



New South Wales

Companion Animals Amendment (Penalty Notices) Regulation 2005

under the

Companion Animals Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Companion Animals Act 1998*.

KERRY HICKEY, M.P.,
Minister for Local Government

Explanatory note

The object of this Regulation is to amend the *Companion Animals Regulation 1999* for the following purposes:

- (a) to increase the prescribed penalty for certain penalty notice offences relating to dangerous dogs and restricted dogs,
- (b) to prescribe an offence under section 16 (1) of the *Companion Animals Act 1998* to be a penalty notice offence (that section makes the owner of a dog, or person in charge of a dog, guilty of an offence in certain circumstances if the dog rushes at, attacks, bites, harasses or chases any person or animal) and prescribe a penalty of \$550 for that offence if dealt with by penalty notice,
- (c) to remove redundant provisions of the Regulation relating to short descriptions of offences.

This Regulation is made under the *Companion Animals Act 1998*, including sections 92 and 96 (the general regulation-making power).

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Clause 1 Companion Animals Amendment (Penalty Notices) Regulation 2005

Companion Animals Amendment (Penalty Notices) Regulation 2005

under the

Companion Animals Act 1998

1 Name of Regulation

This Regulation is the *Companion Animals Amendment (Penalty Notices) Regulation 2005*.

2 Amendment of Companion Animals Regulation 1999

The *Companion Animals Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clause 35 Penalty notice offences

Omit “Column 3” from clause 35 (b). Insert instead “Column 2”.

[2] Clause 36 Short descriptions of offences

Omit the clause.

[3] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Penalty notice offences

(Clause 35)

| Column 1 | Column 2 |
|------------------------------|---|
| Provision | Penalty |
| Offence under the Act | |
| Section 8 (3) | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |
| Section 8 (4) | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |
| Section 9 (1) | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |
| Section 10 | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |
| Section 10A | \$550 (in the case of a dangerous or restricted dog) or \$55 (in any other case) |
| Section 10B | \$550 (in the case of a dangerous or restricted dog) or \$55 (in any other case) |
| Section 11 (1) (a) | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |
| Section 11 (4) | \$110 |
| Section 12 | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |
| Section 13 | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |

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Schedule 1 Amendments

| Column 1 | Column 2 |
|--------------------------------------|---|
| Provision | Penalty |
| Section 14 (2) | \$1,320 (in the case of a dangerous or restricted dog) or \$110 (in any other case) |
| Section 15 (2) | \$110 |
| Section 16 (1) | \$550 |
| Section 20 | \$220 |
| Section 21 (5) | \$220 |
| Section 29 | \$55 |
| Section 30 (2) | \$55 |
| Section 31 (5) | \$110 |
| Section 36 (1) | \$1,320 |
| Section 51 (2) | \$1,320 |
| Section 56 (2) | \$1,320 |
| Section 60 (1) | \$110 |
| Section 61 (1) | \$110 |
| Section 62 (2) | \$440 |
| Section 71 (4) | \$110 |
| Section 76 (1) | \$110 |
| Section 90 (2) (a) | \$220 |
| Section 90 (2) (b) | \$220 |
| Section 91 | \$110 |
| Offence under this Regulation | |
| Clause 7 (1) | \$220 |
| Clause 7 (2) | \$110 |

BY AUTHORITY