

House of Representatives
Supplementary Order Paper

Tuesday, 20 June 2006

Local Government Law Reform Bill

Proposed amendments

Metiria Turei, in Committee, to move the following amendments:

New clause 9B:

To insert the following clause after clause 9A:

9B New section 36A substituted

Section 36A (as inserted by section 24 of the Dog Control Amendment Act 2003) is repealed and the following section substituted:

“36A Microchip transponder must be implanted in dangerous and menacing dogs

“(1) This section applies to a dog that—

- “(a) is classified on or after 1 December 2003 as a dangerous dog under section 31; or
- “(b) is classified on or after 1 December 2003 as a menacing dog under section 33A or 33C.

“(2) The owner of the dog must, for the purpose of providing permanent identification of the dog,—

- “(a) arrange for the dog to be implanted with a functioning microchip transponder of the prescribed type and in the prescribed manner; and
- “(b) make the dog available, in accordance with the reasonable instructions of the territorial authority concerned, for verification that it has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

“(3) The owner of the dog must comply with **subsection (2)**—

- “(a) No later than 1 September 2006, if the dog is classified as dangerous or menacing on or after 1 December 2003 but before 1 July 2006; or

- “(b) in any other case, no later than 2 months after the date on which the dog is classified as dangerous or menacing.
- “(4) **Subsection (2)** does not apply if—
- “(a) as a requirement of this Act, the dog has been previously implanted with a functioning microchip transponder of the prescribed type and in the prescribed location; or
- “(b) the territorial authority has verified that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.
- “(5) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$3,000 who fails to comply with **subsection (2) or (3)**.”

New clause 9G:

To insert the following clause after clause 9F:

9G New sections 69A and 69B substituted

Section 69A (as inserted by section 24 of the Dog Control Amendment Act 2004) is repealed and the following sections are substituted:

“69A Unregistered impounded dog must be registered before release

An unregistered dog that has been impounded by a territorial authority under this Act may not be released to any person (other than for the purpose of destroying it) without first being registered under this Act.

“69B Dog classified as dangerous or menacing while impounded must be microchipped before release

- “(1) A dog that has been impounded by a territorial authority under this Act and that is classified as a dangerous dog under section 31 or a menacing dog under section 33A or 33C while it is impounded may not be released to any person (other than for the purpose of destroying it) without first being implanted with a functioning microchip transponder of the prescribed type and in the prescribed manner.
- “(2) **Subsection (1)** does not apply if the territorial authority has verified that the dog is already implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.
- “(3) A territorial authority that implants in a dog, or causes a dog to be implanted with, a microchip transponder under this section may recover all the costs in relation to the procedure from—
- “(a) the owner of the dog; or
- “(b) the person taking possession of the dog.

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