



Hon Desley Boyle MP

Member for Cairns

10/37899

LA/10/2391, LA/10/2414

02 SEP 2010

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to your letter of 6 August 2010 to the Honourable Tim Mulherin MP, Minister for Primary Industries, Fisheries and Rural and Regional Queensland, concerning petition No. 1506-10 regarding penalties on owners of dangerous dogs and the regulation of certain breeds of dog.

As you are aware, Minister Mulherin's office has forwarded a copy of your correspondence to me for consideration and direct reply.

These matters fall within the jurisdiction of the *Animal Management (Cats and Dogs) Act 2008* (the Act), which provides a consistent State wide approach for the management of regulated dogs. The aim of the Act is to protect the community from damage or injury as a result of the actions of such animals, while ensuring natural justice to dog owners.

The term "regulated dogs" includes restricted breeds (breeds banned from importation by Commonwealth legislation), dangerous and menacing dogs. The identification of dogs as being either dangerous or menacing is based on the animal's behaviour, rather than its breed. A dog can be declared dangerous or menacing if it is involved in an attack against a person or another animal or causes fear to a person or another animal. Council officers authorised under the Act may also make a declaration if they believe that, based on a dog's behaviour towards a person or animal, the dog may attack or act in a manner causing fear to that person or animal.

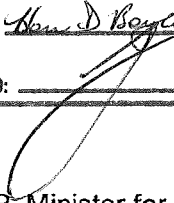
The Act places significant restrictions on the keeping of regulated dogs, including compulsory microchipping; identification tags; appropriate enclosures which are child-proof and prevent the dog from escaping; and the display of public notices about the dog. In addition, restricted dogs and declared dangerous dogs are required to be desexed and kept under effective control and muzzled in public. A permit is necessary to keep a restricted dog.

In acknowledging that there are differing levels of severity in aggressive dog behaviour, the Act scales penalties for owners or persons in immediate control of a dog according to the severity of the attack or menacing behaviour towards a person or animal. The Act provides for the seizure and destruction of regulated dogs in specific circumstances.



**Queensland
Government**

**Minister for Local Government
and Aboriginal and Torres Strait
Islander Partnerships**

| | |
|------------------------------------|---|
| LAI | |
| UPON THE TABLE OF THE HOUSE | |
| No.: | <u>5310T29121</u> |
| | - 3 SEP 2010 |
| MP: | <u>Hon. D. Boyle MP</u> |
| Clerk's Signature: |  |

Level 18 Mineral House
41 George Street Brisbane 4000
PO Box 15031 City East
Queensland 4002 Australia
Telephone +61 7 3227 8819
Facsimile +61 7 3221 9964
Email lgatsip@ministerial.qld.gov.au
ABN 65 959 415 158

The enforcement, review and appeal provisions under the Act have been enhanced from earlier legislative provisions, in order to grant Councils a robust set of powers and ensure natural justice is provided to owners of dogs.

Should you require any further information in relation to this matter, please contact Mr Don Willis, Director, Office of Local Government of the Department of Infrastructure and Planning on 3247 3622.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Desley Boyle', with a horizontal line drawn through it.

Desley Boyle MP
Minister for Local Government and
Aboriginal and Torres Strait Islander Partnerships
Member for Cairns