REGULATIONS

PART I

THE REGISTER AND REGISTRATION

This Part incorporates Regulations of Dogs Australia
PART 6: THE REGISTER & REGISTRATION
https://dogsaustralia.org.au/media/9977/6-da-reg6_registration_feb-23.pdf

Reference to "Dogs Australia" herein is a reference to the Australian National Kennel Council Limited (ABN 77 151 544 679) trading as Dogs Australia

Amended May 2018
Amended July 2018 – amend Dogs NSW to DOGS NSW
Amended March 2019
Amended June 2019
Amended July 2019
December 2019
June 2020
September 2020
February 2021
Amended August 2022 - ANKC Ltd to Dogs Australia
Amended December 2022
Amended July 2023 – to include Dogs Australia rider
Amended December 2023
Amended 9 October 2024
Amended 12 November 2025
Amended 10 December 2025
Amended 10 June 2026

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REGULATIONS
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REGULATIONS

PART I - THE REGISTER & REGISTRATION

SECTION 1

THE REGISTER

1.1 The Board of Directors shall maintain a register of dogs in accordance with the provisions of Parts 1 and 1A of the Regulations. **(10/11)**

1.2 The register shall be divided into four sections, namely:-

(a) the main register, in which the Board of Directors may register dogs considered by the Board of Directors as eligible for exhibition at a recognised show;

(b) the associate register, in which the Board of Directors may register 'non pedigree' dogs considered by the Board of Directors as eligible for exhibition in any ANKC approved discipline in which these associate registered dogs may compete, which is conducted at a recognised show; **(2/95) (12/10)**

(c) the limited register, in which the Board of Directors may register pedigree pure bred dogs which are:-

(i) ineligible for exhibition at a conformation show, or

(ii) for any reason, not to be used for breeding purposes, or

(iii) not entire or have been desexed, and

(iv) not registered in the main register or the supplementary register**;**

(d) the sporting register, in which the Board of Directors may register dogs which are:-

(i) ineligible for registration in the main register or the limited register, and

(ii) registered with an ANKC recognised sporting dog association. **(9/98) (12/10)**

SECTION 2

REGISTRATION - GENERAL

2.1 A dog shall only be registered in the register with the approval of the Board of Directors.

2.2 The Board of Directors may delegate to the Secretary the power to approve registration in the register.

2.3 A person entered in the register as the owner of a dog shall for all purposes be deemed to be the owner of that dog.

2.4 A dog entered into the register shall for all purposes be deemed to be registered with DOGS NSW.

2.5 Subject to Regulation 2.5A, a person shall only be entitled to apply to register a dog:-

(a) if that person is:

(i) the breeder of such dog,

(ii) the legal owner of such dog,

(iii) a resident of the State,

(iv) a member,

(v) the registered owner of a prefix, and

(b) in the case where the dog is part of a litter, all other dogs within that litter are also registered at that time. **(09/98)**

(c) Notwithstanding (a) above, a non-resident of Australia who is a part-owner of a dog being registered or re-registered, is only required to be a member of one Member Body of the ANKC provided that another part owner or owners who are members have submitted a written authority to DOGS NSW signed by all of the part-owners allowing that member or members to act in all respects in relation to that dog. **(09/04)**

(d) Notwithstanding (a) and (c) above, a Non-Resident of Australia who is the owner of a dog which is being registered or re-registered for the sole purpose of pedigree authentication only, is not, for that purpose alone, required to be a member. **(09/04)**

2.5A A person shall only be entitled to apply to register a dog in the sporting register if that person is:-

(i) the legal owner of such dog,

(ii) a resident of the State,

(iii) a member,

(iv) a member of a sporting dog association. **(09/98)**

2.6 Except where hereafter provided, an application for the registration of a dog must be made no later than the day on which the dog attains the age of 6 months, except under extenuating circumstances where application for registration of the dog may be considered by the Board of Directors. **(11/08), (06/13)**

2.7 Notwithstanding regulation 2.5, the Board may in its discretion permit registration of a dog where to do so would be to act in accordance with a policy or resolution of the Australian National Kennel Council concerning prerequisites for registration. **(7/95)**

2.8 (a) A dog shall only be eligible for registration in the register if there is provided to the Board of Directors such information as the Board of Directors may from time to time require concerning the health or soundness of the dog. **(10/96)**

(b) The Board of Directors may, from time to time, resolve that in respect of any breed of dog, or in respect of any dog or group or category of dogs, there be provided in connection with an application for registration in the register such information as the Board of Directors may require concerning the health or soundness of the dog. **(10/96)**

2.9 Where the details of the new owner/s of the progeny of a litter are known prior to registration, the progeny is to be transferred directly into the new owner/s name at the time of registration, and it shall be the responsibility of the breeder **(12/19 – Effective 01/03/2020)** to:-

(i) lodge the application for registration into the name/s of the new owner/s in the approved form;

(ii) obtain the new owner/s informed consent in writing to the lodging of a transfer into the name/s of the new owner/s for registration;

(iii) advise the new owner/s in writing that DOGS NSW has a privacy policy in respect of personal information collected including the name and address of the new owner/s by providing a link to the Privacy Policy or a copy of that policy.

(06/20)

2.10 Where any interest in a dog is sold or transferred, the relevant contractual arrangements are the personal and private responsibility of the parties involved, however, all applications required to be made to DOGS NSW in respect of the transfer are required to be made to accurately reflect those arrangements. **(06/06)**

2.11 Where any dog is co-owned, the relevant contractual arrangements are the personal and private responsibility of the parties involved however all applications required to be made to DOGS NSW in respect of the dog concerned are required to be made to accurately reflect those arrangements.

DOGS NSW will not participate in any dispute relating to the contractual arrangements in respect of the ownership or co-ownership of a registered dog. **(06/06)**

2.12 The owner's address to be shown on all Registration Certificates must be the current member or non-member's address as shown in the Register:-

(i) in the case of a dog owned by a single member, the membership address of that member,

(ii) in the case of a dog owned by a single non-member, or co-owned by a person who is a non-member, the address as shown on the relevant Application for Transfer,

(iii) in the case of a dog co-owned by two or more members in equal proportions, the membership address of one of those members as shown on the relevant Application for Registration or on a subsequent Application for Transfer,

(iv) in the case of a dog co-owned by two or more members but not in equal proportions, the membership address of the majority shareholder or if there are more than one equal majority joint shareholder, the membership address of one of those majority joint shareholders as shown on the Application for Registration or on a subsequent Application for Transfer. **(06/06)**

2.13 The signatures of all owners or part owners of a dog are required to be submitted on an application form for the purposes of any transaction to be effected by DOGS NSW in relation to a dog, unless a current "Signature Authority Application" form, as currently approved by the Board of Directors from time to time, signed by all owners or part-owners of the dog, has been lodged with DOGS NSW and, if it has, signatures as specified in that authority shall be required.

2.14 Written cancellation of a previous Signature Authority Application in respect of any dog, given by any one of the part-owners of that dog, shall be sufficient for DOGS NSW to revert to requiring the signatures of all owners or part owners of a dog in respect of any subsequent transaction.

2.15 DOGS NSW may defer its processing of any transaction concerning a dog or prefix owned or part-owned by a Member who is the subject of an Inquiry or Investigation instituted or carried out pursuant to the Regulations, or who is the Defendant in any court proceedings the subject matter of which relates to the keeping of animals, pending the outcome and conclusion of such inquiry or investigation and the service or payment of any penalty imposed as a consequence of it. The date of the deferral to commence from the date of the incident. **(03/15)**

SECTION 3

REGISTRATION - THE MAIN REGISTER

3.1 A dog shall only be eligible for registration in the Main Register if it is entire and true to type and:-

(a) its Sire and Dam are each of the same breed and registered in the register

(i) its Dam is registered in the Main Register;

(ii) its Sire is registered in the Main Register; and

(iii) the owner/s of the Main Registered Sire is/are financial members of a Canine Controlling Body recognised by Dogs Australia; or

(12/22)

(b) it is the progeny of a Sire owned by a person not resident in the State; and

(i) it is registered in the register of a Canine Controlling Body in the State or Territory in which such person resides;

(ii) the application for its registration in the Main Register is accompanied a copy certified by the Canine Controlling Body of the registered pedigree of the Sire.

(12/22)

(c) it has been imported in dam, or whelped:-

(i) after its dam left the country from which it was imported and before the arrival of its dam in the State, or

(ii) after arrival of its dam in the State, and

(iii) it is the progeny of a sire and dam registered in the register of a canine controlling body recognised as such by the Board of Directors, and

(iv) its dam has been registered in the main register, or an application for registration of its dam in the main register has been lodged with the Secretary; and

(d) its breeder is, or the owner of a dog imported as aforesaid is, a member, and

(i) such breeder or owner is the registered owner of a prefix, and

(ii) registration fees payable in respect of such prefix are not in arrears; and

(e) there is submitted a duly completed application for registration in such form accompanied by such fee as the Board of Directors may from time to time require, and

(f) the application for registration is accompanied by a duly completed service certificate in such form as the Board of Directors may from time to time require, and

(g) in the case of an application for registration of a litter, the registered ownership of both the prefix and the dam of the litter are identical, or **(7/95)**

3.2 **Exhibition of an Imported Dog**

Excepting as provided for in Regulation IA – Section 3 of these Regulations, an imported dog may not be exhibited in the State prior to its re-registration with an ANKC Member Body. (**07/08) (11/12)**

3.3 Deleted **11/12**

SECTION 4

REGISTRATION - THE ASSOCIATE REGISTER

4.1 A dog shall only be eligible for registration in the associate register if:-

(a) it is ineligible for registration in the main register or the limited register;

(b) the dog has competed in or is to compete in and is likely to continue to compete in any ANKC approved discipline in which these associate registered dogs may compete, which is conducted at a recognised show, and; **(2/95), (12/10)**

(c) the owner is a member, and

(d) the dog has been desexed or a veterinary certificate is supplied advising delayed desexing up until 18mths of age; and **(6/26)**

(e) There is submitted a duly completed Application for Registration in such form accompanied by such fee as the Board of Directors may from time to time require together with a Certificate from a Veterinary Surgeon confirming that the dog has been desexed or a veterinary certificate is supplied advising delayed desexing up until 18mths of age. **(6/26)**

4.2 A dog shall only be eligible for registration in the Associate Gundog Register in NSW if:-

(a) it is currently registered in the Associate Register in accordance with 4.1;

(b) it has been inspected by 3 Gundog (Specialist) Judges with 5 years standing who certify that the dog is of a Gundog variety accepted to be eligible to compete in Retrieving Ability Test for Gundogs (RATG);

(c) the owner is a member, and

(d) there is submitted a duly completed Application for Registration in such form accompanied by the original Associate Dog Certificate of Registration and by such fee as the Board of Directors may, from time to time, require. **(12/11)**

4.3 Any dog which is a Restricted Dog for the purposes of the Companion Animals Act 1998 is not eligible for registration on the Associate Register or the Associate Gundog Register and, any registered dog which is later declared by an authorised officer of a council under Division 6 of that Act to be a restricted dog, after any available appeal process is exhausted, is not eligible to remain on either Register. **(04/11) (12/11)**

SECTION 5

REGISTRATION - THE SPORTING REGISTER

5A.1 A dog shall only be eligible for registration in the sporting register if:-

(a) it is ineligible for registration in the main register or the limited register,

(b) it is registered with an ANKC recognised Working Dog Association/Kindred Body. **(12/10)**

(c) there is submitted:-

(i) evidence acceptable to the Board of Directors of the dog's registration with a sporting dog association, and

(ii) a duly completed application for registration of the dog in the sporting register in such form accompanied by such fee as the Board of Directors may from time to time require. **(9/98)**

5A.2 A dog may be registered in the Sporting Register at any age. **(9/98)**

5A.3 That registering a dog on the Sporting Register only enables a dog to take part in DOGS NSW activities other than conformation. **(06/05)**

REGISTRATION - THE LIMITED REGISTER

5.1 A dog shall only be eligible for registration in the limited register if it is:-

(a) ineligible for exhibition at a conformation show, or

(b) for any reason, not to be used for breeding purposes, or

(c) not entire or has been desexed, and

(d) not registered in the main register or the supplementary register, and

(e) there is submitted a duly completed application for registration in such form accompanied by such fee as the Board of Directors may from time to time require.

(f) its Dam is registered in the Main Register; **(12/22)**

(g) its Sire is registered in the Main Register; and **(12/22)**

(h) the owner/s of the Main Registered Sire is/are financial members of a Canine Controlling Body recognised by Dogs Australia**. (12/22)**

5.2 For the purpose of Regulation 5.1(a), "conformation show" means a show that is either an all breeds show, a championship show, a general show, an open show, a parade, a sanction show or a specialist show. **(9/98)**

SECTION 6

TRANSFERS WITHIN THE REGISTER

6.1 Subject to complying with the requirements of Regulation 3.1, a dog may be transferred from the limited register to the main register:-

(a) if application for such transfer is lodged with the Secretary, **(04/09)**

(b) if both the breeder and the registered owner of the dog make written application for such transfer in such form accompanied by such fee as the Board of Directors may from time to time require, and

(c) on one occasion only.

6.2 Subject to complying with the requirements of Regulation 5.1, a dog may be transferred from the main register to the limited register:-

(a) on application in writing signed by the owner and the breeder; **(12/97)**

(b) on one occasion only.

SECTION 7

REGISTERED NUMBER

7.1 Subject to Regulation 7.2, each dog registered in the register shall be allotted a registration number which shall be part of the dog's name and shall be used to the exclusion of any other number.

7.2 In the case of a dog registered in the Sporting Register, its DOGS NSW registration number will be the same registration number allotted to the dog by the relevant sporting dog association. **(9/98)**

SECTION 8

REGISTERED NAME

8.1 Subject to Regulation 8.1A, each dog registered in the register shall be allotted a unique name which shall be comprised of the breeder's prefix followed by any other number of words, provided that the total number of characters in the name including spaces between the words does not exceed thirty (30). **(9/98) (09/08)**

8.1A In the case of a dog registered in the Sporting Register, the name allotted by DOGS NSW will be the same name allotted to the dog by the relevant sporting dog association. **(9/98)**

8.2 A dog may not have a registered name that:

(a) is identical with or deceptively similar to an existing registered name;

(b) in the opinion of the Board of Directors, is misleading, unsuitable or objectionable;

(c) comprises or includes the following:-

- "imp"
- hyphens
- apostrophes
- Roman Numerals
- "au" **(05/18E)**
- "champ" **(05/18E)**

however, numbers written as a word are permissible provided it is clear that that it does not represent a numerical sequence. **(1/00) (4/07)**

8.3 Notwithstanding Regulation 8.2(a), a dog may be registered with the same name as a previously registered dog if:-

(a) the last-mentioned dog:-

(i) dies before attaining 3 months; **(8/95)**

(ii) has not been exhibited at a show; and

(b) the breeder of the two dogs is the same person and within 14 days of the date of death he:-

(i) returns to DOGS NSW the deceased dog's registration papers;

(ii) provides DOGS NSW with a certificate from a veterinary surgeon certifying the date of death,

whereupon, subject otherwise to compliance with Regulations 2, 3, 4 and 5 (as appropriate), the first-mentioned dog may be registered in the register.

8.4 The Registered Name of a dog may be changed upon application by the owner provided that:-

(i) the application is lodged before the dog reaches three (3) months of age, and

(ii) approval of the Breeder to the change of name is provided on the Application Form, and

(iii) the new name applied for complies with Regulations 8.1 and 8.2 of this Part. **(9/04)**

SECTION 9

TRANSFER TO WITHIN THE STATE

9.1 A dog of any age, registered with a canine controlling body outside the State but in Australia, that is transferred to a member shall have allotted to it the same number and name as that allotted by the canine controlling body followed in brackets by the first letter of the name of the State or Territory in which it was initially registered.

9.2 A dog of any age, registered with canine controlling body outside Australia, that is imported into Australia and transferred to a member shall have allotted to it the same number and name as that allotted by the canine controlling body followed in brackets by the abbreviation "Imp." and a shortened form of the name of or initials indicating the country in which the dog was whelped.

Illustration: "(Imp. UK)", "(Imp. Gmy.)"

9.3 The member applying for registration of a dog referred to in Regulations 9.1 and 9.2 shall supply such information and evidence concerning the dog's prior registration as may from time to time be required.

9.4 All documentation submitted with an application for re-registration of an imported dog and/or semen must be in English or accompanied by an official document translated in English by an authorised interpretation/translation service, eg, NSW Government Multicultural NSW Interpreting & Translation Services
Document Translation Services - Multicultural NSW (Additional Personal Documents)

SECTION 10

FORMAT OF REGISTER (12/10)

10.1 The Register shall record in the following order:

(a) the breeder's registered prefix;

(b) the dog's name;

(c) its registered number;

(d) in the case of a dog referred to in Regulations 9.1 and 9.2, the letter, abbreviation, name or initials as therein prescribed.

SECTION 11

PREFIXES

11.1 Prior to commencing any stage of a breeding program or applying for registration of a dog in the register, the breeder shall first apply for and have been granted a prefix. **(03/17)**

11.2 **Effective from 1 July 2014:- (11/13)**

An application for registration of a prefix may be submitted to the Secretary, DOGS NSW, and consideration of any such application and granting of a Prefix shall be subjected to the following prerequisite requirements **(12/23)**:-

(a) the application must be on such duly completed application form and be accompanied by such fee as the Board of Directors may, from time to time, require and will enrol the applicant in the online DOGS NSW Members Education Prefix Program.

(b) the applicant passing a written examination in the said Prefix Program. **(03/19)**

(c) inspection of the applicant's premises by an Inspector authorised by the Board of Directors to ensure that they meet the standards required by the Regulations. Such inspection will not be carried out until such time as the Applicant has achieved a pass in the Prefix Program examination.

(d) be subject to the approval of the Australian National Kennel Council Ltd, whose decision shall be final and binding on all members.

Any Member who has passed the written examination in the full DOGS NSW Members Education Program shall be exempt from undertaking the online DOGS NSW Members Education Prefix Program and its related examination. **(11/14)**

The Board of DOGS NSW may consider for approval an application from an applicant over the age of eighteen (18) years, who otherwise would not qualify under Regulations 11.2, above, provided such applicant demonstrates an active involvement in relevant canine breeding activities and can supply such evidence. **(04/17)**

11.3 (a) a prefix shall comprise 1 word of not more than 12 letters.

(b) an application for a prefix may be rejected by DOGS NSW if:-

(i) in the opinion of the Board of Directors or the Secretary the word is misleading, unsuitable or objectionable;

(ii) the word is identical with or deceptively similar to a previously registered prefix or an affix believed to be registered by a canine controlling body in another country.

11.4 (a) a breeder may only register one (1) registered prefix for a particular breed of dog, however, that prefix may also be used to register other breeds under that prefix. **(06/19)**

(b) a breeder may register a subsequent prefix or prefixes for the exclusive use of a particular breed. **(06/19)**

(c) the registered prefix of a breeder must be attached to the name of every dog bred by them and such prefix shall be deemed to be part of the name. **(06/19)**

(d) nothing in the Regulations shall prevent a person who is not a resident of the State being a co-owner with a member of a registered prefix.

11.5 A registered prefix may only be transferred if all persons shown in the register maintained by the Australian National Kennel Council as having an interest in the prefix sign a duly completed form indicating their consent to such transfer.

11.6 (a) a prefix shall be registered on an annual basis, concurrently with the member's annual membership, and upon payment of the prescribed fee.

(b) a prefix may not be used, and a dog to which the prefix applies may not be exhibited, unless all amounts payable in respect of the current registration of the prefix have been paid in full.

11.7 (a) the registration of a prefix shall be suspended by the Australian National Kennel Council in the event of any monies payable in respect of such registration being due and unpaid.

(b) in the case of a prefix the registration of which has been suspended for a period not exceeding 5 years, registration may be restored upon application by the registered owner(s) of the prefix and payment of all outstanding registration fees and such further fee as the Board of Directors may prescribe. **(10/94)**

(c) a prefix the registration of which has been suspended for more than 5 years shall be removed from the ANKC register of prefixes. **(10/94)**

11.8 A prefix may not be transferred by or to a Member whose Membership has been suspended or terminated. **(11/25)**

11.9 A prefix that is or has been registered in the name of a member whose membership has been suspended may not be transferred to, used by or registered in the name of any other person during suspension of the member's membership. ***(Refer also 11.8, above)*** **(12/25)**

11.10 This section 11 does not apply to a dog registered or eligible for and intended to be registered in the sporting register. **(9/98)**

SECTION 12

REGISTRATION OF DOGS GOT BY ARTIFICIAL INSEMINATION (10/13)

12.1 A Member is permitted to inseminate a bitch owned or co-owned by himself;

(a) using semen from his own dog or from a dog hired by him for such purpose, or

(b) using frozen semen which is registered on the ANKC database.

12.2 Other than as provided in 12.1, artificial insemination of a bitch may only be carried out by a member of the veterinary profession, an employee of a business which includes the provision of insemination services or by another Member of DOGS NSW or of another ANKC Member Body, who is proficient in providing such services.

12.3 Any conditions or fees for the use of the semen of the sire are to be agreed in writing prior to the insemination.

12.4 A dog used for the supply of semen for artificial insemination must be registered on the Main Register of the ANKC Ltd National Registration Database and, if the semen is imported, the dog must be registered with an Overseas Controlling Body recognised by ANKC Ltd, the necessary documentation provided and re-registered on the Main Register of the ANKC Ltd National Registration Database.

12.5 The service certificate on the Application for Registration, as required by Section 3.1 (f), is to be signed by the owner of the sire or semen immediately on completion of the mating/insemination, and the Litter Registration application form is to be held by the registered owner of the bitch pending registration of the litter.

12.6 In any case of insemination using Frozen Semen, the "ANKC Certificate of Use" form is to be completed immediately after insemination and in any case where insemination was carried out using chilled or fresh semen, the Artificial Insemination declaration on the Application for Registration must be completed by the inseminator.

12.7 The Board of Directors at its sole discretion may withhold its approval of any artificial insemination centre, licensed owner, veterinary surgeon, private practitioner or other person. The decision of the Board of Directors shall be final and binding in every such instance upon all persons affected thereby.

12.8 To signify that an animal was got by artificial insemination, the notation "(AI)" shall be printed on the DOGS NSW Registration Certificate following the dog's registered name.

12.9 If any circumstances occur in relation to artificial insemination which are not, or which are alleged not to be provided for by these Regulations, the Board of Directors may deal with the matter and make such decisions as it deems fit and its decision shall be final and binding upon all persons affected thereby.

SECTION 13

TRANSFER OF DOGS

13.1 In this Regulation 13, "transfer" refers to a change in ownership or possession of a dog or of any interest therein and whether by sale, lease, loan, gift, charge or other disposition.

13.2 A transfer of a dog within the State shall not be registered unless:-

(a) a duly completed application for transfer signed by the registered owners and (except in the case of a dog being transferred overseas) the transferee is lodged with DOGS NSW within 30 days (or such longer time as the Board of Directors may allow) of such transfer; **(2/96)**

(b) the application is accompanied by the certificate of registration of the dog or a statutory declaration by the registered owner as to the loss of and efforts made to find the certificate.

13.3 A breeder who transfers a dog that is eligible for registration and delivers or agrees to deliver an application for transfer to the purchaser shall apply to DOGS NSW within 30 days of such sale for registration of the dog, failing which the breeder shall be liable to pay to DOGS NSW, in addition to the prescribed registration fee, the applicable late transfer fee. Only upon receipt of such fees shall DOGS NSW register the dog and the transfer of that dog to the purchaser, unless the Board of Directors in its discretion decides otherwise.

13.4 If an application for transfer of a dog is endorsed to the effect that:-

(a) the dog is not to be used for breeding, or

(b) the dog is not to be exported,

the endorsement or words to the effect of the endorsement shall be recorded in the register, and

(c) in the case of (a), no progeny of that dog may thereafter be registered, and

(d) in the case of (b), an export certificate may not be issued in respect of that dog. **(2/96)**

13.5 The Board of Directors may record a transfer of a dog or of any interest in a dog owned solely or jointly by a member **(05/18)**:-

(a) during the period of any suspension or disqualification of such member by DOGS NSW; **(05/18)**

(b) in the case of a member whose membership has been terminated by the Board of Directors, transfer may only be endorsed by resolution for dispensation from the Board of Directors; or **(05/18)**

(c) despite Regulations Part XI, Section 6, Regulation 6.7 in a case where a member who has been founded guilty of misconduct is appealing to an Appeal Committee pursuant to Regulations Part XI, Section 7, until the outcome of that appeal is known. **(12/97)**

13.5A Deleted **(8/96)**

13.6 Upon the approval of a transfer by the Board of Directors and subject to the payment of all fees the transfer shall be recorded in the register.

13.7 (a) this Regulation applies to all transfers by way of lease.

(b) upon the initial transfer of a dog, a payment equivalent to two transfer fees shall be paid by the transferee/lessee.

(c) The certificate of registration of transfer shall:

(i) record the date upon which the lease is to terminate ("the termination date");

(ii) become invalid with effect from the termination date.

(d) on the day next following the termination date the registered owner of the dog shall be the person who was the registered owner immediately prior to the initial transfer referred to in (b) above ("the prior owner");

(e) DOGS NSW shall as soon as practicable after the termination date issue a new certificate showing the prior owner of the dog as the registered owner thereof.

(i) Subject to any separate terms and conditions agreed by all parties by lodgement of a “Partnership Agreement - Transfer Of Registered Ownership By Way Of Lease” with DOGS NSW at the instigation of a lease, following the termination of such lease, the dog, the subject of the lease, must be returned to its registered owner as referred to in (e) above (“the prior owner”). **(08/13)**

(ii) Failure to return a dog to its registered owner within 14 days of the termination of a lease shall constitute a breach of Article 18(a). **(08/13)**

(f) subject to (b) having been complied with, no transfer fee shall be payable as a consequence of the operation of (d) and (e) above.

13.8 (a) In the case of an application to transfer a dog to any overseas transferee, in addition to complying with regulation 13.2, the transferor shall apply to DOGS NSW for an export pedigree (which shall only be issued if the DOGS NSW records in respect of the dog in question go back at least three generations) which must be provided by the transferor forthwith upon receipt to the transferee. **(2/96)**

(b) An export pedigree will not be issued in respect of a dog that is to be transferred to an overseas transferee:

(i) until the dog has attained the age of 12 weeks, or **(03/17)**

(ii) if the dog is registered on the Limited Register.

(2/96)

13.9 In any case where more than a fifty percent interest in a registered dog is transferred, the transferor of that dog must, at the time of transfer, provide to the transferee the original Certificate of Registration of that dog. **(06/06)**

13.10 In any case where more than a fifty percent interest in a dog which has not yet been registered is transferred, the breeder must, in accordance with 13.3, make application for registration within 30 days of the date of transfer. In such cases the breeder must transfer the ownership directly into the new owner's name at the time of registration. **(12/19)**

13.11 In any case where an interest of fifty percent or less in a registered dog is transferred, the Member who holds the Registration Certificate in respect of that dog must make application to DOGS NSW for the transfer to be registered within 30 days of the date of transfer. **(06/06)**

13.12 In any case where an interest of fifty percent or less in a dog which has not yet been registered is transferred, the Breeder must make application to DOGS NSW for both registration and the subsequent transfer to be registered within 30 days of the date of transfer. **(06/06)**

SECTION 14

DEATHS

14.1 The registration of a dog shall be deemed to terminate upon the death of the dog.

14.2 Within 28 days of the death of a dog the owner shall:-

(a) in the case of a dog that has not attained the age of 10 years at the date of death, return the dog's certificate of registration to the DOGS NSW Secretary accompanied by written advice of the dog's death (and a postage prepaid return addressed envelope if the owner wishes the certificate of registration to be returned). **(12/96)**

(b) in the case of a dog that has attained the age of 10 years, notify the DOGS NSW Secretary in writing of the dog's death. **(2/96)**

SECTION 15

CORRECTION OF THE REGISTER

15.1 The Board of Directors may amend the register or suspend or cancel any entry therein if it appears that any such entry is incorrect or was obtained in breach of the Rules or Regulations or otherwise wrongfully or the person concerned is not entitled to the registration in question.

15.2 During the period of suspension of registration of a dog, the dog shall be deemed for all purposes to be not registered.

15.3 Cancellation of or variation in the registration of a dog shall not necessarily affect the registration already effected of any progeny of which such dog became the sire or dam during the period of registration of such dog.

15.4 Upon the cancellation of or variation in the registration of a dog the Board of Directors may cancel the registration of any descendant of such dog or may allow the registration of the descendent to remain and/or the Board of Directors may make such correction in the description (including its name or registration number or any recorded particulars) of any such descendant or such variation in its registration as the Board of Directors may consider proper.

15.5 Subject to the approval of the Board of Directors being first obtained a dog, the registration of which has been cancelled or suspended, may be re-registered upon the application of its owner.

15.6 A dog shall not be re-registered except in the name in which it was registered immediately prior to the cancellation or suspension of its registration.

SECTION 16

CANCELLATION OF REGISTRATION

16.1 Without limiting the generality of Regulation 15.1, the registration of a dog will at the discretion of the Board of Directors be subject to cancellation in the following circumstances:-

(a) any prescribed fee payable pursuant to any Regulation within Regulations Part I is overdue and unpaid for a period in excess of 30 days;

(b) the dog is transferred as provided in Regulation 13 and an application for transfer is not lodged with DOGS NSW as therein provided:-

(c) the owner, or one of any joint owners:-

(i) ceases to be a member,

(ii) becomes an insolvent under administration within the meaning of the Corporations Law,

(iii) becomes of unsound mind or a person whose person or estate is liable to be dealt within any way under the law relating to mental health.

(d) the dog is not eligible for the registration that has been effected;

(e) any particulars furnished in or with the application for registration are incorrect;

(f) the dog is exhibited at an unrecognised show;

(g) in the opinion of the Board of Directors, the dog has been exhibited in a recognised show in breach of Regulations Part II, Regulations 14.2 or 14.3;

(h) the dog is confirmed as an aggressive dog pursuant to Regulations Part II, Regulations 14.10(e).

SECTION 17

VOLUNTARY DE-REGISTRATION

17.1 An application for de-registration of a dog will not be accepted unless:-

(a) the application is made by all persons then shown as registered owners, and

(b) the registered owners have been registered as the owners for a period of not less than 3 years, or

(c) where the registered owners have been registered as owners for a period of less than 3 years, the application is accompanied by written evidence acceptable to the Board of Directors of the consent of the previous registered owners to the proposed de-registration.

SECTION 18

BREEDING RECORDS

(2/95)

18.1 The owner of a dog must maintain a documentary record in accordance with the requirements of this Section 18 of all breeding activities in which that dog has been involved.

18.2 For the purpose of this Section 18:-

'breeding activities' means:-

(a) any mating,

(b) particulars of any puppies born (whether alive or dead) of a mating;

'owner' includes a lessor of a dog and a former owner who retains any right to use the dog for breeding activities or to receive any puppy born of a mating in which that dog was involved.

18.3 The documentary record must:-

(a) disclose the date and place of the breeding activity,

(b) contain the registered name and registered number of both dogs involved in a mating together with the full name and address of the owner of each such dog,

(c) in the case of puppies born of a mating, a sufficient description of each puppy so as to enable it to be identified in the period prior to its registration,

(d) be maintained for a period of 5 years from the date of the breeding activity in question, **(02/17)**

(e) be available for inspection at any reasonable time by any person authorised by resolution of the Board of Directors, and such person shall be at liberty to take such extracts therefrom as he may think fit, and

(f) comply with such other requirements and contain such other information as the Board of Directors may from time to time require (either in the particular case or generally).

SECTION 19

TESTING OF DOGS

(8/95)

19.1 If at any time the Board is of the opinion that a dog, whether or not registered, is not true to type, the Board may by resolution require that:-

(a) the owner of the dog,

(b) the owner of the dog's sire, and

(c) the owner of the dog's dam

present the dog at such time and place as the Board may nominate for DNA testing."
(5/96)

19.2 Any failure by the owner of a dog to comply with the requirements of a resolution of the Board pursuant to regulation 19.1 is deemed to be misconduct and the member concerned may be penalised by the Board in respect thereof.

19.3 In considering the question of penalty, the Board must give the member concerned a reasonable opportunity to make such submissions on penalty as the member concerned may wish to make.

19.4 Neither DOGS NSW nor any member thereof shall have any liability to any person in respect of any act or thing done or omitted to be done (and whether or not negligently) purportedly pursuant to this Section 19.

SECTION 20

(08/02)

TEMPERAMENT TESTING OF DOGS

20.1 If at any time the Board of Directors ("the Board") is of the opinion that a dog, whether or not registered, may be likely to constitute a danger to persons, other dogs or property, the Board may, by resolution, require the owner to present the dog at such time and place as the Board may nominate for temperament testing. **(09/13)**

20.2 Temperament testing shall be conducted by a Committee, appointed by the Convenor of the Aggressive Dogs Working Party or a Regional Director, comprising any three of the following:- **(06/19)**

(a) A Veterinarian of at least 5 years' standing, **(06/19)**

(b) An Obedience, Performance or Sporting Judge (relevant to the event at which the incident occurred) of at least 5 years' standing, **(10/24**); OR

(b) A Conformation Judge of at least 5 years' standing in respect of the Breed Group of dog being tested.

(c) A Qualified Temperament Tester approved by the Board.

20.2.1 Notwithstanding the above, if a Veterinarian is not one of the three (3) appointed, then a Veterinarian Certificate, dated within five (5) days of the Temperament Test, is required. This Certificate would be required to state that in the belief of the signing Veterinarian, the dog is not aggressive and is in good health, with no obvious abnormalities. **(06/19)**

20.3 The Committee shall deliver to the Board a majority report ("the Report") as to whether or not in its opinion the dog is likely to constitute a danger to persons, other dogs or property at any show. A report that declares that the dog is likely to constitute a danger to persons, other dogs or property at any show shall be referred to as an "Adverse Report".

20.4 (a) The Board may prohibit the transfer of a dog the subject of a resolution pursuant to Regulation 20.1 until the Board receives the report. If the report is an "Adverse Report", this prohibition shall continue until notification of the owner of the dog pursuant to 20.4(b).

20.4 (b) If the report is an Adverse Report, the owner shall be notified by the Secretary forthwith and from receipt by the owner of such notification the owner shall not exhibit, breed with or transfer the dog until receipt of written approval of the Board or pursuant to Regulation 20.7 hereof. Notification shall be deemed to have been received by the owner 3 (three) business days after being posted by the Secretary.

20.5 Within two calendar months of receipt of an Adverse Report the Board may:-

(i) suspend or disqualify or otherwise debar the dog from being an exhibit,

(ii) impose conditions in relation to the exhibit of that dog at a Show (and in either event, for such period as the Board considers appropriate),

(iii) direct that the dog is not to be bred with,

(iv) transfer the dog within the register,

(v) cancel the registration of the dog, or

(vi) reject the Report

20.6 Before making a decision pursuant to Regulation 20.5, the Board shall give the owner of the dog a reasonable opportunity to make such submissions to the Board in respect of an Adverse Report as the owner may wish to make.

20.7 If for any reason the Board has not finally dealt with the matter within the two month period referred to in Regulation 20.5 the owner of the dog may make written application to the Board for the removal of the prohibition against exhibiting, breeding with or transferring the dog referred to in Regulation 20.4. Upon receipt of such application, the Board shall forthwith either:

(i) grant the application, or

(ii) reach a decision in relation to the matter but if such decision is not reached within a period of one month from the date of such application, the application shall be deemed to have been granted.

20.8 If for any reason the owner of the dog has not presented the dog for temperament testing within a period of three (3) months from the date first specified for the test in accordance with a Resolution pursuant to Regulation 20.1, the Board may: **(07/09)**

(i) suspend or disqualify or otherwise debar the dog from being an exhibit,

(ii) impose conditions in relation to the exhibit of that dog at a Show, (and in either event, for such period as the Board considers appropriate),

(iii) direct that the dog is not to be bred with,

(iv) transfer the dog within the register,

(v) cancel the registration of the dog. **(06/05)**

20.9 Any failure by the owner of a dog to comply with the requirements of a resolution of the Board pursuant to Regulation 20.1 or with the requirements of Regulation 20.4 is deemed to be misconduct and the owner concerned may be penalised by the Board in respect thereof.

20.10 In considering the question of penalty, the Board must give the owner concerned a reasonable opportunity to make such submissions on penalty as the owner may wish to make.

20.11 Neither DOGS NSW nor any member thereof shall have any liability to any person in respect of any act or thing done or omitted to be done (and whether or not negligently) purportedly pursuant to this Section 20.

20.12 Any dog which has been declared aggressive in accordance with the provisions of Regulation Part II–Show (14.10) and has subsequently been required by the Board of Directors acting in accordance with 20.1 of this Part to undertake a temperament test, shall not, during the period prior to that temperament test being undertaken, be allowed on any ground where DOGS NSW activities are being conducted excepting;

(i) To attend formal dog training classes being conducted by DOGS NSW or by an Affiliate, and/or

(ii) To attend the temperament test itself.

(09/09)

SECTION 21

(05/06)

MULTIPLE SIRE LITTERS

Intentional or Unintentional Multiple Sired Litters (pre-registration)

21.1 Any breeder who has either intentionally or unintentionally used multiple sires over a bitch must, when applying to register the resultant litter, submit the following documents together with the appropriate Service Certificates and Application for Registration:

(a) DNA Test certificate in respect of each of the multiple sires used;

(b) DNA Test certificate in respect of the Dam of the litter;

(c) DNA Test certificates in respect of each puppy in the litter which are all required to be tested at the same time; and

(d) a certificate given by a Veterinary Surgeon providing an interpretation of the results of the DNA Tests as to the correct parentage of the litter.

Registration of the litter concerned will be processed based on the results provided in the Veterinary Certificate.

All costs associated with obtaining the certificates required by 21.1 are to be borne by the breeder of the litter.

Unintentional Multiple Sired Litters &/or different Sire Litters (post-registration)

21.2 Subsequent to Registration of a litter, a breeder who, for any reason, believes that a different sire to that registered, or multiple sires, may have produced the litter concerned must do the following:-

(a) immediately notify the Secretary of a DOGS NSW of the fact, providing full details of the dogs concerned including the Dam and each of the puppies;

(b) within 21 days of the notice in (a) above,

(i) provide a DNA Test certificate of every dog which could possibly have been the sire or one of multiple sires of the litter together with a Statutory Declaration that no dog, other than those tested, could have been the sire.

(ii) provide a DNA Test Certificate in respect of the Dam of the litter.

(iii) provide a DNA Test Certificate in respect of each puppy in the litter which are all required to be tested at the same time.

(iv) submit a certificate given by a Veterinary Surgeon providing an interpretation of the results of the DNA Tests as to the correct parentage of the litter.

Subject to submission of any further Service Certificates and/or revised Application/s for Registration, registration of the litter concerned will be amended based on the results provided in the Veterinary Certificate.

Excepting in cases where the original registration of all puppies tested were found to be correct, the registration of any other puppy in the litter for which a DNA Test certificate was not for any reason provided, will be transferred to the Limited Register.

All costs associated with obtaining the certificates required by 21.2 are to be borne by the breeder of the litter.

Disputed Parentage Litter (by an owner other than the breeder)

21.3 (a) In any case where a Member, who is the owner but not the breeder of the dog concerned, disputes the parentage of that dog, they must immediately notify the Secretary of DOGS NSW of the fact, providing full details of all dogs involved in the dispute and the reasons which form the basis of the dispute.

(b) Within forty (40) days of receiving the notice referred to in 21.3(a), the Board of Directors will determine if DNA testing is to be ordered to be carried out on the registered parents of the litter concerned, any alleged alternative parent, the disputed dog and/or any or all siblings of the disputed dog.

(c) Where DNA testing is ordered in accordance with 21.3(b), the Board of Directors will notify the owners of all dogs to be tested stating the reasons for requesting the test/s. The owners of the dogs to be tested are required to comply with this request.

(d) Any DNA tests ordered to be carried out in accordance with 21.3(b) must be carried out within 21 days of the date of the letter requesting such tests and must be returned to the Secretary accompanied by a Certificate given by a Veterinary Surgeon providing an interpretation of the results of the DNA Tests as to the correct parentage of the litter.

Upon receipt of the results of the DNA testing ordered in accordance with 21.3(b), the Board of Directors shall:-

(i) direct what action is to be taken in regard to the registrations of all dogs tested and to any progeny of those dogs, and

(ii) direct who is to pay the costs associated with the DNA tests and veterinary certificate.

Excepting in cases where the original registration of all puppies tested in accordance with 21.3 (b) were found to be correct, the registration of any other puppy in the litter for which a DNA Test certificate was not for any reason provided, will be transferred to the Limited Register.

Disputed Parentage Litter (by the Board of Directors)

21.4 (a) In any case where the Board of Directors resolve to dispute the parentage of a dog they will at the same time determine if DNA testing is to be ordered to be carried out on the registered parents of the litter concerned, any alleged alternative parent, the disputed dog and/or any or all siblings of the disputed dog.

(b) Where DNA testing is ordered in accordance with 21.4(a), the Board of Directors will notify the owners of all dogs to be tested stating the reasons for requesting the test/s. The owners of the dogs to be tested are required to comply with this request.

(c) Any DNA tests ordered to be carried out in accordance with 21.4(a) must be carried out within 21 days of the date of the letter requesting such tests and must be returned to the Secretary accompanied by a Certificate given by a Veterinary Surgeon providing an interpretation of the results of the DNA Tests as to the correct parentage of the litter.

Upon receipt of the results of the DNA testing ordered in accordance with 21.4(a) the Board of Directors shall:-

(i) direct what action is to be taken in regard to the registrations of all dogs tested and to any progeny of those dogs, and

(ii) direct who is to pay the costs associated with the DNA tests and veterinary certificate.

Excepting in cases where the original registration of all puppies tested in accordance with 21.4(a) were found to be correct, the registration of any other puppy in the litter for which a DNA Test certificate was not for any reason provided, will be transferred to the Limited Register. (**05/06)**

SECTION 22

(08/08)

REGISTRATION AND EXHIBITION OF DOCKED DOGS

22.1 A Non Registrable Docked Dog is any dog that:-

(a) was born after 30 October 2008; and

(b) has had all or part of its tail removed (other than a part of the tail consisting only of fur, hair, or the like) whether by surgical or other means in circumstances where such removal was:-

(i) not in accordance with the law of NSW; or

(ii) conducted outside New South Wales and not in accordance with the laws of the place where the removal occurred and the dog was not a resident in New South Wales on or before the date of the removal.

22.2 At no time may a Non Registrable Docked Dog:-

(a) be registered or remain on the register; or

(b) be exhibited or shown at an exhibition or show in New South Wales.

22.3 If a dog is born after 30 October 2008, the Board may at any time, by notice in writing, require a member in whose name a dog is registered or in whose name an application has been made to register a dog, to supply it with documentary evidence which substantiates that the dog is not a Non Registrable Docked Dog.

22.4 If the member shall not supply to the Board the evidence referred to in clause 3 above within 30 days of the date of such notice the Board may suspend the registration of the dog until such evidence is supplied to it. During such suspension, the dog may not be entered or exhibited in any exhibition or show, but may be bred with, used at stud or transferred. **(09/13)**

22.5 The Board of Directors may from time to time specify such documentary evidence as shall be required by it pursuant to Clause 3.

22.6 An Application for registration of a dog shall contain a certification by the applicant as follows “This application is in compliance with DOGS NSW Regulations”.

SECTION 23

(06/19)

INSPECTION OF DOGS

23.1 Where it is brought to the attention of the DOGS NSW Secretary that the Colour and/or Coat of a dog may not comply with the ANKC Ltd Breed Standard, all transactions are to be suspended on the dog until the dog has been inspected by a Compliance Inspection Panel appointed by the Board of Directors.

23.2 The Compliance Inspection Panel will examine:-

(a) Validity of the microchip implanted in the dog

(b) Colour of the dog in relation to colours allowed on the Main Register and dogs that do not comply with allowable colours will be placed on, or downgraded to, the Limited Register.

23.3 Failure to contact DOGS NSW, within three (3) months, for an inspection or failure to attend a pre-arranged inspection will result in the dog being placed on the Limited Register until there is compliance.