

ATTACHMENTS

Ordinary District Dog Control Committee Meeting

2 February 2023

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1/9/23, 5:02 PM

Dog Control Act 1996 No 13 (as at 30 November 2022), Public Act 33A Territorial authority may classify dog as menacing – Ne...



New Zealand Legislation

Dog Control Act 1996

If you need more information about this Act, please contact the administering agency: **Department of Internal Affairs**

- with search matches not highlighted

Menacing dogs

Heading: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).

33A Territorial authority may classify dog as menacing

- (1) This section applies to a dog that—
 - (a) has not been classified as a dangerous dog under [section 31](#); but
 - (b) a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of—
 - (i) any observed or reported behaviour of the dog; or
 - (ii) any characteristics typically associated with the dog's breed or type.
- (2) A territorial authority may, for the purposes of [section 33E\(1\)\(a\)](#), classify a dog to which this section applies as a menacing dog.
- (3) If a dog is classified as a menacing dog under subsection (2), the territorial authority must immediately give written notice in the prescribed form to the owner of—
 - (a) the classification; and
 - (b) the provisions of [section 33E](#) (which relates to the effect of classification as a menacing dog); and
 - (c) the right to object to the classification under [section 33B](#); and
 - (d) if the territorial authority's policy is not to require the neutering of menacing dogs (or would not require the neutering of the dog concerned), the effect of [sections 33EA](#) and [33EB](#) if the owner does not object to the classification and the dog is moved to the district of another territorial authority.

Section 33A: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).

Section 33A(3): amended, on 1 November 2004, by [section 10](#) of the Dog Control Amendment Act 2004 (2004 No 61).

Section 33A(3)(c): amended, on 28 June 2006, by section 13 of the Dog Control Amendment Act 2006 (2006 No 23).

Section 33A(3)(d): added, on 28 June 2006, by section 13 of the Dog Control Amendment Act 2006 (2006 No 23).

https://www.legislation.govt.nz/act/public/1996/0013/latest/DLM375100.html?search=qs_act%40bill%40regulation%40deemedreg_Dog+Control+... 1/1



GREAT LAKE TAUPŌ

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31 October 2022

Lesley Ann Purdon



Kia Ora Ms Purdon

Notice of Classification of Dog as a Menacing Dog - Section 33A, Dog Control Act 1996

Your Reference: 6130B

Dog Description: 226820, Billy, Greyhound/Cross, White/Tan, Male entire

This is to notify you* that this dog has been classified as a menacing dog under **Section 33A (2)** of the Dog Control Act 1996.

This Taupo District Council considers this dog may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of:

- Observed or reported behaviour of the dog. In that on the 26/09/22 your dog Billy your dog was involved in an incident involving another dog at Kiko Road, Motuoapa.

A full summary of the effects of the classification and your right to object is provided on the following page.

If you have any enquiries regarding this notice, please contact the Compliance Team on 07 3760899 or email info@taupo.govt.nz.

Nga mihi

Compliance Team Leader
Taupō District Council
CO-37

EFFECT OF CLASSIFICATION AS MENACING DOG*Section 33E 33F and 36A , Dog Control Act 1996*

You:

- (a) must not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) are required to produce to the Taupo District Council, within 1 month after receipt of this notice, a certificate issued by a registered veterinary surgeon certifying—
 - (i) that the dog is or has been neutered; or
 - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) where a certificate under paragraph (b)(ii) is produced to the Taupo District Council, produce to the Taupo District Council, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with all of the matters in paragraphs (a) to (c) above.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (c) above. The officer or ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c).

As from 1 July 2006, you are also required, for the purpose of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to the Taupo District Council in accordance with the reasonable instructions of the Taupo District Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement—

- within 2 months from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006; or
- within 2 months after the dog is classified as menacing if your dog is classified as menacing after 1 July 2006.

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction. You will commit an offence and be liable on conviction to a fine not exceeding \$500 if you fail to comply with this requirement.

Full details of the effect of the classification of a dog as menacing are provided in the Dog Control Act 1996.

RIGHT OF OBJECTION TO CLASSIFICATION UNDER SECTION 33A*Section 33B, Dog Control Act 1996*

You may object to the classification of your dog as menacing by lodging with the Taupo District Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object.

You have the right to be heard in support of your objection and will be notified of the time and place at which your objection will be heard.

