

CHAPTER 312**DOGS ACT**

To make new provisions in respect of dogs, in substitution of the provisions of the Dogs Ordinance. Cap. 40.

(15th November, 1985)*

Enacted by ACT XXI of 1985, as amended by Act VIII of 1990.

1. This Act may be cited as the Dogs Act. Short title.
2. In this Act, unless the context otherwise requires - Interpretation.
 - "keeper" includes any person having the charge of or who habitually feeds or looks after a dog;
 - "prescribed fee" means the fee prescribed under the Police Licences Regulations, 1949. G.N. No. 846 of 1949.
3. (1) No person shall keep a dog of the age of six months or over without a licence issued in accordance with this Act. Licence.
 - (2) For the purposes of subarticle (1) every person in whose custody or possession, or in whose house or premises, any such dog shall be found, shall be deemed to be the person who keeps such dog, unless the contrary is proved.
 - (3) The proof that a dog is not over six months old shall lie upon the person who keeps the dog.
 - (4) A blind person who keeps a dog which is used for his guidance shall be exempt from the payment of the prescribed fee.
4. (1) Licences to keep dogs shall be issued by the Commissioner of Police and may be obtained on application to the officer in charge of such licences against payment of the prescribed fee. Application for licence.
 - (2) A separate licence shall be required in respect of each dog.
 - (3) No person shall be qualified for obtaining a licence under this Act unless he has completed eighteen years of age and is capable of taking charge of a dog:
 - Provided that the qualification of eighteen years of age shall not apply to blind persons.
5. (1) The Commissioner of Police may forbid a licensee from keeping more than one dog in any house which is situated in an inhabited area within the meaning of the Code of Police Laws. Restrictions regarding the keeping of dogs. Cap. 10.
 - (2) For the purposes of subarticle (1) every person in whose house such dogs are found, shall be deemed to be the person who keeps such dogs, unless the contrary is proved.
 - (3) In the case of houses let by apartments, each part of any such house separately let, shall, for the purposes of subarticle (1),

*See Government Notice No. 667 of the 15th November, 1985.

	be deemed to be a house.
Cap. 10.	(4) Nothing in this article contained shall affect any provisions of the Code of Police Laws relating to the keeping of dogs in common tenement-houses.
Badges.	<p>6. (1) There shall be delivered with every licence issued or renewed under this Act a metal badge to be worn by the dog to which the licence refers.</p> <p>(2) Every badge shall bear a number and the year of issue thereof, shall be valid for the year during which it is issued, and may be renewed for periods of twelve months each beginning on the 1st January of any one year.</p> <p>(3) The licence fee shall include the cost of the badge.</p> <p>(4) A second or subsequent badge may, where necessary, be issued for the same dog during any year for which a licence is in force, against payment of the prescribed fee.</p> <p>(5) The number of each badge shall be entered on the licence by the issuing officer.</p>
Name and address on badge.	7. The Commissioner of Police may, upon application, include in the badge the name and address of the licensee, subject to the payment of the prescribed fee.
Use of badge.	8. No person shall use for any dog a badge which was issued or renewed for another dog, and the owner or keeper of any dog wearing such badge shall be deemed to be the person who has used that badge contrary to the provisions of this article, unless the contrary is proved.
Production of badge.	<p>9. (1) Any Police officer may seize and detain any dog for the purpose of examining the badge worn by the dog.</p> <p>(2) Any Police officer may require the owner or keeper of a dog to produce and deliver to him within seven days, for examination, the licence relating to the dog.</p>
Claim for recovery of dog.	<p>10. (1) Notwithstanding the provisions of any other law, any Police officer may seize any stray dog and detain it until its owner or keeper claims it, produces the licence relating to such dog, and pays all expenses incurred by reason of its detention.</p> <p>(2) If the dog is not claimed or the licence relating to such dog is not produced or the expenses mentioned in subarticle (1) are not paid within seven days of seizure, the dog shall be destroyed or otherwise disposed of by the Police.</p> <p>(3) The payment of expenses as provided in subarticle (1) shall not exempt the owner or keeper of the dog from any other liability incurred under this Act.</p>
Power to seize dogs in certain cases.	11. Any Police officer may also seize and detain a dog which assaults any person, or any horse or other animal while being ridden or driven in a vehicle, or runs foul of any vehicle in motion in such manner as to cause annoyance or danger, and in any such case the provisions of article 10 shall apply.

- 12.** For the purposes of articles 9, 10 and 11 "Police officer" shall include any person authorised by the Minister responsible for the Police to perform any of the functions by a Police officer under the provisions of those articles. Police officer to include authorised persons.
- 13.** Notwithstanding the provisions of any other law, any person other than a Police officer, who takes possession of a stray dog shall: Person finding stray dog.
- (a) return the dog to its owner or keeper, if known, or
 - (b) take the dog to the nearest police station and inform the Police officer in charge of that station as to the place where the dog was found and thereupon the provisions of article 10 shall apply to such dog.
- 14.** (1) Where any owner or keeper of a dog which is dangerous to persons, fails to keep the dog under control, he shall be guilty of an offence and shall, on conviction, be liable to a fine (*ammenda*) of five liri and the court shall order the Police to destroy the dog at the expense of its owner or keeper notwithstanding that the dog may have a new owner or keeper. Dangerous dogs.
- (2) For the court to order the destruction of a dog as provided in subarticle (1), it shall not be necessary for the prosecution to prove that the owner or keeper knew that the dog was dangerous.
- (3) If the person charged as provided in subarticle (1) is for any reason acquitted of the charge, the court shall, nevertheless, if satisfied that the dog is dangerous, order its destruction.
- (4) A dog which has bitten or assaulted a person shall be considered to be dangerous, unless the contrary is proved.
- 15.** Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgment given by the Court of Magistrates in respect of proceedings arising out of the provisions of article 14. Appeal by Attorney General. Amended by: VIII. 1990. 3. Cap. 9.
- 16.** (1) Saving the provisions of the Prevention of Disease Ordinance, and of any other law, whenever any person having a suspicion that a dog is affected with rabies or with any other disease communicable to man informs any Police officer of his suspicion and of the whereabouts of the dog, or any Police officer has such a suspicion about a dog, that officer shall forthwith communicate the information received by him to the Principal Veterinary Surgeon or other Government Veterinary Surgeon and shall act on his advice. Suspicion of rabies and other communicable disease. Cap. 36.
- (2) If the Veterinary Surgeon so informed is of the opinion that there is a valid cause to suspect rabies or any other disease communicable to man he shall inform forthwith the Superintendent of Public Health who shall give such directives as may be necessary to safeguard public health.
- 17.** Any person who acts in contravention of or fails to comply with any provision of this Act shall be guilty of an offence and shall, on conviction, be liable for each offence, unless a higher Offences and penalties.

punishment is provided for in any other law, to the punishment of a fine (*ammenda*) of five liri.

Application of
article 321 of the
Police Laws.
Cap. 10.

18. The provisions of article 321 of the Code of Police Laws shall apply to any offence under this Act or any regulations made thereunder.

Regulations.

19. The Minister responsible for the Police may from time to time make regulations for giving effect to the provisions of this Act and, without prejudice to the generality of the foregoing, may make regulations -

- (a) for prescribing the muzzling and keeping of dogs under control;
 - (b) for prescribing and regulating the wearing by dogs, while in certain public places, of a collar with the name and address of the owner or keeper inscribed on the collar or on a plate or badge attached thereto;
 - (c) for preventing dogs or any class of dogs from straying during all or any of the hours between sunset and sunrise;
 - (d) for regulating and controlling the keeping of dogs in any particular circumstances;
 - (e) for preventing the soiling by dogs of pavements and streets;
 - (f) for prescribing and regulating the seizure, detention and disposal, including destruction, of stray dogs and of dogs not muzzled or not being kept under control;
 - (g) for prescribing the fees and expenses for the detention of dogs and the recovery of such fees and expenses from the owners or keepers;
 - (h) for prescribing the book which shall be kept by licensees of pet shops and dealers in dogs, and the particulars which shall be recorded in such book in respect of every dog sold and of the purchaser;
 - (i) for providing that any person who contravenes or fails to comply with any regulations made under this Act shall be guilty of an offence and shall be liable, on conviction, to punishments not exceeding a fine (*ammenda*);
 - (j) for prescribing anything that may be prescribed; and
 - (k) generally for any other purpose connected with the operation of the provisions of this Act.
-