

ORDERS IN COUNCIL**Domestic (Feral and Nuisance) Animals Act 1994****EXEMPTION ORDER UNDER SECTION 5**

Order in Council

The Governor in Council makes the following Order.

- 1 Objective**

The objective of this Order is to exempt certain dangerous dogs from desexing and identification requirements and from the requirement to be restrained in a certain manner under certain circumstances.
- 2 Authorising provision**

This Order is made under section 5 of the **Domestic (Feral and Nuisance) Animals Act 1994**.
- 3 Definitions**

In this Order –

Act means the **Domestic (Feral and Nuisance) Animals Act 1994**;

dangerous dog* means a dog that falls within the meaning of ‘dangerous dog’ under section 34A of the Act.
- 4 Exemption**

A dangerous dog is exempt from –

 - (a) the desexing requirements of section 10A(4)(a) of the Act; and
 - (b) the identification requirements of section 40 of the Act; and
 - (c) the requirements of section 41(1) of the Act to restrain a dog by muzzling and to control it by means of a chain, cord or leash.
- 5 Conditions imposed on exemptions**

Despite the exemptions specified in clause 4 of this Order, a dangerous dog is not exempt under that clause unless the dog meets the following conditions –

 - (a) it is a Schutzhund-trained German Shepherd; and
 - (b) it is owned by a person who is a member of the Victorian Canine Association trading as ‘Dogs Victoria’; and
 - (c) it has been imported into Australia by the owner referred to in paragraph (b) above for breeding purposes; and
 - (d) in relation to paragraphs (b) and (c) of clause 4, it is competing in an event sanctioned by ‘Dogs Victoria’.

Dated 31 March 2009

Responsible Minister

JOE HELPER MP

Minister for Agriculture

RYAN HEATH
Clerk of the Executive Council

*Note: Section 34A of the Act provides that ‘A dog is a dangerous dog if the dog has been trained to attack or bite any person or any thing when attached to or worn by a person.’.