

No. 4447.

An Act to amend the Law relating to Dogs.

[23rd December, 1936.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title
construction
and citation.
No. 3687.

1. This Act may be cited as the *Dog Act 1936* and shall be read and construed as one with the *Dog Act 1928* (hereinafter called the Principal Act) which Act and this Act may be cited together as the Dog Acts.

Interpretation.

2. In the Dog Acts unless inconsistent with the context or subject-matter—

‘Municipality.’

“Municipality” includes the city of Melbourne and the city of Geelong.

Additional
registration fee
for Alsatian
dogs.

3. (1) Upon the registration of any Alsatian dog there shall in addition to the registration fee payable under section five of the Principal Act be paid a fee of Two pounds ten shillings or (where the registration is made after the first day of September in any year) a fee of One pound five shillings.

Owner liable
for Alsatian
dog outside his
premises which
is not muzzled
or controlled.

(2) The owner of any Alsatian dog—

- (a) which is not on the premises of the owner; and
- (b) which is not muzzled in a manner sufficient to prevent the dog from causing injury by biting or is not under the effective control of some person by means of a proper chain or cord or leash—

shall be liable to a penalty of not less than Three pounds and not more than Twenty pounds.

Penalty for
non-registration
of Alsatian dog.

(3) Notwithstanding anything in section twelve of the Principal Act every person who after the expiration of fifteen days from the first day of March in each and every year is the owner of any unregistered Alsatian dog above the age of six months shall in respect of each such unregistered Alsatian dog be liable to a penalty of not less than Ten and not more than Twenty pounds in addition to the fees payable in respect of registration.

(4) In

(4) In this section "Alsatian dog" means dog whether male or female which is wholly or partly of the species or kind commonly known as "Alsatian dog" or "Alsatian wolf-hound" or belongs wholly or partly to any variety of the said species by whatever name such variety is known.

Interpretation.
"Alsatian dog."

4. (1) The owner of any dog (other than a dog being used in the droving of stock)—

Penalty of owners of dogs found in or on specified shopping areas or bathing beaches and not under effective control.

(a) which is found in any municipal district in or on any shopping area or bathing beach specified for the purposes of this section by order of the council of that municipality published in the *Government Gazette* and in some newspaper circulating in the municipal district; and

(b) which is not under the effective control of some person by means of a chain or cord or leash—

shall be liable for a first offence to a penalty of not more than Two pounds and for a second or any subsequent offence to a penalty of not more than Five pounds.

(2) Any dog so found may be seized by the police or by the officers of the municipality duly authorized in that behalf and dealt with as if it had been seized under section thirteen or section fourteen (as the case requires) of the Principal Act.

Seizure of dogs so found.

5. The council of any municipality may order the destruction of any dog if after a conviction of the owner thereof for failing to register such dog such owner does not within one month register such dog and pay the prescribed fee therefor.

Power to municipality to order destruction of dog after conviction of owner for non-registration of dog.

6. In section three of the Principal Act the word "consecutive" is hereby repealed.

Amendment of No. 3007 s. 3. Prima facie evidence of ownership.

7. At the end of section fifteen of the Principal Act there shall be inserted the following sub-section:—

Amendment of No. 3007 s. 15.

"(2) Every registration officer and every proper officer of the council so appointed shall for the purpose of ascertaining whether the provisions of this Act are being observed have power to enter at all reasonable hours in the day-time into and upon any premises within the municipal district of the municipality for which he is appointed."

Power of registration officers and officers appointed to enforce Act to enter premises.

8. In

Amendment of
No. 3067 s. 22.
Greyhounds not
to be trained
within
proclaimed
shires or parts
of shires.

8. In section twenty-two of the Principal Act after the word "borough" there shall be inserted the words "or any shire or part of a shire specified for the purposes of this section on the recommendation of the council of such shire by proclamation of the Governor in Council published in the *Government Gazette*".