

Neighbourhood Support New Zealand



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Neighbourhood Support Fact Sheet

Dog Control

The **Dog Control Act 1996** imposes duties on dog owners to ensure their dogs are registered, cared for, and kept under proper control. The Act gives local councils extensive powers to deal with owners whose dogs cause a nuisance or endanger people or property.

Under the Act, dogs found roaming and uncontrolled can be impounded and their owners fined up to \$3,000.

Where a dog actually attacks a person or another domestic animal it may be destroyed on the spot. The owner will also face a fine of up to \$3,000 and a claim for any loss or damage to property, arising from the attack.

Where a dog causes "serious injury" to any person **or** causes the "death" of any protected wildlife, the owner can be imprisoned for up to 3 years and fined up to \$20,000 or both. On convicting the owner, the Court is required to make an order for the destruction of the dog unless satisfied that the circumstances of the attack were exceptional and do not justify the dog's destruction. It is not necessary for the prosecuting authority to identify the "legal" owner of a dog, as court action can proceed against any person "in possession" of a dog as if they were the owner.

Dog control officers have the power to enter onto private land to seize dogs that are not properly cared for or that are causing a nuisance. Any person that obstructs a dog control officer faces a potential fine of \$3,000.

Where an owner allows a barking dog to continue to cause a nuisance, a dog control officer can serve a notice on the owner, requiring them to take steps to stop the noise. If the owner fails to take effective action, an offence is committed. On receipt of a further complaint, a dog control officer may enter onto private land and remove the offending dog. The local council can hold the dog at the owner's expense until they are satisfied a return will not see the nuisance continue.

Dog control officers are able to issue a number of infringement notices including for not complying with a notice to abate a barking dog, failing to provide proper and sufficient food, water and shelter or ensuring that a dog receives adequate exercise.

A dog control officer may remove a dog from private property if they are satisfied that the dog does not have access to "proper and sufficient" food or water and will remain without food or water for the next 24 hours.

The SPCA also has powers to act where a dog is not being properly looked after. The [SPCA](#) has good information on owning and caring for a dog.

Local councils are required to adopt policies to encourage responsible dog ownership and where necessary they can make bylaws to enforce those policies. Bylaws usually cover such matters as the number of dogs an owner may keep, where dogs may be exercised off leash, areas where dogs are not permitted to go, and fees for registering or impounding dogs.

Microchipping

From 1 July 2006, all dogs registered in New Zealand for the first time (except working farm dogs kept solely or primarily for herding or driving stock), and dogs that have been classified dangerous or menacing on or after 1 December 2003, are required to be microchipped. The microchip will identify the dog for the rest of its life. Dog control officers and vets will be able to scan to find the number to check against the National Dog Control Information Database for contact details of the registered owner. This will increase the chances of returning lost or stolen dogs and assist dog control officers identify dog owners who don't provide proper care for their dogs.

More information is available from the Department of Internal Affairs site on [Registering and Microchipping](#) of dogs.

New Zealand legislation can be located at [this address](#) under Statutes.