

**ATTACHMENT H**

**THE DEPARTMENT OF LOCAL  
GOVERNMENT GUIDELINES FOR THE  
REVOCACTION OF A DANGEROUS  
DOG DECLARATION**

## ATTACHMENT H

### 9. DANGEROUS DOGS AND HUNTING DOGS

#### 9.7. Requests for council to revoke a dangerous dog declaration

9.7.1. Under section 39(1) of the Act, the owner of a dog that has been declared dangerous can apply to the council of the area in which the dog is ordinarily kept (whether or not it is the council that made the declaration) for the declaration to be revoked. This application cannot be made until 12 months after the dog was declared dangerous.

9.7.2. A dangerous dog order can only be revoked by a resolution of council. Section 39(2) of the Act stipulates that councils must be satisfied that it is appropriate to revoke a dangerous dog declaration before doing so.

9.7.3. Councils should have a policy for assessing applications to revoke dangerous dog orders and communicate this policy to relevant dog owners. This policy may cover issues such as:

- a) circumstances under which the dangerous dog order was issued. If the council considering the request to revoke is not the council that issued the dangerous dog declaration, they should contact the issuing council for more information about the circumstances surrounding the issuing of the order.
- b) The dog's current circumstances and behaviour in relation to the original order, including any behaviour modification training that may have been undertaken.
- c) Any behavioural assessment obtained by the owner from a licensed vet, animal behaviour specialist or other qualified professional.

9.7.4. Councils must not refer dog owners to the Companion Animals Helpdesk for details of approved temperament assessors so they can have a behavioural assessment done to help revoke a dangerous dog declaration. Temperament assessments are only applicable to dogs proposed to be declared restricted by councils under section 58C of the Act. They do not apply to any other part of the Act and cannot be used to help revoke a dangerous dog declaration. Owners will be referred back to the relevant council.

9.7.5. Council must, as soon as practicable, inform the owner of the dog that the declaration has been revoked or that council has refused to revoke it.

9.7.6. Councils must notify the Chief Executive, Local Government within 7 days of revoking a dangerous dog order. This notification can be done by recording the details of the revocation on the Register.