

DOG MANAGEMENT AND CONTROL

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Dog Management and Control Act 2017

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Dog Management and Control Act 2017

TABLE OF AMENDMENTS

The Dog Management and Control Act 2017 No 28 was certified and commenced on 19 December 2017 (GN No 910/2017; Gaz 203/2017).

| Amending Legislation | Certified | Date of Commencement |
|--|------------------|-----------------------------|
| Dog Management and Control (Amendment) Act 2018 No 1 | 26 January 2018 | 26 January 2018 |
| Revised Written Laws Act 2021 No 7 | 1 June 2021 | 1 June 2021 |

[The next page is 420,601]

An Act to repeal certain provisions of the *Animals Act 1982* and to make new provision for the licencing and control of dogs and for related purposes.

Enacted by the Parliament of Nauru as follows:

PART 1 — PRELIMINARY

1 Short title

This Act may be cited as the *Dog Management and Control Act 2017*.

2 Commencement

This Act commences upon certification by the Speaker and which came into effect on 19 December 2017.

3 Definitions

In this Act:

‘*Authority*’ means the dog licencing officer duly appointed under Section 8;

‘*Committee*’ refers to the Dog Management and Control Committee;

‘*dangerous dog*’ includes dogs which attack human beings or animals;

‘*dog fight*’ or ‘*dog fighting*’ means a situation where dogs are trained or incited to inflict pain or injury to other dogs;

[def am Act 1 of 2018 s 4, opn 26 Jan 2018]

‘*licence number*’ means the unique identifying number allocated for each licenced dog bearing the letters JBC and four numerals in a series commencing with “JBC0001”;

‘*Minister*’ means the Minister for Justice and Border Control;

‘*owner*’ means the owner of the dog as defined in Section 10;

‘*public place*’ includes a public road, track, thoroughfare or any common driveway accessible by a person other than the owner of the dog;

‘*Register*’ refers to the Dog Licence Register; and

‘*tag*’ means the licence tag given to a dog under Section 13.

[The next page is 420,801]

PART 2 — ADMINISTRATION

4 Dog Management and Control Committee

A Dog Management and Control Committee is established.

5 Membership

The Committee shall consist of the Authority as the Chairperson and representatives from the:

- (a) Department of Health;
- (b) Nauru Police Force; and
- (c) Department of Commerce, Industry and Environment.

6 Functions of the Committee

The functions of the Committee are to advise and make recommendations to the Minister on the:

- (a) breed of dogs that may be introduced into the Republic;
- (b) ownership and licencing of dogs;
- (c) control of stray dogs;
- (d) health and care of domestic dogs;
- (e) sterilisation of dogs; and
- (f) eradication of stray and diseased dogs.

7 Meetings

- (1) Meetings of the Committee shall be convened by the Chairperson and in his or her absence, a nominated representative of the Chairperson.
- (2) The Chairperson shall keep minutes of all meetings of the Committee.
- (3) The Committee may establish its own practice and procedure for the meetings.

8 The Authority

- (1) The Minister shall appoint a person to be the Authority for the purposes of this Act.
- (2) The functions of the Authority are to:
 - (a) establish and maintain a Dog Licence Register;
 - (b) receive applications for the licencing of dogs;
 - (c) hold and issue approved dog collars and tags upon granting of licences; and
 - (d) receive and pay all licencing fees into the Treasury Fund.

9 Dog Licence Register

- (1) The Authority shall be responsible for establishing and maintaining a Dog Licence Register under this Act.
- (2) The Register shall contain the following details of a dog:
 - (a) a photograph;
 - (b) the breed if identifiable;
 - (c) gender;

- (d) description including any specific identifiable features;
- (e) colour;
- (f) approximate age;
- (g) name, if any, of the dog;
- (h) whether the dog has been de-sexed;
- (i) name and address of the owner of the dog; and
- (j) licence number.

[The next page is 421,001]

PART 3 — OWNERSHIP OF DOG

10 Owner of dog

The person who is the owner of the dog is, in the case of:

- (a) a licenced dog, the person in whose name the dog is registered;
- (b) an unlicenced dog, the person who ordinarily keeps and feeds the dog; and
- (c) a child's pet, the parent or guardian of the child.

10A Cruelty to dogs

- (1) No person shall commit acts of cruelty to a dog.
- (2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment not exceeding 3 years or to both.
- (3) For the purposes of this Section, '*cruelty*' means to:
 - (a) cause unnecessary, unjustifiable or unreasonable pain; or
 - (b) abuse or torture.

[s 10A insrt Act 1 of 2018 s 5, opn 26 Jan 2018]

11 Licencing of dogs

- (1) The owner shall obtain a licence for a dog before it reaches the age of 6 months.
- (2) Where an owner fails or neglects to obtain a licence for a dog, he or she commits an offence and upon conviction is liable to a fine not exceeding \$5,000.
- (3) An owner who contravenes this Section more than 2 times, upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment not exceeding 2 years or to both.

12 Application for dog licence

- (1) The owner shall for the purposes of licencing provide:
 - (a) the place of residence of the dog;
 - (b) if the dog is a guard dog, the premises guarded by the dog; and
 - (c) whether the dog is a danger to the public.
- (2) The application shall be:
 - (a) in the prescribed form; and
 - (b) accompanied by the prescribed fee.

13 Issuance of licence

Upon receipt of payment of the fee, the Authority shall in licencing a dog:

- (a) allocate a licence number;
- (b) provide to the owner a tag; and
- (c) issue the licence for 12 months from the date of the application in the prescribed form.

14 Validity of tag

- (1) A tag is valid for 12 months unless renewed by the Authority on the application of an owner.
- (2) A person shall not:
 - (a) use a tag that is not valid;
 - (b) use an expired tag;
 - (c) use a tag for another dog;
 - (d) use a counterfeit tag; and
 - (e) remove a tag from a dog without any just cause or advice of a veterinarian.
- (3) A person who contravenes subsection (2), commits an offence and upon conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 12 months or to both.

15 Dog collar or leash

- (1) The owner shall ensure that the dog while in a public place, is on a leash to which the tag shall be fastened.
- (2) The owner shall ensure that the tag remains fastened around the dog's neck whilst the licence is current.

16 Change of ownership

- (1) Where there is a change in ownership of a licenced dog, the new owner shall within 7 days of becoming the new owner, notify the Authority of such change in ownership.
- (2) A person who fails to comply with subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 12 months or to both.

17 Annual licence fee

An owner of a dog shall renew and pay the prescribed annual licence fee for each of his or her dog, on or before 1 June in each successive year.

[The next page is 421,201]

PART 4 — CONTROL OF DOG

18 Control of dog

- (1) The owner shall ensure:
 - (a) that the dog is not at large;
 - (b) in the case of a female dog on heat, is confined away from a public place; or
 - (c) in the case of a dog in or on a vehicle, is not in a position to leave the vehicle or become a danger to the public.
- (2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 12 months or to both.

19 Chasing vehicle

The owner shall not:

- (a) leave a dog unattended in a public place where the dog is capable of attacking, chasing or moving towards a moving bicycle, motorcycle or a motor vehicle; or
- (b) urge or direct a dog to attack, chase or move towards a bicycle, motorcycle or a motor vehicle.

20 Dog attacking person or animal

- (1) The owner shall not:
 - (a) leave the dog unattended so that it is capable of; or
 - (b) allow or incite the dog, to attack or chase a person, animal or other dogs.
- (2) Where a dog attacks a person or animal, the owner shall:
 - (a) report the matter to the Police within 12 hours of such attack; and
 - (b) send a copy of the report to the Authority.
- (3) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 2 years or to both.
- (4) A person who fails or neglects to comply with subsection (2), is liable to a fixed penalty of \$1,000.
- (5) For the purposes of subsection (4), the Authority shall:
 - (a) issue a notice to recover the penalty;
 - (b) decline to issue a licence for the dog; or
 - (c) impound or destroy the dog.

21 Dangerous dog

- (1) The Authority may issue a notice on the owner:
 - (a) declaring that the dog is dangerous where:
 - (i) the dog has caused serious injury to a person or animal; or
 - (ii) there is a reasonable apprehension or cause to believe that the dog is likely to cause serious injury to a person or animal; and
 - (b) giving reasons for the declaration in the notice.

- (2) Where a notice is issued under subsection (1), the owner shall within 3 days of receipt of the notice:
- (a) destroy the dog; or
 - (b) take steps to ensure that the dog is not a danger to a person or any other animal.

[subs (2) subst Act 1 of 2018 s 8, opn 26 Jan 2018]

- (3) An owner who contravenes subsection (2), commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment not exceeding 3 years or to both.

[subs (3) insrt Act 1 of 2018 s 8, opn 26 Jan 2018]

22 Warning signs

The owner of a dangerous dog shall display signs in a conspicuous manner warning members of the public of the presence of a dangerous dog.

23 Duty to report missing dangerous dog

The owner of a dangerous dog shall report to the Police and the Authority that the dog is missing or not traceable as soon as practicable after becoming aware of the absence of the dog.

24 Duty to report the sale or giving away of a dangerous dog

The owner of a dangerous dog shall report to the Authority if the dog has been sold or given away to a specified person and shall provide the address of such person.

25 Diseased dog at large

- (1) An owner who permits a diseased dog to leave his or her premises or land and to stray at large, commits an offence and upon conviction is liable to a fine not exceeding \$1,000.
- (2) The Authority may destroy or cause to be destroyed any diseased dog or any dog reasonably believed to be diseased wandering at large, with or without the consent of the owner.
- (3) A person who obstructs the Authority or any authorised person from removing a diseased dog for destruction, commits an offence and upon conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months or to both.

26 Ban and control on certain breeds

- (1) The Minister may by order published in the Gazette, order that certain breeds of dogs be banned in the Republic.
- (2) A person who keeps, breeds or imports a banned breed of dog, commits an offence and upon conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months or to both.
- (3) An order imposing a ban under this Section may specify that the ban applies to a dog that is wholly or partly of the breed that is banned.
- (4) A ban imposed under this Section may be a total ban, or may impose conditions on the keeping of a specific breed.
- (5) A person who keeps, breeds or imports a breed of dog in a manner that

breaches a condition imposed under subsection (4), commits an offence and upon conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 12 months or to both.

[The next page is 421,401]

PART 4A — PROHIBITION ON DOGS TO FIGHT

[Pt 4A insrt Act 1 of 2018 s 6, opn 26 Jan 2018]

26A Inciting dog fight

- (1) A person shall not:
 - (a) import, own, keep, sell, breed or train or cause to import, own, keep, sell, breed or train a dog for the purposes of a dog fight;
 - (b) supply to another person any dog for the purposes of having the dog participate in a dog fight;
 - (c) organise or attempt to organise a dog fight;
 - (d) knowingly receive money for admission to a dog fight;
 - (e) publicise a proposed dog fight;
 - (f) make or accept a bet on the outcome of a dog fight;
 - (g) participate in a dog fight;
 - (h) film and circulate by electronic means a recording of dogs fighting; or
 - (i) supply any premises for use for a dog fight.
- (2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment not exceeding 3 years or to both.

[s 26A insrt Act 1 of 2018 s 7, opn 26 Jan 2018]

[The next page is 421,601]

PART 5 — CIVIL LIABILITY

27 Liability of dog owner for injury caused by dog

- (1) The owner of a dog which causes any personal injury to a person or loss to livestock, shall be liable to compensate for damages or loss sustained by a person.
- (2) Where the owner of the dog and the person who suffered injuries or loss to livestock, fail to reach a settlement on the damages, the latter may institute a proceeding in court.

[The next page is 421,801]

PART 6 — SEIZURE OF DOG

28 Seizure of dog

- (1) The Authority may direct an authorised person or police officer to seize and detain a dog at large.
- (2) Where a dog is seized and detained and it is a licenced dog, the Authority shall serve a notice on the owner providing that, the:
 - (a) dog has been seized and detained; and
 - (b) owner may reclaim the dog.
- (3) Where the owner fails to reclaim the dog within 2 working days of the service of the notice, the Authority may authorise the disposal of the dog by sale or destruction.
- (4) Where an owner of a dog seized is not identified, the Authority shall within 2 working days authorise that the dog be destroyed.

29 Payment of penalty

The owner of the dog seized under Section 28, shall on reclaiming the dog:

- (a) pay a prescribed penalty;
- (b) reimburse any costs incurred for the keeping of the dog during the detention; and
- (c) where the dog is unlicenced, shall pay the licence fee and the penalty and costs prescribed under subparagraphs (a) and (b).

30 Release of dog

The Authority shall release the dog to its owner on the payment of the penalty and costs, and where the dog is unlicenced, the licence fee under Section 29.

[The next page is 422,001]

PART 7 — NUISANCE

31 Removal of dog faeces

- (1) An owner shall immediately remove or dispose of any faeces left by his or her dog in a public place or a place not under the control of or occupation of the owner.
- (2) A person who fails or neglects to comply with subsection (1), is liable to a fixed penalty of \$1,000.

32 Dog creating nuisance

- (1) The owner shall not permit his or her dog to create a nuisance in a public place.
- (2) For the purposes of this Section, '*nuisance by a dog*' means:
 - (a) it behaves in a manner that is injurious or dangerous to the safety or health of a person or other animal; or
 - (b) it creates noise by barking or otherwise that persistently occurs or continues to such an extent that it unreasonably interferes with the peace, comfort or convenience of a person or place.

33 Complaints relating to nuisance

A person may make a complaint to the Authority in respect of a dog that is a nuisance, stating the nature of the nuisance.

34 Investigating a complaint

On receipt of a complaint, the Authority shall within 5 working days:

- (a) investigate the complaint; and
- (b) if necessary, institute proceedings for an offence against the owner.

35 Powers of the Authority

Where the Authority is satisfied that the dog against which the complaint is lodged is creating nuisance, the Authority may direct:

- (a) the owner to destroy the dog;
- (b) the owner to remove the dog from the specified premises; or
- (c) any other conditions the Authority may deem fit to abate the nuisance.

[The next page is 422,201]

PART 8 — LICENCING OF DOG

36 Licence restricted to 2 dogs

- (1) A person shall not be granted a licence for more than 2 dogs.
- (2) The Authority may refuse to grant the application for the licencing of a dog, where:
 - (a) the premises to which the licence relates are unfit for the purposes of keeping a dog;
 - (b) there is inadequate protection for the health and welfare of the dog;
 - (c) nuisance to other persons is likely to occur;
 - (d) there is a safety issue of other inhabitants of a densely populated area; and
 - (e) the public health authorities may object to the keeping of any dog.

37 Cancellation of licence

- (1) A licence may be cancelled by the Authority where:
 - (a) the application contains any misrepresentation or false statement;
 - (b) the dog has caused serious injury to a person;
 - (c) one or more conditions of the licence is breached; or
 - (d) the licensee fails to comply with any directions given by the Authority.
- (2) Where a licence is cancelled, the Authority shall direct that the dog be destroyed.

38 Requirement for information

- (1) The Authority may by notice in writing, require a person to provide in writing:
 - (a) the number of dogs owned by the person; and
 - (b) the particulars of each dog.
- (2) A person who receives a notice under subsection (1), shall comply with such requirement.

[The next page is 422,401]

PART 9 — AUTHORISED OFFICERS

39 Authorised officers

- (1) The Minister may in consultation with the Authority and by notice in the Gazette, appoint such persons as authorised officers for the purposes of this Act.
- (2) The Minister may in consultation with the Commissioner of Police and by notice in the Gazette, appoint such police officers as authorised officers for the purposes of this Act.

40 Identification of authorised officer

- (1) An authorised officer, other than a police officer, shall be issued with an identification card, which:
 - (a) contains his or her name and a recent photograph;
 - (b) states that he or she is an authorised officer for the purposes of this Act;
 - (c) provides the period of validity of the identification card;
 - (d) states any conditions in his or her instrument of appointment that limits his or her powers as an authorised officer; and
 - (e) shall be produced for the purposes of inspection or performance of any duties under this Act.
- (2) Where an authorised officer is a police officer he or she shall produce for inspection his or her police identification card.

41 Powers of authorised officers

An authorised officer may:

- (a) enter and search such premises to determine whether there is an unlicensed dog on the premises;
- (b) seize by any necessary means a dog running at large and not wearing a tag;
- (c) seize and destroy any dog that is the subject of any breach of this Act;
- (d) detain a seized dog in a pound or other place determined by the Quarantine Section;
- (e) serve notice of the seizure of the dog on the owner of the dog or any other person appearing to own the dog or have custody of it;
- (f) sell or destroy any dog that has been seized under this Section and which has not been claimed by its owner within 4 days of its seizure;
- (g) summarily destroy any dog found at large and which has attacked a person or animal or which the officer has reasonable grounds to believe to may have so attacked a person or animal;
- (h) de-sex dogs to keep the population of dogs under control;
- (i) destroy stray dogs;
- (j) destroy any diseased dogs;
- (k) enter and search such premises to determine whether there are dogs kept, trained, bred or used for dog fighting; and

(l) seize by any means necessary a dog kept, trained, bred or used for dog fighting.

[s 41 subst Act 1 of 2018 s 9, opn 26 Jan 2018]

[The next page is 422,601]

PART 10 — MISCELLANEOUS

42 **Obstruction of authorised officers**

A person who obstructs, hinders or in any way interferes with an authorised officer in the performance of his or her duties, commits an offence and upon conviction is liable to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 2 years or to both.

43 **Protection from liability**

- (1) No legal proceedings of any nature may be taken against the Authority, an authorised officer or Police officer in relation to the *bona fide* exercise of any power under this Act.
- (2) Subject to subsection (3), a person who kills, wounds or maims a dog whilst exercising any of the rights provided for in this Act is not subject to any civil or criminal liability for the death of the dog or for any injury done to it.
- (3) Subsection (2) does not apply in any case where a person causes unnecessary suffering to a dog.
- (4) The protection under this Section shall also apply to a person participating in a dog control program approved by the Committee.

44 **Appeal against any direction by the Authority for dog to be destroyed**

- (1) An owner aggrieved by a decision of the Authority to destroy a dog may apply to the court for an order for the dog not to be destroyed.
- (2) The court in exercising its power to make an order under subsection (1), shall consider the following factors:
 - (a) the dog's past and present temperament and behaviour;
 - (b) the seriousness of the injuries caused by the dog;
 - (c) the unusual contributing circumstances tending to justify the dog's action;
 - (d) the improbability that a similar attack will be repeated;
 - (e) the dog's physical potential for inflicting harm;
 - (f) precautions taken by the owner to preclude any future similar attacks; and
 - (g) any other circumstances the court considers relevant.
- (3) No appeal shall lie from any decision of the District Court under this Section.

45 **Jurisdiction of the court**

The District Court shall have jurisdiction to hear and determine all offences under this Act and, shall have power to impose the penalty or punishment in respect of the offences under this Act.

46 Regulations

- (1) The Cabinet may make regulations necessary or expedient for giving full effect to this Act.
- (2) Without limiting subsection (1), the regulations may provide for:
 - (a) the licencing of dogs;
 - (b) the amount of the licence fees to be paid;
 - (c) the classification of dogs for the purpose of establishing licence fees;
 - (d) any forms that are required under this Act;
 - (e) the fees for any applications or services that are required to be paid under this Act;
 - (f) the control of the dog population and destruction of dogs; and
 - (g) any other incidental matters.

47 Repeal

Sections 4, 5, 6, 7, 8, 9, 10 and 11 of the *Animals Act 1982* are repealed by this Act in so far as they relate to dogs.

[The next page is 430,001]

Dog Management and Control (Licencing of Dogs) Regulations 2018

TABLE OF PROVISIONS

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Dog Management and Control (Licencing of Dogs) Regulations 2018

TABLE OF AMENDMENTS

The Dog Management and Control (Licencing of Dogs) Regulations 2018 No 7 were notified and commenced on 27 March 2018 (GN No 215/2020; Gaz 44/2018).

| Amending Legislation | Notified | Date of Commencement |
|---|-----------------|-----------------------------|
| Dog Management and Control (Licencing of Dogs)(Amendment) Regulations 2021 SL 4 | 26 March 2021 | 26 March 2021 |
| Revised Written Laws Act 2021 No 7 | 1 June 2021 | 1 June 2021 |

[The next page is 430,401]

The Cabinet makes the following Regulations under Section 46 of the *Dog Management and Control Act 2017*:

1 Citation

These Regulations may be cited as the *Dog Management and Control (Licencing of Dogs) Regulations 2018*.

2 Commencement

These Regulations commence on the day they are notified in the Gazette.

3 Application for dog licence

- (1) For the purposes of Section 12(2)(a) of the Act, the prescribed form for an application for a dog licence is in Form 1 of Schedule 1.
- (2) The licence fee to be paid by a dog owner on applying for a dog licence under Section 12(2)(b) of the Act is in Item 1 of Schedule 2.
- (3) The licence fee to be paid by a dog owner under Section 12(2)(b) of the Act on applying for a dog licence for a dangerous dog is in Item 2 of Schedule 2.

4 Dog licence

For the purposes of Section 13(c) of the Act, the Authority shall issue a licence in Form 2 of Schedule 1.

5 Change of ownership of dog

For the purposes of Section 16 of the Act, any change of ownership of a dog shall be notified by the new owner to the Authority in Form 3 of Schedule 1.

6 Sale or giving away of dangerous dog

For the purposes of Section 24 of the Act, the form to be used by a person to notify the Authority of the sale or giving away of a dangerous dog is in Form 4 of Schedule 1.

7 Annual licence fee

- (1) For the purposes of Section 17 of the Act, the prescribed annual licence fee is in Item 3 of Schedule 2.
- (2) The annual licence fee to be paid by the owner of a dangerous dog is in Item 4 in Schedule 2.

7A Fixed Penalty Notice – failure or neglect to report dog attack

- (1) For the purposes of Section 20(4) of the Act, a Fixed Penalty Notice for failure or neglect to report a dog attack on a person or animal is in Form 5 of Schedule 1.
- (2) A person who is issued with a Notice under subregulation (1), shall pay the fixed penalty within 7 days of service of the Notice.

[reg 7A insrt SL 4 of 2021 reg 4, opn 26 Mar 2021]

7B Licenced Dog Seizure Notice

For the purposes of Section 28(2) of the Act, a Licenced Dog Seizure Notice is in Form 6 of Schedule 1.

[reg 7B insrt SL 4 of 2021 reg 5, opn 26 Mar 2021]

8 Penalty and cost

For the purposes of Section 29 of the Act, the owner of the dog shall pay the penalty and cost in Schedule 2 on reclaiming his or her dog.

[reg 8 subst SL 4 of 2021 reg 6, opn 26 Mar 2021]

9 Notice of infringement

- (1) For the purposes of Sections 11 and 41 of the Act, an authorised officer may issue a notice of infringement on a dog owner upon inspection of the owner's premises.
- (2) The notice under subregulation (1) shall provide that:
 - (a) the dog must be licenced within 5 days of receipt of the notice;
 - (b) if the dog is not licenced as required by the notice, the dog may be removed and disposed of by the Authority; and
 - (c) the owner shall be prosecuted for not complying with the notice and the licencing requirements under the Act.

10 Lost tag

A dog owner who loses a dog tag shall pay the fee in Item No 5 of Schedule 2.

[The next page is 430,601]

**SCHEDULE 1
FORMS
FORM 1**



**REPUBLIC OF NAURU
DOG MANAGEMENT AND CONTROL ACT 2017**

[Section 12(2)(a); Regulation 3(1)]

APPLICATION FOR DOG LICENCE

Note:

- (i) All dogs over and above the age of 6 months must be licenced. If you do not obtain a licence for your dog, you will be prosecuted and will be liable to a fine of up to \$5,000. If you still do not licence your dog after the first fine, you will be liable to a fine of up to \$50,000 or to a term of imprisonment of up to 2 years or to both.
- (ii) The owner must ensure that Section 25 regarding diseased dogs is complied with.
- (iii) An owner cannot register more than 2 dogs.

New licence Renewal Dog Licence Number: _____

| | |
|---|--|
| <p><u>DOG OWNER'S PARTICULARS:</u> Name:..... Telephone:..... Email Contact:..... Address:.....</p> | <p><u>DOG PARTICULARS:</u> Name:..... Breed (if identifiable):..... Gender:..... Colour:..... Approximate age:.....</p> |
| <p>DESCRIPTION OF DOG <i>(including any specific identifiable features):</i></p> | |
| <p>Is the dog a potential danger to the public? Yes or No? If yes, provide details. Has your dog bitten or attacked a person? If yes, provide details: </p> | |
| <p>Is the dog a: <i>(tick as appropriate)</i> <input type="checkbox"/> Pet; or</p> | <p>Type of premises where dog will be kept <i>(tick as appropriate)</i> <input type="checkbox"/> Home (if pet dog)</p> |

| | |
|---|--|
| <input type="checkbox"/> Guard dog? | <input type="checkbox"/> In the case of a guard dog, state the place:..... |
| Has the dog been de-sexed? Yes/No If yes, when was the dog de-sexed? | Imported Dogs <input type="checkbox"/> Copy of Quarantine certificate from exporting country; <input type="checkbox"/> Copy of import permit issued by Nauru Quarantine; <input type="checkbox"/> Other details. |
| <p>You are reminded that the details provided here are required under the Act and if the details are inaccurate or false, you will be liable to prosecution.</p> <p>I declare that the contents of this application are true and correct. I am informed of the consequences for providing any misleading or inaccurate details.</p> <p>Printed Name:.....Signature:.....Date: / /20. . .</p> | |
| Dog Licence No: Fee paid : Receipt No : Date paid :...../...../20.... | Photo of Dog |

FORM 2



REPUBLIC OF NAURU

DOG MANAGEMENT AND CONTROL ACT 2017

[Section 13(c); Regulation 4]

DOG LICENCE

The licence expires on:...../...../20..... Dog Licence Number:.....

THIS LICENCE is issued to: Mr/Mrs/Miss..... of..... for his/her (female/male) dog named..... a..... (dog breed).

The obligations of the owner under the Act include the following:

1. The collar and tag issued for the dog with this licence shall be used only in respect of the licenced dog.
2. The dog must be leashed while in a public place and the owner must remove and dispose of any faeces left by his or her dog in a public place.
3. The tag issued with this licence must be fastened around the dog's neck whilst the licence is current.
4. The dog owner shall not remove a current tag from the dog without just cause or advice from a veterinarian.
5. The dog owner shall not use a tag that is not valid or has expired.
6. Authorised officers are permitted by law to enter and inspect any premises without any hindrance or interference by the owner or any other person.
7. The licence shall be produced by the owner upon demand by an authorised officer.
8. The owner must ensure that his or her dog does not create any nuisance.

Dangerous dog:

1. A warning sign for the public must be displayed in the case of dangerous dogs.
2. The owner must report to the Authority the sale or transfer of a dangerous dog to any other person.
3. The owner must report a missing dangerous dog to the Authority.

These are offences for which you are liable for prosecution and if found guilty, you will be liable to a fine up to \$10,000 or to a term of imprisonment up to 12 months or to both.

Prohibition on organised dog fighting:

The dog owner shall not:

- (a) import, own, keep, sell, breed or train or cause to import, own, keep, sell, breed or train a dog for the purposes of dog fighting;
- (b) supply to another person any dog for the purposes of having the dog participate in a dog fight;
- (c) organise or attempt to organise a dog fight;

- (d) knowingly receive money for admission to a dog fight;
- (e) publicise a proposed dog fight;
- (f) make or accept a bet on the outcome of a dog fight;
- (g) participate in a dog fight;
- (h) film and circulate by electronic means a recording of dogs fighting;
- (i) supply any premises for use for a dog fight.

Organised dog fighting is an offence for which you are liable for prosecution and if found guilty, you will be liable to a fine of up to \$50,000 or to a term of imprisonment of up to 3 years or to both.

ISSUED on this..... day of..... 20.....

.....
DOG LICENCING AUTHORITY

FORM 4



REPUBLIC OF NAURU

DOG MANAGEMENT AND CONTROL ACT 2017

[Section 24; Regulation 6]

NOTE: It is the duty of the dog owner to notify the Authority if the dog has been sold or given away.

Dog Licence Number:

NOTICE OF SALE OR GIVING AWAY OF DANGEROUS DOG

To: The Dog Licencing Authority
Nauru**NOTICE:**

I/We _____ and (_____)
 hereby give notice of the change of ownership of a (*female/male*) dog,
 named, a (*breed*), with the approximate age
 of, registered on / /20
 The dog was sold/transferred on / /20

PARTICULARS OF NEW OWNER

Name:
 Telephone: Email Contact:
 Address:

Signature of new owner:

Date: / /20

FORM 5



**REPUBLIC OF NAURU
DOG MANAGEMENT AND CONTROL ACT 2017**

[Section 20(4); Regulation 7A]

**FIXED PENALTY NOTICE – FAILURE OR NEGLECT TO REPORT DOG ATTACK
ON PERSON OR ANIMAL**

Notice No: FPN... / 20...

| | |
|--|--|
| <p>TO: <i>[Dog owner]</i> <i>[Address]</i></p> <p>TAKE NOTICE that you had failed or neglected to report to the Police and Authority within 12 hours of such attack that your dog <i>[name]</i>..... <i>[breed]</i>..... <i>[gender]</i>..... <i>[colour]</i>, had attacked a person / animal on..... <i>[dd / mm / yy]</i> at..... <i>[location of attack]</i>.</p> <p>You must pay a fixed penalty of \$1,000 within 7 days of the service of this Notice. If you fail to pay the fixed penalty above, the Authority will destroy your dog.</p> <p style="text-align: center;">Dated this..... of..... 20...</p> <p style="text-align: center;">..... Authority</p> | |
| ACKNOWLEDGEMENT OF SERVICE | |
| Full name of dog owner | |
| Signature of dog owner | |
| AFFIDAVIT OF SERVICE | |
| I..... <i>[full name]</i> , authorised officer / police officer make oath / solemnly affirm that I did on the..... day of..... 20... served the dog owner..... <i>[full name of dog owner]</i> the original copy of this Fixed Penalty Notice – failure or neglect to report dog attack on person or animal on..... <i>[date]</i> at..... <i>[time]</i> AND he / she acknowledged service by affixing his / her signature to this Notice. | |
| Authorised officer / police officer:..... (signature) Before me:..... <p style="text-align: center;">Commissioner for Oaths</p> | |

[Form 5 insrt SL 4 of 2021 reg 7, opn 26 Mar 2021]

FORM 6



**REPUBLIC OF NAURU
DOG MANAGEMENT AND CONTROL ACT 2017**

LICENCED DOG SEIZURE NOTICE

[Sections 28(2); Regulation 7B]

Notice No: DSN. . . / 20. . .

| | |
|---|--|
| <p>TO: <i>[Dog owner]</i> <i>[Address]</i></p> | |
| <p>TAKE NOTICE that your dog..... <i>[name]</i>, <i>[breed]</i>, <i>[gender]</i>, <i>[colour]</i>, which was at large at <i>[location where dog was found]</i>, was detained on <i>[dd / mm / yy]</i>. You must reclaim your dog within 2 working days of the service of this Notice. Further, you must pay a penalty of \$. . . and cost of \$. . . for keeping your dog for. . . days. If you fail to: (a) reclaim your dog; and (b) pay the penalty and cost within 2 working days of service of this Notice, the Authority will destroy your dog.</p> | |
| <p>Dated this. of. 20. . .</p> <p>..... Authority</p> | |
| ACKNOWLEDGEMENT OF SERVICE | |
| Full name of dog owner | |
| Signature of dog owner | |
| AFFIDAVIT OF SERVICE | |
| <p>I <i>[full name]</i>, authorised officer / police officer make oath / solemnly affirm that I did on the day of 20. served the dog owner. <i>[full name of dog owner]</i> the original copy of this Licenced Dog Seizure Notice on <i>[date]</i> at <i>[time]</i> AND he / she acknowledged service by affixing his / her signature to this Notice.</p> | |
| Authorised officer / police officer: <i>[signature]</i> Before me: <p style="text-align: center;">Commissioner for Oaths</p> | |

[Form 6 insrt SL 4 of 2021 reg 7, opn 26 Mar 2021]

430,609

Service 0

[The next page is 430,801]

SCHEDULE 2
DOG MANAGEMENT AND CONTROL ACT 2017
FEE, PENALTY AND COST

[Sch 2 subst SL 4 of 2021 reg 8, opn 26 Mar 2021]

| Item No | Nature of fee / penalty / cost | Act / Regulation | Fee / Penalty / Cost |
|----------------|--|-----------------------------------|-----------------------------|
| 1 | Application for dog licence | Section 12(2) | \$100 |
| 2 | Application for dog licence (dangerous dog) | Section 12(2)(b); Regulation 3(3) | \$200 |
| 3 | Annual dog licence | Section 17; Regulation 7(1) | \$50 |
| 4 | Annual dog licence (dangerous dog) | Section 17; Regulation 7(2) | \$150 |
| 5 | Lost tag | Regulation 10 | \$50 |
| 6 | Penalty for licenced dog seized and detained | Section 29; Regulation 8 | \$100 |
| 7 | Cost for detention of licenced dog | Section 29; Regulation 8 | \$100 per day |

[The next page is 434,001]

Dog Management and Control (Import) Regulations 2021

TABLE OF PROVISIONS

| <i>Regulation</i> | <i>Title</i> |
|-------------------|---|
| 1 | Citation |
| 2 | Commencement |
| 3 | Restriction on importation of dogs |
| 4 | Seizure and destruction of dog |
| 5 | Application for dog import permit |
| 6 | Dog import requirements |
| 7 | Dog import permit |
| 8 | Dog import permit not to be assigned |
| 9 | Aircraft or vessel not to permit transportation of dogs |
| 10 | Prohibited dogs |
| 11 | Approved country of import |
| 12 | Fee |
| | SCHEDULE 1 |
| | FORM 1 — APPLICATION FORM FOR DOG IMPORT PERMIT |
| | FORM 2 — DOG IMPORT PERMIT |
| | SCHEDULE 2 — PROHIBITED DOG BREEDS |
| | SCHEDULE 3 — FEE |

[The next page is 434,201]

Dog Management and Control (Import) Regulations 2021

TABLE OF AMENDMENTS

The Dog Management and Control (Import) Regulations 2021 No 29 were notified and commenced on 18 October 2021.

| Amending Legislation | Notified | Date of Commencement |
|-----------------------------|-----------------|-----------------------------|
|-----------------------------|-----------------|-----------------------------|

[The next page is 434,401]

The Cabinet makes the following Regulations under Section 46 of the *Dog Management and Control Act 2017*:

1 Citation

These Regulations may be cited as the *Dog Management and Control (Import) Regulations 2021*.

2 Commencement

These Regulations come into effect on the day they are notified in the Gazette.

3 Restriction on importation of dogs

- (1) No person shall import a dog without a permit issued by the Director of Quarantine before importation.
- (2) A person who contravenes subregulation (1), commits an offence and upon conviction is liable to a fine not exceeding \$5,000.

4 Seizure and destruction of dog

- (1) Where a dog is imported without a permit, it shall be seized by a quarantine officer and handed over to the Dog Management Unit or the Authority.
- (2) A dog seized under subregulation (1), shall be immediately destroyed by the Dog Management Unit or the Authority.

5 Application for dog import permit

An application for a dog import permit shall:

- (a) be in Form 1 of Schedule 1;
- (b) comply with all importation requirements, 14 days prior to lodging the application for a dog import permit with the Director of Quarantine;
- (c) be accompanied by an approval granted by the Director of Quarantine 14 days prior to the date of importation of the dog;
- (d) be accompanied by an approval granted by the aircraft or vessel in which the dog is intended to be brought to the Republic; and
- (e) be accompanied by evidence of payment of the prescribed fee.

6 Dog import requirements

Before a dog is imported, it shall be:

- (a) desexed; and
- (b) vaccinated for:
 - (i) rabies;
 - (ii) canine parvovirus;
 - (iii) distemper;
 - (iv) canine hepatitis; and
 - (v) leptospirosis.

7 Dog import permit

Where the Director of Quarantine determines that the applicant has complied

with the importation requirements for a dog, the Director shall issue a dog import permit in Form 2 of Schedule 1.

8 Dog import permit not to be assigned

- (1) A dog import permit shall not be assigned by the applicant to another person.
- (2) A person who contravenes subregulation (1), commits an offence and upon conviction is liable to a fine not exceeding \$5,000.

9 Aircraft or vessel not to permit transportation of dogs

- (1) A captain of an aircraft or master of a vessel shall not allow any dog on board the aircraft or vessel for the purposes of transporting it to the Republic without a copy of a dog import permit.
- (2) Where a dog is transported under subsection (1) without a dog import permit, the Director of Quarantine shall decline to off-load the dog from the aircraft or vessel.

10 Prohibited dogs

- (1) Subject to subregulation (5), no person shall import any dog of a breed listed in Schedule 2.
- (2) A person who contravenes subregulation (1), commits an offence and upon conviction is liable to a fine not exceeding \$10,000.
- (3) A dog of a breed listed in Schedule 2 that is imported shall be seized by a quarantine officer and destroyed by the Dog Management Unit or the Authority.
- (4) The Minister shall by an order amend the Schedule by removing or adding to the list in Schedule 2.
- (5) A dog of a breed listed in Schedule 2 shall only be imported with the approval of the Cabinet.

11 Approved country of import

A dog shall only be imported from Australia.

12 Fee

The fee for a dog import permit is in Schedule 3.

[The next page is 434,601]

SCHEDULE 1

FORM 1



REPUBLIC OF NAURU

DOG MANAGEMENT AND CONTROL ACT 2017

[Regulation 5]

APPLICATION FORM FOR DOG IMPORT PERMIT

To: Director of Quarantine
Republic of Nauru

*(Please provide a
recent photo of the
dog to be imported)*

| PART 1: PARTICULARS OF APPLICANT | |
|--|--|
| (a) Full Name | |
| (b) Nationality | |
| (c) Date of birth | |
| (d) Identification No /Passport No | |
| (e) Residential Address | |
| (f) Email | |
| (g) Telephone | |
| PART 2: IMPORTATION DETAILS | |
| (a) Port of departure | |
| (b) Country of import | |
| (c) Importation by sea / air | |
| (d) Date of arrival into Nauru | |
| PART 3: PARTICULARS OF DOG TO BE IMPORTED | |
| (a) Breed | |
| (b) Colour | |
| (c) Age | |
| (d) Sex | |

| | | |
|-----|---|--|
| (e) | When was your dog desexed? <i>(Please provide a valid certificate from the licenced veterinarian who administered the vaccine)</i> | |
| (f) | When was your dog dewormed? <i>(Please provide a valid certificate from the licenced veterinarian who administered the vaccine)</i> | |
| (g) | When was your dog vaccinated against rabies? <i>(Please provide a valid certificate from the licenced veterinarian who administered the vaccine)</i> | |
| (h) | When was your dog vaccinated against canine parvovirus, distemper, canine hepatitis and leptospirosis? <i>(Please provide a valid certificate from the licenced veterinarian who administered the vaccine)</i> | |

PART 4: DECLARATON OF APPLICANT

I, *(name of applicant)* do solemnly declare that the particulars and details stated in this application and the attachments are true and correct to the best of my knowledge and belief and that I have not willfully suppressed any material fact or mistake.

I, understand that if any information provided by me is false or conceals any material fact or mistake, I shall be liable to punishment upon conviction.

..... Date: / /20. . . .

Signature of applicant

PART 5: OFFICIAL PURPOSES

Date application lodged by applicant: / /20. . . .

Receiving officer:..... Date: / /20. . . .

Identification sighted: passport/drivers licence /other

Fee paid: Receipt No:.....

Date application submitted to Director of Quarantine: / /20. . . .

| | |
|---|----------------------------|
| Date applicant informed or decision by Director of Quarantine: / /20. . . . | |
| DECISION | |
| Application is: Approved / Rejected | |
| | Date: / /20. . . . |
| Director of Quarantine | |

FORM 2



REPUBLIC OF NAURU

DOG MANAGEMENT AND CONTROL ACT 2017

[Regulation 7]

DOG IMPORT PERMIT

*(Insert the photo of
the dog to be
imported)*

Permit No: ... / 20...

This permit is issued to..... *[Full name of applicant]* of..... *[residential address]*, subject to the following conditions:

Conditions of permit

1. This permit is not transferable and is valid only for the shipment specified below.
2. This permit applies only to the following:
 - a. Date of import:
 - b. Country of import:.....
 - c. Type of carrier (ship/aircraft):.....
 - d. Name of (ship/aircraft):
 - e. Breed of dog:
 - f. Colour of dog:.....
 - g. Age of dog:
 - h. Sex of dog:.....

TO: NAURU CUSTOMS SERVICE at the Nauru Airport/ Seaport

This is to declare that a dog belonging to *[name of applicant]* is due to arrive at the above seaport / airport from..... *(country of import)*
on..... *(date)*.

Flight No or Ship's name:

Signature:..... Date: / /20....

Director of Quarantine

[The next page is 434,701]

SCHEDULE 2

[Regulation 10]

PROHIBITED DOG BREEDS

1. American pit bull terrier
2. Rottweiler
3. American bulldog
4. Bullmastiff
5. Siberian husky
6. Staffordshire bull terrier
7. Bull terrier
8. American bully
9. Miniature terrier
10. Boston terrier
11. Boxer
12. Alapaha blue blood bulldog
13. Dogo argentino
14. Doberman

[The next page is 434,801]

SCHEDULE 3

[Regulation 12]

FEE

| Nature of application | Provision | Fee |
|-----------------------------------|------------------|------------|
| Application for dog import permit | Regulation 5 | \$1,000 |

[The next page is 450,001]