



Isle of Man

Ellan Vannin

AT 2 of 2012

DOGS (AMENDMENT) ACT 2012



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**Isle of Man***Ellan Vannin*

DOGS (AMENDMENT) ACT 2012

Signed in Tynwald: 15 May 2012
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AN ACT to amend the Dogs Act 1990; and for connected purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

1 Short title

The short title of this Act is the Dogs (Amendment) Act 2012.

2 Commencement

- (1) This Act, other than section 1 and this section, comes into operation on such day or days as the Department of Environment, Food and Agriculture (“the Department”) may by order appoint.
- (2) An order under subsection (1) may contain such incidental, transitional and transitory provisions as the Department considers appropriate.
- (3) Before making an order under subsection (1) the Department must consult the Department of Infrastructure.

3 Amendment of the Dogs Act 1990

The *Dogs Act 1990*¹ is amended as follows.

4 Section 1 (licences) amended

After section 1(3) insert—

¹ c.16

“(3A) An order under subsection (2) may provide an exemption from duty, or prescribe a lower rate of duty, in respect of a dog into which an electronic transponder has been implanted.”.

5 Section 2 (exemptions) substituted

For section 2 substitute —

“2. Exemptions

No duty is chargeable under section 1 in such circumstances (which may relate either to the dog or its keeper) as the Department may specify by order.”.

6 Section 24 (byelaws) amended

- (1) Section 24 is amended as follows.
- (2) In subsection (4)—
 - (a) at the end of paragraph (b) the word “or” is repealed;
 - (b) at the end of paragraph (c) add “or”; and
 - (c) after that paragraph add—
 - “(d) a specified car park;”.
- (3) In subsection (5) after “open space” (in both places) insert “or car park”.
- (4) In subsection (6)—
 - (a) for “(4)(b) or (c)” substitute “(4)(b), (c) or (d)”; and
 - (b) for “specified open space or beach” substitute “specified open space, beach or car park”.
- (5) In subsection (7)—
 - (a) before the definition of “open space” insert—
 - “ “**car park**” means a place where vehicles of any class may wait;”;
 - (b) for the definition of “open space” substitute—
 - “ “**open space**” includes—
 - (a) any land laid out for sport, play or recreation (whether public or not);
 - (b) any land laid out as public walks or as pleasure grounds;
 - (c) any land used as a cemetery (whether public or private) or as a churchyard;
 and any part of such land, but does not include land to which the public have access and which is vested in, or managed or controlled by, the Department.”.
- (6) After subsection (10) insert—

“(10A) Before approving byelaws under this section, the Department of Infrastructure must consult the Department.”.

7 Paragraph 5 of Schedule 1 (token issued with a licence) amended

- (1) Paragraph 5 of Schedule 1 is amended as follows.
- (2) For sub-paragraph (1)(c) substitute—
 - “(c) of the colour specified by the Department for each year in respect of which dog licences are issued.”.
- (3) In sub-paragraph (2) for “prescribed” substitute “specified”.

8 Minor amendments, repeal and revocation

- (1) In section 7(9)(a) omit “of Environment, Food and Agriculture”.
- (2) In section 27A(6)(a) omit “of Environment, Food and Agriculture”.
- (3) In section 28(4) for “the Department” substitute “the Department of Infrastructure”.
- (4) In section 30 for the definition of “authorised officer” substitute—
 - “ “**authorised officer**” means an officer of a local authority authorised to enforce this Act or any byelaws under section 24 within the district of the authority, and includes, in relation to land vested in, or managed or controlled by the Department, and to which the public have access, an officer of the Department;”.
- (5) In consequence of subsections (1), (2) and (4), and section 6(5)(b) above—
 - (a) section 5(1)(ix)(a) of the *Dogs (Amendment) Act 2006*², to the extent that it inserts a definition of “authorised officer” in section 30 of the *Dogs Act 1990*, is repealed; and
 - (b) paragraph 38 of Part 1 of Schedule 3 to the Transfer of Functions (New Departments)(No. 2) Order 2010³ is revoked.

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² c. 9.

³ SD 155/10.