

## ALSATIAN DOGS ORDINANCE 1934-1957.\*

## An Ordinance prohibiting the Possession in the Northern Territory of Alsatian Dogs.

1. This Ordinance may be cited as the *Alsatian Dogs Ordinance* 1934-1957.\*

Short title.  
Short title amended:  
No. 17, 1938,  
s. 4.

2. In this Ordinance unless the contrary intention appears—  
“ Alsatian dog ” includes any dog whose sire or dam is an Alsatian dog;  
“ sterilize ” means render permanently incapable of begetting or bearing offspring.

Definitions.  
Amended by  
No. 37, 1957,  
s. 2.

3.—(1.) A person shall not keep in the Territory an Alsatian dog unless—

Keeping of Alsatian dogs an offence.  
Sub-section (1.) substituted by  
No. 37, 1957,  
s. 3.

(a) the dog—

(i) was lawfully kept by the person in the Territory prior to the commencement of this sub-section; or

(ii) has been sterilized in accordance with the provisions of the next succeeding section; or

(b) the period within which the dog is required under the next succeeding section to be sterilized has not expired.

Penalty: Twenty pounds.

(2.) The occupier of premises upon which an Alsatian dog is found shall, in the absence of proof to the contrary, be deemed to be the keeper of that dog.

3A.—(1.) A person shall not bring an Alsatian dog into the Territory unless—

Alsatian dogs not to be brought into Territory unless sterilized.  
Inserted by  
No. 37, 1957,  
s. 4.

(a) the dog was sterilized before being brought into the Territory; or

\* The *Alsatian Dogs Ordinance* 1934-1957 comprises the *Alsatian Dogs Ordinance* 1934 as amended. Particulars of the Principal Ordinance and of the amending Ordinance are set out in the following table:—

Ordinance.	Number and Year.	Date notified in <i>Commonwealth Gazette</i> .	Date of Commencement.
<i>Alsatian Dogs Ordinance</i> 1934 ..	No. 12, 1934	17th May, 1934 ..	17th May, 1934
		Date of Assent by Administrator.	
<i>Alsatian Dogs Ordinance</i> 1957 ..	No. 37, 1957	15th November, 1957	15th November, 1957

- (b) the person has made arrangements approved in writing by the Administrator before the dog is brought into the Territory to have the dog sterilized within such period not exceeding fourteen days after the date on which the dog is brought into the Territory, as the Administrator approves.

Penalty: Twenty pounds.

(2.) A person who brings an unsterilized Alsatian dog into the Territory shall ensure—

- (a) that the dog is removed from the Territory within seven days after the date on which the dog is brought into the Territory; or
- (b) that the dog is sterilized within not more than—
- (i) seven days after that date; or
  - (ii) such other period, not exceeding fourteen days, as the Administrator in writing approves before the dog is brought into the Territory.

Penalty: Twenty pounds.

(3.) A person is deemed to bring an Alsatian dog into the Territory if an Alsatian dog enters the Territory accompanied by the person or in a vehicle driven by him at the time when the dog enters the Territory.

Destruction of  
Alsatian dogs.

4. Any member of the Police Force of the Territory may destroy any Alsatian dog kept in the Territory contrary to the provisions of this Ordinance.

Burden of  
proof.

5. Every Alsatian dog found in the Territory after the commencement of this Ordinance shall, in the absence of proof to the contrary, be deemed to be kept in the Territory contrary to the provisions of this Ordinance.

Averments.  
Added by  
No. 37, 1957,  
s. 5.

6.—(1.) In a prosecution for an offence against section three or three A of this Ordinance, an averment of the prosecutor contained in the complaint that a particular dog is an Alsatian dog is evidence that the dog is an Alsatian dog.

(2.) This section applies although—

- (a) evidence in support or rebuttal of the matter averred is given; or
- (b) the matter averred is a mixed question of law and fact,

but where the matter averred is a mixed question of law and fact, the averment is evidence of the fact only.

(3.) Evidence given in support or rebuttal of a matter so averred shall be considered on its merits and the credibility and probative value of that evidence shall be neither increased nor diminished by reason of this section.