

South Australia

Dog and Cat Management Variation Regulations 2004

under the *Dog and Cat Management Act 1995*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Dog and Cat Management Variation Regulations 2004*.

2—Commencement

These regulations will come into operation on 1 July 2004.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Dog and Cat Management Regulations 1995*

4—Variation of regulation 4—Interpretation

Regulation 4, definition of *prescribed person*—delete the definition

5—Substitution of regulation 7

Regulation 7—delete the regulation and substitute:

7—Identification of dogs

- (1) For the purposes of section 40 of the Act, a dog must wear a collar around its neck that—
 - (a) in the case of a dog that is individually registered—has securely attached to it the registration disc last issued for the dog;
 - (b) in the case of a dog usually kept at a kennel or used in connection with a business registered under the Act—has marked on it, or on a disc or tag securely attached to it, the name and telephone number of the owner or operator of the business or other mark identifying the business as approved by the council of the area in which the business is registered.
- (2) However, a dog need not wear a collar while the dog is suffering from injury, disease or sickness to the extent that the wearing of a collar would be injurious to the health of the dog.
- (3) This regulation does not apply—
 - (a) to a dog that is not required to be registered under the Act; or
 - (b) to a dog while effectively confined to premises occupied by a person who owns or is responsible for the control of the dog; or
 - (c) to a dog while under the effective control of a person by command, the dog being in close proximity to the person and—
 - (i) being used in the droving or tending of stock or going to or returning from a place where it will be, or has been, so used; or
 - (ii) being trained for, or participating in, an organised activity being a race, trial, class or show or in retrieving, hunting or other sporting exercise customarily involving the running of one or more dogs.

6—Variation of regulation 8—Guard dogs

Regulation 8(1), penalty provision and expiation fee—delete the penalty provision and expiation fee and substitute:

Maximum penalty: \$250.

Expiation fee: \$80.

7—Variation of regulation 10—Offences related to marking of cats

- (1) Regulation 10(1), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
- (2) Regulation 10(2), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.

8—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Councils contributing 20% of dog registration fees to Fund

The Councils listed in this Schedule must pay 20% of dog registration fees received into the Fund:

Adelaide, The Corporation of the City of
Burnside, City of
Campbelltown, The Corporation of the City of
Charles Sturt, City of
Gawler, Town of
Holdfast Bay, City of
Marion, The Corporation of the City of
Mitcham, City of
Norwood Payneham & St Peters, The Corporation of the City of
Onkaparinga, City of
Playford, City of
Port Adelaide Enfield, City of
Prospect, City of
Salisbury, City of
Tea Tree Gully, City of
Unley, The Corporation of the City of
Walkerville, The Corporation of the Town of
West Torrens, City of

9—Revocation of Schedule 2

Schedule 2—delete the Schedule

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

on the recommendation of the Dog and Cat Management Board and with the advice and consent of the Executive Council
on 17 June 2004

No 136 of 2004

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