

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

**July 2018**

		<b>MAXIMUM PENALTIES</b>		
		<b>GAOL</b>	<b>FINE</b>	<b>EXP</b>
s31(1)	<b>Hinder authorised person</b>	-	\$5,000	-
s31(2)	<b>Assault authorised person/assistant</b> (Penalty = fine, imprisonment or both)	2 yrs	\$10,000	-
s32	Offence by authorised person	-	\$5,000	-
s33	<b>Failure to register dog (3 months or older):</b>			
	Dangerous or Prescribed dog	-	\$5,000	\$750
	Any other dog	-	\$2,500	\$170
	<b>Continuing offence (for each 14 days):</b>			
	Dangerous or Prescribed dog	-	\$5,000	\$750
	Any other dog	-	\$2,500	\$170
s33(4)	Defences			
s37(1)	<b>Failure to notify if dog:</b>			
	(a) is removed from usual recorded place	-	\$1,250	\$210
	(b) dog dies	-	\$1,250	\$210
	(c) dog missing for more than 72 hours	-	\$1,250	\$210
	(d) ownership transferred	-	\$1,250	\$210
s37(2)	Failure to notify re business:			
	(a) transfer	-	\$1,250	\$210
	(b) owner/operator ceases business	-	\$1,250	\$210
	(c) other specified circumstances	-	\$1,250	\$210
s38	<b>Transfer of dog ownership</b>			
	Fail to give new owner disc/registration	-	\$1,250	\$210
s42A	<b>Failure to have dog or cat microchipped:</b>			
	Dog of prescribed breed, attack trained dog, guard dog or patrol dog	-	\$5,000	\$750
	Any other case	-	\$2,500	\$170
ss42A(3)(4)	Defences			
s42B	<b>Continuing offence (for each 3 months):</b>			
	Dog of prescribed breed	-	\$5,000	\$750
	Any other case	-	\$2,500	\$170
s42C	<b>Failure to identify dog or cat (not microchipped)</b>	-	\$5,000	\$170
s42C(3)	Defence			
s42E	<b>Failure to de-sex dog or cat:</b>			
	Dog of prescribed breed	-	\$5,000	\$750
	Any other case	-	\$2,500	\$170
s42F	<b>Continuing offence (for each 3 months):</b>			
	Dog of prescribed breed	-	\$5,000	\$750
	Any other case	-	\$2,500	\$315
s43	<b>Dogs not to be allowed to wander at large</b>			
	1 <sup>st</sup> offence:			
	Dangerous or Prescribed dog	-	\$5,000	\$750
	Any other case	-	\$2,500	\$210
	Subsequent offence:			
	Dangerous or Prescribed dog	-	\$10,000	\$750
s44(1)	<b>Person encourages dog attack</b>	2 yrs	\$10,000	-
	Dangerous or prescribed dog (see s 44(3))	4 yrs	\$20,000	-

s44(2)	<b>Person who owns dog who attacks</b>		
	1 <sup>st</sup> offence:		
	Dangerous or prescribed dog (see s 44(3))	-	\$5,000 \$750
	Any other case	-	\$2,500 \$315
	Subsequent offence:		
	Dangerous or prescribed breed	-	\$10,000 \$750
s45	<b>Transporting dogs unrestrained in vehicle</b>	-	\$1,250 \$210
s45A	<b>Miscellaneous duties relating to dogs</b>		
	(1) where dog injures person on property		
	Dangerous or prescribed dog	-	\$5,000 \$750
	Any other case	-	\$2,500 \$315
	(2) dog in grounds of school, kindergarten, child care centre or pre-school without permission of person in charge		
	Dangerous or prescribed dog	-	\$5,000 \$750
	Any other dog	-	\$2,500 \$315
	(3) dog in shop without permission of shopkeeper		
	Dangerous or prescribed dog	-	\$5,000 \$750
	Any other dog	-	\$2,500 \$315
	(4) dog chasing vehicle		
	Dangerous or prescribed dog	-	\$5,000 \$750
	Any other dog	-	\$2,500 \$315
	(5) noisy/barking dogs	-	\$1,250 \$315
	(6) failure to remove dog faeces	-	\$1,250 \$210
s45B	<b>Specific duties relating to prescribed breeds</b>		
	(1) failure to muzzle and/or control	-	\$5,000 \$750
	(4) sells, gives away, advertises for sale, etc	-	\$5,000 -
s45C	<b>Specific duties relating to greyhounds</b>		
	failure to muzzle or control	-	\$5,000 \$315
s45D	<b>Specific duties relating to attack trained dogs, guard dogs and patrol dogs</b>		
	(c) not kept indoors or in enclosure	-	\$5,000 \$750
	(d) dog not wearing collar	-	\$5,000 \$750
	(e) dog not kept under effective control	-	\$5,000 \$750
	(f) warning signs not displayed	-	\$5,000 \$750
s47	<b>Courts power to make order:</b>		
	(a) destruction/disposal dog		
	(b) destruction/disposal remission		
	(c) dog to be registered		
	(ca) dog be identified in certain manner		
	(cb) dog be seized and restrained for period		
	(d) dog to be controlled in certain manner		
	(e) abate nuisance/danger posed by dog		
	(ea) dog be desexed		
	(eb) destruction/disposal of other dogs of owner		
	(f) owner not acquire another dog		
	(g) pay compensation for inj/damage/loss etc		
	(h) 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 of Orders</b>		
	Destruction order	-	\$10,000 \$750
	Control (Dangerous Dog) Order	-	\$10,000 \$750

	Control (Menacing Dog) Order	-	\$10,000	\$750
	Control (Nuisance Dog) Order	-	\$5,000	\$500
	Control (Barking Dog) Order	-	\$2,500	\$500
s55(2)	Defence			
s56 (1)	<b>Notification to Council if dog subject to an order:</b>			
	(a) attacks person or animal			
	(b) dog goes missing			
	(c) dog dies			
	(d) ownership of dog changes			
	Dangerous or prescribed dog	-	\$2,500	\$315
	Any other case	-	\$1,250	\$210
s56(2)	Failure to notify of change of address of dog subject to order			
	Dangerous or prescribed dog	-	\$2,500	\$315
	Any other case	-	\$1,250	\$210
s57	<b>Fail to notify new owner of orders</b>	-	\$1,250	\$210
s59B	<b>Contravention of Prohibition order</b>	-	\$5,000	-
s64C	Not entitled to return of dog or cat seized unless charges or fees paid			
s64D	<b>Failure to notify of destruction of dog or cat</b>	-	\$1,250	\$210
s64E	Operator of facility where dog or cat seized, detained or destroyed may recover charges payable under regulations			

#### **BREEDING AND SALE OF DOGS AND CATS**

s69	<b>Sell dogs or cats without registration</b>	-	\$5,000	\$315
s70(1)	<b>Sale of dog or cat without microchip</b>	-	\$5,000	\$315
s70(2)	<b>Sale of dog or cat not desexed</b>	-	\$5,000	\$315
s71(1)	<b>Failure to give information to buyer</b>	-	\$5,000	\$315
s71(2)	<b>Failure to contain all information in advertisement for sale</b>	-	\$5,000	\$315

#### **MISCELLANEOUS**

s81(1)	<b>Assistance dog refusal/entry etc</b>	-	\$1,250	\$210
s81(2)	<b>Claim assistance dog when not accredited</b>	-	\$1,250	\$210
s81A	<b>Interference with dog or cat in lawful custody</b>	-	\$5,000	-
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.			