

# Impact Analysis Statement

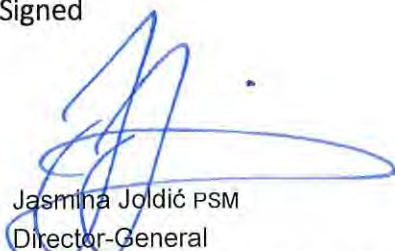
## Details

<b>Lead department</b>	Department of Justice and Attorney-General
<b>Name of the proposal</b>	An amendment regulation to amend schedule 1 of the <i>State Penalties Enforcement Regulation 2014</i> (SPE Regulation) to prescribe six new infringement notice offences, amend the infringement notice fine amount for four infringement notice offences, and remove two infringement notice offences
<b>Submission type</b>	Summary Impact Analysis Statement
<b>Title of related legislative or regulatory instrument</b>	<i>State Penalty Enforcement (Animal Management) Amendment Regulation 2024</i>
<b>Date of issue</b>	July 2024

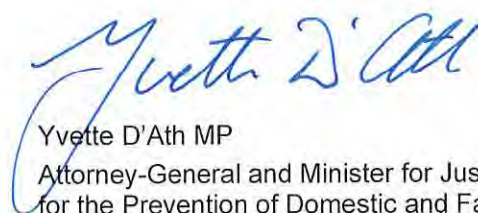
Proposal type	Details
<b>Regulatory proposals where no RIA is required</b>	<p>The <i>Agriculture and Fisheries and Other Legislation Amendment Act 2024</i> (Amendment Act), which includes amendments to the <i>Animal Management (Cats and Dogs) Act 2008</i> (AMCD Act) to reform the control and management of dogs, received assent on 26 April 2024. The amendments to the AMCD Act include the introduction of new offences, an increase in the maximum penalties for some offences, and the repeal of some offences.</p> <p>The <i>State Penalty Enforcement (Animal Management) Amendment Regulation 2024</i> (Amendment Regulation) prescribes the following offences under the AMCD Act as infringement notice offences, enabling these offences to be enforced either through the issuing of an infringement notice or the prosecution of the matter in court:</p> <ul style="list-style-type: none"> <li>• failing to exercise effective control of dog in a public place: <ul style="list-style-type: none"> <li>○ if no injury to a person or animal occurs and the dog is— <ul style="list-style-type: none"> <li>– a regulated dog (section 193(e)(i) of the AMCD Act) - infringement notice fine of 10 penalty units;</li> <li>– not a regulated dog (section 193(e)(ii) of the AMCD Act) - infringement notice fine of 5 penalty units</li> </ul> </li> <li>○ if the dog attacks and wounds an animal and the dog is— <ul style="list-style-type: none"> <li>– a regulated dog (section 193(d)(i) of the AMCD Act) - infringement notice fine of 20 penalty units;</li> <li>– not a regulated dog (section 193(d)(iii) of the AMCD Act) - infringement notice fine of 15 penalty units;</li> </ul> </li> </ul> </li> <li>• owning a prohibited dog under section 103B of the AMCD Act; and</li> <li>• supplying a prohibited dog under section 103C of the AMCD Act.</li> </ul> <p>The offences under the AMCD Act relating to the exercise effective control of a dog in a public place commence on 31 July 2024. The prescription of these offences as infringement notice offences will also take effect from 31 July 2024.</p> <p>The offences under the AMCD Act relating to owning or supplying a prohibited dog commence on 28 August 2024. The prescription of these offences as infringement notice offences will also take effect from 28 August 2024.</p>

	<p>The Amendment Regulation also increases the infringement notice fine amount (from 7 to 15 penalty units) for the following infringement notice offences to ensure the financial penalty reflects the seriousness of the offence and will have an appropriate deterrent and punishment effect:</p> <ul style="list-style-type: none"> <li>• failing to comply with permit conditions for a declared dangerous dog under section 97(1) of the AMCD Act;</li> <li>• failing to comply with permit conditions for a declared menacing dog under section 98(1) of the AMCD Act;</li> <li>• failing to comply with permit conditions for a dog the subject of a proposed dangerous dog declaration notice under section 93(2) of the AMCD Act;</li> <li>• failing to comply with a compliance notice for a regulated dog under section 134(1) of the AMCD Act.</li> </ul> <p>The increased financial penalties for these offences will take effect from 28 August 2024.</p> <p>The Amendment Regulation also removes reference to two offences under sections 81(1) and (2) of the AMCD Act, which are being repealed, from schedule 1 of the SPE Regulation effective from 28 August 2024.</p> <p>The proposal relates to general criminal laws as it amends the SPE Regulation to:</p> <ul style="list-style-type: none"> <li>• prescribe six new infringement notice offences to allow enforcement of the new offences by way of an infringement notice as an alternate to prosecuting the offences through the courts;</li> <li>• increase the infringement notice fine amount for four infringement notice offences to ensure that the financial penalty for noncompliance with the offence provision reflects the seriousness of the offence and has an appropriate deterrent and punishment effect; and</li> <li>• remove two infringement notice offences.</li> </ul> <p>No regulatory impact analysis is required under the <i>Queensland Government Better Regulation Policy</i>.</p>
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Signed



Jasmina Joldić PSM  
Director-General  
Department of Justice and Attorney-General



Yvette D'Ath MP  
Attorney-General and Minister for Justice and Minister  
for the Prevention of Domestic and Family Violence

Date: 05.07.2024

Date: 15/07/2024