



Jersey

DOGS (JERSEY) LAW 1961

Revised Edition

02.550

Showing the law as at 31 August 2004

This is a revised edition of the law



Jersey

DOGS (JERSEY) LAW 1961

Arrangement

Article

PART 1	5
<hr/>	
INTRODUCTORY	5
1 Interpretation.....	5
PART 2	5
<hr/>	
LICENSING	5
2 Duty to be paid on taking out of licence to keep dogs.....	5
3 Exemptions from licensing requirement.....	6
4 Issue of licences, etc.	6
5 Offences under Part 2.....	6
PART 3	7
<hr/>	
CONTROL OF DOGS	7
6 Wearing of collars by dogs	7
7 Seizure of stray dogs.....	7
8 Duty of persons taking possession of stray dogs	7
9 Worrying of livestock by dogs.....	7
10 Procedure on seizure of dogs	8
11 Orders directing dogs to be destroyed or kept under proper control	9
12 Rules of Court for purposes of Article 11.....	10
PART 4	10
<hr/>	
GENERAL	10
13 Penalties for offences.....	10
14 Saving	10
15 Citation.....	10

Supporting Documents

ENDNOTES	11
Table of Legislation History	11
Table of Renumbered Provisions	11
Table of Endnote References	11



Jersey

DOGS (JERSEY) LAW 1961

A **LAW** relating to dogs

Commencement [[see endnotes](#)]

PART 1

INTRODUCTORY

1 Interpretation

In this Law –

“agricultural land” means land used as arable, meadow or grazing land, or for the purposes of poultry farming, pig farming or market gardening, or as allotments, nursery grounds or orchards;

“livestock” means cattle, sheep, goats, swine, horses or poultry; and for the purposes of this definition “cattle” means bulls, cows, oxen, heifers and calves, “horses” includes asses, mules and hinnies;

“poultry” means domestic fowls, turkeys, geese and ducks;

“worrying livestock” means attacking livestock, or chasing livestock in such a way as may reasonably be expected to cause injury or suffering to the livestock or in the case of females, abortion, or loss of or diminution in their produce.

PART 2

LICENSING

2 Duty to be paid on taking out of licence to keep dogs

Subject to the provisions of this Part, there shall be charged in respect of every dog kept in Jersey a duty of such amount as the States shall by Regulations fix

which duty shall be paid annually on a licence to be taken out by the owner of the dog.¹

3 Exemptions from licensing requirement²

No licence shall be required under this Part in respect of –

- (a) a dog under the age of 6 months;
- (b) a dog kept and used solely by a blind person for his or her guidance;
- (c) a dog, kept and used by a deaf person, which has been trained by an organization which exists to train dogs for that purpose, to assist that person to overcome disabilities caused by his or her deafness; or
- (d) a dog kept and used for such purposes as the States may specify in Regulations made under this Article.

4 Issue of licences, etc.

- (1) Licences under this Part shall be issued by the Connétable of the parish in which the owner of the dog resides.
- (2) A licence shall remain in force until the 31st January next following the date on which it takes effect.
- (3) The Connétable of each parish shall keep a register of all licences issued under this Part of this Law in the parish, specifying the name and address of the person to whom any such licence is issued and the number of dogs in respect of which the licence is issued.
- (4) The sums received for licences issued under this Part shall be credited to the Roads Account of the parish in which they are received.

5 Offences under Part 2

- (1) If any person keeps a dog for which a licence under this Part is not in force, not being a dog exempted by virtue of Article 3, or keeps a greater number of dogs than is authorized to be kept by virtue of a licence in force under this Part, he or she shall be guilty of an offence:

Provided that a Connétable may accept payment of double the amount of the duty chargeable instead of instituting proceedings in respect of the offence.

- (2) Any person in whose custody, charge or possession, or in whose house or premises a dog is found or seen shall, unless the contrary is proved, be deemed to be the owner of the dog.

PART 3
CONTROL OF DOGS

6 Wearing of collars by dogs

- (1) Every dog while on a highway or in any other public place shall wear a collar with the name and address of the owner inscribed on the collar or on a plate or badge attached thereto:

Provided that this requirement shall not apply to any pack of hounds, or to any dog while being used for sporting purposes or for the capture or destruction of vermin.

- (2) In the case of any contravention of this Article in respect of a dog, the owner of the dog and any person in charge of it, and any person allowing it to be on the highway or in the public place, shall each be guilty of an offence, and if the dog is not in the charge of any person, a police officer may seize it and detain it until the owner has claimed it and has paid all expenses incurred by reason of its detention.

7 Seizure of stray dogs

Where a police officer has reason to believe that any dog found on a highway or in any other public place is a stray dog, he or she may seize it and detain it until the owner has claimed it and has paid all expenses incurred by reason of its detention.

8 Duty of persons taking possession of stray dogs

- (1) Where any person takes possession of a dog which he or she has reason to believe is a stray dog, he or she shall forthwith either –
- (a) return the dog to its owner; or
 - (b) notify a police officer that he or she has found the dog and give his or her name and address to the officer, and if he or she does not desire to keep the dog, the dog shall be treated as if it were a stray dog seized by the officer in pursuance of Article 7.
- (2) If any person fails to comply with the provisions of this Article, he or she shall be guilty of an offence.

9 Worrying of livestock by dogs

- (1) Subject to the provisions of this Article, if a dog worries livestock on any agricultural land, the owner of the dog and, if it is in the charge of a person other than the owner, that person also, shall be guilty of an offence.
- (2) A person shall not be guilty of an offence under this Article if at the material time the livestock are trespassing on the agricultural land in question and the dog is owned by, or in the charge of, the occupier of that

agricultural land or a person authorized by the occupier, except in a case where the said person caused the dog to worry the livestock.

- (3) The owner of a dog shall not be guilty of an offence under this Article if he or she shows to the satisfaction of the court that at the time when the dog worried the livestock it was in the charge of some other person whom he or she reasonably believed to be a fit and proper person to be in charge of the dog.
- (4) Where in the case of a dog found on any land –
 - (a) a police officer has reasonable cause to believe that the dog has been worrying livestock on that land, and that land appears to the police officer to be agricultural land; and
 - (b) no person is present who admits to being the owner of the dog or in charge of it,

the police officer may seize the dog and detain it until the owner has claimed it and has paid all expenses incurred by reason of its seizure and detention.

10 Procedure on seizure of dogs

- (1) Where any dog seized under Article 6, 7 or 9 wears a collar having inscribed thereon or attached thereto the name and address of any person, or the owner of the dog is known, the Connétable of the parish in which the dog is seized or any person authorized by the Connétable in that behalf, shall serve on the person whose name and address is given on the collar, or on the owner, a notice in writing stating that the dog has been so seized, and will be liable to be sold or destroyed if not claimed within 7 clear days after the service of the notice.
- (2) A notice under this Article may be served either –
 - (a) by delivering it to the person on whom it is to be served;
 - (b) by leaving it at that person's usual or last known place of abode, or at the address given on the collar; or
 - (c) by forwarding it by post in a registered letter addressed to that person at his or her usual or last known place of abode, or at the address given on the collar.
- (3) Where any dog so seized has been detained for 7 clear days after the seizure, or, in the case of such a notice as aforesaid having been served with respect to the dog, then for 7 clear days after the service of the notice, and the owner has not claimed the dog and paid all expenses incurred by reason of its detention, the Connétable, or any person authorized by him or her in that behalf, may cause the dog to be sold, given away or painlessly destroyed.
- (4) No dog so seized shall be given or sold for the purposes of vivisection.
- (5) The Connétable of each parish shall keep a register of all dogs seized in that parish which are not transferred to an establishment for the reception of stray dogs, and such register shall contain a brief description of the dog, the date of seizure and particulars as to the manner in which the dog is disposed of.

- (6) Every such register shall be open to inspection at all reasonable times by any member of the public on payment of a fee of 5p.
- (7) No dog so seized shall be disposed of by transferring it to an establishment for the reception of stray dogs unless a register is kept for that establishment containing such particulars as to dogs received in the establishment as are above mentioned and such register is open to inspection by the public on payment of a fee not exceeding 5p.
- (8) The police officer or other person having charge of any dog detained shall cause the dog to be properly fed and maintained.
- (9) All expenses incurred by a Connétable under this Article shall be defrayed out of the Roads Account of the parish in which they are incurred, and any money received by a Connétable under this Article shall be credited to that Account.

11 Orders directing dogs to be destroyed or kept under proper control

- (1) Where it is shown to the satisfaction of the Magistrate's Court, on a representation made by any person, that a dog is dangerous or is not kept under proper control, the court may make an order relating either –
 - (a) that the dog shall be kept under proper control; or
 - (b) that the dog shall be destroyed:

Provided that no order shall be made under this paragraph unless the owner of the dog has been given an opportunity of being heard.

- (2) Where on a representation made under paragraph (1) the Magistrate's Court makes an order directing that the dog shall be destroyed, the owner of the dog may, within the period of 7 days from the date of the order, appeal against the order to the Royal Court, and, until the expiration of that period, or until the determination of the appeal, as the case may require, the order shall have effect as if it were an order directing that the dog shall be kept under proper control.
- (3) Where on a representation made under paragraph (1) the Magistrate's Court refuses to make either of the orders which it is empowered to make or makes an order directing that the dog shall be kept under proper control, the person making the representation may, within the period of 7 days from the date of such refusal or order, appeal to the Royal Court against the decision of the Magistrate's Court in the matter.
- (4) On any appeal under paragraph (2), the Royal Court may either dismiss the appeal or rescind the order made by the Magistrate's Court and, if thought fit, substitute therefor an order directing that the dog shall be kept under proper control, and on any appeal under paragraph (3), the Royal Court may either dismiss the appeal or make either of the orders which the Magistrate's Court might have made.
- (5) The decision of the Royal Court on any appeal under this Article shall be final and without further appeal.
- (6) Any appeal under this Article may be heard and determined either in term or in vacation.

- (7) Part 1 of the Civil Proceedings (Jersey) Law 1956,³ shall extend to the hearing of proceedings under the foregoing provisions of this Article and the provisions of the said Part 1 shall have effect accordingly but as if references therein to the Petty Debts Court were references to the Magistrate's Court.
- (8) For the avoidance of doubt, it is declared that Part 5 of the Magistrate's Court (Miscellaneous Provisions) (Jersey) Law 1949,⁴ shall not apply in relation to any order made by the Magistrate's Court under paragraph (1).
- (9) If the owner of a dog fails to comply with the terms of an order made under this Article, he or she shall be guilty of an offence.
- (10) In this Article, "Royal Court" means the Inferior Number of the Royal Court.

12 Rules of Court for purposes of Article 11

The powers to make Rules of Court under Article 29 of the Magistrate's Court (Miscellaneous Provisions) (Jersey) Law 1949,⁵ and under Article 13 of the Royal Court (Jersey) Law 1948,⁶ shall include powers to make Rules regulating practice and procedure in applications and appeals under Article 11 of this Law.

PART 4

GENERAL

13 Penalties for offences

- (1) A person guilty of an offence under Article 5 shall be liable to a fine not exceeding £5 for each dog in respect of which the offence has been committed.
- (2) A person guilty of an offence under Article 6 or 8 shall be liable to a fine not exceeding £5.
- (3) A person guilty of an offence under Article 9 shall be liable to a fine not exceeding £50.
- (4) A person guilty of an offence under Article 11 shall be liable to a fine not exceeding £2 for each day on which the offence continues.

14 Saving

Nothing in this Law shall be deemed to affect the power of the Economic Development Committee to make Orders as to dogs by virtue of Article 22 of the Diseases of Animals (Jersey) Law 1956.⁷

15 Citation

This Law may be cited as the Dogs (Jersey) Law 1961.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement
Dogs (Jersey) Law 1961	L.37/1961	7 October 1961
Dogs (Amendment) (Jersey) Law 1967	L.18/1967	8 September 1967
Dogs (Amendment No. 2) (Jersey) Law 2003	L.15/2003	28 March 2003

Table of Renumbered Provisions

Original	Current
PART I	Part 1
PART II	Part 2
PART III	Part 3
PART IV	Part 4
14(1), (2)	spent, omitted from this revised edition
14(3)	14

Table of Endnote References

¹ Article 2	<i>amended by L.18/1967</i>
² Article 3	<i>substituted by L.15/2003</i>
³	<i>chapter 04.200</i>
⁴	<i>chapter 07.595</i>
⁵	<i>chapter 07.595</i>
⁶	<i>chapter 07.770</i>
⁷	<i>chapter 02.400</i>