

Dangerous Dogs & Restricted Breeds

What owners need to know

What is a 'dangerous dog'?

As defined in the Dog Act 1976, a dangerous dog means a dog that is a:

1. Dangerous dog (declared)

- Has caused injury or damage by an attack on, or chasing, a person, animal or vehicle
- Has repeatedly shown a tendency to attack, chase a person, vehicle or animal even though no injury has been caused by the behaviour, or to threaten to attack.

There may also be other behaviour that meets the criteria to declare a dog 'dangerous'.

2. Dangerous dog (restricted breed)

These breeds are prescribed as restricted breeds for the definition of dangerous dog (restricted breed) in section 3(1):

- Dogo Argentino, Fila Brasileiro, Japanese tosa, American pit bull terrier, Pit bull terrier, Perro de presa Canario or Presa Canario, Any other breed of dog which the importation of is prohibited absolutely by the Customs (Prohibited Imports) Regulations 1956 (Commonwealth)

This includes dogs that are mixed with these breeds.

3. Commercial security dog

When a commercial security dog is working at premises, every person liable for the control of the dog and the person who arranges for the dog to guard or protect the premises must ensure that

(a) the dog is confined to the premises and that the enclosure within which the dog is confined is constructed to:

- Prevent the dog from escaping that enclosure; and
- Prevent the dog from being removed or released from that enclosure without the permission of a person liable for the dog's control;

(b) During any time that a person other than the dog's handler has lawful access to the area in which the dog is working

- The dog is confined its enclosure or
- The dog is held by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length by a person who has reached 18 years of age and who is capable of controlling the dog; or

- The dog is securely tethered on a temporary basis by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.

Declaring a dog dangerous

A local government must give notice to the owner declaring a dog to be dangerous. The owner must put in place the protection measures for a dangerous dog within seven days.

You can object to a notice declaring your dog to be dangerous to your local government or the State Administrative Tribunal (SAT) within seven days of getting the notice. SAT.

What are the responsibilities of dangerous dog owners?

1. The dog must wear a prescribed collar

With information attached to or endorsed on the collar in accordance with the regulations.

2. Enclosure requirements

The owner must ensure that the enclosure within which the dog is confined, whether or not the enclosure is at the premises where the dog is ordinarily kept or ordinarily permitted to live, is constructed to;

- Prevent the dog from escaping
- Prevent the dog from being removed or released from the enclosure without the permission of the person liable for the dog's control
- Prevent a child who has not reached 7 years of age from entering or inserting any part of their body into the enclosure without the help of an adult.

3. Prescribed warning signs - at each entrance where the dog is held, these must:

- Be a white rectangle measuring 200mm by 300mm
- Be made of a durable material
- Contain the word 'WARNING' in white capital letters 30mm high on a red rectangular panel measuring 190mm by 45mm near the top of the rectangle referred to in paragraph (a)
- Contain below the panel referred to in paragraph (c) a red circle 160mm in diameter containing a picture of the black head and neck of a dog 100mm high wearing a collar mentioned in regulation 29(2) (whether in colour or black and white)
- Contain below the circle referred to in paragraph (d) the words 'DANGEROUS DOG' in capital letters 20mm high.

Example:



- 4. Dangerous dogs must be muzzled and held on a leash at all times in public places.** You can be fined up to \$10,000 by a court with a minimum fine of \$500 for each offence. An authorised officer can issue an infringement notice with a modified penalty of \$400 for each offence.
- 5. Compulsory sterilisation (restricted breed)** - If your dog is over 3 months old, unless you satisfy the court that there are extenuating circumstances relating to the animal's physical condition or medical treatment.
- 6. Transferral of ownership** - before a person sells or transfers ownership they must inform that person in writing that the dog is a dangerous dog. You cannot sell or transfer ownership of a restricted breed.
- 7. Compulsory notification to the local government** - a person liable for the control of a dangerous dog must immediately inform their local council in writing after becoming aware that the dog is missing, deceased or has changed premises.
- 8. Owner and/or person in charge of the dog must be over 18 years old**
- 9. A maximum of 2 dangerous dogs per property**

Check List

- Current Registration year by year
- Micro chipped
- Restricted breed to be sterilised
- Dangerous Dog Collar and Muzzle
- Fences constructed to an adequate height and material capable of confining your dog, including gates and doors
- Fences must be childproof up to 7yrs of age from entering
- All entrances to the property where the dog is normally kept, signposted with the correct sign

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