

REGISTRATION OF DOGS ORDINANCE 1962.

No. 4 of 1963.

An Ordinance to amend the *Registration of Dogs Ordinance 1938-1955*.

[Assented to 23rd January, 1963.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1961*, as follows:—

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Registration of Dogs Ordinance 1962*.

(2.) The *Registration of Dogs Ordinance 1938-1955* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Registration of Dogs Ordinance 1938-1962*.

2. After section five of the Principal Ordinance the following section is inserted in Part II:—

Application.

“5A. Sub-sections (1.) and (2.) of section eight, section nine, section eleven and section fourteen of this Part do not apply to or in relation to dogs which are kept within a municipality.”.

Mode of
registering
dogs.

3. Section eight of the Principal Ordinance is amended—

(a) by omitting from sub-section (2.) the words “either of the next two succeeding sub-sections” and inserting in their stead the words “the next succeeding sub-section”; and

(b) by omitting sub-section (3.).

Registration
discs.

4. Section ten of the Principal Ordinance is amended by inserting after sub-section (1.) the following sub-section:—

“(1A.) If on the application of the owner of any dog, the Registrar is satisfied that the disc issued on the registration of the dog has been lost or destroyed, the Registrar shall, on payment of a fee of One shilling, deliver to the owner another disc of the kind provided by the preceding sub-section.”.

5. After Part II. of the Principal Ordinance the following Part is inserted:—

“PART IIA.—REGISTRATION OF DOGS KEPT IN MUNICIPALITY.

“14A.—(1.) The council of a municipality may make by-laws in relation to dogs that are kept within the municipality—

Council to register dogs in municipality.

- (a) regulating the registration of such dogs;
- (b) prescribing fees to be paid to the council for the registration of such dogs; and
- (c) prescribing the manner in which the registration of such dogs is to be effected.

“(2.) The council of a municipality may retain as part of its revenue fees collected under a by-law made under the last preceding sub-section.

“(3.) Where a person, not being a Registrar of dogs under section six of this Ordinance, is under such a by-law empowered to register a dog, that person shall, for the purposes of this Ordinance, be deemed to be a Registrar of dogs in relation to dogs at any time within the municipality.”

6. Section eighteen of the Principal Ordinance is amended by omitting the words “or poultry” (wherever occurring) and inserting in their stead the words “poultry or tame or domesticated animal or bird”.

Owner or occupier of enclosed land may destroy trespassing dogs not under control.

7. After section eighteen of the Principal Ordinance the following section is inserted:—

“18A.—(1.) The following persons may take proceedings under this section:—

Order for destruction of dog.

- (a) the owner of any cattle, sheep, horse, poultry or a tame or domesticated animal or bird which, while it is kept in confinement or in an enclosed place, is worried, killed or injured by a dog;
- (b) a person, or, in the case of an infant, the parent or guardian of the infant who is attacked by a dog; and
- (c) the owner or occupier of premises upon which a dog persistently has caused nuisance or annoyance.

“(2.) A person may for any cause referred to in the last preceding sub-section take proceedings by way of complaint against the owner of the dog in a court of summary jurisdiction constituted under the *Justices Ordinance* 1928-1961.

“(3.) Upon the hearing of a complaint made under the last preceding sub-section the Court, upon proof of the cause of complaint, may—

- (a) if it is satisfied that the dog should be destroyed, order that the dog be destroyed; or
- (b) if it is not so satisfied, impose a fine not exceeding Twenty-five pounds.

“(4.) Where an order is made under this section that a dog be destroyed, the complainant may serve a certified copy of the order upon a Registrar who, upon receipt from the complainant of his reasonable expenses, shall cause the dog to which the order relates to be destroyed and for that purpose may enter upon any land or premises upon which he has reasonable cause to believe that the dog may be.”.

Penalty on
owners of dogs
attacking
persons or
frightening
horses.

8. Section twenty-one of the Principal Ordinance is amended—

- (a) by omitting the words “horse, bullock, cattle or other animal” and inserting in their stead the words “cattle, sheep, horse or other animal”; and
- (b) by omitting the words “whereby the life or limbs of any person is endangered, or in any way injures or endangers any property” and inserting in their stead the words “so that the life or limbs of any person are endangered, or so that any cattle, sheep, horse or other animal, or other property is or may be injured or endangered”.

S.A. 21/1948,
s. 10.

Absolute
liability of
owner for
damage done
by dog.

9. Section twenty-two of the Principal Ordinance is amended by omitting the words “or poultry” and inserting in their stead the words “poultry, or tame or domesticated animal or bird”.