

## Penalty Summary: Dog and Cat Management Act 1995 (SA)

As at December 2021

### Part 3 Administration and enforcement

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
31(1)	Hinder authorised person	-	\$5,000	-
31(2)	Assault authorised person/assistant (Penalty = fine, imprisonment or both)	2 yrs	\$10,000	-
32	Offence by authorised person	-	\$5,000	-

### Part 4 Registration

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
33	Failure to register dog (3 months or older):			
	- Dangerous or Prescribed dog	-	\$5,000	\$750
	- Any other dog	-	\$2,500	\$170
	Continuing offence (for each 14 days):			
	- Dangerous or Prescribed dog	-	\$5,000	\$750
	- Any other dog	-	\$2,500	\$170

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
33(4)	Defences			
37(1)	Failure to notify if dog: a) is removed from usual recorded place b) dog dies c) dog missing for more than 72 hours d) ownership transferred	- - - -	\$1,250 \$1,250 \$1,250 \$1,250	\$210 \$210 \$210 \$210
37(2)	Failure to notify re business: a) transfer b) owner/ operator ceases business c) other specified circumstances	- - -	\$1,250 \$1,250 \$1,250	\$210 \$210 \$210
38	Transfer of dog ownership Fail to give new owner disc/registration	-	\$1,250	\$210

#### Part 4A Microchipping and other identification

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
42A	Failure to have dog or cat microchipped: - Dog of prescribed breed, attack trained dog, guard dog or patrol dog - Any other case	- -	\$5,000 \$2,500	\$750 \$170
42A(3)(4)	Defences			
42B	Continuing offence (for each 3 months): - Dog of prescribed breed - Any other case	- -	\$5,000 \$2,500	\$750 \$170

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
42C	Failure to identify dog or cat (not microchipped)	-	\$5,000	\$170
42C(3)	Defence			

#### Part 4B Desexing

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
42E	Failure to de-sex dog or cat: <ul style="list-style-type: none"> <li>- Dog of prescribed breed</li> <li>- Any other case</li> </ul>	- -	\$5,000 \$2,500	\$750 \$170
42F	Continuing offence (for each 3 months): <ul style="list-style-type: none"> <li>- Dog of prescribed breed</li> <li>- Any other case</li> </ul>	- -	\$5,000 \$2,500	\$750 \$315

#### Part 5 Management of dogs

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
43	Dogs not to be allowed to wander at large 1 <sup>st</sup> offence: <ul style="list-style-type: none"> <li>- Dangerous or prescribed dog</li> <li>- Any other case</li> </ul> Subsequent offence: Dangerous or prescribed dog	- - -	\$5,000 \$2,500 \$10,000	\$750 \$210 \$750
44(1)	Person encourages dog attack Dangerous or prescribed dog (see s 44(3))	2 yrs 4 yrs	\$10,000 \$20,000	- -
44(2)	Person who owns dog who attacks 1 <sup>st</sup> offence:			

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
	<ul style="list-style-type: none"> <li>- Dangerous or prescribed dog (see s 44(3))</li> <li>- Any other case</li> </ul> Subsequent offence: Dangerous or prescribed dog	- - -	\$5,000 \$2,500 \$10,000	\$750 \$315 \$750
45	Transporting dogs unrestrained in vehicle	-	\$1,250	\$210
45A	Miscellaneous duties relating to dogs 1) Where dog injures person on property <ul style="list-style-type: none"> <li>- Dangerous or prescribed dog</li> <li>- Any other case</li> </ul> 2) Dog in grounds of school, kindergarten, child care centre or pre-school without permission of person in charge <ul style="list-style-type: none"> <li>- Dangerous or prescribed dog</li> <li>- Any other case</li> </ul> 3) Dog in shop without permission of shopkeeper <ul style="list-style-type: none"> <li>- Dangerous or prescribed dog</li> <li>- Any other case</li> </ul> 4) Dog chasing vehicle <ul style="list-style-type: none"> <li>- Dangerous or prescribed dog</li> <li>- Any other case</li> </ul> 5) Noisy/ barking dogs 6) Failure to remove dog faeces	- - - - - - - - - - - -	\$5,000 \$2,500  \$5,000 \$2,500  \$5,000 \$2,500  \$5,000 \$2,500  \$1,250 \$1,250	\$750 \$315  \$750 \$315  \$750 \$315  \$750 \$315  \$315 \$210
45B	Specific duties relating to prescribed breeds (1) failure to muzzle and/or control (4) sells, gives away, advertises for sale, etc	- -	\$5,000 \$5,000	\$750 -
45C	Specific duties relating to greyhounds	-	\$5,000	\$315

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
	- failure to muzzle or control			
45D	Specific duties relating to attack trained dogs, guard dogs and patrol dogs (c) not kept indoors on in enclosure (d) dog not wearing collar (e) dog not kept under effective control (f) warning signs not displayed	- - - -	\$5,000 \$5,000 \$5,000 \$5,000	\$750 \$750 \$750 \$750
47	Courts power to make order: (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 peri (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 Failure to comply with any of above orders	-	\$5,000	
48	Dog may be lawfully destroyed in certain circs. - Failure to notify of actions	-	\$250	-
55(1)	Contravention of Orders Destruction order	-	\$10,000	\$750

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
	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
55(2)	Defence	-	-	-
56 (1)	Notification to Council if dog subject to an order: (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 cases	-	\$1,250	\$210
56 (2)	Failure to notify of change of address of dog subject to order			
	- Dangerous or prescribed dog	-	\$2,500	\$315
	- Any other cases	-	\$1,250	\$210
57	Fail to notify new owner of orders	-	\$1,250	\$210
59B	Contravention of Prohibition order	-	\$5,000	-

#### Part 5A Destruction, seizure and detention etc of dogs and cats

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
64C	Not entitled to return of dog or cat seized unless charges or fees paid			
64D	Failure to notify of destruction of dog or cat	-	\$1,250	\$210
64E	Operator of facility where dog or cat seized, detained or destroyed may recover charges payable under regulations			

#### Part 7 Breeding and sale of dogs and cats

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
69	Sell dogs or cats without registration	-	\$5,000	\$315
70(1)	Sale of dog or cat without microchip	-	\$5,000	\$315
70(2)	Sale of dog or cat not desexed	-	\$5,000	\$315
71(1)	Failure to give information to buyer	-	\$5,000	\$315
71(2)	Failure to contain all information in advertisement for sale	-	\$5,000	\$315

#### Part 8 Miscellaneous

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
81(1)	Assistance dog refusal/entry etc	-	\$1,250	\$210
81(2)	Claim assistance dog when not accredited	-	\$1,250	\$210

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)	Expiation (maximum penalty)
81A	Interference with dog or cat in lawful custody	-	\$5,000	-
82	False /Misleading statements: - with knowledge - in any other case	- -	\$10,000 \$2,500	- -
85	Continuing offences Penalty for substantive offence + penalty for each day up to 1/10 of maximum penalty for that offence			
86	General defences			
89	Money to be paid to council where complaint initiated by council.			