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Agenda for a hearing of the Regulatory Subcommittee of Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 12 MARCH 2019** commencing at **9.00am**.

*Information and recommendations are included in the reports to assist the Board in the decision making process and may not constitute Council's decision or policy until considered by the Board.*

## **I. HEARING**

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GJ Ion  
**CHIEF EXECUTIVE**

### **Open Meeting**

<b>To</b>	Regulatory Subcommittee
<b>From</b>	Sue O’Gorman General Manager Customer Support
<b>Date</b>	1 March 2019
<b>Prepared by</b>	Mark Te Anga Animal Control Team Leader
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	DOGS1427/19, DOG ID 144567, Person ID 161130
<b>Report Title</b>	Objection to Menacing Classification – Raewyn Van De Pas

## **I. EXECUTIVE SUMMARY**

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Section 33A of the Dog Control Act 1996 (“ the Act”) allows for a territorial authority to impose a menacing classification on a dog that may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of any observed or reported behaviour.

The effects of the classification are set out in Section 33E of the Act. Refer to Appendix 1 – Effect of classification as menacing dog

On 20 November 2018 Waikato District Council received a complaint that a medium sized Heeler type dog had exited the property of 14 Upper Wainui Road. It had growled and barked at a 9 year old boy riding on his bicycle. According to the victim, the dog had grabbed a tyre on the moving bike which caused the young boy to fall over the handle bars. This resulted in the youth breaking his arm.

Based on the initial report of the incident, the dog (“Jax”) was seized and impounded by ACO16. A seizure notice was left at the property. Refer to Appendix 2 – Notice of Seizure.

A statement was taken from the complainant on 03 December 2018. Refer to Appendix 3 – Witness Statement.

Based on the reported behaviour of the dog, it was classified as menacing on 04 December 2018. Notification of this was sent to the dog owner. Refer to Appendix 4 – Letter of Classification.

In accordance with her right granted by 33B of the Act, Mrs Raewyn van de Pas has objected to the menacing classification of her dog Jax. Refer to Appendix 5 – Written objection to classification.

## **2. RECOMMENDATION**

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**THAT** the report from the **General Manager Customer Support** be received;

**AND THAT** the menacing classification under **Section 33A of the Act** is upheld for **Raewyn Van De Pas**.

## **3. BACKGROUND**

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At the time of the incident the then owner of the dog, Ms Hope Didsbury, resided at 14 Upper Wainui Road, Raglan. The only dog registered to that property was a white & brown male Border Collie/Australian Cattle dog cross named Jaxon or “Jax” for short.

After the incident, ownership of Jax was transferred back to Mrs Raewyn van de Pas as she was the person who owned Jax prior to Ms Didsbury.

Waikato District Council has no recorded complaints about Jax before or after the incident on 3 December 2018.

During the investigation the matter was discussed with the dog owner at that time (Ms. Hope Didsbury). She indicated Jax would be rehomed to the previous owner (Mrs Raewyn van de Pas). This occurred on the day Jax was released from being impounded. Refer to Appendix 7 – Change of Ownership.

One of the requirements of a menacing classification is that the dog must be desexed. This has been confirmed by a copy of the Veterinary Book produced to Waikato District Council on 14 November 2018. Refer to Appendix 6 – Copy of the Vet Book for Jax.

## **4. OBJECTION TO DISQUALIFICATION**

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As provided under Section 33B of the Act (Objection to menacing classification of dog under section 33A), Mrs Wrigley has written to Waikato District Council and advised of her objection to the disqualification. Section 33B of the Act states;

As provided under Section 33B of the Act (Objection to menacing classification of dog under section 33A), Mrs Wrigley has written to Waikato District Council and advised of her objection to the disqualification. Section 33B of the Act states:

### 33B Objection to classification of dog under section 33A

- (1) If a dog is classified under [section 33A](#) as a menacing dog, the owner—
  - (a) may, within 14 days of receiving notice of the classification, object in writing to the territorial authority in regard to the classification; and
  - (b) has the right to be heard in support of the objection.
- (2) The territorial authority considering an objection under subsection (1) may uphold or rescind the classification, and in making its determination must have regard to—
  - (a) the evidence which formed the basis for the classification; and
  - (b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
  - (c) the matters relied on in support of the objection; and
  - (d) any other relevant matters.
- (3) The territorial authority must, as soon as practicable, give written notice to the owner of—
  - (a) its determination of the objection; and
  - (b) the reasons for its determination.

Section 33B: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).

## 5. CONSIDERATION OF DISQUALIFICATION

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As stated in Section 33B(2) of the Act, Waikato District Council shall have regard to the following;

### **“the evidence which formed for the basis for the classification”**

A written statement received by a complainant. The reported behaviour is of aggression towards a child on a bicycle.

### **“any steps taken by the owner to prevent any threat to the safety of persons or animals”**

The dog owner relinquished ownership and rehomed Jax back to the previous owner. The property Jax is now on is rural and back from the road by approximately 100m. Because of the distance from the roadway, there is less chance of Jax reacting to any cyclists that may happen to ride past the property.

### **“the matters relied on in support of the objection”**

A letter of support against the menacing classification has been submitted by the then owner of Jax. In the letter Ms. Didsbury states: “Jax ran to the end of my driveway and onto the road where the bike was and barked. This caused my neighbour to lose balance and fall off his bike onto the road”. The actions of the dog had caused the child injury.

### **“any other relevant matters”**

The matter has been discussed with the Ms Didsbury and the conclusion was the dog was going back to the previous owner. There are no legislative powers to prevent the return of the dog to Ms. Didsbury.

The mother of the victim does not wish to appear at this hearing with her son. She is satisfied that the dog is not going to cause them issues. The issue for Council is for the safety of the public. The dog behaved aggressively by rushing out from its property towards a cyclist passing on the public roadway. This aggressive behaviour caused the child startle, and to fall from his bicycle. By classifying a dog as menacing, any territorial authority will have powers to take action against the dog owner were this behaviour to occur again.

### Staff comment

This appears to be an isolated incident in regards of behaviour of the dog, as Animal Control has not received any complaints about Jax.

There is no legislation to prevent the dog from being rehomed to a community where a similar incident may occur.

By imposing a menacing classification, if Jax is wandering at large, he can be seized and impounded until measures are taken to prevent the dog from wandering at large. Refer to s.33EC Offence to fail to comply with section 33E(1) or 33EB:

#### **33EC Offence to fail to comply with section 33E(1) or 33EB**

- (1) Every person who fails to comply with [section 33E\(1\)](#) or [33EB](#) commits an offence and is liable on conviction to a fine not exceeding \$3,000.
- (2) If a person fails to comply with [section 33E\(1\)](#) or [33EB](#), a dog control officer or dog ranger may—
  - (a) seize and remove the dog concerned from the person's possession; and
  - (b) retain custody of the dog until—
    - (i) the dog control officer or dog ranger is satisfied that the person has demonstrated a willingness to comply with [section 33E\(1\)](#) or [33EB](#) (as the case may be); or
    - (ii) the dog is disposed of under [section 71A](#).

Section 33EC: inserted, on 28 June 2006, by [section 14](#) of the Dog Control Amendment Act 2006 (2006 No 23).

Section 33EC(1): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

## **6. OPTIONS AVAILABLE**

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In considering the outcome of the objection, the only options are:

- a) to uphold or
- b) rescind the classification.

Section 33B(3) of the Act states:

The effects of the classification are determined by 33E of the Act:

#### **33E Effect of classification as menacing dog**

- (1) If a dog is classified as a menacing dog under [section 33A](#) or [section 33C](#), the owner of the dog—
  - (a) must not allow the dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
  - (b) must, if required by the territorial authority, within 1 month after receipt of notice of the classification, produce to the territorial authority a certificate issued by a veterinarian certifying—
    - (i) that the dog is or has been neutered; or
    - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
  - (c) must, if a certificate under paragraph (b)(ii) is produced to the territorial authority, produce to the territorial authority, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).
- (2) *[Repealed]*
- (3) *[Repealed]*
- (4) *[Repealed]*
- (5) Subsection (1)(a) does not apply in respect of any dog or class of dog that the territorial authority considers need not be muzzled in any specified circumstances (for example, at a dog show).

The Waikato District Council records show that Jax is desexed. Refer to Appendix 6. A breach of these conditions may result in an infringement of \$300 being issued as per Schedule 1 of the Act or the dog may be seized and impounded until the dog owner demonstrates a willingness to comply with the classification effects.

## **7. CONCLUSION**

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There is a discrepancy between what has been reported to Council (Witness Statement) and what was observed by the dog owner (supporting document supplied by the dog owner). Irrespective of this discrepancy, the outcome of the incident involving the dog was that a nine year old boy was injured as a result of the dog being in a public area and at the very least startling the child.

## **8. ATTACHMENTS**

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- Appendix 1 – Effect of classification as menacing dog
- Appendix 2 – Notice of Seizure
- Appendix 3 – Witness Statement
- Appendix 4 – Letter of Classification
- Appendix 5 – Written objection to classification
- Appendix 6 – Copy of the Vet Book for Jax
- Appendix 7 – Change of Ownership

## Appendix I – S.33E of the Dog Control Act 1996

### 33E Effect of classification as menacing dog

- (1) If a dog is classified as a menacing dog under [section 33A](#) or [section 33C](#), the owner of the dog—
  - (a) must not allow the dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
  - (b) must, if required by the territorial authority, within 1 month after receipt of notice of the classification, produce to the territorial authority a certificate issued by a veterinarian certifying—
    - (i) that the dog is or has been neutered; or
    - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
  - (c) must, if a certificate under paragraph (b)(ii) is produced to the territorial authority, produce to the territorial authority, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).
- (2) *[Repealed]*
- (3) *[Repealed]*
- (4) *[Repealed]*
- (5) Subsection (1)(a) does not apply in respect of any dog or class of dog that the territorial authority considers need not be muzzled in any specified circumstances (for example, at a dog show).

Section 33E: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).

Section 33E(1)(b): amended, on 28 June 2006, by [section 29\(4\)](#) of the Dog Control Amendment Act 2006 (2006 No 23).

Section 33E(2): repealed, on 28 June 2006, by [section 29\(5\)](#) of the Dog Control Amendment Act 2006 (2006 No 23).

Section 33E(3): repealed, on 28 June 2006, by [section 29\(5\)](#) of the Dog Control Amendment Act 2006 (2006 No 23).

Section 33E(4): repealed, on 28 June 2006, by [section 29\(5\)](#) of the Dog Control Amendment Act 2006 (2006 No 23).

Section 33E(5): amended, on 7 July 2004, by [section 12](#) of the Dog Control Amendment Act 2004 (2004 No 61).

CRM# DOGS 1427/19 Person # 161130 Dog# 144567  
**Notice of seizure and removal of a dog**  
Dog Control Act 1996

Date: 20/11/18 Time: 10.45am ANI No. 144567

To: Hope Didsbury

Address: 14 Upper Wairua Road  
Raglan

Tag No: 02324 M/F M Name: Jax

Colour: Brown/white Breed: Red Heeler Cross

**This is to notify you that this dog has been seized and removed from this address under the section of the Dog Control Act 1996 indicated below.**

Section 15(1)	<input checked="" type="checkbox"/>	Without access to food, water or shelter
Section 20	<input checked="" type="checkbox"/>	Failure to comply with Bylaw
Section 28(7)	<input type="checkbox"/>	Disqualification of dog owner
Section 33E(2)	<input type="checkbox"/>	Failing to comply with menacing classification requirements
Section 42(2)(a)	<input checked="" type="checkbox"/>	Failing to register dog
Section 52(3)	<input checked="" type="checkbox"/>	Failing to control dog
Section 52(A)(4)(a)	<input checked="" type="checkbox"/>	Failing to confine or control dog on owner's property
Section 56(2)	<input checked="" type="checkbox"/>	Removal of barking dog causing distress
Section 57(5)(a)	<input checked="" type="checkbox"/>	Dog attacking person or animals
Section 57A(3)	<input checked="" type="checkbox"/>	Dog rushing at persons, animals or vehicle

**The details of these offences are listed on the reverse of this notice.**

You may apply for the return of the dog and should contact Jo/Amanda at the Waikato District Council, 15 Galileo Street, Ngaruawahia, telephone (07) 824 8633, fax (07) 824 8091 within seven days of the date of this notice.

You may be required to pay any fees incurred in the seizure, custody, sustenance and transport of the dog.

**NOTE:** The dog may be sold, destroyed or otherwise disposed of unless the dog is claimed and all fees owing are paid within **seven (7)** days from the date of this notice. Disposal of the dog may not exempt the owner from fees owing or from possible prosecution.

Jo/Amanda  
Animal Control Officer

20/11/18  
Date

# Witness Statement

Section 82 of the Criminal Procedure Act 2011

Statement of: Sam Greetis (and Vicki Greetis) <sup>3/11/18</sup>  
Date of birth: 16/10/2009  
Address: 56 Upper Wainui Road, Raglan  
Contact Number: Vicki (mum) 0274714950  
Date of Statement: 3/12/18  
Time of Statement: 4 55 PM

I am making this statement to Waikato District Council as a complaint of an offence against the Dog Control Act 1996 or the Waikato District Council Dog Control Bylaw 2015.

The incident occurred on 18/11/18 at about 4 am/pm  am  
specify the date give the time of day event happened

The incident happened at Upper Wainui Road @ Bright Yellow House  
Address of where the incident occurred

The dog involved was a I think it is a Red Heeler Medium size, brown with white spots, pointy ears  
description of dog - breed, colour, sex, size etc

The dog is kept at 14 Upper Wainui Road Raglan  
give the address where the dog is kept

I know the dog is from this address because We talked to the owner who drove my injured son home from where

[Signature]  
.....Witness Initials

The dog bit his tyre.

Sam was riding his bike down the road, when a dog came off the property of 14 Upper Wainui Road, and grabbed hold of his bike tyre.

The dog was barking and growling.

My son went over. The handle bars of his bike onto the road, and was hurt with 2 broken bones in his arm and scrapes all over his body.

After the dog grabbed my son Sam, he then went after my elder son (12).

Ollie and grabbed his tyre also. Ollie tried to hit the dog off with his bike tyre.

At this stage the owner came out and grabbed the dog, and put on a lead.

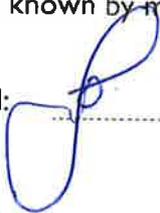
She then drove my sons home. ~~at~~

We have spoken to the owner since, who said she would keep the dog on a lead.

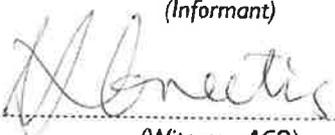
..... Witness Initials

[Large blue scribble covering the main body of the page]

I confirm the truth and accuracy of this statement. I make this statement with the knowledge that it may be used in court proceedings. I am aware that it is an offence to make a statement that is known by me to **be false** or intended by me to mislead.

Signed:  \_\_\_\_\_  
(Informant)

Date: 4/12/18

Signed:  \_\_\_\_\_  
(Witness - ACO)

Date: 3/12/18

 \_\_\_\_\_  
Witness Initials

Hope Didsbury  
14 Upper Wainu Road  
Raglan

Jaxon  
Border Collie Australian Cattle Dog Cross  
Male  
Brown/White

## NOTICE OF CLASSIFICATION OF DOG AS MENACING DOG

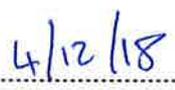
*Section 33A, Dog Control Act 1996*

This is to notify you that this dog has been classified as a menacing dog under section 33A(2) of the Dog Control Act 1996.

This is because reported behaviour of the dog leads us to believe that it may pose a threat to public safety; being any person, stock, poultry, domestic pet, or protected wildlife.

A summary of the effect of the classification and your right to objection is provided overleaf.

  
.....  
Mark Te Anga  
**Animal Control Team Leader**

  
.....  
**Date**

\*For the purposes of the Dog Control Act 1996, you are the owner of a dog if-

- you own the dog
- you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner): or
- you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependant on you

## **Effect of classification as menacing dog**

*Section 33E, 33F and 36A, Dog Control Act 1996*

You—

- (a) must not allow the dog to be at large or in any public place or in any private way (except when confined completely within a vehicle or cage) without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) must, produce to Waikato District Council, within 1 month after receipt of notice of the classification, a certificate issued by a registered veterinary surgeon certifying—
  - (i) that the dog is or has been neutered; or
  - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) where a certificate under paragraph (b)(ii) is produced to Waikato District Council, produce to Waikato District Council, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with all of the matters in paragraphs (a) to (c) above.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (c) above. The officer or ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c) above.

As from 1 July 2006, you are also required for the purpose of providing permanent identification of the dog, arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to the Waikato District Council in accordance with reasonable instructions of the Waikato District Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement-

- within 2 months from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006;

or

- within 2 months after the dog has been classified as menacing if your dog is classified as menacing after 1 July 2006.,

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction. You will commit an offence and be liable on conviction to a fine not exceeding \$500 if you fail to comply with this requirement.

Full details of the effect of classification as a menacing dog are provided in the Dog Control Act 1996.

## **Right of objection to classification under Section 33A**

*Section 33B, Dog Control Act 1996*

You may object to the classification of your dog as menacing by lodging with Waikato District Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object.

You have the right to be heard in support of your objection and will be notified of the time and place at which your objection will be heard.

21 December 2018

**Waikato District Council**  
Ngaruawahia

Dear Waikato District Council,

I am writing in response to the Notice of Classification of Dog as Menacing Dog from Section 33A(2) of the Dog Control Act 1996. Under Section 33B, I would like to object to the classification of my dog, Jax, as menacing.

At the time of the incident Jax's owner was Hope Disbury of Raglan, I owned Jax prior to Hope and Jax returned to my ownership after the incident as Jax was not permitted by the council to return to the care of Hope. As Hope was the owner and person in control of Jax at the time of the incident I have enclosed her letter of objection to Jax been classified as a menacing dog along with my letter.

While in our ownership both prior and after been in Hope's ownership, Jax has been in contact with a considerable number of people ranging from small children to elderly people from all walks of life. Myself, family and staff have never seen Jax show any menacing or aggressive behaviour to any person or animal (we farm over 1000 goats, own 5 cats, an old dog and staff of up to 6-8 people).

In fact when Mark Te Anga (Animal Control Team Leader) delivered the letter of 'MENANCING CLASSIFICATION OF JAX' to our house Jax totally ignored him and didn't even bark to let us know anyone had come on to our property and knocked on our door (my husband and I were inside the house at the time).

We took over ownership of Jax from a young family who didn't have the time or energy to look after Jax properly even though the parents and their 5 children loved him. We soon learnt that Jax loves to be around machinery e.g. tractors and trailers, wheels loader, 4 wheel and 2 wheel motorbikes all of which he loves to run alongside. Everyone on farm was very concerned that Jax would easily get run over therefore I reluctantly re-homed Jax with Hope where I knew he would be loved and well cared for. I would NEVER have re-homed Jax if he had shown any menacing or aggressive behaviour or I thought he was a risk to people or animals.

Jax is an extremely friendly and social dog who enjoys attention and affection from anyone and does not deserve to be classified as a 'menacing dog'. Knowing Jax I believe the incident in Raglan was an unfortunate accident due to Jax's age and coming off a farm where he loved to run alongside fast moving vehicles and Hope not having Jax on a leash. I do not accept or believe that Jax attacked or was out to harm the boy on the bike in any way.

I completely support Hopes letter and give full permission to anyone Hope wishes to testify to Jax's character including zoologists and dog psychologists. It is **important to note** that Hope was the owner of Jax at the time of the incident and was returned to my ownership as a condition of Jax being released from WDC dog control pound.

I write to you out of complete respect for the laws of the Dog Control Act 1996 but also a respect for quality of life for Jax and fair justice in the assessment of his character.

I look forward to being heard in support of my objection and finding a just and fair conclusion for Jax.

Sincerely,

*Raewyn van de Pas*

17 December 2018

**Waikato District Council**  
Ngaruawahia

Dear Waikato District Council,

I am writing in response to the Notice of Classification of Dog as Menacing Dog from Section 33A(2) of the Dog Control Act 1996. Under Section 33B, I would like to object to the classification of my dog, Jax, as menacing.

Following an unfortunate incident on the 18th of November, Jax was seized and removed from my address of 14 Upper Wainui Rd. on the 20th of November at 10.45am. A notice of Seizure and removal of a dog was given to me with the offences under section 20; failure to comply with Bylaw, 52(3); failing to control dog, 52(A)(4)(a); failing to confine or control dog on owners property, 57(5)(a); dog attacking person or animals, and 57A(3); dog rushing at persons, animals or vehicle, of the Dog Control Act 1996 ticked.

The incident happened on our driveway when my neighbour came at high speed down the road past my house on his BMX bike with no handle brakes, helmet or shoes. Jax ran to the end of my driveway and onto the road where the bike was and barked. This caused my neighbour a fright, to lose balance and fall off his bike onto the road. Jax returned to me when I called and I assisted my neighbour off the road and back home. Unfortunately, my neighbours arm had broken in his fall.

Jax spent the next 10 days in Ngaruawahia pound and then was returned to his previous owners who live on a farm in Orini, where he will remain.

I accept all of the offences that were ticked except for number 57(5)(a); dog attacking person or animals, and thereby reject the reasoning behind classifying Jax as a menace.

Jax did not attack my neighbour and I believe the punishment of having a classification as a menace far too grave and outways the offence. My dog has never attacked a person or animal and is a social friendly member of the community. He is a part of the Raglan Dog Pack group, he lives with cats, chickens and children and is loved and admired by many people. Jax is a young dog off a farm so of course he is lively and active but adapted incredibly well to his new suburban life and was responding incredibly well to the training I was doing with him. Jax is by no means an aggressive dog.

I have many people who know Jax, who support my objection and would be happy to testify to his character, including zoologists and dog psychologists.

I write to you out of complete respect for the laws of the Dog Control Act 1996 but also a respect for quality of life for Jax and fair justice in the assessment of his character.

I look forward to being heard in support of my objection and finding a just and fair conclusion for Jax.

Sincerely,

**Hope Didsbury**

**PET DETAILS**

Pet name Jax

Date of birth \_\_\_\_\_ Species dog/cat/rabbit

Breed Collie x Heeler Sex M/F

Colour Tan + white Desexed Y/N

Microchip   
**982 000410419297**

**OWNER DETAILS**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Mobile \_\_\_\_\_

**BREEDER DETAILS**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Mobile \_\_\_\_\_

Anexa FVC

**WELCOME TO THE PET VACCINATION RECORD**

16

It's a great gift to share the companionship that a pet brings. It's also a big responsibility. Your Pet Vaccination Record is here to help you each step of the way.

**Please remember to record with your veterinary clinic**



**982 000410419297**

It is important to your pet's health that you ensure your pet's vaccinations are up to date at kennel, cattery or boarding facilities.



**982 000410419297**

We wish you and your pet every happiness.

**IMPORTANT**

Your veterinarian will understand and work in consultation with you.



**982 000410419297**

By ensuring you keep your pet's vaccinations up to date you will assist your vet in determining the best regime for a healthy and happy pet. Normally it will only take a short time for your vet to check your pet's health and provide the necessary advice.

If at any time you have any concerns about your pet, please contact your veterinary clinic.

144567  
161130  
**Animal #**  
**Owner #**  
**Property #**

**CHECKED**



## NOTES ON REGISTRATION DOG CONTROL ACT 1996

1. The registration form has been designed to gain the information required to register a dog.
2. The information on this form will be kept by the Waikato District Council but may only be used for lawful official purposes and will not be generally available to the public. However, section 35 allows the name and address of the owner of any specified dog to be made available to any person who has made a written application for that information. The Waikato District Council must be satisfied of the identity of that applicant and that the information is required for one of a limited number of purposes, such as returning a lost dog to its owner or seeking compensation for damage.
3. All dogs over the age of 3 months must be registered.
4. It is an offence to keep a dog older than 3 months which is unregistered. On conviction, a court may impose a fine of up to \$3,000.
5. The application form properly completed, together with the appropriate fees payable, may be posted to Waikato District Council, Private Bag 544, Ngaruawahia or delivered to any area office of the Waikato District Council.
6. It is an offence, making application for the registration of a dog, to make any written statement knowing that statement to be false. On conviction, a court may impose a fine of up to \$3,000.
7. Replacement discs and collars may be obtained from the Waikato District Council if the current disc or collar has been lost or stolen.
8. Except for working dogs kept solely or principally for the purposes of herding stock, any dog registered for the first time on or after July 2006 must be implanted with a functioning microchip transponder within two months from the date of registration.
9. The owner of a dog registered for the first time on or after 1 July 2006 and implanted with a functioning microchip transponder must supply an original certificate issued by a registered veterinarian surgeon certifying the implant, or make the dog available for verification of the microchip by the Waikato District Council.
10. Any dog not wearing a collar having a current registration label or disc attached will, until the contrary is proved, be treated as unregistered.
11. On change of ownership of any registered dog, both the previous owner and the new owner must, within 14 days, give written notice to the [territorial authority or authorities], of the change of ownership and the residential address of the new owner and the address at which the dog will be kept. It is an offence not to comply with this requirement. On conviction, a court may impose a fine of up to \$500.
12. If the owner's address is changed within the district, the owner must, within 14 days, give written notice of the change to the Waikato District Council.
13. If any dog is transferred to and kept in the district of another territorial authority, other than the one in which it has been kept, for 1 month or more, the owner must, within 6 weeks of the transfer, give written notice of the transfer to both territorial authorities, setting out the address at which the dog will be kept. It is an offence not to comply with this requirement. On conviction, a court may impose a fine of up to \$500.
14. If the fee for the registration of a dog is paid and that dog dies, a refund will be made on request as follows:
  - Where a dog dies before the commencement of the year, the full fee will be refunded:
  - Where the dog dies during the year, 1/12th of the annual fee for each complete month remaining in the registration year after the date of application for a refund will be refunded.
15. If any dog is first required to be registered after 20 July in any registration year, the fee shall be 1/12th of the annual fee for each complete month remaining in the registration year after the date of such registration.
16. The registration fees include goods and services tax.
17. Owners wishing to claim a reduced fee for neutered dogs must produce a certificate from a veterinarian certifying that the dog has been neutered.
18. If any dog over the age of 3 months is found not wearing a collar with a current registration label or disc attached, on land or premises other than its owner's land or premises, or in any public place, the dog may be seized and impounded.

### CONTROL OF DOGS

*Sections 52, 53 and 54A, Dog Control Act 1996*

19. The owner of a dog must keep the dog under control at all times and, when in a public place with the dog, must use or carry a leash at all times.
 

A dog will be treated as not being under control—

  - if it is found at large on any land or premises other than a public place or a private way without the consent (express or implied) of the occupier or person in charge of the land or the premises; or
  - if it is found at large in any public place or in any private way in contravention of any regulations or bylaw.
  - You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this provision.

### OBLIGATIONS OF A DOG OWNER

*Section 54 Dog Control Act 1996*

The owner of a dog must—

- Ensure that the dog receives proper care and attention and is supplied with proper and sufficient food, water, and shelter; and
- Ensure that the dog receives adequate exercise.

You will commit an offence and be liable on conviction to imprisonment for up to three months or to a fine not exceeding \$5,000 if you fail to comply with this provision.

### OBLIGATIONS OF DOG OWNER ON OWNERS PROPERTY

*Section 52A Dog Control Act 1996*

20. The owner of a dog must ensure, when the dog is on land or premises occupied by the owner,—
  - That the dog is under the direct control of a person; or
  - That the dog is confined within the land or premises in such a way that it cannot freely leave the land or premises.

You will commit an offence and be liable on conviction to a fine of \$3,000 if you fail to comply with this provision. In addition, a dog control officer or dog ranger may seize and impound the dog.