

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1996, No. 8*

By-laws under the *Local Government Act*

The Alice Springs Town Council, in pursuance of the powers conferred on it by the *Local Government Act* and in accordance with section 184(3) and (4) of the Act, at a meeting held on 18 December 1995, made the following By-laws and, for the purposes of section 63(2)(a) of the *Interpretation Act*, authorised Robert Charles Turner, the clerk, to sign them.

Dated 19 December 1995.

R.C. TURNER
Clerk

AMENDMENTS OF ALICE SPRINGS (ANIMAL CONTROL) BY-LAWS

1. PRINCIPAL BY-LAWS

The Alice Springs (Animal Control) By-laws, as amended and in force immediately before the commencement of these By-laws, are in these By-laws referred to as the Principal By-laws.

2. INTERPRETATION

By-law 4 of the Principal By-laws is amended -

- (a) by inserting in clause (1) after the definition of "approved" the following:

"'approved animal trap' means a device designed to capture an animal which has the approval of the Royal Society for the Prevention of Cruelty to Animals (N.T.) Incorporated;"; and

- (b) by adding at the end the following:

"(6) A reference in these By-laws to the seizure of an animal includes the capture of an animal by means of an approved animal trap."

Notified in the *Northern Territory Government Gazette*
on 21 February 1996.

Alice Springs (Animal Control) By-laws

3. REFUSAL TO REGISTER DOG

By-law 15(2)(b) of the Principal By-laws is amended by omitting "by-law 11(3)(b) or (c)" and substituting "by-law 11(3)(c)".

4. HEADING

The heading to Division 1 of Part 3 of the Principal By-laws is amended by adding after "Registration" the words "of Animals".

5. REFUSAL TO REGISTER CAT

By-law 16(2)(a) of the Principal By-laws is amended by omitting "by-law 11(3)(b) or (c)" and substituting "by-law 11(3)(c)".

6. CERTAIN ANIMALS TO BE REGISTERED

By-law 26 of the Principal By-laws is amended by omitting from clause (2)(c) "the Society" and substituting "the Royal Society".

7. ILLEGAL USE OF IDENTIFICATION DEVICE

By-law 29 of the Principal By-laws is amended by omitting all words before paragraph (b) and substituting the following:

"A person shall not -

- (a) without reasonable cause, remove an identification device from a registered animal; or".

8. REPEAL AND SUBSTITUTION

By-law 34 of the Principal By-laws is repealed and the following substituted:

"34. ANIMALS AT LARGE

"(1) The owner of an animal that is at large is guilty of an offence.

"(2) For the purposes of this by-law, "animal" does not include a cat.

"34A. CAT REPEATEDLY AT LARGE

"The owner of a cat that is repeatedly in a place other than a place owned or occupied by its owner is guilty of an offence."

Alice Springs (Animal Control) By-laws

9. REPEAL AND SUBSTITUTION

By-law 36 of the Principal By-laws is repealed and the following substituted:

"36. ENTICEMENT

"(1) A person shall not entice or induce an animal to enter a place in which it will be at large.

"(2) Clause (1) does not apply to the seizure of an animal by means of an approved animal trap set by, or on behalf of, an authorised person."

10. SEIZURE, &c., OF ANIMALS

By-law 43 of the Principal By-laws is amended -

- (a) by from omitting paragraph (a)(i) "stray animal; or" and substituting "stray animal or an animal which is a nuisance for the purposes of by-law 37;"
- (b) by omitting from paragraph (a)(ii) "; and" and substituting "; or";
- (c) by inserting at the end of paragraph (a) the following -
 - " (iii) an unregistered dog; and"; and
- (d) by omitting from paragraph (b) "unwanted animal." and substituting "unwanted animal or an animal which is a nuisance for the purposes of by-law 37."

11. NEW BY-LAW

The Principal By-laws are amended by inserting after by-law 55 the following:

"56. REGULATORY OFFENCES

"An offence of contravening or failing to comply with by-law 26, 27, 28, 29(b), 30, 31, 32, 33, 34, 34A, 35, 36, 37, 38, 39, 40(2) or 50 is a regulatory offence."

12. SCHEDULE 1

Schedule 1 to the Principal By-laws is amended -

- (a) by omitting "Unregistered dog, unregistered cat" and substituting "Keep unregistered dog, unregistered cat";

Alice Springs (Animal Control) By-laws

- (b) by inserting after the item relating to Breach of conditions the following:

"29 Remove identification device 50";

- (c) by omitting "Dog at large" and substituting "Animal at large"; and

- (d) by omitting the item relating to Unsterilised or unregistered cat at large.

12. SCHEDULE 2

Schedule 2 to the Principal By-laws is amended by omitting from the Schedule to the form -

- (a) "Dog/cat* at large" and substituting "Animal at large"; and

- (b) "No identification device dog/cat*" and substituting "No identification device on registered animal".

The common seal of the Alice Springs Town Council was affixed hereto in pursuance of the resolution of the Council authorising the seal to be so affixed passed on 18 December 1995.

ROBERT WILLIAM KENNEDY
MAYOR

ROBERT CHARLES TURNER
CLERK