

DOG (AMENDMENT) ACT 1985 No. 125

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

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Act No. 125, 1985

An Act to amend the Dog Act 1966 in relation to dogs used by blind or deaf persons, and for other purposes. [Assented to, 25th November, 1985.]

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BE it 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

1. This Act may be cited as the "Dog (Amendment) Act 1985".

Amendment of Act No. 2, 1966

2. The Dog Act 1966 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE DOG ACT 1966

- (1) (a) Section 8 (4) (a)—

After "dog", insert ", accompanied by some competent person,".

- (b) Section 8 (4) (a1)—

After section 8 (4) (a), insert:

- (a1) to a dog, accompanied by some competent person, in or on a public place or part of a public place (not, in either case, being prescribed land) within the area of a council during a period of the day declared by the council by order to be a period during which subsection (1) does not apply;

- (c) Section 8 (4) (b)—

After "dog", insert ", accompanied by some competent person,".

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SCHEDULE 1—*continued*AMENDMENTS TO THE DOG ACT 1966—*continued*

(d) Section 8 (6)—

After “(4) (a)”, insert “or (a1)”.

(e) Section 8 (6A)—

After section 8 (6), insert:

(6A) For the purposes of subsection (4) (a1), an order of a council may specify different periods on different days.

(2) Section 14 (1) (f)—

Before “be”, insert “subject to the regulations,”.

(3) Part VA, heading—

Omit the heading, insert instead:

PART VA
DOGS USED BY THE BLIND AND DEAF

(4) (a) Section 17A—

Omit “completely or partially blind” wherever occurring, insert instead “blind or deaf”.

(b) Section 17A—

After “guide” wherever occurring, insert “or assistant”.

(c) Section 17A (5)—

After section 17A (4), insert:

(5) A reference in this section to a blind or deaf person includes a reference to a person who is partially blind or partially deaf.

(5) Section 21A—

After section 21, insert:

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SCHEDULE 1—*continued*AMENDMENTS TO THE DOG ACT 1966—*continued***Requirement to state name and address**

21A. (1) A servant of a council, a member of the police force, an administrator of prescribed land or a person authorised by an administrator who reasonably suspects a person of having committed an offence against this Act may require the person to state his or her full name and residential address.

(2) A person shall not—

- (a) fail or refuse to comply with a requirement under this section; or
- (b) in purported compliance with such a requirement, furnish a name that is not his or her name or an address that is not his or her residential address.

Penalty: \$200.

(3) A person is not guilty of an offence under this section unless it is established that the servant of the council, the member of the police force, the administrator of prescribed land or the person authorised by an administrator warned the person that the failure or refusal to comply with the requirement is an offence.

(6) Section 22—

Omit “any 2 justices in petty sessions”, insert instead “a Local Court constituted by a Magistrate or any 2 justices”.

(7) (a) Section 27 (1) (d)—

After “reduction”, insert “, waiver or exemption from payment”.

(b) Section 27 (2)—

After section 27 (1), insert:

(2) A provision of a regulation may—

- (a) apply generally or be limited in its application by reference to specified exceptions or factors;
- (b) apply differently according to different factors of a specified kind; or

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SCHEDULE 1—*continued*

AMENDMENTS TO THE DOG ACT 1966—*continued*

- (c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,
or may do any combination of those things.