



ANALYSIS

Title
1. Short Title

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| | 2. Immunities relating to dogs used for customs or defence purposes |
| | 3. Exemption from liability for damage by dog used for customs or defence purposes |

1985, No. 172

An Act to amend the Dog Control and Hydatids Act 1982

[17 December 1985]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Dog Control and Hydatids Amendment Act 1985, and shall be read together with and deemed part of the Dog Control and Hydatids Act 1982 (hereinafter referred to as the principal Act).

2. Immunities relating to dogs used for customs or defence purposes—(1) Section 56 of the principal Act is hereby amended by repealing subsection (7), and substituting the following subsection:

“(7) Nothing in this section shall apply in respect of any dog kept by the Police or any constable, the Customs Department, or the Ministry of Defence or any serviceman, or any officer or employee of the Customs Department or the Ministry of Defence while being used for the purpose of carrying out in a lawful manner any function, duty, or power of the Police or the Department or Ministry or that constable, serviceman, officer, or employee.”

(2) Section 57 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

“(3) Nothing in this section shall apply in respect of any dog kept by the Police or any constable, the Customs Department, or the Ministry of Defence or any serviceman, or any officer

or employee of the Customs Department or the Ministry of Defence while being used for the purpose of carrying out in a lawful manner any function, duty, or power of the Police or the Department or Ministry, or that constable, serviceman, officer, or employee.”

3. Exemption from liability for damage by dog used for customs or defence purposes—Section 61 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) This section shall not apply in respect of any damage done by a dog kept by the Police or any constable, the Customs Department, or the Ministry of Defence or any serviceman, or any officer or employee of the Customs Department or the Ministry of Defence while it is being used for the purpose of carrying out in a lawful manner any function, duty, or power of the Police or the Department or Ministry, or that constable, serviceman, officer, or employee if, had this section not been enacted, there could be no claim for the damage against the Police, the Department or Ministry, or the constable, serviceman, officer, or employee.”

This Act is administered in the Department of Internal Affairs.
