

Sensible solutions for dangerous dogs.

15 a. Appendix 1 - effective control and word meaning.

Australian Veterinary Association model legislative framework for dangerous dog regulation.

(Based on “The Humane Society of the United States Model Dangerous Dog Legislation as at May 2006)”

Definitions.

At large (see 2. below).

Attack means.

In relation to the actions of a dog, means any incident where a dog rushes in a manner that causes fear, attacks, bites, harasses, or chases any person or animal (other than vermin), whether or not any injury is caused to the person or animal.

Includes injury and menace.

Dangerous dog means any dog that.

1. Causes a serious injury to a person or domestic animal; or
2. Has been designated as a potentially dangerous dog and engages in behavior that poses a threat to public safety as described in the “potentially dangerous dog” definition.
3. Inflicts a single (not serious) bite wound without provocation.
4. Inflicts multiple bite wounds in a situation where provocation of the dog has been established as a significant causal factor.
5. Inflicts multiple bite wounds without provocation.
6. Inflicts a life-threatening attack (potential grievous bodily harm).

Desexed means rendered permanently incapable of reproduction (spayed or neutered).

Dog means >>> a domestic dog *Canis lupus familiaris* or dingo *Canis lupus Dingo* which is not free-living or feral, and is reasonably believed to be owned.

Effective Control (see 3 below);

Guard dog means a dog that is kept on premises primarily for the purpose of guarding or protecting a person or property at those premises.

Hunting dog means a dog used for hunting, whether principally or

occasionally.

Impound means taken into the custody of the Animal Control Authority or the organization authorized to enforce the dangerous dog law of this jurisdiction.

Injury in relation to the actions of a dog, means any incident where a dog causes physical harm to a person or animal by biting, scratching, knocking down or causing the human to be injured while trying to escape from the dog.

Menace means.

In relation to the actions of a dog, means an action that creates a reasonable apprehension in a person that the dog is likely to injure the person, or an animal owned or in the control of the person, and includes a reasonable apprehension that the dog may escape, or be released from restraint, to injure the person or animal.

Occupier means.

Of premises includes a person who is, or is reasonably believed to be, in charge of the premises.

Owner means.

A person to whom the dog belongs in the sense of property.

Patrol dog means.

A dog that, under the control of a person, patrols premises for the purpose of guarding or protecting a person or property at those premises.

Person in charge means.

The person with whom the dog resides or who might reasonably be assumed to have responsibility for the dog at that time (includes the occupier of premises on which the dog has been kept or permitted to live).

Potentially dangerous dog means.

A dog that may reasonably be assumed to pose a threat to public safety as demonstrated by any of the following behaviours.

1. Causing an injury to a person or domestic animal that is less severe than a serious injury.
2. Without provocation, chasing or menacing a person or domestic animal in an aggressive manner.
3. Running at large and impounded or owners cited by the Animal Control Authority two (2) or more times within any 12-month period.

4. Acts in a highly aggressively manner within a fenced yard/enclosure and appears to a reasonable person able to jump over or escape.
5. Fails a temperament assessment test conducted by a person approved by the Authority.
6. Exhibits unacceptable aggression without actually biting.
7. Inflicts a single (not serious) bite wound in a situation where provocation of the dog has been established as a significant causal factor.

Proper enclosure means.

Secure confinement indoors or secure confinement in a locked pen, secure fenced yard, or structure measuring at least [dimensions and construction to be determined by the authority], capped – chain sport pr chained or on a fixed cable.

Run if there is a doghouse inside or if dog can climb fence, with secure sides, which provides proper protection from the elements for the dog, is suitable to prevent the entry of any unwanted visitor especially young children and is designed to prevent the animal from escaping while on the owner's property.

Public place means: a place open to or used by the public or to which the public is permitted to have access, whether on payment of a fee or otherwise, and includes a road and public vehicles such as trains, buses, and taxis.

That's it – Gawie Manjaro – MK.

