



Dogs (Protection of Livestock) Act 1953

1953 CHAPTER 28 1 and 2 Eliz 2

2 Enforcement. **E+W**

- (1) As respects an offence under this Act alleged to have been committed in respect of a dog on any agricultural land in England or Wales, no proceedings shall be brought except—
 - (a) by or with the consent of the chief officer of police for the police area in which the land is situated, or
 - (b) by the occupier of the land, or
 - (c) by the owner of any of the livestock in question.
- (2) Where in the case of a dog found on any land —
 - (a) a police officer has reasonably cause to believe that the dog has been worrying livestock on that land, and the land appears to him to be agricultural land, and
 - (b) no person is present who admits to being the owner of the dog or in charge of it,then for the purpose of ascertaining who is the owner of the dog the police officer may seize it and may detain it until the owner has claimed it and paid all expenses incurred by reason of its detention.
- (3) Subsections (4) to (10) of section three of the ^{M1}Dogs Act, 1906 (which provide for the disposal of dogs seized under subsection (1) of that section if unclaimed after seven days) shall apply in relation to dogs seized under the last preceding subsection as they apply in relation to dogs seized under subsection (1) of that section (which provides for the seizure and detention of dogs found in highways and places of public resort and believed to be stray dogs).

Extent Information

- E1** This version of this provision extends to England and Wales only. A separate version has been created for Scotland only.

Marginal Citations

- M1** 1906 c. 32.

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent
Changes to legislation: There are currently no known outstanding effects for the Dogs (Protection of Livestock) Act 1953, Section 2. (See end of Document for details)

2 Enforcement. **S**

- (1) As respects an offence under this Act alleged to have been committed in respect of a dog on any agricultural land in England or Wales, no proceedings shall be brought except—
- (a) by or with the consent of the chief officer of police for the police area in which the land is situated, or
 - (b) by the occupier of the land, or
 - (c) by the owner of any of the livestock in question.

- (2) Where in the case of a dog found on any land [^{F1}(other than premises)] —
- (a) a police officer has reasonable cause to believe that the dog has been [^{F2}attacking or] worrying livestock on [^{F3}land that] appears to him to be agricultural land, and
 - (b) no person is present who admits to being the owner of the dog or in charge of it,

then for the purpose of ascertaining who is the owner of the dog the police officer may seize it and may detain it until the owner has claimed it and paid all expenses incurred by reason of its detention.

- [^{F4}(2A) Where in the case of a dog found on any land (other than premises) a police officer has reasonable cause to believe that—

- (a) the dog has been attacking or worrying livestock on land (whether the land on which the dog is found or other land) that appears to him to be agricultural land, and
- (b) it is necessary to seize the dog in order to identify and secure evidence of the commission of an offence under section 1 of this Act,

then the police officer may seize the dog and may detain it for as long as necessary to identify and secure any such evidence.]

- (3) Subsections (4) to [^{F5}(9)] of section three of the ^{M2}Dogs Act, 1906 (which provide for the disposal of dogs seized under subsection (1) of that section if unclaimed after seven days) shall apply in relation to dogs seized [^{F6}by a police officer under subsection (2) of this section] as they apply in relation to dogs seized under subsection (1) of that section (which provides for the seizure and detention of dogs found in highways and places of public resort and believed to be stray dogs) [^{F7}, subject to subsection (5) of this section].

- [^{F8}(4) Subsections (2) to (9) of section three of the Dogs Act, 1906 shall apply in relation to dogs seized by a police officer under subsection (2A) of this section as they apply in relation to dogs seized under subsection (1) of that section, subject to—

- (a) disregarding the words “and paid all expenses incurred by reason of its detention” where they appear in subsection (4) of that section, and
- (b) subsection (5) of this section.

- (5) The application of section three of the Dogs Act, 1906 to dogs seized under this section is subject to a presumption that, unless there are reasonable grounds to suspect that the dog is dangerous or it is otherwise impracticable to do so, the dog should be sold rather than destroyed.]

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W - England and Wales extent S - Scotland extent
Changes to legislation: There are currently no known outstanding effects for the Dogs (Protection of Livestock) Act 1953, Section 2. (See end of Document for details)

Extent Information

- E2** This version of this provision extends to Scotland only. A separate version has been created for England and Wales only.

Textual Amendments

- F1** Words in s. 2(2) inserted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 3(2)(a)**, 7(2)
- F2** Words in s. 2(2) inserted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 1(4)**, 7(2)
- F3** Words in s. 2(2) substituted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 3(2)(b)**, 7(2)
- F4** S. 2(2A) inserted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 3(3)**, 7(2)
- F5** Word in s. 2(3) substituted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 3(4)(a)**, 7(2)
- F6** Words in s. 2(3) substituted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 3(4)(b)**, 7(2)
- F7** Words in s. 2(3) inserted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 3(4)(c)**, 7(2)
- F8** S. 2(4)(5) inserted (S.) (5.11.2021) by [Dogs \(Protection of Livestock\) \(Amendment\) \(Scotland\) Act 2021 \(asp 18\)](#), **ss. 3(5)**, 7(2)

Marginal Citations

- M2** 1906 c. 32.

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W - England and Wales extent
- S - Scotland extent

Changes to legislation:

There are currently no known outstanding effects for the Dogs (Protection of Livestock) Act 1953, Section 2.