Restricted Dog Breeds

The Dog (Restricted Breeds) Regulations 2002 were gazetted on 22 March 2002. The Legislation is provided for under Section 53 of the Dog Act 1976 and came into force on 22 April 2002. These Regulations apply provisions similar to those currently imposed on dogs declared dangerous to those breeds of dog prohibited from importation under Commonwealth Legislation.

Under the Legislation a "restricted breed dog" is defined as a breed whose importation into Australia is prohibited under the Commonwealth Customs (Prohibited Imports) Regulations 1956. At present this includes:

* dogo Argentina (Argentinian fighting dog);
* filo Brasileiro (Brazilian fighting dog);
* Japanese tosa;
* American pit bull terrier;
* Pit bull terrier breeds; and
* Perro de Canario also known as Presa Canario or Canary Dog.

The regulations also provide for a restricted breed dog to include any dog of a mixed breed that visibly contains any of the abovementioned prohibited breeds.

The Regulations include provisions relating to:

* Dogs to wear specified collars indicating a dangerous dog and property access points to display signs indicating dangerous dog. The regulation provides that the owner of a restricted breed dog must display a sign conforming to that provided in the Third Schedule Part 3 of the Dog Regulations 1976 at all entrances to the premises where the dog is ordinarily kept. That is, a sign must conform to the same specifications as applying to dangerous dog signs.
* Escape-proof and child-proof fencing. The regulation provides that the owner of a restricted breed dog is to provide an enclosure in which a restricted breed dog is to be kept that is capable of preventing a young child from entering the enclosure and which prevents the dog from escaping from the premises. The provision applies whether or not the enclosure is at the premises at which the dog is ordinarily kept.
* A requirement by the owner to leash and muzzle the dog while in public places;
* Persons in charge in public places must not be under 18 years of age;
* A maximum of two restricted dogs per person without a permit from the Council;
* Owners must be 18 years of age or over;
* Compulsory notification to a prospective owner that the dog is a restricted breed dog;
* Compulsory notification to local government if the dog escapes, dies or there is a change in ownership; and
* Extra powers for seizure and destruction.

Where there is any breach of the Dog (Restricted Breeds) Regulation 2002 Section 53 of the Dog Act 1976, there are provisions for a maximum penalty of $5,000. It also provides for the Chief Vetinary Officer of the Department of Agriculture to certify that a dog is of a restricted breed for prosecution purposes.

For further information see [www.warangers.asn.au](http://www.warangers.asn.au/) and select the header ANIMALS to Dangerous Dogs / Restricted Breeds