

Notification

The owner of a dangerous dog must notify the Council within 24 hours if:

- the dog is missing
- the ownership of the dog changes
- the owner's address changes
- the place where the dog is kept / the premises being guarded by the dog changes

This keeps the Council informed of the location of dangerous dogs at all times. The Council will inspect the premises to ensure the Regulations are being adhered to.

The *Domestic (Feral and Nuisance) Animals Regulations 2005* provide for and ensure a state-wide standard relating to the management of dangerous dogs. The uniform identification of dangerous dogs, and the identification of premises where they live is important for easy identification of these dogs. It is also vital for effective state-wide education programs, directed particularly at children.

The *Domestic (Feral and Nuisance) Animals Act 1994* is State legislation which is implemented by Municipal Councils.

DEPARTMENT OF
PRIMARY INDUSTRIES



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The Domestic (Feral and Nuisance) Animals Act 1994 and *Domestic (Feral and Nuisance) Animals Regulations 2005* are available from Information Victoria, 356 Collins Street, Melbourne telephone 1300 366 356 – at a cost.

To access more information about domestic animal control and animal welfare in Victoria, visit the Department's internet site at <http://www.dpi.vic.gov.au/animalwelfare>

Things you should know
about guard dogs on
non-residential properties

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A dog that is kept for the purpose of guarding non residential premises is automatically a dangerous dog under the *Domestic (Feral and Nuisance) Animals Act 1994*. This has effect throughout Victoria, and it cannot be revoked – the dog is a dangerous dog for life, even if it ceases to be used for the purpose of guarding non-residential premises. This document provides an overview of the requirements relating to a dog that has been declared dangerous because it is used to guard non-residential premises, as prescribed in the *Domestic (Feral and Nuisance) Animals Regulations 2005*. As a dangerous dog, the following conditions are mandatory. There are penalties for non-compliance.

Microchip Identification

The owner of the dog must ensure that the animal is implanted with an ISO microchip in accordance with the Regulations (unless already microchipped prior to 20 May 2003).

This microchip identification number, along with other information as specified in the Regulations, must be supplied to the council with which the dog is registered within 7 days of the dog being microchipped.



Collar

Whilst a microchip is a permanent form of identification it is not visible. Dangerous dogs must also wear a prescribed collar at all times. The collar is specially designed to be visible from a distance and is reflective at night. This means that at all times, whether on the owners property or not, a dangerous dog can be recognised from a distance, warning a person of the potential danger of the dog.

Collars for dangerous dogs must:

- consist of red stripes alternately spaced with yellow stripes each being of a width of 25mm and set diagonal to the rim of the collar at an angle of 45 degrees; and
- at least one of the two colours reflect light in the dark; and
- be made of durable materials; and
- be able to be securely fastened; and

- have a minimum width of:
 - 25mm for a dog weighing less than 20kgs
 - 40mm for a dog weighing between 20kgs and 40kgs
 - 50mm for a dog weighing more than 40kg

Signs

It is important for safety purposes to warn people that a dangerous dog is kept on the premises. The owner of a dangerous dog must display prescribed warning signs at all entrances to the premises where the dog is kept warning people that a dangerous dog is kept on the premises. These signs also help to deter unwanted intruders from entering the guarded premises.

This warning sign must:

- be square with sides of at least 40cm
- be made of durable metal
- have at least one colour that is reflective
- comply with the *Domestic (Feral and Nuisance) Animals Regulations 2005*



Example of warning sign.

For details of suppliers of restricted breed dog signs, contact your local council, or phone the DPI Customer Service Centre on 136 186.

Housing

When a dangerous dog is not guarding non-residential premises, the dog must be housed in an enclosure in such a way that it cannot escape, and that prevents it from injuring visitors to the premises. An enclosure must also:

- be constructed in such a manner that a person cannot have access to it without the assistance of an occupier of the premises who is of or over 17 years of age
- be fully enclosed
- have a weatherproof sleeping area
- have a minimum floor area of ten square metres per dangerous dog
- have a minimum height of 1.8 metres
- have a minimum width of 1.8 metres
- contain walls, a floor, a drain, a roof and a gate which comply with the detail below

The walls of the enclosure must be fixed to the floor or constructed to be no more than 50mm from the floor.

The walls, roof and gate of the enclosure must be constructed of:

- brick, timber, iron or similar solid materials; or
- chain mesh manufactured from 3.15mm wire to form a uniform 50mm mesh or weldmesh manufactured from 4mm wire with a maximum mesh spacing of 50mm.

A combination of the above may be acceptable. The mesh size and construction detail is specified so that the enclosure will be escape proof and so that people, particularly small children, cannot fit body parts such as hands into the enclosure with the dog.

The floor of the enclosure must be constructed of sealed concrete and be graded to a drain for the removal of effluent.

The gate on the enclosure must contain a lock and it is a requirement that the enclosure is securely locked when the dog is in the pen.

Perimeter Fencing

When a dangerous dog is guarding non residential premises it is permitted outside the enclosure described above. However, the perimeter fencing surrounding the premises must have a minimum height of 1.8 metres, and be constructed of brick, concrete, timber, iron or similar solid materials, and/or the type of chain mesh described above for the enclosure. The fence must be constructed and maintained in a manner which prevents the dog from being able to dig or otherwise escape under, over or through the fencing, and all gates must be securely locked while the dog is guarding the premises.

If they believe the dog has escaped over the perimeter fencing, an authorised officer may also require that this perimeter have an inward facing overhang of 0.7 metres angled at 35 degrees to the horizontal plane.

Restraint

A dangerous dog must be muzzled and on a lead whilst the dog is not guarding and is outside the owners premises.