



REPUBLIC OF NAURU

DOG MANAGEMENT AND CONTROL (AMENDMENT) ACT 2018

No. 1 of 2018

An Act to amend the *Dog Management and Control Act 2017*

Certified: 26th January 2018

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Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Dog Management and Control (Amendment) Act 2018*.

2 Commencement

This Act commences upon certification by the Speaker.

3 Amendment of the Dog Management and Control Act 2017

The *Dog Management and Control Act 2017* is amended by the provisions of this Act.

4 Amendment of section 3

Section 3 is amended by inserting the following in alphabetical order:

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

5 Insert new section 10A

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.

6 Insert new Part 4A

PART 4A – PROHIBITION ON DOGS TO FIGHT

7 Insert new section 20A

20A 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 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;
- (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.

8 Amendment of section 21

(1) Omit and substitute current subsection (2) as follows:

‘(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 any other animals or persons.’

(2) Insert new subsection (3) as follows:

‘(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.’

9 Amendment of section 41

Section 41 is omitted and substituted with the following:

41 Powers of authorised officers

An authorised officer may do any of the following:

- (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 Quarantine;
- (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 any person or animal or which the officer has reasonable grounds to believe to may have so attacked any 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 to dog fight.