

No. VI.

Dog Act
AMENDMENT
(No. 2.)

An Act to amend and extend the Act commonly known as the "Dog Act." [22nd July, 1875.]

Preamble.

WHEREAS it is desirable to amend the Act sixth Gul. four number four and extend the provisions thereof to Police Districts in New South Wales Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Short title &c. of Act.

1. This Act may be cited as the "Dog Act Amendment Act of 1875" and shall be read with and as forming part of the Act sixth Gul. four number four hereinafter termed the "Principal Act" and shall come into force on the first day of October one thousand eight hundred and seventy-five.

Repeal of ss. 11 and 17 of Principal Act.

2. Sections eleven and seventeen of the Principal Act are hereby repealed.

Fees on registration.

3. So much of the said Principal Act as prescribes the fees payable on registration of dogs according to the Schedule of the said Act marked B is hereby repealed and in lieu thereof the fee payable on registration of every dog liable by law to be registered shall from and after the commencement of this Act be two shillings and sixpence.

Extension of Act.

4. It shall be lawful for the Governor with the advice of the Executive Council when he shall see fit to extend the provisions of the Principal Act to any Police District in New South Wales whether such Act shall have been previously extended to any town within such Police District or not And when so extended to any Police District the word town in the Principal Act shall equally be taken to mean such Police District unless such construction shall be inconsistent with the context.

Place of registration.

5. For the purpose of more effectually carrying out the provisions of the Principal Act as amended by this Act the Court of Petty Sessions nearest to the place where any dog is intended to be kept shall be the place where such dog shall be registered And the Clerk of such Petty Sessions shall keep a like list of the names of all persons who shall have registered any dog under this section as is required to be kept under the provisions of section six of the Principal Act.

Registration by registered letter.

6. Where any owner or keeper of a dog resides more than ten miles distant from the Court of Petty Sessions nearest to the place where such dog is intended to be kept he may register such dog by transmitting to the Clerk of such Petty Sessions a registered letter containing postage or duty stamps to the value of two shillings and sixpence such letter to contain the particulars of such dog according to the form prescribed in Schedule A to the Principal Act.

Clerk of Petty Sessions to forward receipt of registration to owner of dog.

7. The Clerk of Petty Sessions shall within fourteen days after the receipt of such registration fee so enclosed as aforesaid forward a receipt in form of Schedule C of the Principal Act by letter to the owner or keeper of such dog or in default forfeit and pay a penalty of not more than one pound or less than ten shillings.

Penalty for not doing so.

Recovery of fines and penalties.

8. All fines fees and penalties imposed under the provisions of the Principal Act as amended by this Act or damages where the amount claimed shall not exceed ten pounds shall be recoverable in a summary way before any one or more Justice or Justices of the Peace and the fines or penalties inflicted or order for damages made by such Justice or Justices shall be levied by distress and sale of the offender or defendant's goods

Water Pollution Prevention.

goods or chattels and in failure of distress shall be enforced in the manner provided by Act eleventh and twelfth Victoria chapter forty-three or any Act amending the same.

9. The owner of every dog shall be liable in damages for injury done to any person property or animal by his dog and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog or the owners knowledge of such previous propensity or that the injury was attributable to neglect on the part of such owner.

Owner of dog to be liable in damages for any injury committed by his dog.

10. Any dog attacking any person or animal may be destroyed by any person whomsoever if the attack be not on premises belonging to or occupied by the owner or keeper of such dog.

Dog may be destroyed.

11. In the Principal Act as amended hereby the expression "place where any dog is intended to be kept" shall be taken to include the place where any such dog is actually kept as well as the place where such dog is ordinarily kept The word constable in the Principal Act shall mean any officer of the Police Force And the word animal shall mean any horse mare gelding filly foal ass mule bull cow bullock steer heifer calf ram ewe wether lamb alpaca goat pig or domestic poultry.

Interpretation.