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## SCHEDULES

# REGISTRATION OF DOGS ACT, 1924-1975<sup>1</sup>

being

Registration of Dogs Act, 1924, No. 1615 of 1924 [Assented to 6th November, 1924];

as amended by

Registration of Dogs Act Amendment Act, 1929, No. 1893 of 1929 [Assented to 5th September, 1929];  
 Registration of Dogs Act Amendment Act, 1948, No. 21 of 1948 [Assented to 11th November, 1948];  
 Registration of Dogs Act Amendment Act, 1957, No. 40 of 1957 [Assented to 14th November, 1957];  
 Registration of Dogs Act Amendment Act, 1966, No. 57 of 1966 [Assented to 10th November, 1966];  
 Registration of Dogs Act Amendment Act, 1968, No. 37 of 1968 [Assented to 19th December, 1968];  
 Registration of Dogs Act Amendment Act, 1971, No. 89 of 1971 [Assented to 25th November, 1971];

and

Statute Law Revision Act, 1975, No. 24 of 1975 [Assented to 27th March, 1975].

**An Act to consolidate and amend the law relating to the registration of dogs, and the prevention of damage by dogs, and for other purposes.**

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof as follows:

## PART I

## PART I

### PRELIMINARY

1. This Act may be cited as the "Registration of Dogs Act, 1924-1975<sup>1</sup>". Short title.  
Citation  
amended by 24,  
1975, s. 3 (1)  
(2nd Sched.).
2. The provisions of this Act are arranged in Parts, as follows:— Arrangement of  
Act.
  - PART I—Preliminary:
  - PART II—Dog Districts and Registrars of Dogs:
  - PART III—Registration of Dogs:
  - PART IV—Prevention of Damage by Dogs:
  - PART V—Miscellaneous.
3. The Dog Act, 1867; the Act No. 320 of 1884, intituled "An Act to Repeal.  
 amend 'The Dog Act, 1867'"; the Act No. 429 of 1888, intituled "An Act to  
 amend the Law relating to the Registration of Dogs"; and the Dog Act  
 Amendment Act, 1889, are hereby repealed.

4. Notwithstanding the said repeal—

(a) all places at which registers of dogs have heretofore been appointed  
 to be kept shall, until some other place is appointed under the

Saving  
 provision.  
 6, 1867, s. 2.

<sup>1</sup> The second schedule and the fifth schedule to this Act incorporate amendments made by regulations published in the *Gazette* on 27th January, 1972, p. 259.

provisions of this Act, continue to be places for keeping the registers under this Act:

- (b) all dogs registered under the Acts hereby repealed shall be deemed to be duly registered under this Act for the period during which the registration thereof would have continued in force if the said Acts had not been repealed.

Interpretation.

5. In this Act, unless the context otherwise requires—

“district” means a district for the purposes of this Act:

“district council district” means a district within the meaning of the Local Government Act, 1934<sup>1</sup>:

Def. amended  
by 40, 1957,  
s. 2.(1).

“dog” includes a bitch as well as a male dog:

“municipality” means a municipality within the meaning of the Local Government Act, 1934<sup>1</sup>:

“registrar” means a registrar of dogs appointed under this Act or under any Act hereby repealed:

“registered”, used with reference to a dog, means registered under this Act or any Act hereby repealed:

“unregistered”, used with reference to a dog, means not registered under this Act or any Act hereby repealed.

PART II

PART II

DOG DISTRICTS AND REGISTRARS OF DOGS

Constitution of  
districts.  
Cf. 6, 1867, s. 4.

6. (1) All municipalities and all district council districts shall be districts for the purposes of this Act.

(2) The Governor may, by proclamation, constitute such portions of the State as he thinks fit (not being within the limits of any municipality or district council district) to be districts for the purposes of this Act, and may define the boundaries of those districts and may, by proclamation, alter the boundaries of any such district or subdivide any such district into districts or amalgamate any such districts as one district.

(3) A copy of the *Government Gazette* purporting to contain any proclamation such as is referred to in this section shall be conclusive evidence of the due making of the proclamation and of the contents thereof.

(4) Every district under any Act hereby repealed shall have the same separate and distinct number as at the passing of this Act, and to every new district hereafter constituted the Governor shall, by proclamation, assign a separate and distinct number.

Appointment of  
registrars of  
dogs.  
6, 1867, s. 6.

7. (1) Every municipal or district council as regards its district, and the Minister as regards any district not being a municipality or district council district—

Para. (a)  
amended by  
1893, 1929, s. 2.

(a) shall appoint a place or office in or conveniently near the district at which the registers hereby required to be kept shall be kept:

(b) may appoint some fit and proper person to be registrar of dogs within the district.

<sup>1</sup> In a previous reprint of this Act under the Acts Republication Act, 1934, the expressions “District Councils Act, 1914” and “Municipal Corporations Act, 1923” had been altered to “Local Government Act, 1934” (now Local Government Act, 1934-1975) pursuant to the Acts Republication Act, 1934.

(2) A notice in the *Government Gazette* of the appointment or removal of any registrar, purporting to be signed by the Minister or by the mayor of a municipality or the chairman of a district council (as the case may be), shall for all purposes be conclusive evidence of the appointment or removal.

8. The member of the police force in charge of the principal police station in any district where there is no other registrar shall be *ex officio* the registrar for that district until the Minister otherwise directs.

Certain members of police force *ex officio* registrars.  
320, 1884, s. 7.

## PART III

## PART III

## REGISTRATION OF DOGS

9. (1) The owner of any unregistered dog of the age of three months or over who keeps the said dog within any district for a period of fourteen days or more shall be liable to a penalty of not less than four dollars nor more than twelve dollars.

Penalty for keeping unregistered dog over three months old.  
6, 1867, s. 8.  
Subsec. (1) amended by 37, 1968, s. 2.

(2) The allegation in a complaint under this section—

(a) that the dog therein referred to is of the age of three months, or is over that age; or

(b) that the dog therein referred to has been within the district for a period of fourteen days, or more,

shall be *prima facie* evidence of the facts alleged.

10. (1) Any person desiring to register a dog shall himself or by his agent give to the registrar of the district within which the dog is intended to be kept a description in writing of the dog, embracing the several particulars indicated in the first schedule, with a declaration thereunder written to the truth of the said particulars, and shall pay to the registrar the fee provided by the scale of fees contained in the second schedule and applicable to the particular case<sup>1</sup>: Provided that only half fees shall be payable on registrations of dogs under the age of six months effected between the first day of January and the following thirtieth day of June and which are under the age of three months on such first day of January.

Mode of registering dogs.  
6, 1867, s. 9.  
Subsec. (1) amended by 21, 1948, s. 2.

(2) The registrar shall thereupon give to the person or his agent a receipt for the sum paid and if demanded, a copy certified under his hand of the description of the dog so registered, for which certificate the sum of ten cents shall be paid to the registrar.

Subsec. (2) amended by 37, 1968, s. 3 (a), (b).

11. Upon compliance with subsection (1) of section 10 as to any dog, the dog shall be deemed to be duly registered under this Act until the thirtieth day of June next following the registration, and no longer.

Time for which registration to continue in force.  
6, 1867, s. 10.

12. (1) The registrar, on the registration of a dog, shall deliver to the person registering the dog a disc<sup>2</sup> of a size and shape to be fixed annually by the Minister by notice published in the *Government Gazette*, and to be annually varied, on which shall be inscribed the date of the year, the registration number of the dog, and the number of the district<sup>2</sup>.

Registration discs.  
320, 1884, s. 9.  
Subsec. (1) amended by 21, 1948, s. 3 (a).

<sup>1</sup> For fee for registration of an Alsatian dog see s. 5 of the Alsatian Dogs Act, 1934, as amended.

<sup>2</sup> For provisions relating to special discs for Alastian dogs see s. 5 of the Alastian Dogs Act, 1934, as amended.

## PART III

Subsec. (1a)  
inserted by 21,  
1948, s. 3 (b);  
amended by 37,  
1968, s. 4.

(1a) If on the application of the owner of any dog, the registrar is satisfied that the disc issued on the registration of the dog has been lost or destroyed, the registrar shall, on payment of a fee of ten cents, deliver to the owner another disc of the kind provided by subsection (1).

(2) The disc shall, during the whole period for which the dog is registered, be kept suspended from a collar round the neck of the dog in such a manner as to be plainly visible. If at any time a dog is found not having a collar round its neck with a disc of the size and shape fixed by the Minister for the current year suspended therefrom, that fact shall in all legal proceedings be *prima facie* evidence that at that time the dog was unregistered.

Transfer of  
registration.  
Cf. 6, 1867,  
s. 11.  
S. 13 amended  
by 21, 1948,  
s. 4; 37, 1968,  
s. 5.

13. When any change takes place in the ownership of a registered dog the registration thereof shall continue in force until the expiration of the period for which the dog was registered: Provided that the new owner of the dog within fourteen days of becoming the owner thereof gives to the registrar for the district in which the dog is kept, notice of becoming the new owner and a description of the dog embracing the several particulars indicated in the first schedule and pays a fee of ten cents.

Registered dog  
may be  
removed to  
another district.  
Cf. *ibid.*, s. 12.  
S. 14 amended  
by 21, 1948,  
s. 5; 37, 1968,  
s. 6.

14. Any person being the owner of a registered dog may remove the dog from the district in which it is registered to any other district and, on payment of a fee of ten cents to the council of that other district, have the registration thereof transferred to the other district for the period for which the dog is already registered: Provided that the owner within fourteen days of the removal gives notice of the removal to the registrar of the district to which the dog is removed, and gives him a description of the dog, and the number of the registration and name of the district in which the dog is registered.

Penalty for  
misdescription.  
*Ibid.*, s. 13.  
S. 15 amended  
by 37, 1968,  
s. 7.

15. Any person who knowingly inserts or omits in any description required by this Act, any matter or thing contrary to, or for the purpose of concealing, the truth, shall be liable to a penalty of not less than four dollars nor more than ten dollars.

Power to search  
premises for  
unregistered  
dogs.  
320, 1884, s. 12.  
Subsec. (1)  
struck out by 37,  
1968, s. 8.

16. (1) \* \* \* \* \*

(2) Upon the application of a registrar, or some person authorized in writing by him, and on proof to the satisfaction of any justice that there is reason to suspect that any unregistered dog is kept on any premises in the district of the said registrar, the justice may grant a warrant authorizing the registrar, or the person authorized as aforesaid, to search any part of the said premises for the purpose of ascertaining whether any unregistered dog is kept thereon; and search may be made accordingly.

List of persons  
who have  
registered dogs  
to be exhibited.  
6, 1867, s. 14.

17. (1) The registrar for a district shall keep in some convenient part of his office during office hours, for public inspection, a correct list, arranged in alphabetical order, of the names of the persons who have registered dogs during the current year, and showing the number of dogs registered by each person.

Subsec. (2)  
amended by 37,  
1968, s. 9.

(2) Any person applying for a certified copy of the description of any dog so registered and of the name of the owner thereof, shall be entitled to receive the same on payment to the registrar of a fee of ten cents.

## PART IV

## PART IV

## PREVENTION OF DAMAGE BY DOGS

18. (1) Whenever any bitch on heat is found in any public place it shall be lawful for any member of the police force, any special constable, any inspector of or other person authorized in writing by the council of the municipality or district council district in which the bitch is found, or any Crown lands ranger, to kill it; and when any bitch as aforesaid is found on any premises not belonging to or occupied by the owner of the bitch it shall be lawful for the owner of the said premises, or any person authorized by him, to kill it.

Destruction of bitches on heat.  
Cf. 320, 1884, s. 13.  
Subsec. (1) amended by 40, 1957, s. 2 (2); 24, 1975, s. 3 (1) (2nd Sched.).

(2) If any bitch, when on heat, is at large in any public place or is at large on premises not belonging to or occupied by the owner of the bitch, such owner shall be liable to a penalty of not more than ten dollars.

Subsec. (2) amended by 40, 1957, s. 2 (2); 37, 1968, s. 10; 24, 1975, s. 3 (1) (2nd Sched.).

19. If any dog is found at large within any district not having a collar round its neck with the disc for the current year issued in respect of the said dog suspended therefrom, the owner of the dog shall, unless he satisfies the court that the collar and disc, or disc only (as the case may be), were or was illegally removed from the neck of the dog so found at large, be liable to a penalty of not less than fifty cents nor more than four dollars.

Penalty for dogs without collar and disc.  
Cf. 320, 1884, s. 18.  
S. 19 amended by 21, 1948, s. 6; 37, 1968, s. 11.

20. (1) Any dog found at large in any part of the State may be seized by any member of the police force, special constable, or Crown lands ranger, or by any person authorized in writing by any municipal or district council to seize dogs found at large.

Power to seize and destroy stray dogs.  
Cf. 6, 1867, s. 15.

(2) This section shall apply whether the dog is or is not registered, and whether it has or has not a collar round its neck with the proper disc suspended therefrom.

(3) Subject to paragraph II of the proviso to this subsection, any dog so seized may, after four days from the time of the seizure, unless it is claimed, and the amounts prescribed by the fifth schedule have been paid, be destroyed or sold (either by auction or by private contract) and if sold the purchaser shall upon the sale become the lawful owner thereof: Provided that—

Subsec. (3) amended by 21, 1948, s. 7 (a), (b); 24, 1975, s. 3 (1) (2nd Sched.).

I. the registrar of the district in which any dog is so seized shall, within twenty-four hours of the seizure, exhibit in some conspicuous place in his office a legibly written notice containing a general description of the dog, and the day on which and the place at which it was seized, and stating where it may be inspected, and shall cause the notice to remain so exhibited until the dog is disposed of under the provisions hereinbefore contained; and

II. if the dog at the time of the seizure has a collar round its neck with the proper disc for the current year suspended therefrom, the dog shall not be destroyed or sold until after the expiration of four days from the service upon the registered owner thereof of notice in the form in the fourth schedule, or to the like effect.

Para. II amended by 24, 1975, s. 3 (1) (2nd Sched.).

(4) The proceeds of the sale of a dog under this section and any sums paid under this section shall belong to and be paid into the funds of the municipal corporation or district council in whose municipality or district the seizure was made; and if the seizure was not made within the limits of a municipality or district council district, the proceeds and sums paid as aforesaid shall be paid to the Treasurer for the general purposes of the State.

Destruction of dangerous dogs. S. 20a enacted by 89, 1971, s. 2.

**20a.** (1) Where a dog is at large in any public place, or in any premises not belonging to, or occupied by, the owner of the dog, and an authorized person is of the opinion that the behaviour of the dog is such that the dog presents a danger or potential danger to the public, he may, if he is unable to seize the dog with safety, forthwith destroy the dog or cause it to be destroyed.

(2) In this section—

“authorized person” means—

(a) a member of the police force;

or

(b) a person authorized by instrument under the hand of the Commissioner of Police to exercise the powers conferred by this section.

Owner or occupier of enclosed land may destroy trespassing dogs not under control. W.A. 6, 1903, s. 22.

**21.** The owner or occupier of any enclosed field, paddock, yard, or other place in which any cattle, sheep, horse, or poultry is or are confined, or any person acting under the authority of the owner or occupier may, without incurring any liability in respect thereof, and without any public or other notice, shoot or otherwise destroy any dog—

(a) found worrying any cattle, sheep, horse, or poultry in the enclosed field, paddock, yard, or other place; or

(b) found in any such field, paddock, yard or other place where any cattle, sheep, horse, or poultry has or have apparently quite recently been worried, killed, or injured by a dog or dogs,

whether the owner of the dog is or is not known: Provided that this section shall not apply if the dog is accompanied and held in leash by its owner or some other person.

Order for destruction of destructive or dangerous dog. S. 21a enacted by 21, 1948, s. 8.

**21a.** (1) The owner or occupier of an enclosed field, paddock, yard or other place in which any cattle, sheep, horses, or poultry is or are confined may take proceedings in any court of summary jurisdiction for the destruction of any dog which has worried, killed, or injured any such cattle, sheep, horse or poultry.

(2) If the life or limbs of any person have been endangered by reason of a dog rushing at or attacking that person, that person or, if he is an infant, the parent or guardian thereof, may take proceedings in any court of summary jurisdiction for the destruction of the dog.

(3) Any such proceedings shall be instituted by a complaint laid by the owner or occupier aforesaid or, as the case may be, the person, parent or guardian aforesaid, against the owner of the dog and the Justices Act, 1921-1943<sup>1</sup>, shall apply to any such proceedings.

(4) Upon the hearing of the complaint, if the court is satisfied that any cattle, sheep, horse, or poultry confined as aforesaid has or have been worried, killed or injured by the dog or, as the case may be, that the life or limbs of the person aforesaid have been endangered as aforesaid by the dog, and that an order should be made, the court may order that the dog shall be destroyed.

(5) Any member of the police force may, on payment of his reasonable expenses by the owner or occupier or person laying the complaint, execute the order of the court and destroy the dog to which the order relates and for that

<sup>1</sup> Now Justices Act, 1921-1975.



purpose the member of the police force may enter upon any land or premises upon which he has reasonable cause to believe that the dog may be found.

22. (1) If upon application to register a dog the registrar suspects that the dog is suffering from any contagious or infectious disease, he may demand that it be produced to him for inspection before it is registered, and if the person applying to register the dog refuses or fails to produce it within twenty-four hours of the demand he shall be liable to a penalty of not less than four dollars nor more than ten dollars.

Destruction of diseased dogs.  
Subsec. (1) amended by 37, 1968, s. 12.

(2) If upon production of the dog the registrar is satisfied that it is suffering from a contagious or infectious disease he shall retain it, and, subject to subsection (4) of this section, shall cause it to be killed.

(3) Any member of the police force, special constable, inspector of or other person authorized in that behalf by any municipal council or district council, or Crown lands ranger, may seize or cause to be seized, and, subject to subsection (4) of this section, kill or cause to be killed any dog which is at large which he believes to be suffering from any contagious or infectious disease or any dog which is kept in any premises and which he believes to be suffering from any contagious or infectious disease and which is kept under such conditions that it is likely to infect other animals or persons with that disease.

Subsec. (3) amended by 21, 1948, s. 9.

(4) No dog retained or seized under the provisions of subsection (2) or (3) of this section shall be killed until a certificate in writing has been obtained from a veterinary surgeon, or some qualified person authorized by the council of the municipality or district council district or by the Minister to give such certificates, that he has inspected the dog and is of opinion that it is suffering from a contagious or infectious disease. If the certificate is not obtained within such time as is reasonably required for inspection and the formation of an opinion on the matter aforesaid, the dog shall be returned to the owner thereof.

(5) No person shall be entitled to any compensation on account of the killing of any dog under this section.

23. The occupier of any land, after giving public notice, in three successive issues of any two newspapers circulating in the district where the land is situate, of his intention to destroy dogs trespassing on the land, may destroy the same, and, if the land is not within the limits of any town or suburban lands, may lay poison on the land for the purpose of destruction of the dogs: Provided that—

Laying of poison baits.  
320, 1884, s. 14.

(a) notice of the poison being laid is conspicuously exhibited on the land; and

(b) no poison is laid within two hundred yards of any public road or way.

24. If any dog, in or upon any street, thoroughfare, highway, or public place in any part of the State, or on any premises other than the premises of or occupied by the owner of the dog, rushes at any vehicle, or rushes at or attacks any person, or any horse, bullock, cattle, or other animal, so that the life or limbs of any person are endangered or so that any horse, bullock, cattle, or other animal or other property is or may be injured or endangered, then, in any such case—

Penalty on owners of dogs that attack persons or frighten horses.  
6, 1867, s. 19.  
S. 24 amended by 21, 1948, s. 10; 37, 1968, s. 13.

(a) the owner of the dog shall be liable to a penalty of not less than four dollars nor more than ten dollars; and

Para. (a) amended by 37, 1968, s. 13.

- (b) any person damnified in person or property may also recover from the owner the amount of the damage done by the dog.

Absolute liability of owner for damage done by dog.  
Cf. 6, 1867, s. 20.

25. The owner of every dog shall be liable in damages for injuries to any horse, sheep, cattle, or poultry done by his dog; and in any such case it shall not be necessary to show a previous mischievous propensity in the dog, or that the injury was attributable to neglect on the part of the owner.

## PART V

## PART V

## MISCELLANEOUS

Illegally removing collar.  
Cf. 6, 1867, s. 22.  
Subsec. (1) amended by 37, 1968, s. 14.

26. (1) Any person who maliciously removes from the neck of any dog the collar or disc required by this Act to be worn by the dog shall be liable for a first offence to a fine of not more than ten dollars and for any subsequent offence shall be liable to imprisonment for not less than one month nor more than six months; and the owner of any dog killed under the provisions of this Act in consequence of the removal of the collar or disc may also recover as damages, in a summary way or by action, from the person so removing the collar or disc, the full value of the dog so killed.

(2) In any proceedings under this section proof to the satisfaction of the court that the defendant removed the collar and disc, or collar or disc, without the authority of the owner of the dog, shall be sufficient evidence of malice, unless absence of malice is proved to the satisfaction of the court.

Penalty on persons illegally killing dogs.  
Cf. *ibid.*, s. 23.  
S. 27 amended by 37, 1968, s. 15.

27. If any person kills any dog otherwise than in accordance with the provisions of this Act he shall be liable to a penalty of not less than two dollars nor more than ten dollars; and the owner of the dog may also recover as damages, in a summary way or by action, from that person, the full value of the dog.

Service of notices.

28. Notices under this Act may be served—

- (a) by delivering the same to the owner; or
- (b) by leaving the same at the owner's address as stated in the description of the dog when it was last registered; or
- (c) by forwarding the same by post in a prepaid envelope addressed to the owner at the said address.

Who shall be deemed the owner of the dog.  
6, 1867, s. 24.

29. In all prosecutions, actions, suits, or proceedings instituted by virtue of this Act, the occupier of any house or premises where any dog was kept, or permitted to live or remain, at the time when the injury was done, or at the time of the act or default charged, shall be deemed to be the owner of the dog, and shall be liable as such, unless the said occupier proves that he was not the owner of the dog at the time the injury was done, or at the time of the act or default charged, and that the dog was kept, or permitted to live or remain, in the said house or premises without his sanction or knowledge: Provided that—

- (a) where there are more occupiers than one in any house or premises let in separate apartments, or lodgings, or otherwise, the occupier of that particular part of the premises in which the dog was kept or permitted to live or remain, at the time of the injury or act or default, shall be deemed to be the owner of the dog; and

- (b) any person having registered a dog shall be deemed to be the owner of the dog, unless he has given notice to the registrar that he has ceased to be the owner thereof.

30. (1) In any proceedings under this Act it shall not be necessary for the complainant to establish the fact of non-registration of any dog; but the proof of due registration shall be on the defendant, and for that purpose a copy of the description of the dog given under section 10 for the purpose of registration, certified as correct under the hand of the registrar of the district where the registration was effected, shall be conclusive evidence of the contents of the description so given.

Proof of registration.  
6, 1867, s. 25.  
S. 30 redesignated s. 30 (1) by 21, 1948, s. 11.

(2) In any proceedings for an offence against this Act the allegation in the complaint that any dog is unregistered shall, in the absence of proof to the contrary, be sufficient evidence of the fact alleged.

Subsec. (2) inserted by 21, 1948, s. 11.

(3) In any proceedings under this Act, the receipt of a registrar of the payment of the registration fee in respect of any dog shall be sufficient evidence that the dog is duly registered under this Act until the thirtieth day of June next following the date of the receipt.

Subsec. (3) inserted by 21, 1948, s. 11.

31. The amount of the damage done by any dog may in all cases be recovered in any court of competent jurisdiction, or, where the amount of the damage claimed does not exceed sixty dollars, the same may, at the option of the party damnified, be recovered summarily, and the damages may be awarded in addition to any penalty inflicted on the hearing of any complaint.

Recovery of damages.  
Ibid., s. 26. 320, 1884, s. 15.  
S. 31 amended by 37, 1968, s. 16.

31a. (1) Any particulars or notice required by this Act to be given to any registrar may be given by post.

Giving of notices, etc., by post.  
S. 31a enacted by 21, 1948, s. 12.

(2) If under any provision of this Act, a registrar is required to give or deliver to any person any receipt, certified copy of the description of a dog, disc, notice or document, that receipt, certified copy, disc, notice, or document may be given to the person aforesaid by post.

32. All proceedings in respect of offences against this Act shall be disposed of summarily.

Summary proceedings for offences.

33. (1) Any fees imposed under this Act for the registration, or otherwise in respect of dogs intended to be kept within any municipality or district council district shall be paid to the municipal corporation or district council within the district of which the dog is to be kept. All other such fees shall be paid into the general revenue of the State.

Disposal of fees and penalties.  
S. 33 substituted by 21, 1948, s. 13.

(2) All penalties imposed for any offence committed within any municipality or district council district shall be paid to the municipal corporation or district council thereof. All penalties for offences committed elsewhere shall be paid into the general revenue of the State.

34. The Governor may make such regulations as may be necessary or convenient for carrying into effect the provisions and objects of this Act, including (though without limiting the operation of this section) regulations in respect of the following matters:—

Regulations.

- I. Any matters in this Act left to be expressed or ascertained by regulations:
- II. The providing for the payment, allowances, and travelling expenses of registrars of districts other than municipalities and district council districts:

Para. III  
inserted by 21,  
1948, s. 14.

- III. Varying the provisions of the second or fifth schedules and prescribing fees in lieu of or in addition to those prescribed by those schedules.

By-laws.  
S. 34a enacted  
by 21, 1948,  
s. 15.

34a. (1) A municipal council or district council may make by-laws—

- (a) providing that dogs shall not be permitted, or shall be permitted only upon the conditions set out in the by-law, to be upon any streets, roads, parks, reserves, or other public places or places of public resort within the municipality or district of the council or upon any foreshore under the control of the council;

Para. (b)  
amended by 37,  
1968, s. 17.

- (b) prescribing penalties not exceeding twenty dollars upon the owners or persons in charge of dogs which are upon any street, road, park, reserve, other public place, place of public resort, or foreshore contrary to any such by-law.

(2) All by-laws made pursuant to this section shall be made in manner prescribed by and be subject to the provisions of Division I of Part XXXIX of the Local Government Act, 1934-1946<sup>1</sup>, and the provisions of the said Division shall apply to all such by-laws to the same extent as if the by-laws had been made pursuant to the Local Government Act, 1934-1946<sup>1</sup>.

Section 41 of  
Impounding  
Act, 1920, not  
affected.  
6, 1867, s. 32.

35. Nothing in this Act shall be construed as repealing or altering the provisions of section 41 of the Impounding Act, 1920<sup>2</sup>.

S. 36 amended  
by 57, 1966,  
s. 3; repealed by  
37, 1968, s. 18.

\* \* \* \* \*

Exemption of  
dogs kept at  
dogs' home.  
S. 37 enacted by  
21, 1948, s. 16.

37. (1) If any municipal or district council is satisfied that premises situated within the district are conducted, either in whole or in part, as a place where dogs for which there is no apparent owner are taken in and cared for, then the council may by resolution of the council declare that this section shall apply to those premises. Any such resolution may be passed subject to any conditions included in the resolution and may be revoked or varied by subsequent resolution of the council.

(2) Any unregistered dog may be kept in any premises to which any such resolution applies and during the time such resolution continues to apply if—

- (a) the dog has no known owner; and  
(b) all conditions (if any) of the resolution are fully complied with; and  
(c) the occupier of the premises gives to the council such information as is required by the council (whether by general or specific direction) relating to the dog and the circumstances in which he was received into the premises.

(3) In any proceedings for an offence against section 9 with respect to any dog the onus shall be upon the defendant to satisfy the court that the provisions of this section apply to that dog.

Provision for  
use of guide  
dogs.  
S. 38 enacted by  
57, 1966, s. 4.  
Subsec. (1)  
amended by 37,  
1968, s. 19.

38. (1) Notwithstanding anything in any Act, regulation or by-law—

- (a) a person who is wholly or partially blind shall be entitled to be accompanied by a guide dog into any building or place open to or used by the public for any purpose whatsoever or into any vehicle,

<sup>1</sup> Now Local Government Act, 1934-1975

<sup>2</sup> Now Impounding Act, 1920-1975.

vessel or craft used for the carriage of passengers for hire or reward and shall not be guilty of any offence by reason only that he takes that dog into or permits that dog to enter any building or place open to or used by the public or into any such vehicle, vessel or craft;

- (b) an occupier or person in charge of any building or place open to or used by the public or in charge of any vehicle, vessel or craft used for the carriage of passengers for hire or reward shall not refuse entry into any such building, place or transport or deny accommodation or service to any person who is wholly or partially blind by reason only that that person is accompanied by a guide dog.

Penalty: Fifty dollars.

(2) In this section "guide dog" means a dog trained by a guide dog training institution recognized by the Guide Dogs for the Blind Association of South Australia Incorporated and used as a guide by a person who is wholly or partially blind.

## SCHEDULES

### FIRST SCHEDULE

Registration of Dogs Act, 1924

#### FORM OF DESCRIPTION

A description of \_\_\_\_\_ dogs now owned and intended to be kept by \_\_\_\_\_ of \_\_\_\_\_, in District No. \_\_\_\_\_, during the year ending on the thirtieth day of June, 19 \_\_\_\_.

Number of Dog	Premises on which Dog is intended to be kept	Name of Dog	Sex (if bitch, state if spayed)	Age	Colour or Peculiar Mark	Description or Kind of Dog

I, the said \_\_\_\_\_, [or I \_\_\_\_\_, of \_\_\_\_\_, agent for the said \_\_\_\_\_], do declare the above list and description to be true in every particular, to the best of my knowledge and belief.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

[Signature of owner or agent of owner]

### SECOND SCHEDULE

Scale of Fees for Registration of Dogs

For every male dog, spayed bitch or bitch ..... \$ 1.25

If any fee for the registration of a dog is not paid before the expiration of 60 days after the last day on which, pursuant to this Act, the dog should have been registered the fee shall be increased by an amount of \$1.00.

Section 10.  
1st sched.  
amended by 37,  
1968, s. 20

Section 10.  
2nd sched.  
amended by 21,  
1948, s. 17; 40,  
1957, ss. 2 (3),  
3 (a)(b)(c); 57,  
1966, s. 5 (a)(b);  
substituted by  
37, 1968, s. 21;  
amended by  
Reg. Gaz. 27th  
Jan. 1972, p.  
259.

3rd sched.  
amended by 40,  
1957, s. 2 (4);  
struck out by 37,  
1968, s. 22.

\* \* \* \* \*

Section 20.  
4th sched.  
amended by 40,  
1957, s. 4.

#### FOURTH SCHEDULE Registration of Dogs Act, 1924

##### FORM OF NOTICE

[Place]

[Date]

To , of ,

Take notice that a dog, of which you appear to be the registered owner, has been found at large and has been seized under the above Act, and is now at .

If not claimed within four days from the service of this notice the dog will be sold or killed pursuant to the said Act.

The registered number of the dog is .

[Signature]

NOTE—This notice may be signed by the officer in charge of a police station, the registrar of dogs, any special constable, any person authorized in writing by a municipal or district council to seize dogs found at large, or a Crown lands ranger.

Section 20.  
5th sched.  
enacted by 21,  
1948, s. 18;  
amended by 57,  
1966, s. 6; 37,  
1968, s. 23 (a),  
(b), (c); Reg.  
Gaz. 27th Jan.  
1972, p. 259.

#### FIFTH SCHEDULE Registration of Dogs Act, 1924

The following fees shall be payable in respect of any dog seized pursuant to section 20:—

	\$
For the first period of twenty-four hours or any part thereof after the dog was seized	2.00
For every subsequent period of twenty-four hours or any part thereof .....	1.50

If the dog so seized was unregistered, then, in addition to the fees computed according to the above table, the requisite fee for the licensing of the dog shall be also payable.