing dog' has been created. If a council considers that a dog poses a threat to any person, stock, poultry, domestic animal, or protected wildlife because of:

- any observed or reported behaviour of the dogs or
  - any characteristics typically associated with the dog's breed or type;
- the council may declare the dog to be a menacing dog.

If a council has reasonable grounds to believe that a dog already in New Zealand belongs wholly or predominately to one of the four breeds/types listed as a restricted



breed, it must classify the dog as menacing. The restricted breeds are:

- American Pit Bull Terrier, Dogo Argentino, Brazilian Fila and Japanese Tosa.

Menacing dogs must be muzzled in public and may be required by the council to be neutered.

## Import Restriction On Breeds

It is now unlawful to import any of the following breeds/types of dog (either live or semen, ova or embryo):

- American Pit Bull Terrier, Dogo Argentino, Brazilian Fila and Japanese Tosa.

## Council Roles

By 1 September 2004, councils will be required to revise their dog control policies, applying a strengthened criteria which places greater emphasis on public safety. The effect of this will be that councils will generally require dogs to be at least leashed in places frequented by children such as: playgrounds, popular beaches, picnic areas, sports fields and other similar public places.

Councils may now disqualify someone from owning a dog or declare them to be a probationary owner if they incur more than three infringement offences within two years or are convicted of an offence under the Dog Control Act, Parts 1 and 2 of the Animal Welfare Act, section 26ZZP of the Conservation Act 1987, or section 56I of the National Parks Act 1980.

Previously, a person had to be a probationary owner before they could be disqualified from owning a dog.

