

**DOG AND CAT MANAGEMENT ACT 1995**  
**PENALTIES**

November 2014

		<b>MAXIMUM PENALTIES</b>		
		<b>GAOL</b>	<b>FINE</b>	<b>EXP</b>
s31(1)	<b>Hinder Dog Management Officer</b>	-	\$5,000	-
s31(2)	<b>Assault Dog Management Officer/assistant</b> (Penalty = fine, imprisonment or both)	2 yrs	\$10,000	-
s32	Offence by Dog Management Officer	-	\$5000	-
s33	<b>Fail to register dog (3 months or older):</b>			
	Dangerous or Prescribed breed	-	\$2,500	\$210
	Any other dog	-	\$250	\$80
	<b>Continuing offence (for each 14 days):</b>			
	Dangerous or Prescribed breed	-	\$2,500	\$210
	Any other dog	-	\$250	\$80
s33(4)	Defences			
s37(1)	<b>Failure to notify if dog:</b>			
	(a) is removed from usual recorded place	-	\$250	\$80
	(b) dog dies	-	\$250	\$80
	(c) dog missing for more than 72 hours	-	\$250	\$80
	(d) ownership transferred	-	\$250	\$80
s37(2)	Failure to notify re business:			
	(a) transfer	-	\$250	\$80
	(b) owner/operator ceases business	-	\$250	\$80
	(c) other specified circumstances	-	\$250	\$80
s38	<b>Transfer of dog ownership</b>			
	Fail to give new owner disc/registration	-	\$250	\$80
s40	<b>Fails to have collar, tag etc:</b>			
	Dangerous or Prescribed breed	-	\$2,500	\$210
	Any other dog	-	\$250	\$80
s42	Dog kennel fails to keep approp. records	-	\$250	\$80
s43	<b>Dogs not to be allowed to wander at large</b>			
	1 <sup>st</sup> offence:			
	Prescribed breed	-	\$2,500	\$210
	Any other dog	-	\$250	\$80
	Subsequent offence:			
	Prescribed breed	-	\$5,000	
	Any other dog	-	\$750	
s44(1)	<b>Person encourages dog attack</b>	2 yrs	\$10,000	-
	Prescribed dog (see s 44(3))	4 yrs	\$20,000	-
s44(2)	<b>Person who owns dog who attacks</b>	-	\$2,500	\$210
	Prescribed dog (see s 44(3))	-	\$5,000	-
s44(3)	<b>Person who owns a prescribed or dangerous dog guilty of an aggravated offence</b>			
s45	Transporting dogs unrestrained in vehicle	-	\$750	\$105
s45A	<b>Miscellaneous duties relating to dogs</b>			
	(1) where dog injures person on property	-	\$2,500	\$210
	(2) dog in grounds of school, kindergarten, child care centre or pre-school without permission of person in charge			
	Prescribed breed	-	\$2,500	\$210
	Any other dog	-	\$250	\$80
	(3) dog in shop without permission of shopkeeper			

	Prescribed breed	-	\$2,500	\$210
	Any other dog	-	\$250	\$80
	(4) dog chasing vehicle	-	\$750	\$105
	(5) noisy/barking dogs	-	\$750	\$105
	(6) failure to remove dog faeces	-	\$125	\$55
s45B	<b>Specific duties relating to prescribed breeds</b>			
	(1) failure to muzzle and/or control	-	\$2,500	\$210
	(2) dog not desexed	-	\$2,500	-
	(4) sells, gives away, advertises for sale, etc	-	\$2,500	-
s45C	<b>Specific duties relating to greyhounds</b>			
	failure to muzzle or control	-	\$250	\$80
s45D	<b>Specific duties relating to guard dogs, etc</b>			
	(a) failure to implant with microchip	-	\$2,500	-
	(b) failure to brand in approved manner	-	\$2,500	-
	(c) not kept indoors or in enclosure	-	\$2,500	-
	(d) dog not wearing collar	-	\$2,500	-
	(e) dog not kept under effective control	-	\$2,500	-
	(f) warning signs not displayed	-	\$2,500	-
s47	<b>Courts power to make order:</b>			
	(a) destruction/disposal dog			
	(b) destruction/disposal remission			
	(c) dog to be registered			
	(d) dog to be controlled in certain manner			
	(e) abate nuisance/danger posed by dog			
	(f) dog be desexed			
	(g) not to acquire another dog for spec time			
	(h) pay compensation for inj/damage/loss etc			
	(i) any other order			
s47	<b>Failure to comply with any of above orders</b>	-	\$5,000	-
s48	Dog may be lawfully destroyed in certain circs.			
	Failure to notify of actions	-	\$250	-
s55(1)	<b>Contravention Barking dog order</b>	-	\$250	-
	<b>Contravention any other order</b>	-	\$2,500	-
s55(2)	Defence			
s56	<b>Notification to Council if dog subject to an order:</b>			
	(a) attacks person or animal	-	\$250	\$80
	(b) dog goes missing	-	\$250	\$80
	(c) dog dies	-	\$250	\$80
	(d) ownership of dog changes	-	\$250	\$80
	(e) change of address	-	\$250	\$80
s57	<b>Fail to notify new owner of orders</b>	-	\$750	\$105
s58	Appeals			
	(1) To Admin Appeals Div of District Court			
	(3) Cncl to give reasons within 14 days			
	(4) Appeal must be instituted within 14 days of decision or with 14 days of receipt of reasons in writing			
	(6) Any other order to continue pending appeal			
	(10) Court may make an order as if criminal proceedings had been made			
s59B	<b>Contravention of Prohibition order</b>	-	\$2,500	-
s64	Operator of facility at which dog detained may recover costs of seizure, detention or destruction			

## **CATS**

s71	Offences by Cat Management Officers	-	\$5,000	-
s75	Fail to notify owner of seized cat	-	\$250	\$80
s78	Hinder a lawful seizure	-	\$5,000	-
s79	Interfere with cat identification	-	\$5,000	-

## **MISCELLANEOUS**

s81	<b>Guide dogs refusal/entry etc</b>	-	\$250	-
s81A	<b>Interference with dog in lawful custody</b>	-	\$2,500	-
s82	<b>False /Misleading statements:</b>			
	With knowledge	-	\$10,000	-
	In any other case	-	\$2,500	-
s85	<b>Continuing offences</b>			
	Penalty for substantive offence + penalty for each day up to 1/10 of maximum penalty for that offence			
s86	General defences			
s89	Money to be paid to council where complaint initiated by council.			