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## LGOIMA

When releasing responses to previous LGOIMA requests, names and contact details of individual requestors will be withheld to protect their privacy.

Information requested by the media, lobby groups, public sector organisations and MPs will always be published, while information specific to an individual or their property will not generally be published.

<b>Request from:</b>	Private Individual
<b>Information requested:</b>	Standard operating procedures for uplifting dogs
<b>Response by:</b>	Simon Bastion, Chief Executive

06 December 2023

Via Email:

Dear Private Individual

**Official information request for standard operating procedures for uplifting dogs**

I refer to your official information request dated 25 November 2023 for standard operating procedures for uplifting dogs.

The information you have requested is enclosed.

There is no charge in supplying this information to you.

**Council has adopted a Proactive Release Policy and accordingly may publish LGOIMA responses on the Council Website at <https://www.westlanddc.govt.nz/lgoima-responses>.**

The collection and use of personal information by the Westland District Council is regulated by the Privacy Act 2020. Westland District Council's Privacy Statement is available on our website [here](#)

If you wish to discuss this decision with us, please feel free to contact Mary-anne Bell, Business Analyst at [LGOIMA@westlanddc.govt.nz](mailto:LGOIMA@westlanddc.govt.nz), 03 756 9091.

Sincerely,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

**Simon Bastion** | Chief Executive

SB/MB

## SEIZING A DOG PROCEDURE

### 1.0 PURPOSE

- 1.1 To describe the actions taken when an officer seizes a dog

### 2.0 RESPONSIBILITY

- 2.1 The Environmental Health Officer/Regulatory Officer has the overall responsibility to ensure each officer follows this procedure

- 2.2 Each officer has the responsibility to ensure he/she follows this procedure.

### 3.0 PROCEDURE

#### 3.1 Officer to take control of or seize the dog

The officer should immediately place the dog in the vehicle when they have seized a dog. If the officer has time they should check the dog for a microchip to positively identify the dog.

Officer should leave seizure notice at the scene.

#### 3.2 Officer should place dog in vehicle and lock door

The officer should lock the door of their vehicle to prevent access to the dog by people present on the scene.

#### 3.3 The officer should transport the dog to the dog pound

When a dog has been seized from a property it is desirable to transport the dog to the dog pound as soon as possible. There may be situations where the officer has other jobs in the area and this may not be possible.

#### 3.4 Complete as much of the impounding form as possible

It is important to collect and record as much information as possible in order to try and match the dog with any dogs reported missing (for an impounded dog). Even if no dog registration or microchip details are available, the colour, size, gender, approximate age and any distinguishing features should be recorded immediately.

#### 3.5 Contact dog owner if known

Advise the dog owner that their dog has been seized. Explain the reason why the dog was seized and impounded. Explain what will happen next. For example a dog that has been seized under section 57, 57A or 58 the dog owner may be prosecuted or the dog returned to the dog owner. Either way the dog owner must claim the dog by paying all the fees owing or the dog can be euthanized after 7 days.

### 3.6 Take enforcement action

A dog can be seized under a number of sections of the dog Control Act 1996. Below is a summary of possible outcomes for dog owners whose dogs have been seized and impounded.

S15(1)(c)	seizing dog for welfare issues
s 28(7)	removal of dog kept by disqualified owner
s32(5)(a)	removal of dangerous dog not meeting criteria
s33(E)(C)(2)	failing to comply with menacing classification
s42(2)	seizing unregistered dog
s52(3)	seizing uncontrolled dog
s52A(4)(a)	seizing dog freely able to leave its property
s56(2)	seizing dog barking nuisance after notice
s57(5)	seizing a dog that has attacked
s57A(3)	seizing a dog rushing
s59(1)	seizing dog in vicinity of protected wildlife
s60(1)	seizing dog among stock or poultry

#### Menacing dog

Any dog seized for failing to meet the menacing dog classification criteria will have to fully comply prior to release. This might include neutering, microchipping and registration.

#### Dog attacking

Any dog seized for a dog attack will be held until we determine if a prosecution will follow. If so then issue a s71 notice retaining the dog in Council's care (if dog owner has claimed the dog, if fees paid, if dog is a threat to public safety). If no prosecution the dog must be returned to the owner.

#### Dog barking and seized after notice issued

Dog can be kept for 7 days and then disposed of as Council wishes if not claimed. If dog owner claims dog Council can keep dog until it is satisfied that the nuisance will not recur or if the dog is not returning to the property

#### s53,s52A,s59 and s60

Dog seized under s53, 52A, s59 and s60 must be returned to owner when claimed

#### S42 seizure

Can only be released when the registration is paid

S32

Prosecution of dog owner is likely to follow and a destruction order on the dog would be sought. Hold until outcome of prosecution known.

S28

Cannot be return to disqualified dog owner, if not claimed within 7 days of being seized then dog can be disposed of as Council sees fit.

S57A

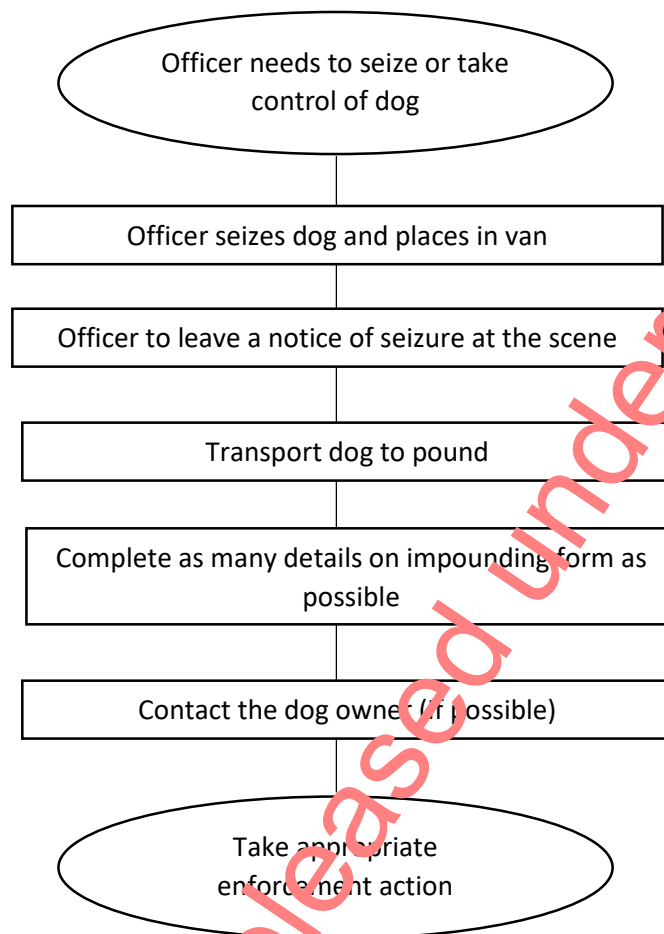
A dog that has rushed can be held until a decision about prosecution is reached. If prosecuting then hold dog under s71 until outcome of case known. If not prosecuting then dog must be returned to dog owner.

S15

Return to dog owner when complies with welfare requirements

WDC 23.24.67 Released under GOIMA

## SEIZING A DOG PROCEDURE



WDC 23.24.67 Released under LGOMA