

Dog Control Amendment Bill (No 2)

12 November 2007

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990: DOG CONTROL AMENDMENT BILL (No 2)

1. We have considered whether the Dog Control Amendment Bill (No 2) ('the Bill') (PCO 12263/5) is consistent with the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act'). We understand that this Bill is likely to be considered by the Cabinet Legislation Committee at its meeting on 15 November 2007.
2. This Bill seeks to amend the Dog Control Act 1996 ('the Principal Act'). The Bill modifies the provisions of the Principal Act to:
 - require the mandatory neutering of all dogs that have been deemed to be menacing dogs, by reason of their belonging to a breed or type listed in Schedule 4;
 - create a regulation-making power to authorise the Governor-General to make regulations setting out the issues that territorial authorities must address in their dog control policies; and
 - simplify the process for adding more breeds to the import ban (and related menacing classification by territorial authorities).
3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed by the Bill of Rights Act.

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