

FIRST PRINT

DOMESTIC DINGO PROTECTION BILL 1992

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to preserve the dingo as a species by:

- (a) facilitating its lawful keeping in captivity; and
- (b) redefining its status as a "wild dog" or "noxious animal" under the law.

The Bill proposes to facilitate the keeping of dingos by providing that they may be kept on a domestic basis without the special permission currently required under the law.

Clause 1 specifies the short title of the proposed Act.

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

Clause 3 provides that, in order merely to keep a dingo on a domestic basis, a person will not need a permit or other special authority under any Act. (At present, the keeping of a dingo requires a permission under the Rural Lands Protection Act 1989 that is subject to conditions imposed by regulations or by the Minister.) The enactment of the proposed section will not mean, however, that Acts or statutory rules applying to the *treatment* of animals in captivity will not apply. For example, the dingo could not be kept for research purposes without due authority under the Animal Research Act 1985.

Clause 4 provides that a dingo is not a "wild dog" or "noxious animal" for the purposes of any Act.

At present, under the Wild Dog Destruction Act 1921, an owner or occupier of any property is required to destroy any dingo on the property because it is for the purposes of that Act a "wild dog".

Under the Rural Lands Protection Act 1989, provision is made for the destruction of "noxious animals" and at present the dingo (whether in captivity or not) is for the purposes of that Act a noxious animal.

Domestic Dingo Protection 1992

The object of the clause is to remove the dingo (in captivity) from the two categories.

Clause 5 provides that other Acts are in general not affected by the provisions of the proposed Act. For example, the Dog Act 1966 will still apply to dingos in captivity.

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DOMESTIC DINGO PROTECTION BILL 1992

NEW SOUTH WALES



No. , 1992

A BILL FOR

An Act to permit the keeping of dingos without licence or other special authority; to redefine the legal status of the dingo in captivity; and for other purposes.

Domestic Dingo Protection 1992

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Domestic Dingo Protection Act 1992.

Commencement

- 5 2. This Act commences on the date of assent.

Authority not required to keep dingos

3. (1) No special authority is necessary under any other Act or law in order merely to keep a dingo on a domestic basis.

10 (2) This section does not, however, enable the animal to be dealt with in any particular manner:

(a) in contravention of any Act or law that prohibits or regulates any such dealing with dogs or with animals in general; or

(b) without obtaining any lawful authority required under, or without otherwise complying with, any such Act or law.

15 **Dingo in captivity not a "wild dog" or "noxious animal"**

4. A dingo kept on a domestic basis is not a wild dog or noxious animal for the purposes of any Act.

Saving of other laws

20 5. Except to the extent necessary to give effect to sections 3 and 4, nothing in this Act affects the operation of any provision of or made under the Dog Act 1966 or any other Act applying to dingos or to dogs in general.
