

Queensland



POLICE DOGS ACT 1984

**Reprinted as in force on 29 January 1996
(Act not amended up to this date)**

Reprint No. 1

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This Act is reprinted as at 29 January 1996.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43)
- make all necessary consequential amendments (s 7(1)(k)).

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of changed names and titles**
 - **table of changed citations and remade laws**
 - **table of obsolete and redundant provisions**
 - **table of renumbered provisions.**

Queensland



POLICE DOGS ACT 1984

TABLE OF PROVISIONS

Section		Page
1	Short title	3
2	Act read with Police Act 1937–1980	3
3	Interpretation	3
4	Police dogs may accompany police dog handlers	3
5	Application of local government local laws etc.	4
6	Obstruction of police dog constitutes obstruction of police dog handler ...	4
7	Killing or injuring police dogs	4
8	Evidentiary provisions	5
9	Power of arrest	5
10	Power to require name, address etc.	5
11	Regulations	6

ENDNOTES

1	Index to endnotes	7
2	Date to which amendments incorporated	7
3	Key	8
4	List of legislation	8
5	Table of changed names and titles	8
6	Table of changed citations and remade laws	9
7	Table of obsolete and redundant provisions	9
8	Table of renumbered provisions	9

POLICE DOGS ACT 1984

[reprinted as in force on 29 January 1996]

An Act to provide for the protection of police dogs and their handlers acting in the execution of their duty and for related matters

Short title

1. This Act may be cited as the *Police Dogs Act 1984*.

Act read with Police Act 1937–1980

2. This Act shall be read and construed with and as an amendment of the *Police Act 1937–1980*.

Interpretation

3. In this Act—

“**police dog**” means a dog certified at the material time by the commissioner as being a police dog for the purposes of this Act.

“**police dog handler**” means a police officer who at the material time—

- (a) is certified by the commissioner as a police dog handler for the purposes of this Act; and
- (b) is performing his duties as a police dog handler.

Police dogs may accompany police dog handlers

4. Notwithstanding any other Act or law—

- (a) a police dog under the control of a police dog handler may enter and be on any place that the police dog handler as a police officer may lawfully enter or be upon;

- (b) the commissioner and a police dog handler in charge of a police dog shall not be liable in any way by reason only that that police dog entered or was on any place in accordance with paragraph (a).

Application of local government local laws etc.

5.(1) The provisions of any rule, regulation or local law made by any local government pursuant to any Act do not apply—

- (a) to or in respect of any police dog;
- (b) to a police dog handler in respect of anything done by the police dog handler in the execution of his or her duty as—
 - (i) a police officer;
 - (ii) a police dog handler.

(2) For the purposes of this section—

“local government” means a local government constituted under the *Local Government Act 1993* and includes Brisbane City Council constituted under the *City of Brisbane Act 1924*.

Obstruction of police dog constitutes obstruction of police dog handler

6. A person who—

- (a) obstructs or hinders; or
- (b) aids or incites another to obstruct or hinder;

a police dog working under the control of a police dog handler while the police dog handler is performing his or her duties as a police officer obstructs or, as the case may be, hinders that officer.

Killing or injuring police dogs

7.(1) A person shall not kill, maim, wound or otherwise injure a police dog or attempt so to do unless the person has lawful excuse for so doing.

Maximum penalty—\$2 000 or 2 years imprisonment.

(1A) The provisions of the *Animals Protection Act 1925*, section 4(3) do not apply in respect of a police dog at any time when it is under the control

of a police dog handler.

(2) A court which convicts a person of an offence against this section may, in addition to any penalty which may be imposed, order the person to pay to the commissioner a reasonable sum for—

- (a) the treatment, care, rehabilitation and retraining of the police dog concerned; and
- (b) where it is necessary to replace the police dog, the acquisition and training of its replacement.

Evidentiary provisions

8. In any proceedings a document purporting to be signed by the commissioner stating that at a specified time or during a specified period that—

- (a) a person specified therein was a police dog handler; or
- (b) a dog identified therein was a police dog;

shall, upon its production in that proceeding, be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained in the document.

Power of arrest

9.(1) A police officer who has reasonable grounds to believe that a person has committed an offence against this Act may, without any warrant other than this Act, arrest that person and take that person as soon as practicable before a justice to be dealt with according to law.

(2) This section does not limit the power and authority to proceed against an offender by way of complaint and summons under the *Justices Act 1886*.

Power to require name, address etc.

10.(1) A police officer who—

- (a) finds a person committing or reasonably suspects a person of having committed an offence or being about to commit an offence against this Act; or

Police Dogs Act 1984

- (b) is making inquiries or investigations with a view to establishing whether or not an offence against this Act, has been committed or is about to be committed by any person and believes on reasonable grounds that such information will assist in the conduct of the investigations; or
- (c) arrests a person in the exercise of a power conferred by this Act;

may require that person to state such particulars of the person's name and address as required by that officer and, where that officer suspects on reasonable grounds that any particular stated is false, may require evidence as to the correctness thereof.

(2) A person required under this section to state any particulars who—

- (a) refuses or otherwise fails to state any of those particulars; or
- (b) states any false particular;

commits an offence against this Act.

Maximum penalty—\$100 or 2 months imprisonment.

(3) A person required under this section to produce evidence as to the correctness of any particulars who—

- (a) fails to produce that evidence;
- (b) produces false evidence with respect to those particulars;

commits an offence against this Act.

Maximum penalty—\$100 or 2 months imprisonment.

Regulations

11. The Governor in Council may make regulations, not inconsistent with this Act for or with respect to all matters that may be convenient for the administration of this Act or that may be necessary or expedient to achieve the objects and purposes of this Act.

ENDNOTES**1 Index to endnotes**

	Page
2 Date to which amendments incorporated	7
3 Key	8
4 List of legislation	8
5 Table of changed names and titles	8
6 Table of changed citations and remade laws	9
7 Table of obsolete and redundant provisions	9
8 Table of renumbered provisions	9

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Police Dogs Act 1984 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 List of legislation

Police Dogs Act 1984 No. 24

date of assent 22 March 1984
commenced on date of assent

5 Table of changed names and titles

TABLE OF CHANGED NAMES AND TITLES under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
by-law (of a local authority)	local law (of a local government)	Local Government Act 1993 s 796(1)(l)
local authority	local government	Local Government Act 1993 s 796(1)(a)
member (of the police force)	(police) officer	Police Service Administration Act 1990 s 11.1(1)(c) (see also s 1.4)
ordinance (of a local authority)	local law (of a local government)	Local Government Act 1993 s 796(1)(l)

6 Table of changed citations and remade lawsTABLE OF CHANGED CITATIONS AND REMADE LAWS
under the Reprints Act 1992 ss 21A and 22

Old	New	Reference provision
Local Government Act 1936	Local Government Act 1993	Local Government Act 1993 s 796(1)(o)

7 Table of obsolete and redundant provisionsTABLE OF OBSOLETE AND REDUNDANT PROVISIONS
under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
definitions to be read in context	Acts Interpretation Act 1954 s 32A
penalty permitting fine or imprisonment permits both	Penalties and Sentences Act 1992 s 180A

8 Table of renumbered provisionsTABLE OF RENUMBERED PROVISIONS
under the Reprints Act 1992 s 43

Previous	Renumbered as
7(1), 2nd sentence	7(1A)
9, 1st sentence	9(1)
9, 2nd sentence	9(2)