2011/372

Dog Control (Prescribed Forms) Amendment Regulations 2011

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 10th day of October 2011

Present:
His Excellency the Governor-General in Council

Pursuant to section 78(1) of the Dog Control Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations amended	2
4	Schedule amended	2
	Schedule	3
	New form 3A inserted in Schedule	

Regulations

1 Title

These regulations are the Dog Control (Prescribed Forms) Amendment Regulations 2011.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Principal regulations amended

These regulations amend the Dog Control (Prescribed Forms) Regulations 1996.

4 Schedule amended

The Schedule is amended by inserting the form 3A set out in the Schedule of these regulations after form 3.

Schedule

r 4

New form 3A inserted in Schedule

Form 3A

Exempting statutory declaration by or on behalf of importer of dog

Section 30A, Dog Control Act 1996

Section 30A(1) of the Dog Control Act 1996 (the **Act**) prohibits the importation into New Zealand of any dog that belongs wholly or predominantly to 1 or more of the breeds or type of dog listed in Schedule 4 of the Act.

Section 30A(2) of the Act provides that no person may import a dog into New Zealand unless the dog is accompanied by—

- evidence of registration in New Zealand; or
- an exempting statutory declaration made in New Zealand by or on behalf of the importer of the dog (or the importer's agent) to the effect that, to the best of the knowledge and belief of the importer (or the importer's agent), the dog does not belong wholly or predominantly to 1 or more of the breeds or type of dog listed in Schedule 4 of the Act.

The breeds and type of dog subject to the ban on importation into New Zealand listed in Schedule 4 of the Act are—

Breeds:

Brazilian Fila

Dogo Argentino

Japanese Tosa

Perro de Presa Canario

Type:

American Pit Bull Terrier

Exempting statutory declaration

Particulars of importer or importer's agent

Full name:

Date of birth:

Home address:

Form 3A—*continued*

Home telephone number:

Mobile telephone number:

Particulars of dog

Name:

Age:

Breed:

Statutory declaration

I, [*name*], solemnly and sincerely declare that to the best of my knowledge the dog to which this declaration relates does not belong wholly or predominantly to 1 or more of the prohibited breeds or type of dog listed in Schedule 4 of the Dog Control Act 1996.

I make this declaration believing it to be true and correct by virtue of the Oaths and Declarations Act 1957.

Date:

Signature of person making declaration:

Declared at: [*place*]

Date:

Signature of witness:

Title/occupation* of witness:

*Select one.

Notes

When exempting statutory declaration is not required

This exempting statutory declaration is not required for a dog that has previously been registered in New Zealand. Proof that the dog has previously been registered in New Zealand could include council registration records.

Form 3A—*continued*

Making statutory declaration

A statutory declaration is a written statement declaring something to be true in the presence of an authorised witness. It is an offence to give any altered, false, incomplete, or misleading information or to make a false statement or declaration.

Who can be an authorised witness for a statutory declaration?

A statutory declaration can be witnessed by any of the following persons:

- a member of Parliament
- a lawyer
- a Justice of the Peace
- a registered legal executive or Fellow of the New Zealand Institute of Legal Executives
- a government officer authorised to take a statutory declaration.

An authorised witness will be available at the port of entry or quarantine facility.

Supporting documentation required to accompany exempting statutory declaration

This exempting statutory declaration must be accompanied by a veterinary certificate that is to the effect that to the best of the veterinarian's knowledge and belief, the dog is not a dog listed in Schedule 4 of the Act.

The veterinary certificate must be issued in the country from which the dog is imported, by a veterinarian registered in that country and before the arrival of the dog in New Zealand.

Offence relating to import of prohibited breed or type of dog

You will commit an offence and be liable on summary conviction to a fine not exceeding $3,000 if you import a dog into New Zealand that belongs wholly or predominantly to any 1 or more of the breeds or type listed in Schedule 4 of the Act.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, insert *new form 3A* into the Schedule of the Dog Control (Prescribed Forms) Regulations 1996, which prescribe forms for the purposes of the Dog Control Act 1996 (the **Act**). *New form 3A* prescribes the form for an exempting statutory declaration that is required under section 30A of the Act to accompany a dog being imported into New Zealand and declares to the best of the importer's knowledge that the dog does not belong wholly or predominantly to 1 or more of the prohibited breeds or type of dog listed in Schedule 4 of the Act.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 13 October 2011.
These regulations are administered by the Department of Internal Affairs.

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2011