

ANIMALS AND BIRDS—

DOG REGULATIONS 1923.^{(1) (2)}

1. These Regulations may be cited as the *Dog Regulations 1923*.^{(1) (2)}

R. 2 rep. by
Reg. gazetted
on 15.5.1925.

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3. Proof that any person has had a dog in his possession or under his exclusive control for a period of fourteen consecutive days or that any person is the occupier of any house or premises where a dog is usually kept or harboured or permitted to live or remain shall be prima facie evidence that such person is the owner of such dog within the meaning of these Regulations. Provided that where there are more occupiers than one in any house or premises let in several apartments or lodgings or otherwise, the occupier of that particular part of such house or premises in which any dog is kept or harboured or permitted to live or remain shall be deemed to be the owner of such dog and the burden of proof that any such person is not the owner thereof shall for the purpose of these Regulations be upon such person.

4.—(1.) Every owner of a dog shall during the month of July in each and every year or within six months from the day on which such dog was littered register such dog.

(2.) Any owner of a dog who is a native liable to pay tax may pay the registration fee hereinafter inscribed in respect of such dog at the time as such native pays his head tax.

5. Registration shall consist of delivering the description hereinafter mentioned and in paying to the Registration Officer a fee of six shillings. When a Registration is made after the first day of January in any year one half only of the registration fee shall be payable in respect of such registration.

6. Registration shall be effected at the District Office of the district in which it is intended to keep such dog.

(1) See Section 4 of the *Dog Ordinance 1925*.

(2) The *Dog Regulations 1923* (made under the *Administrator's Powers Ordinance 1923-1938*) comprises the original *Dog Regulations 1923*, as amended by the other Regulations referred to in the following Table:—

REGULATIONS MADE BY THE ADMINISTRATOR.

Description.	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which took effect.
<i>Dog Regulations 1923</i> ..	23.11.1923	27.11.1923	1.12.1923 (<i>N.G. Gaz.</i> of 27.11.1923)
<i>Amending Regulation</i> ..	30.4.1925	15.5.1925	15.5.1925 (<i>N.G. Gaz.</i> of 15.5.1925) ⁽³⁾
<i>Amending Regulations</i> ..	25.10.1926	1.11.1926	1.11.1926 (<i>N.G. Gaz.</i> of 1.11.1926)

(3) Section 3 of the *Administrator's Powers Ordinance 1923*, which took effect from 8th February, 1923, prescribed that regulations made pursuant to the power contained in Section 2 of that Ordinance should be published in *N.G. Gaz.* and take effect from the date of publication or from a later date specified therein. Section 3 was repealed by the *Administrator's Powers Ordinance 1938*, which came into operation on 24th August, 1938. The *Amending Regulation* dated 30th April, 1925, and published in *N.G. Gaz.* of 15th May, 1925, was made while Section 3 was operative, and stated in its introductory part that it was "to come into operation on the fifteenth day of May, One thousand nine hundred and twenty-five", that is, on the date of its publication. However this *Amending Regulation* of 30th April, 1925, was as follows:—

"Regulation 2 of the *Dog Regulations 1923* is repealed as from the first day of December, One thousand nine hundred and twenty-three".

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7.—(1.) Every person registering a dog shall at the time of such payment deliver or send to the Registration Officer a description of such dog embracing the several particulars mentioned in the First Schedule hereto with a declaration thereunder written of the truth thereof under the hand of the owner of such dog or of some person authorized by such owner in that behalf.

(2.) Every registration shall be deemed to be in force from the day on which the same has been so made until the thirtieth day of June then next ensuing and no longer.

(3.) The Registration Officer shall be the District Officer of the district in which such dog is kept or intended to be kept or some other Officer in that behalf appointed in writing by such District Officer.

8. If any person knowingly makes a false declaration respecting any of the particulars contained in the said description or wilfully inserts in or omits from or wilfully causes or permits to be inserted in or omitted from such description any matter or thing whatsoever contrary to or for the purpose of concealing the truth he shall be liable to a penalty of not more than Five pounds or imprisonment not exceeding fourteen days.

9. Every Registration Officer to whom such Registration fee is paid shall enter in a book kept by him in the form of the Second Schedule for that purpose a registered number for every dog so registered the name and address of the owner and a description of such dog and shall deliver or send a receipt for the said fee containing the like particulars in the form of the Second Schedule.

10. In any proceedings under these Regulations for the non-registration of any dog it shall not be necessary for the informant to establish the fact of non-registration but the proof of due registration shall lie on the defendant and the said receipt or a certified copy thereof shall be admissible in evidence for the defendant in proof of such registration and shall for the purpose of such proceedings be prima facie evidence in proof that the person therein described as the owner of any dog is the owner of such dog.

11. Every person who is the owner of any unregistered dog above the age of six months shall in respect of each such unregistered dog be liable to a penalty of not more than Two pounds and shall in addition thereto pay the registration fee in respect of such dog.

12.—(1.) Every person registering a dog shall receive from the Registration Officer a disc with the registration number of such dog stamped thereon and shall attach such disc to a collar securely fastened round the dog's neck.

(2.) If such disc shall be lost the owner may on application to the Registration Officer and upon payment of a fee of one shilling receive a new disc and thenceforth the number on such new disc shall be the registration number of the dog in respect of which such disc is issued.

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13. If a registered dog with a collar round its neck is found wandering at large it may be seized by the police or by the District Officer or any person duly authorized by him in that behalf or any person may seize such dog and forthwith hand it over to such police or District Officer to be dealt with under the provisions of these Regulations and notice in writing of such seizure shall within forty-eight hours next following seizure be by the person making the same delivered or sent by post to the address of the person in whose name such dog is registered. If within forty-eight hours after the giving of such notice or the time at which the same would be delivered in the ordinary course of post the registered owner does not reclaim such dog and pay to the Registration Officer the sum of Five shillings for the cost of keeping such dog such dog may without any liability in respect thereof be sold by auction or destroyed without cruelty by some speedy means.

14. Every dog found wandering at large without a collar round its neck to which is attached a disc duly stamped with its registered number as aforesaid shall be seized by the police or the District Officer or some person duly authorized by him in that behalf or may be seized by any person and forthwith handed over to such police District Officer or other authorized person to be dealt with under the provisions of these Regulations and if within forty-eight hours after such seizure such dog is not claimed and the sum of Five shillings for the cost of keeping such dog together with twice the registration fee in case such dog is not then registered paid to the Registration Officer such dog may without any liability in respect thereof be sold by public auction or destroyed without cruelty by some speedy means.

15.—(1.) If any registered dog save as herein excepted is found in any public place without a collar round its neck to which is attached a disc duly stamped with its registration number or if such disc is stamped with an incorrect number the owner of such dog shall be liable to a penalty of not more than Two pounds.

(2.) If any unregistered dog is found wearing a disc which purports to exhibit thereon the registration number of such dog the owner of such dog shall in addition to the penalty for not registering such dog to which he is liable under these Regulations be liable to a penalty of not more than Five pounds.

16. If any person not being the owner wilfully removes the collar from the neck of a registered dog he shall be liable to a penalty of not more than Five pounds.

17. All offences against these Regulations shall be heard and determined and all fines and penalties in respect thereof shall be awarded and imposed in a summary way by a District Court.

18. It shall be lawful for any member of the police force or any District Officer or any person duly authorized by him in that behalf to seize and destroy any dog which shall be, in any part of the Territory, suffering from mange or any other disease which may be communicated to other dogs or to any other animal or which renders such dog a nuisance or menace to the public health. The owner of any such dog so seized and destroyed shall not be entitled to compensation for such seizure and destruction.

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19.—(1.) Subject to the provisions of the last preceding regulation, these Regulations shall apply to any place in the Territory which is a town within the meaning of the word "Town" as defined by section 2 of the *Town Boundaries Ordinance 1924*.⁽⁴⁾

(2.) The Administrator may, by notice⁽⁵⁾ in the *New Guinea Gazette*, proclaim any place in the Territory to be a place to which these Regulations shall apply.

Application of Regulations. R. 19 sub. by Regs. gazetted on 1.11.1926.

FIRST SCHEDULE.

FORM OF DESCRIPTION.

A description of _____ dogs now owned and intended to kept⁽⁶⁾ by A.B. of _____ in _____ during the year ending on the thirtieth day of June 19 _____

Number of Dogs.	Premises on which each Dog is intended to be kept.	Sex.	Age.	Colour or Peculiar Mark.	Description or Kind of Dog.

I, the said A.B. (or I, C.D., the duly authorized agent of A.B. in his behalf) do declare the above description to be true in every particular to the best of my knowledge and belief.

Dated the _____ day of _____ 19 _____
(A.B.) or (C.D.)

SECOND SCHEDULE.

RECEIPT.

Received this _____ day of _____ 19 _____ the sum of _____ for _____ dogs registered by A.B. of _____ in _____ for year ending on the thirtieth day of June 19 _____ the particulars whereof contained in the following description were given at the time of registration.

Number of Dogs.	Premises on which each Dog is intended to be kept.	Sex.	Age.	Colour or Peculiar Mark.	Description or Kind of Dog.	Reg. No.

Registration Officer.

(4) Now the *Town Boundaries Ordinance 1924-1927*.

(5) No notice has been published in *N.G. Gaz.*

(6) The words "to kept" appeared in the Regulations as published in *N.G. Gaz.* The word "be" has now been inserted before the word "kept" by the Third Schedule of the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea.