

## **SECTION 4 – AGGRESSIVE DOGS**

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## **SECTION 4 - AGGRESSIVE DOGS**

### **4.1 GENERAL**

- 4.1.1 It is the obligation of each owner, exhibitor or handler, at any exhibition, to take all steps necessary to ensure that any dog (or dogs) under that person's care or control or for which that person is responsible, does not (do not) behave in an aggressive manner.
- 4.1.2 It is the obligation of any person who, at any exhibition, observes a dog (or dogs) behaving in an aggressive manner, to report the incident, either orally or in writing, to a member of the exhibition Committee. Such report is to be made either immediately or as soon as possible after the incident occurred.

### **4.2 THE RESPONSIBILITIES OF THE EXHIBITION COMMITTEE**

- 4.2.1 Upon receipt of a report of an incident involving aggressive behaviour of a dog (or dogs), from a person other than a Judge whilst judging at the event, the Exhibition Committee shall appoint an inquiry committee (minimum of two committee members and a NACA representative) which shall meet as soon as practicable on that day to enquire into the matter. Minutes of the inquiry must be kept by the Inquiry Committee.
- 4.2.2 If, after inquiring into the matter, the Inquiry Committee is satisfied that the incident occurred and comprised or Included the accused dog (or dogs):-
- (a) attacking or attempting to attack
  - (b) biting or attempting to bite any person or any dog at the exhibition, or any other sufficiently serious aggressive behaviour, and the Inquiry Committee is satisfied that the attack took place with no justified provocation, the Inquiry Committee may declare the dog to be an aggressive dog.
- 4.2.3 The Inquiry Committee shall advise the person, who at that time, appears to be responsible for the care and control of a dog declared by the Committee to be aggressive, of its finding in writing as soon as possible after completion of the inquiry.
- 4.2.4 Upon the Inquiry committee declaring a dog to be an aggressive dog it shall:-
- (a) instruct the person, who at that time appears be responsible for the care and control of the dog, to remove the dog from the exhibition ground and
  - (b) advise that the dog is, by virtue of the fact that it has been declared an aggressive dog, disqualified from further exhibition at that exhibition and also at any other

exhibition until advised to the contrary by the NACA. During the period of such disqualification, the dog is prohibited from entering or remaining upon any exhibition ground where official canine activity is taking place.

4.2.5 In the event that an Inquiry Committee declares a dog to be an aggressive dog, then, no later than 7 (seven) days after the incident, the affiliated body concerned shall provide the NACA with:

- (a) a written report concerning the incident
- (b) the minutes of the inquiry committee's meeting
- (c) the Inquiry Committee's findings and decision
- (d) copy of the advice given to the person then apparently responsible for the care and control of the dog
- (e) copies of all statements taken from witnesses
- (f) relevant catalogue pages
- (g) any other relevant documents.

4.2.6 It shall be the responsibility of the affiliated body to ensure that the Inquiry Committee complies with the requirements of these Regulations. If the Inquiry committee fails in any material respect to comply with the procedures and requirements of these Regulations, NACA may:

- (a) impose such penalty on the affiliated body as it deems is warranted or
- (b) may withdraw or deny approval for any or all future exhibitions schedules to be conducted by that affiliated body.

4.2.7 Irrespective of 4.2.6 above, no person shall have any claim upon, or recourse against, any member of the Inquiry Committee, the affiliated body which appointed it, a judge or any other person as a consequence of any action taken pursuant to these Regulations.

#### **4.3 THE RESPONSIBILITIES OF THE JUDGE**

4.3.1 Where an exhibit, which is competing in the exhibition ring at a NACA approved exhibition:-

- (a) displays an aggressive or savage disposition or tendency towards any person

- (b) displays an unusually aggressive or savage disposition or tendency towards another exhibit
- (c) bites or attempts to bite the judge or any other person the judge shall:-
  - (i) call the Ring steward to attend and, in the Ring Steward's presence and hearing, direct the handler to remove the exhibit from the judging ring and inform the handler that the exhibit is banned from further competition at that or any other exhibition until advised to the contrary by the NACA.
  - (ii) Ensure that the Judge's book is marked appropriately "Dismissed for aggression", "Dismissed for savagery" or "Dismissed for biting or attempting to bite".
  - (iii) Instruct the Ring Steward to immediately advise a member of the exhibition committee of the incident.
  - (iv) within 7 (seven) days advise the NACA of the incident, in writing, including details of any witnesses.

#### **4.4 THE RESPONSIBILITIES OF THE NACA**

4.4.1 Where a report is received by the NACA relating to a NACA registered dog(s) complaining of undue aggression by that dog (those dogs) or of that dog (those dogs) biting or attempting to bite a person or another dog,

- (a) the registered owner(s) will be written to and advised of the report
- (b) the registered owner(s) will be required to reply
  - (i) submitting comments on the report
  - (ii) stating whether continued participation in official canine activity, with the dog(s) in question, is desired after resolution of the report, and
  - (iii) if so, and if the resolution of the report finds the dog to be an aggressive dog, advising what corrective action will be undertaken to ensure that the dog does not offend again.

4.4.2 The registered owner will be advised that:-

- (a) the report may be referred to the Convener of an Investigation Committee of NACA for investigation
- (b) if continued participation in official canine activity is not desired, with the dog(s) in question, or in the event that the dog(s) should offend again, automatic de-registration of the dog for life will be imposed.

4.4.3 Upon written application to NACA a dog, previously declared to be an aggressive dog, may be approved to recommence official canine activity provided that written proof is presented to the effect that:-

- (a) the dog has been successfully retrained at a nominated NACA Obedience club, or accredited trainer, and
- (b) the dog has successfully passed an assessment test by a NACA Assessment Panel.

4.4.4 Within 2 (two) calendar months of the receipt of an affiliated body's report, NACA shall consider the report and, if satisfied that the dog is likely to constitute a danger to persons, other dogs or property at any exhibition, may de-register the dog, suspend, disqualify or otherwise debar that dog from being entered at an exhibition.

Alternatively it may impose such conditions as it deems appropriate in relation to the exhibition of that dog and, in either event, for such period as it considers appropriate.

4.4.5 If for any reason NACA has not finally dealt with the matter within the 2 (two) month period referred in 4.4.4 above, the owner(s) of the dog may make written application to NACA for removal of the disqualification. Upon receipt of the application the NACA shall:

- (a) grant the Application, or
- (b) reach a decision in relation to the matter. If such decision is not reached within 1 (one) month after receipt of the application, the application shall be deemed to have been granted.

## **4.5 THE REGISTERED OWNERS**

4.5.1 The registered owners(s) or, in that (those) person's absence, the person who has care and control of a dog declared by an Inquiry Committee to be an aggressive dog shall:-

- (a) remove that dog immediately from the exhibition ground upon instruction from the Inquiry Committee and provision, to that person, of their written declaration, and

- (b) refrain from taking that dog onto any other exhibition ground, where official canine activity is taking place, until advised to the contrary by the NACA, or upon direction from NACA to attend Obedience Training or to attend an Assessment Panel's examination.
- (c) If written to by NACA (as in 4.4.1 (i) above), reply as soon as possible after receipt of the letter of enquiry and, in any case, within 14 (fourteen) days.
- (d) Follow any instruction, from the NACA pursuant to these Rules.

Non-compliance with any of the conditions enunciated will result in that dog being permanently de-registered and the matter will be referred for investigation for breach of the appropriate Rule.

## **4.6 COMPLAINTS**

- 4.6.1 Complaints may be made by any Member, except by one who is under a term of suspension or disqualification or is otherwise ineligible to take part in Exhibitions held under these Rules.
- 4.6.2 Where a complaint arises from an incident at a NACA approved exhibition, a complainant is to direct their complaint in the first instance to the Exhibition Manager.
- 4.6.3 The Affiliate Committee is to make every effort to resolve the complaint and in doing so may seek advice from the Dogs NT Representative.
- 4.6.4 Where a complainant is not satisfied with the resolution arrived at by the Affiliate Committee the complaint may be lodged in writing with the prescribed fee with the Dogs NT, Secretary. Reports of aggressive dogs lodged in accordance with regulation 4.2 do not require a deposit.
- 4.6.5 The Exhibition Manager is to advise the Dogs NT, Secretary in writing of the details of any complaint resolved or not resolved by the Affiliate Committee, such details to include actions taken by the Affiliate. These details are to be forwarded to the Dogs NT, Secretary within 14 days of the last day of the Exhibition.
- 4.6.6 All complaints arising from an incident at an approved exhibition will be dealt with by the Affiliates Exhibition Committee on the day in accordance with the above rules and those of 4.1 through to 4.5. If this does not happen any future proceedings with regard to such matter could be rendered null and void.

## **4.7 PENALTIES**

- 4.7.1 Council, in acting under these Rules, shall have power to impose any one (1) or more of the following penalties:-
- (a) To suspend or disqualify or otherwise debar any person from judging, and/or taking part in and/or having any connection with and/or attending any exhibition of dogs held under NACA Rules or being associated with any affiliated body;
  - (b) To impose a fine.
  - (c) To impose any other penalty as Council deems fit.
- 4.7.2 The penalties provided herein may be for life or such shorter period as Council shall fix, and the Council shall have power from time to time to remove, modify, or vary in any way, any suspension, disqualification, or any other state of ineligibility.
- 4.7.3 Council may make such order as it deems fit with reference to the deposit with any appeal.
- 4.7.4 If a prize-winner be disqualified, the dogs next in consecutive order of merit, shall be moved into the higher places in the prize list.
- 4.7.5 All penalties imposed and/or endorsed by Council shall be observed and enforced by all bodies affiliated with the NACA.
- 4.7.6 If any case occurs which is not, or which is alleged not to be provided for in these Rules, it shall be determined by Council in such manner as it deems fit and its decision shall be final, subject to the Right of Appeal provided for in these Rules.
- 4.7.7 Council shall have power to require a deposit, as per Schedule of Fees, with any complaint entailing an enquiry by such Council. If, in the opinion of Council, the complaint is frivolous, the deposit shall be retained by the NACA.
- 4.7.8 Offences of the following description shall entail a fine as per the Schedule of Fees for each case unless Council is satisfied that the omission was bona fide:-
- (a) Failure to lodge any of the following in accordance with these Rules;
    - (i) Draft Schedule and signed Judge's and Ring Steward's contract;
    - (ii) Marked Catalogue, Judge's Book(s), Charts, and Exhibition Manager's Report;

- iii) Report of objection, enquiry, or a case of unsportsmanlike or unseemly action
- (b) Failure to pay Prize money or delivery or make available Special Prizes within the prescribed period, or pay a Judge within the prescribed period

4.7.9 Fines imposed by Council shall be retained by the NACA.