

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the Companion Animals Act 1998 to allow dogs in outdoor dining areas in certain circumstances.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Companion Animals Act

1998 No 87

Schedule 1 provides that section 14 (1) (b) of the Companion Animals Act 1998, the Food Act 2003 and the Food Standards Code under that Act do not prohibit a dog (other than a dangerous or restricted dog) from being in an outdoor dining area if:

(a) the dog is under the effective control of a person and is restrained by means of an adequate chain, cord or leash that is attached to the dog, and

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(b) the person does not feed the dog or permit the dog to be fed, and

(c) the dog is kept on the ground.

The proposed provision does not confer any entitlement on a person accompanied by a dog to use any table and chairs or other apparatus provided in an outdoor dining area by a food business without the permission of the operator of the food business.

An outdoor dining area is defined as an area that is used for the consumption of food by humans that is not enclosed and that can be entered by the public without passing through an enclosed area in which dogs are prohibited by the Companion Animals Act 1998, the Food Act 2003 or the Food Standards Code under that Act, but does not include any part of an area that is used for the preparation of food.